



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

सदस्य-सचिव
राष्ट्रीय पिछड़ा वर्ग आयोग

भारत सरकार
त्रिकूट-१, भीकाजी कामा प्लेस, नई दिल्ली - ११००६६

Member - Secretary
National Commission for Backward Classes
Government of India
Trikoot - 1, Bhikaiji Cama Place, New Delhi - 110 066

NCBC Advice No. Rajasthan 38, 39, 40/98

09. 11. 1998

Dear Shri Manavalan,

I am sending herewith the Advices of the National Commission for Backward Classes under Section 9(1) of the NCBC Act for the Rejection of the Requests for Inclusion of

- (1) Baragaon Brahman
- (2) Rangad (Muslim)
- (3) Rao Rajput

castes/communities 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 these, Advices on 445(264 for Inclusion + 181 for Rejection) castes, sub-castes, synonyms etc. have been tendered to the Government by the Commission, after its reconstitution in 1997, of which 439 (258 for Inclusion + 181 for Rejection) are still pending with the Government for Notification.

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9/11/98

Yours sincerely

[Handwritten signature]
(P.S. KRISHNAN)

Encl: As stated.

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

o/c

NATIONAL COMMISSION FOR BACKWARD CLASSES

RAJASTHAN BENCH

FINDINGS

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of "Baragaon Brahman" caste/community in the Central list of Backward Classes for Rajasthan.

I. Request

This case arises from the Request received in this Commission from Shri Arun Kumar, Secretary, Akhil Rajasthan Rajya Baragaon Samaj, Jaipur for the Inclusion of "Baragaon Brahman" caste/community in the Central List of Backward Classes for Rajasthan.

II. Public Hearing

2. The 2-Member Rajasthan Bench of the Commission consisting of Shri P.S.Krishnan, Hon'ble Member-Secretary and Shri Navtej Puadhi, Hon'ble Member held a Public Hearing at Jaipur on 30.05.97 in respect of the above 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. The community was represented by Shri Arun Kumar and Shri Bagwan Sahay Baragaon.

