



पी.एस. कृष्णन्
P.S. KRISHNAN
TEL. : 6183190

सदस्य-सचिव
राष्ट्रीय पिछड़ा वर्ग आयोग
भारत सरकार
नई दिल्ली - 110 066
MEMBER-SECRETARY
NATIONAL COMMISSION
FOR BACKWARD CLASSES
GOVERNMENT OF INDIA
NEW DELHI - 110 066

24

DO NCBC Advice No. 32 Rajasthan/98

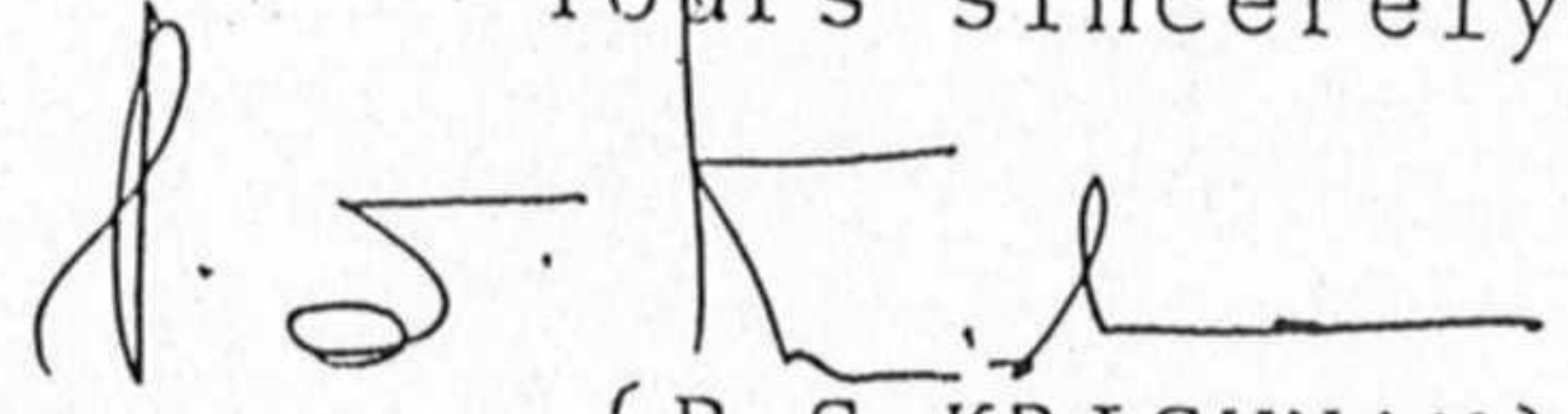
28. 09. 1998

Dear Shri Manavalan,

I am sending herewith the Advice of the National Commission for Backward Classes under Section 9(1) of the NCBC Act for the Rejection of the Request Inclusion of Bairagi as a synonym of Sad, Swamy in the Central List of Backward Classes for Rajasthan, duly authenticated, for necessary action by the Central Government under Section 9(2) of the Act.

