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नई दिल्ली - 110 066
MEMBER-SECRETARY
NATIONAL COMMISSION
FOR BACKWARD CLASSES
GOVERNMENT OF INDIA
NEW DELHI - 110 066

NCBC Advice No. 30 Rajasthan/98

03. 09. 1998

Dear Shri Manavalan,

I am sending herewith the Advice of the National Commission for Backward Classes under Section 9(1) of the NCBC Act, 1993 for rejection of the Request for Inclusion of 'Adi-Gaur Brahman' in the Central List of Backward Classes for Rajasthan, duly authenticated, for necessary action by the Central Government under Section 9(2) of the NCBC Act.

2. With this, Advices on 342 castes, sub-castes, synonyms etc. have been tendered to the Government by the Commission, after its reconstitution in 1997, of which 339 are still pending with the Government for Notification.

Yours sincerely

(P.S. KRISHNAN)

Encl: As stated.

Shri D.K. Manavalan,
Secretary
Ministry of Social Justice & Empowerment
Shastri Bhavan
NEW DELHI

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National Commission for Backward Classes

Rajasthan Bench

Findings

Case:- Request for Inclusion of Adi-Gaur Brahman caste in the Central List of Backward Classes For Rajasthan.

Per Shri P.S.Krishnan, Member-Secretary

I Request

1. This case arises from the Request received by the National Commission for Backward Classes from Shri Nathu Lal Gaur, General Secretary, Adl Gaur Brahman , Panchayat Distt. Branch, Bara for inclusion of the Adl-Gaur Brahman caste in the Central list of Backward Classes for Rajasthan.

II Public Hearings

2. The two-Member Rajasthan Bench of the Commission, consisting of Shri P.S.Krishnan, Hon'ble Member-Secretary, NCBC and Shri Navtej Puadhl, Hon'ble Member , NCBC held public Hearings at Jaipur on 30.5.97 & 10.6.98 inter alla to examine this Request. At the Public Hearing the State Government was represented by Shri S.K.Dalel, Joint Director and Shri Ramesh Chandra Sharma Deputy Director in the Directorate of Social

AUTHENTICATED


S. KRISHNAN
Member Secretary
National Commission
for Backward Classes

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Welfare. Shri G.D.Garg Joint-Director represented the Rajasthan State Backward Classes Commission. The community was represented by Shri Nathu Lal Gaur, Shri Shyam Sundar Bhardwaj, Shri Shyam Lal Tewari, Shri Babu Lal Vajpayee. A number of other Members of the caste were also present.

3. At the time when the Expert Committee on Backward Classes prepared the first-phase Central List of Backward Classes on the basis of the principle of commonality, i.e., by listing castes common to both the Mandal List for each State and the respective State Lists and when, on the basis of the Expert Committee's Report, the Government of India notified the first-phase Central List in 1993, Rajasthan was one of the States which did not have a State List of its own. Therefore no Central List of Backward Classes for Rajasthan was prepared at that stage. It was only after the Supreme Court's Judgement in the Mandal case that the State Government of Rajasthan undertook the preparation of a State List of Backward Classes which was notified by the State Government on 6.8.1994. "Adi Gaur Brahman" is not included in this State List and in the Mandal List and for this reason it is also not included in the Central List of Backward Classes for Rajasthan prepared on the basis of the "principle of commonality" by the Government of India and notified by it on the 19th October, 1994.

4. Shri Nathu Lal Gaur, the Request-maker, has stated that the caste is industrious but economically and socially backward like other artisanal castes viz. Badhai, suthar, khati, Silawat, Chitrakar, Murtikar, Shilpkar, etc.

5. Census of India 1931-Rajputana Reports and Tables by B.L.Cole (Manohar, New Delhi 1992, First edition 1933, Table XVII, P. 160) has classified Adi-Gaur Brahman alongwith Gaur Brahman.

6. Munshi Hardyial Singh in his book 'The castes of Marwar-being (Census of

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1891)' (Books Treasure Jodhpur, Second edition, 1990, pp. 66-67, First edition, 1894)' has described "Gaur" under the category "Priests----Brahmans".

7. The National Commission for Backward Classes vide its Advice No. NCBC/No. 18/Raj/97 dated 17-12-1997 has already tendered its Advice to the Central Government for rejection of the Request of Gaur Brahman caste for inclusion in the central list of Backward Classes for Rajasthan as the caste is not socially Backward but is socially Advanced.