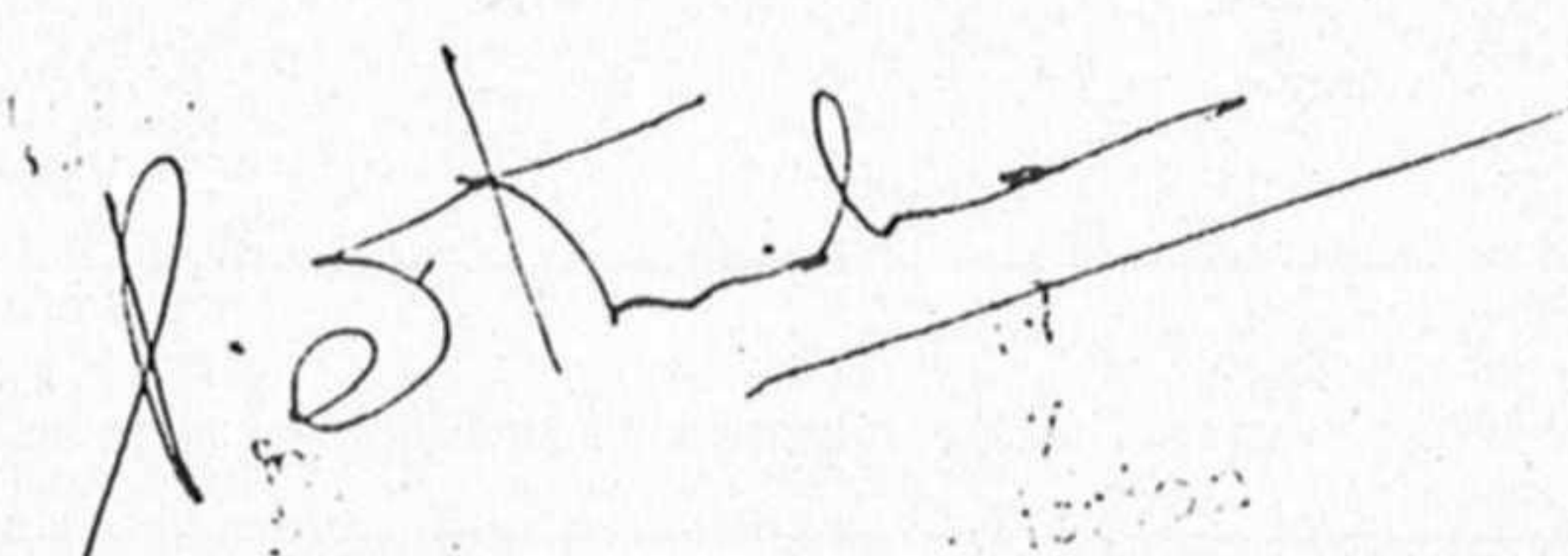

P. S. KRISHNAN
Member-Secretary
National Commission for Backward Classes

III. Facts

3. The State Government of Rajasthan had no list of Backward Classes till after the Supreme Court Judgement in the Mandal case, delivered on 16th November 1992. For this reason, the Expert Committee on Backward Classes could not, on the basis of the principle of commonality, recommend a Central List of Backward Classes for Rajasthan as it could do for 14 other States, which already had their respective lists of Backward Classes, and therefore the Central Government also could not issue a Central List of Backward Classes for Rajasthan in 1993. The Government of Rajasthan issued its list of Backward Classes by its Notification No. F.11(125)R&P/SWD/52307 dated 6.8.1994. Thereafter, the Central Government vide Ministry of Welfare's Resolution no. 12011/9/94-BCC dated 19.10.1994 issued a Common (Central) List of Backward Classes for Rajasthan.

4. "Baragaon Brahman" is not included in the State Government's List and the Mandal Commission's List of Backward Classes. Therefore, it is also not included in the first-phase Central List of Backward Classes for Rajasthan issued by the Government of India on 19.10.94.

5. In his letter of Request, Shri Arun Kumar has stated as follows:- The members of the community are followers of Chaman Rishi and therefore they are called by the names Chamangoud, Baregama and Baragaon. The community believe more in taking plough in their hands rather in puja and worship. The community abstain from meat and liquor. They wear the Sacred Thread. They are a straightforward, industrious, religious and law-abiding people. The main occupation of the community is cultivation, agricultural labour and animal rearing. Their main concentrations are in Tonk, Jaipur, Sawai Madhopur, Kota, Chittorhgarh, Bundi, Jhalwar districts and