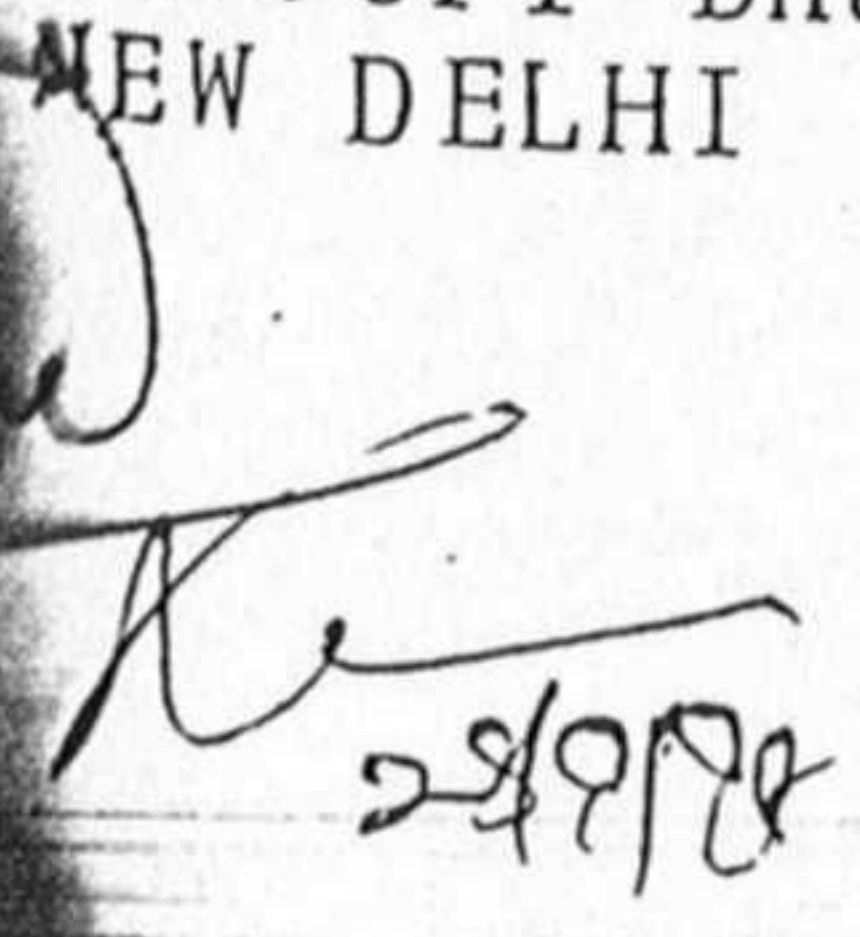
2. With this, Advices on 403 castes, sub-castes, synonyms etc. have been tendered to the Government by the Commission, after its reconstitution in 1997, of which 397 (234 for Inclusion + 163 for Rejection) are still pending with the Government for Notification.

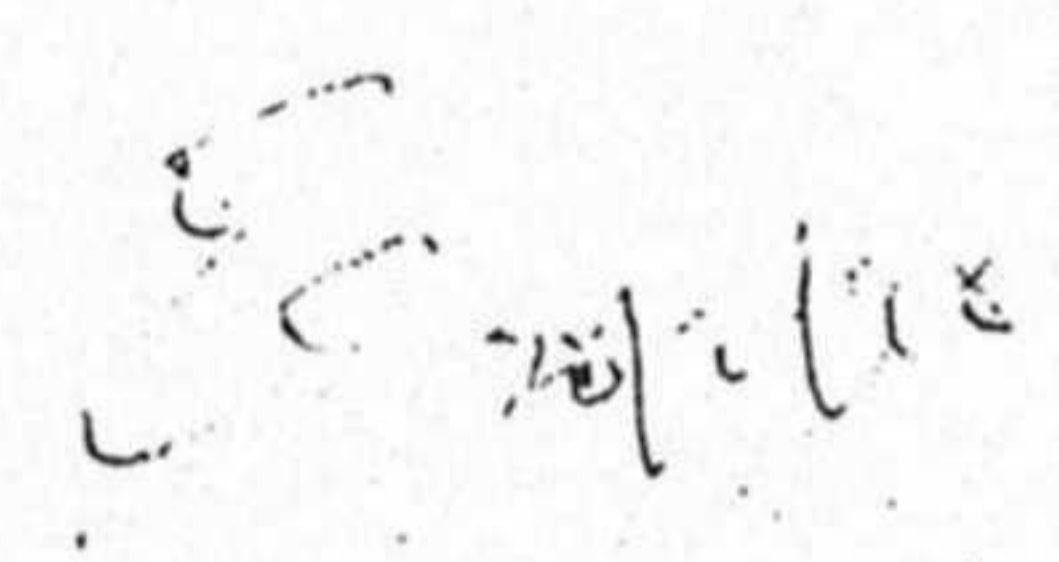
Yours sincerely


(P.S. KRISHNAN)

Encl: As stated

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


28/9/98



National Commission for Backward Classes

Rajasthan Bench

Findings

Case: Request for inclusion of Bairagi as a Synonym of Sad, Swami in the existing Central list of Backward Classes for Rajasthan.