8. The Rajasthan State Backward Classes Commission vide its letter no./F1)/RBCC/97/17457, dated 14th July, 1997 has given the following views about the Adi-Gaur Brahman caste:--

"Silawats call themselves Adi-Gaur Brahman and do not regard themselves socially backward. They have given in writing to the State backward Classes Commission that they are not interested to be included in the list of Backward classes and the commission may not consider their application",

9. On 30.5.97 during the public hearing Shri Gaur stated that the traditional occupation is "statue making" & they are equivalent to Chitrakar & Silawat. Again in the public hearing held on 10.6.98, in reply to specific questions of the Bench, Shri Gaur said that he had not withdrawn his Request made to the State Commission for Backward Classes for inclusion of Adi-Gaur Brahman caste in the State List of Backward Classes and that Adi-Gaur Brahmans do not call themselves Silawats nor do Silawats call themselves Adi-Gaur Brahmans. In reply to a further query of the Bench he said that he was pressing his Request that this caste should be considered for inclusion in the Central list of Backward Classes for Rajasthan. On this, there was heated argument between representatives/members of the caste present. Ten members of the caste, namely Pandit Shyam Lal Tiwari, Shri Babu Lal Vajpayee, Shri Jai Prakash Sharma, Shri Chand Gaur, Shri Bihari Lal Jamini, Shri Ghanshyam Dutt Vajpayee, Shri Radhey Shyam Bhardwaj, Shri Suresh Mishra, Shri Kanti Kumar Bhardwaj, Shri Bhupendra Kumar Sharma, opposed the inclusion of their caste in the list of backward classes as they are infact "Gaur Brahman". All of them

ATTESTED
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Member Secretary
National Commission

unanimously voiced their feeling that it is a matter of shame for them that a few persons have approached the State & Central Backward Classes Commissions for inclusion of their caste in the list of backward classes without the approval of their samaj. They said that the Request-maker is from Bara where Gaur Brahmans are very few in number. They asserted that Adi Gaur Brahmans are also Gaur Brahmans, they are not socially backward and therefore the caste should not be included in the list of the Backward Classes.

IV Findings

10. On the basis of the admission by many representatives of the caste that they are "Gaur Brahmans" and not "Silawats" or any other artisanal caste the Bench is convinced that Adi-Gaur Brahmans are Gaur Brahmans. This fact is evidenced by the Census Report, 1931 of Rajputana. As regards Gaur Brahman, the Bench has already found that a social group or community, the traditional occupation of which is priestly activities, is not considered inferior or lowly in terms of the caste system prevalent in the country. Thus the traditional occupation of this community does not justify its inclusion in the list of Backward Classes. It is not merely that the Gaur Brahman caste is of professional priests, but their social status in society is indicated by the reference of Munshi Hardyal Singh to it as forming the "fountain head" of the numerous Brahmin communities.

11. From the above evidence, It is the Finding of the Bench that Adi Gaur Brahman is not a Socially Backward Class, but on the contrary is a socially advanced Class. The inclusion of such Castes/Communities in the list of

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P. S. KRISHNAN
Member
Backward Classes Commission

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Backward Classes is not only counter to facts and social realities, but will also deprive the classes which are genuinely Socially Backward of their due and thus seriously distort the Constitutional and National Policy on Backward Classes. The inclusion of such Advanced castes/communities in the list of Backward Classes also would confer on them an unconscionable advantage over other advanced castes/communities who are correctly not included in the list of Backward Classes and with whom the former ought to compete on equal terms. Therefore, the present request for inclusion of "Adi Gaur Brahman" caste/community in the Central List of Backward Classes for Rajasthan should be rejected.

As one of the Members of the Bench, Shri Navtej Puadhi unfortunately passed away on 16.8.1998, subsequent to the public hearing, the Findings are signed only by one Member, who is also the co-ordinating Member of the Bench, but the Findings represent the conclusion jointly arrived at by both the Members.

P. S. Krishna

2.9.98

17/9/98
P. S. KRISHNA
Member
for

V Advice of the Commission

12. The Commission considered and agreed in full with the above Findings of the Rajasthan Bench and decided to tender the following Advice to the Central Government under Section 9(1) of the NCBC Act, 1993:-

The Request for Inclusion of "Adi Gaur Brahman" caste in the Central List of Backward Classes for Rajasthan be rejected as it is not a Socially Backward Class, but is a Socially Advanced Class.

On account of the unfortunate demise of one of the Members Shri Navetj Puadhi on 16.8.1998, this unanimous Advice, of the Commission does not bear the signature of that Member. The validity of the Advice, notwithstanding the vacancy caused by the demise of the aforesaid Member, is protected by Section 7 of the NCBC Act, 1993.

Kshaya
03-09-98

A. S. Krishna

2.9.98

Navetj Puadhi
3.9.98

P. K. Sengupta
3.9.98

ACTED FOR
A. S. Krishna
P. S. KRISHNAN
Member Secretary
National Commission
for Backward Classes