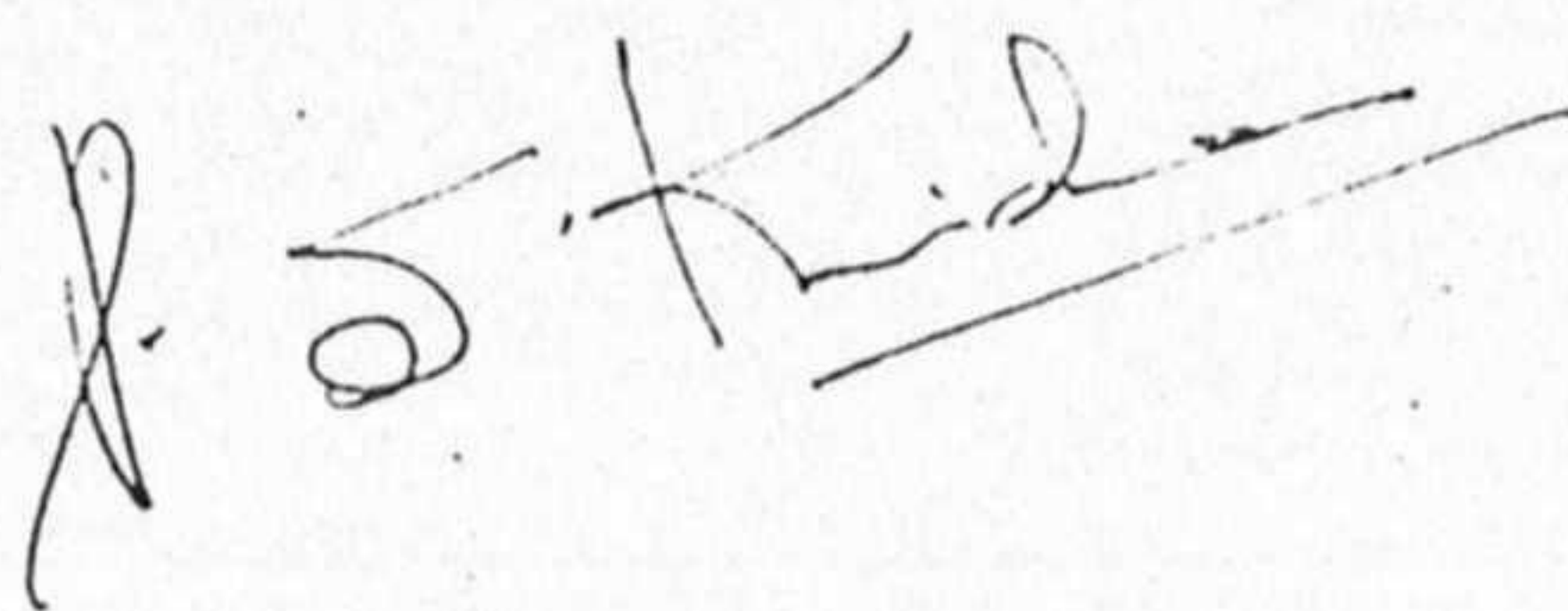

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they are mainly living in villages. They do not have even a nominal representation in the government services and other professions. In social status, the community is equal to other backward castes like Jangid Brahman, Sunar, Gujar, Meena, Mali, Khati etc. The chief reason for their backwardness is because of the child marriage practiced by the community and the lack of education among both males and females. As they reside in the remote villages, they are very low in educational level. Among females educational is equal to nil. 90% of the community live in Kaccha houses. The community is looked down upon by high caste Brahmans and Mahajans.

6. In the NCBC's Questionnaire filled up and furnished by Shri Arun Kumar, the total population of the community is stated to be 21,500. The main occupation on which the members of the community depends for their livelihood is given as "agriculture, agricultural labour, rearing and grazing of animals". Literacy rate of the community is given as 5.5%. 90% of the families of the community is stated to be living in Kachha houses.

7. During the Public Hearing, the representatives of the community stated that the members of the community are traditionally engaged in "agricultural labour and pasupalan" and that only 5% of the children of the community are going to school, but they do not go beyond primary level. The representatives of the community on a specific query from the Bench also stated that there is no priesthood among the community. The State Commission representatives stated that the Request of this community for the inclusion in the State List is pending with the State Commission and a survey is under way in respect of this community.

8. The State Commission vide letter No.F(1)RBCC/97/17457



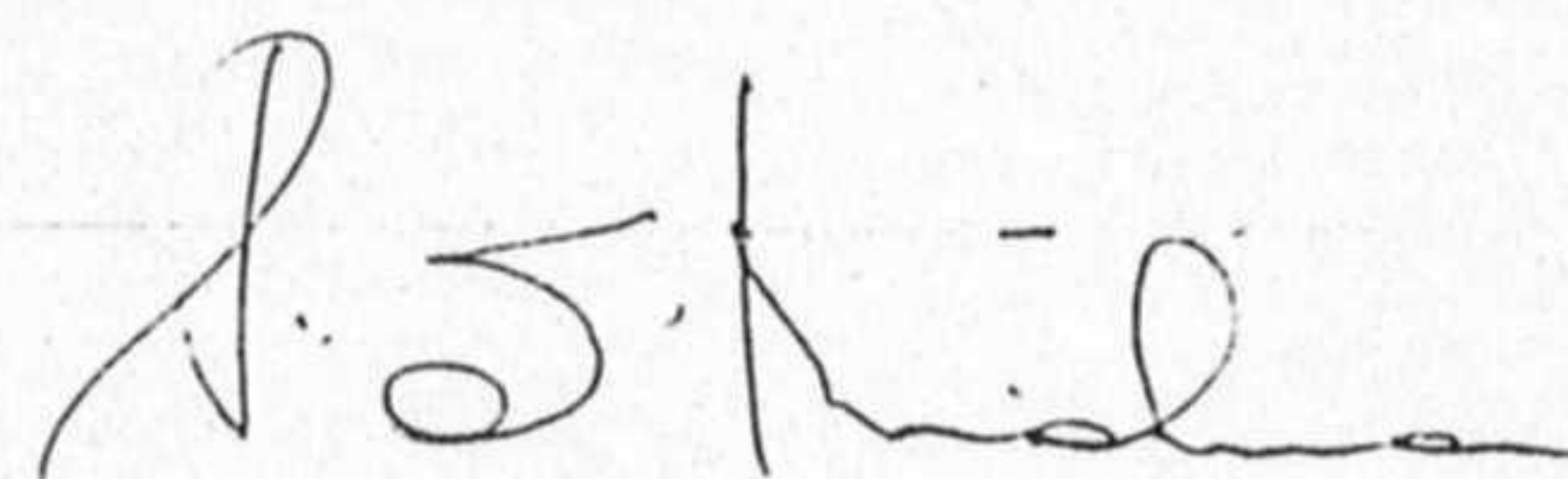
dated 14th July 1997 has since given the following information about "Baragon Brahman":-

"Since they are descendents of Chaman Rishi, they are identified as Brahmans. They themselves claim that they are from Brahman Vans (वंश). They are not socially backward."