Per Shri P.S. Krishnan, Member-Secretary.

I Requests

This case arises from the Requests received in this Commission from the Rajasthan State Backward Classes Commission vide their letter No. F 1 ()/RSBCC/ 95/8942 dated 28.4.95 and Shri Lakshmi Kant Bhavsar, Anya Pichara Varg Yuva Morcha, Distt. Banswara for inclusion of Bairagi as a synonym of Sad, Swami in the Central list of Backward Classes for Rajasthan.

II Public Hearing

2. The two-Member Rajasthan Bench of the Commission, consisting of Shri P.S. Krishnan, Hon'ble Member-Secretary, NCBC and Shri Navtej Paudhi, Hon'ble Member, NCBC held a Public Hearing at Jaipur on 9.6.1998 inter alia 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 Welfare. Shri G.D. Garg Joint-Director represented the Rajasthan State Backward Classes Commission. Shri Lakshmi Kant Bhavsar represented the caste.

AUTHENTICATED
P.S. KRISHNAN
Member-Secretary
National Commission for Backward Classes

Facts

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 State List of Backward Classes which was notified by the State Government on 6.8.1994. This State list included this synonym but it was not included in the Mandal List and for this reason it was 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.

The relevant entries in respect of Bairagi as a synonym of Sad, Swami in the different lists of backward classes are as follows:-

(1) State List

"46 Sad, Swami, Bairagi."

(2) Mandal List

"122 Sadsausi (Sehar)"

"131 Swami."

(3) Central List

"45 Sad, Swami."

AUTHENTICATED
P. S. K. N. N. N. N. N.
Minister
for Backward
Classes

Munshi Hardyal Singh in his book "The Castes of Marwar--being (Census Report of 1891)" (Books treasure Jodhpur, Second edition, 1990 p.98 First edition.1894) has described the Bairagi caste under the head "The Devotees" (CHAPTER-III Professional Priests). He writes "The Bairagis are the worshipers of Vishnu.... Like the Sanyasis some among them practise celibacy but others live as family men or Gharbaris. The latter generally wear clothes of white colour, work as pujaris in temples, and employ themselves in private service. The celibates are generally called Khaki... They form matrimonial alliances with Ramavat, and Nimavat Sadhus and do not marry among themselves... They were much respected by Maharaja Bijai Singh who awarded them high distinctions, which they still continue to enjoy."

6. During the Public Hearing those present who were from different sections of the society were of the opinion that any person of any caste who gives up worldly life is known as Bairagi. They generally work as priest in temples. Shri Raghuveer Singh Kushawaha stated before the Bench that "Bairagis are equal to Brahmans" and belong to the Priestly class and are Socially held in high esteem. Shri Udai Singh of Udaipur stated that they were granted the title of Bairagi from Guru Gorakhnath's time.

ACCEPTED
P. S. KUSHAWAHA
Mr. P. S. KUSHAWAHA
Nar. Commission
for B. S. K. S. S.

IV Findings

7. It is the finding of the Bench that a social group or community, the traditional occupation of which is "Devotees", 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 community is of professional priest but their social status in society is indicated by its inclusion among castes in the professional category of "DEVOTEES" coming after castes in the Professional category of "Priests" and before castes in the professional categories of "Temple servants", "Genealogists", "Writers", etc, indicating that in the traditional social estimation, Bairagis along with other castes of "Devotees" come after Priestly castes like Brahmans.