IV. Findings

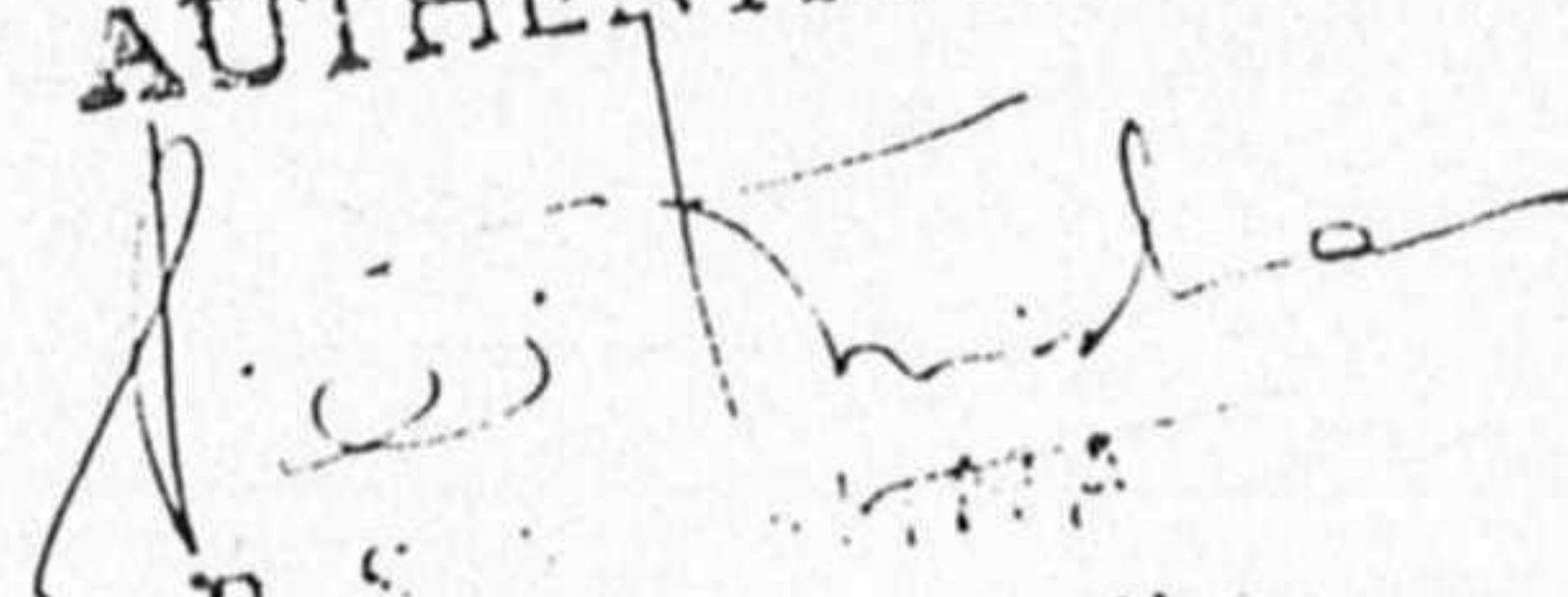
9. No evidence has been brought before the Bench by the Request-making party to prove that Baragaon Brahmin is in any way different from the other Brahmans who enjoyed the top-most position in social and caste hierarchy and social respectability. The dispensation envisaged under Articles 340(1), 15(4) and 16(4) of the Constitution is obviously not intended for such communities which are obviously not socially backward. In view of this, the Bench was left with no other option but to conclude, agreeing with the State Commission's view, that "Baragaon Brahman" is not Socially Backward. Therefore, it does not deserve inclusion in the list of Backward Classes. The Request for Inclusion of "Baragaon Brahman" in the Central List of Backward Classes for Rajasthan should therefore be rejected.

10. 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.



30.10.98

AUTHENTICATED


P. S. Khil
Member
for Rajasthan

IV. Advice of the Commission

11. The Commission considered and agreed in full with the above Finding of Rajasthan Bench and decided to tender the following Advice to the Central Government under Section 9(1) of the National Commission for Backward Classes Act, 1993, for necessary action by the Central Government under Section 9(2) of the Act:-

The Request for Inclusion of "Baragaon Brahman" in the Central list of Backward Classes for Rajasthan be Rejected as it is not a Socially Backward caste/community, but is an Advanced caste/community.

12. 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.

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P. S. Kishore
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NATIONAL COMMISSION FOR BACKWARD CLASSES

RAJASTHAN BENCH

FINDINGS

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of "Rangad(Muslim)" in the Central list of Backward Classes for Rajasthan.

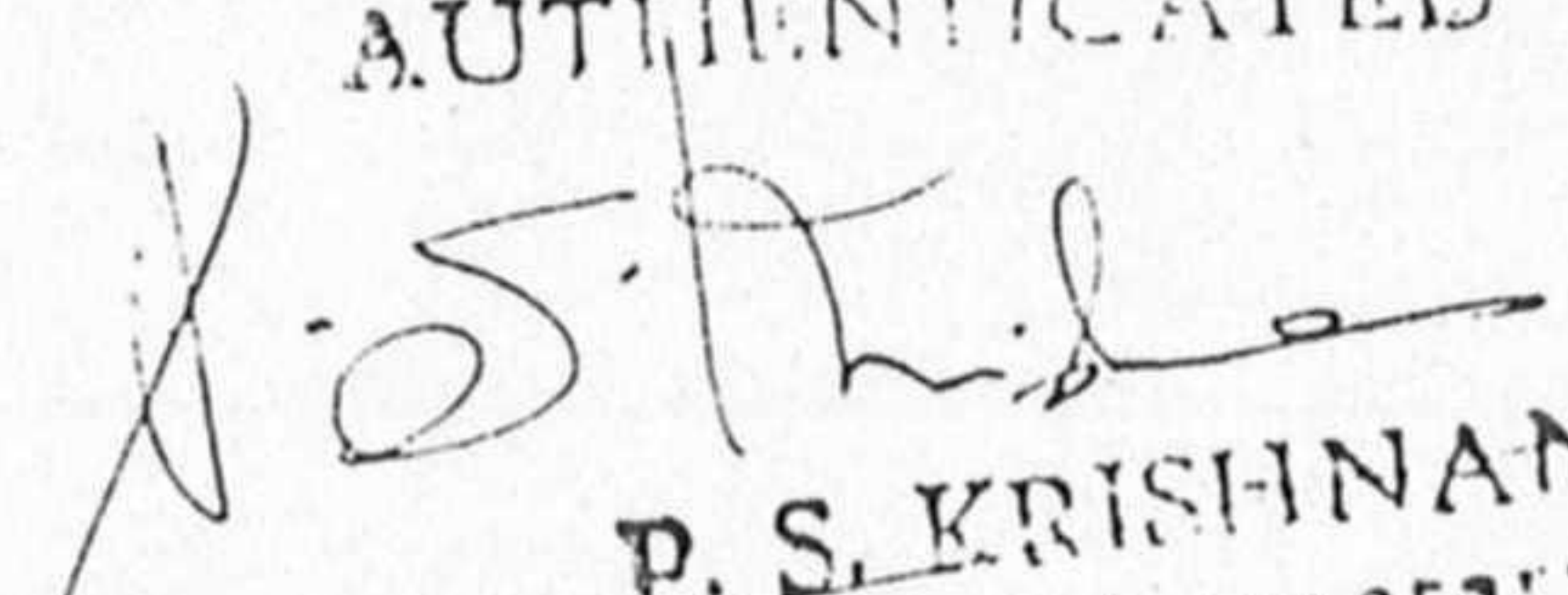
I. Request

This case arises from the Request received in this Commission from Shri Iqbal Ahmad Khan, 1283, Mali Colony, Outside Chandpol Gate, Jaipur-16 for the Inclusion of "Rangad(Muslim)" caste/community in the Central List of Backward Classes for Rajasthan.

II. Public Hearing

2. The 2-Member Rajasthan Bench of the Commission consisting of Shri P.S.Krishnan, Hon'ble Member-Secretary and Shri Navtej Puadhi, Hon'ble Member held a Public Hearing at Jaipur on 30.05.97 in respect of the above 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. The community was represented by Shri Iqbal Ahmad Khan.

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P. S. KRISHNAN

Member-Secretary

for the Commission

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III. Facts

3. The State Government of Rajasthan had no list of Backward Classes till after the Supreme Court Judgement in the Mandal case, delivered on 16th November 1992. For this reason, the Expert Committee on Backward Classes could not, on the basis of the principle of commonality, recommend a Central List of Backward Classes for Rajasthan as it could do for 14 other States, which already had their respective lists of Backward Classes, and therefore the Central Government also could not issue a Central List of Backward Classes for Rajasthan in 1993. The Government of Rajasthan issued its list of Backward Classes by its Notification No. F.11(125)R&P/SWD/52307 dated 6.8.1994. Thereafter, the Central Government vide Ministry of Welfare's Resolution no. 12011/9/94-BCC dated 19.10.1994 issued a Common (Central) List of Backward Classes for Rajasthan.