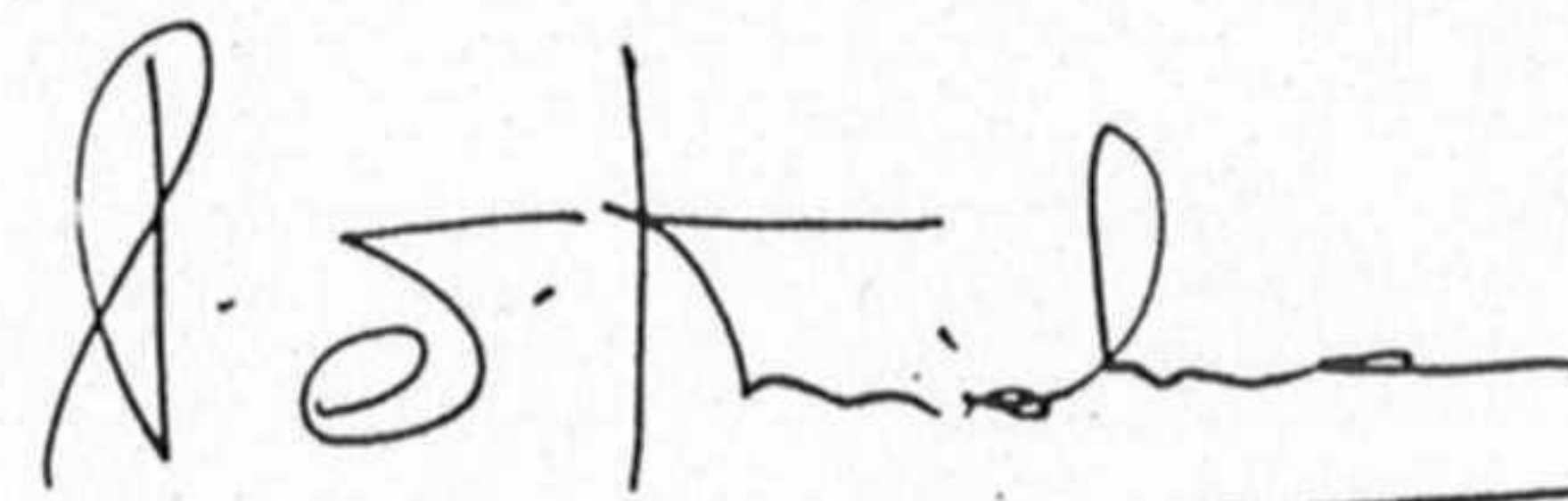
8. The Bench noted that Munshi Hardyial Singh has described "The Bairagis", and "The Sadhs" Separately under the head "The Devotees." Sad has been shown separately in "Census of India, 1931 Rajputana Agency Report and Tables by B.L.Cole" (Manohar, New Delhi, 1992 Reprinted, Table XVII, p.164). The inclusion of Bairagis along with Sad, Sawami in the State list of Backward Classes might be due to the fact that they belong to one occupational group. As regard inclusion of Sad, Swamy in the Central list of Backward classes for Rajasthan these were included on the "principle of commonality", that is entries common in both the State list and the Mandal list. It was automatic inclusion and not on the basis of any indepth study. Further, the Bench did not find any basis to hold Bairagis as a Synonym of Sad, Swami.

9. From the above evidence, it is the Finding of the Bench that Bairagi is not a Socially Backward Class. It is clearly a Socially advanced class. Inclusion of such Castes/Communities in the list of Backward Classes is not only counter to facts and