4. "Rangad" caste/community is not included in the State Government's List and the Mandal Commission's List of Backward Classes. Therefore, it is also not included in the first-phase Central List of Backward Classes for Rajasthan issued by the Government of India on 19.10.94.

5. In his letter of Request Shri Iqbal Ahmad Khan has stated as follows:- The Rangad(Muslim) are spread over the different districts of Rajasthan. Mostly they are living in Jodhpur, Jaipur, Ajmer, Badmer, Bikaner districts of the States. In Chabra(Baran) and Jalore districts they are scattered in some places. "Mainly their occupation had been to serve the government (by) joining the force and police. They were known as sepoyees." Shri Iqbal Ahmad Khan has also stated that there are both Muslim and Hindu Rangads and the

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

Rangad(Muslim) should be included in the Central list of Backward Classes for Rajasthan "so that... justice could be availed to this socially and educationally backward community".

6. During the Public Hearing Shri Iqbal Ahmad Khan stated that the members of the community are largely agricultural labourers. The State Commission representatives stated that there was no Request received in the State Commission for the inclusion of Rangad caste/community in the State List. The Bench therefore advised Shri Iqbal Ahmad Khan to first approach the State Commission for inclusion of his caste/community in the State List. He was also advised to furnish more evidence regarding the claim of backwardness of the community and also to provide available data and information regarding the community by filling up the NCBC's Questionnaire. Shri Iqbal Ahmad Khan has not so far complied with the advice of the Bench for, according to the latest information from the State Commission, no Request has been made to that Commission so far for the Inclusion of Rangad caste/community in the State List. No detailed data/information has so far been furnished by Shri Khan to this Commission. The State Commission has expressed the view that it is doubtful whether Rangad is the name of a caste and that even if it is a caste, it is not socially backward.

6. Available ethnographic literature such as 'The Castes of Marwar' by Munshi Hardyay Singh (based on the Census Report of 1891, published by Books Treasure, Jodhpur, 1990, first published in 1894 by Order of the Marwar Darbar), 'The People of India: Rajasthan' by Anthropological Survey of India (Population Prakashan, Bombay, 1998) and 'Hindu Tribes and Castes' (Vol. 3, Part I The Tribes and Castes of Rajputana, Cosmo Publications, New Delhi, 1987, first published 1881) by Rev. M.A. Sherring do not mention "Rangad" as a

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P. S. VERMA

SECRETARY
COMMISSION

Though "Rangad" is not specifically mentioned in the above description, piecing together the bits of evidence available as above, it appears that Rangad(Muslim) is one among many sections of Muslim converts from Rajputs like Khairawi, Jungria, Undar, Bagria (all reported by Sherring as "Rajpoot proselytes to Islam, in the Rajputana desert").

IV. Findings

8. From the above material, the Bench has come to the Finding that "Rangad(Muslim)" is apparently a group of Muslim converts from Rajputs and the available evidence suggest that they are not Socially Backward. Therefore, the Request for Inclusion of "Rangad(Muslim)" in the Central List of Backward Classes for Rajasthan should be rejected. From the fact that the Request-making party has not bothered to approach the State Commission for the inclusion of his community in the State List, it appears that he is either non-serious or is not in a position to adduce evidence to establish the claim of backwardness of the community.

9. 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.

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IV. Advice of the Commission

10. The Commission considered and agreed in full with the above Finding of Rajasthan Bench and decided to tender the following Advice to the Central Government under Section 9(1) of the National Commission for Backward Classes Act, 1993, for necessary action by the Central Government under Section 9(2) of the Act:-

The Request for Inclusion of "Rangad(Muslim)" in the Central list of Backward Classes for Rajasthan be Rejected as it is not a Socially Backward caste/community.

11. 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.

Madan Mohan
2.11.98

P. S. Krishnan
30.10.98

Kshayam
02.11.98

J. Lakshmi
3.11.98

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

NATIONAL COMMISSION FOR BACKWARD CLASSES

RAJASTHAN BENCH

FINDINGS

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of "Rao Rajput" caste/community in the Central list of Backward Classes for Rajasthan.

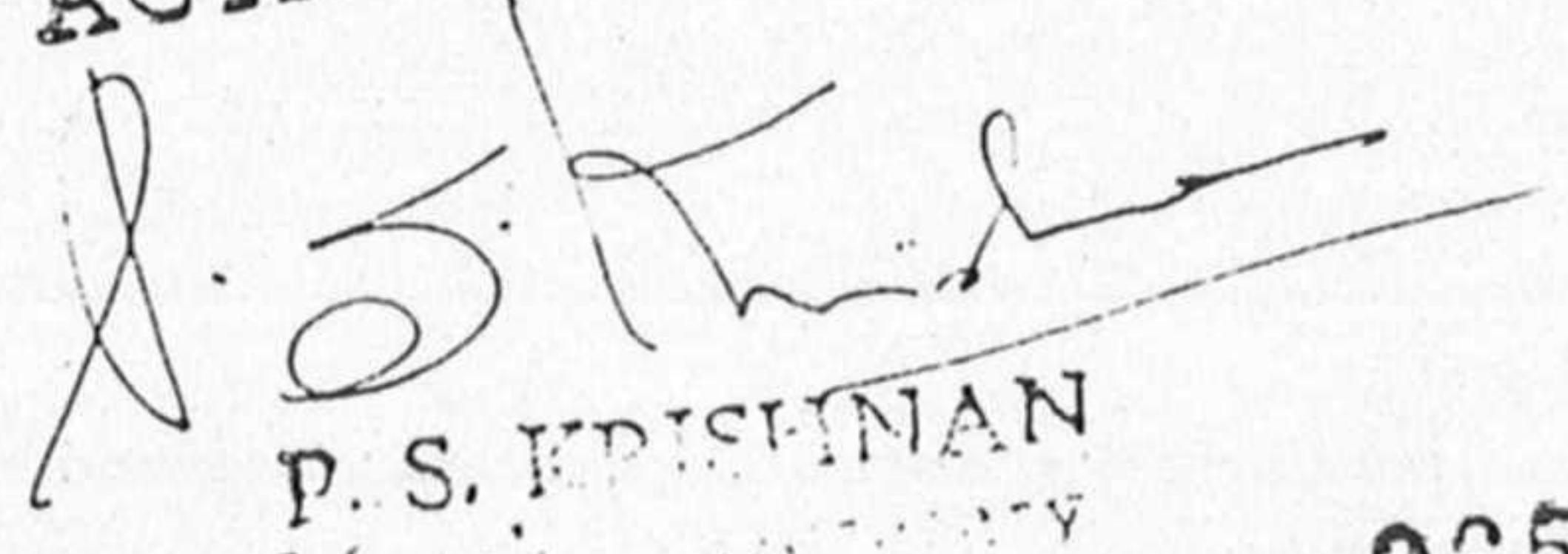
I. Request

This case arises from the Requests received in this Commission from 'Rajasthan Rao Rajput Mahasabha' and 'Hadothi Rao Rajput Sabha' in the Central List of Backward Classes for Rajasthan.

II. Public Hearing

2. The 2-Member Rajasthan Bench of the Commission consisting of Shri P.S.Krishnan, Hon'ble Member-Secretary and Shri Navtej Puadhi, Hon'ble Member held a Public Hearing at Jaipur on 09.06.98 in respect of this caste/community. 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. The community was represented by Rao Nandsingh Toda, President, Rajasthan Rao Rajput Mahasabha and others.

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P. S. KRISHNAN

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III. Facts

3. The State Government of Rajasthan had no list of Backward Classes till after the Supreme Court Judgement in the Mandal case, delivered on 16th November 1992. For this reason, the Expert Committee on Backward Classes could not, on the basis of the principle of commonality, recommend a Central List of Backward Classes for Rajasthan as it could do for 14 other States, which already had their respective lists of Backward Classes, and therefore the Central Government also could not issue a Central List of Backward Classes for Rajasthan in 1993. The Government of Rajasthan issued its list of Backward Classes by its Notification No. F.11(125)R&P/SWD/52307 dated 6.8.1994. Thereafter, the Central Government vide Ministry of Welfare's Resolution no. 12011/9/94-BCC dated 19.10.1994 issued a Common (Central) List of Backward Classes for Rajasthan.

4. Relevant entries in the State, the Mandal and the first-phase Central List of Backward Classes for Rajasthan are as follows:-

- (i) State List
 - "2. Badwa, Jachak, Jaga, Bhat, Rao"
 - "3. Charan"
- (ii) Mandal List
 - "5. Badwa"
 - "21. Bhat, Charan"
 - "117. Rao"
- (iii) Central List
 - "2. Badwa, Bhat, Rao"
 - "7. Charan"

"Rao Rajput" is not included in the State Government's List as

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well as Mandal Commission's List of Backward Classes. Therefore, it is also not included in the first-phase Central List of Backward Classes for Rajasthan issued by the Government of India on 19.10.94.