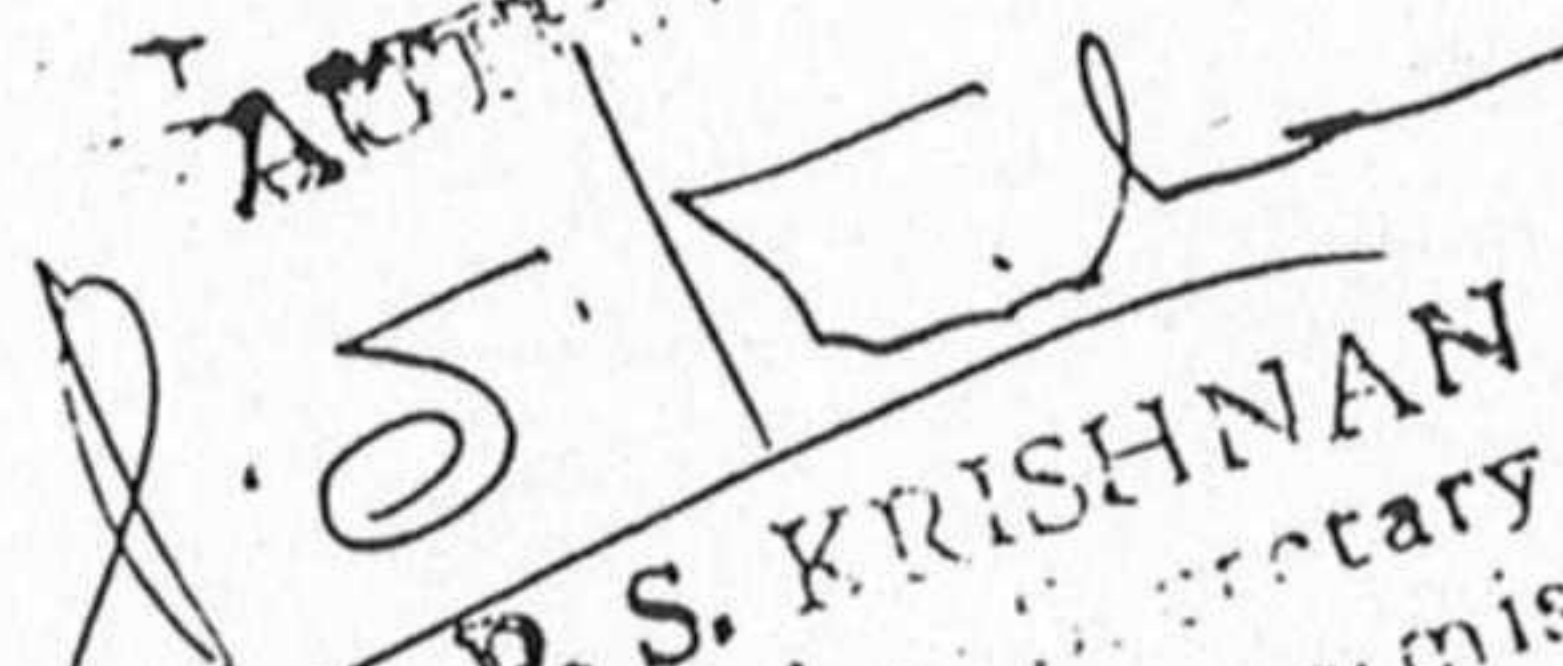
ACTED
P. S. KRISHNAN
Member Secretary
Commission
Classes

social realities, but also deprives the classes which are genuinely Socially Backward of their due and thus seriously distorts 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 un-constitutional and un-conconscionable 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 "Bairagi" as a Synonym of Sad, Swami 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.



3.9.98


P. S. KRISHNAN
Member Secretary
National Commission
for Backward Classes

V Advice of the Commission

10. 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 "Bairagi as a synonym of Sad, Swami the Central List of Backward Classes for Rajasthan be rejected as it is not a Socially Backward Class.

On account of the unfortunate demise of one of the Members Shri Navtej 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.

B. Shyam
23.09.98

P. S. Krishnan
3.9.98

Madan Mohan
23.9.98

Devgan
24.9.98

AUTHENTICATED
P. S. Krishnan
P. S. KRISHNAN
Member
National Commission
Backward Classes