5. The Request-making parties in their letters of Request have stated that the members of the "Rao" caste/community which is already included in the State, Mandal and first-phase Central Lists of Backward Classes for Rajasthan are also known by the name "Rao Rajput". It is stated that while in some districts they are known as "Rao" in some other districts they are called and known as "Rao Rajput". 80% of the families of the community are stated to be living in villages engaging in agriculture and labour.
6. During the Public Hearing, the representatives of the community stated that the traditional occupation of the community was to praise the Rajas. They also stated that since in revenue records the name of their community is recorded as "Rao Rajput", the name "Rao Rajput" should specifically be included in the State and Central Lists of BCs along with "Rao" so that there is no difficulty in getting caste-certificates for those who use the name "Rao Rajput". They also clarified that "Badwa" and "Jachak" (both included in the State List along with Rao) are different castes which do not have any connections with their community. According to them Jachaks are those who were writing genealogies.
7. The State Commission representatives have expressed the opinion that "Rao Rajput" should not be included because this name will only denote those Rajputs who have got the title of Rao.
8. "Rao" caste/community is described in 'People of India: Rajasthan' brought out by Anthropological Survey of India

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P. S. VISWANAN
Secretary
Commission

(Popular Prakashan Pvt. Ltd., Mumbai, 1998) as follows:-

"The Rao trace their origin to the Rajputs. The community is divided into nine sub-groups (jati) namely, Chandesa, Bhuna, Bagesar, Haringa Rao and five others..... The Rao are an agricultural community of Rajasthan. They perceive their present day distribution in the districts of Udaipur and Chittorhgarh.....

They are non-vegetarian. They take meat and egg but abstain from beef and pork.

.....The community perceive its position in the clean caste groups. Others put them above the Scheduled Castes and below the Brahman, Bania and Rajput cluster.....

.....
The dead are cremated.....

Land is the main economic resource of the Rao. Traditionally they subsist on agriculture. They mostly possess lands. Some cultivate land on share-cropping (patti). Now-a-days a small number is engaged in service. Some work on daily wages. They have a direct link with the market to meet their daily requirement. The mode of exchange is cash. Their children also help them in agricultural operations but do not work on wages.....

.....
The community traditionally have linkages with a few other communities. Their sacred specialist is from Brahman community. Kumhars (potter community) supply them earthen pitchers. They do not accept water from Rawat, Khatik, and all the Scheduled Castes and tribal people. They accept water and cooked food from Brahman, Mahajan, Rajput and Kulmi(Patidar). They share wells with other communities. Rao have separate crematorium. Now-a-days they have teachers, engineers and doctors from their community.

The Rao have a low level of literacy. Their boys are exposed to the formal educational system. Female education is

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not encouraged. They make use of modern medicare in serious diseases. Their attitude towards family planning is favourable. Womenfolk mostly undergo sterilization operation. They get loans from the bank under the rural development programmes....."

The profile that emerges from this account is not that of a Socially Backward caste/community.

9. Though the above account does not refer to the community's traditional occupation of singing praises of Rajas, from the statements made by the representatives of the community during the Public Hearing and from the fact of inclusion in the State List of "Rao" along with Badwa, Bhat etc. it is apparent that the "Rao" community which is also said to be known as "Rao Rajput" is one of a number of castes/communities who can be said to have formed a group of Bards and Genealogists. Munshi Hardyial Singh ('The Castes of Marwar', based on the Census Report of 1891, published by Books Treasure, Jodhpur, 1990, first published in 1894 by Order of the Marwar Darbar) and Rev. M.A. Sherring ('Hindu Tribes and Castes' Vol. 3, Part I The Tribes and Castes of Rajputana, Cosmo Publications, New Delhi, 1987, first published 1881) have describes two of such castes, viz., Bhats and Charans. Sherring describes them under the head "Bards and Genealogists" as follows:-

"The Charan Tribe

The Charans are a people of great respectability and influence in Rajputana. They are the national bards, which is their chief and most important vocation, especially as attached to great Rajpoot families, whose praises they sing, and whose pedigrees they rehearse. They also perform a number of miscellaneous duties in connection with their high office. The Charans possess a good many villages in some States. They

are a sacred race, and possess many privileges in virtue of their position. In Marwar they hold large grants of land, which have been given to them from religious motives, and for the same reasons enjoy certain immunities as traders.....

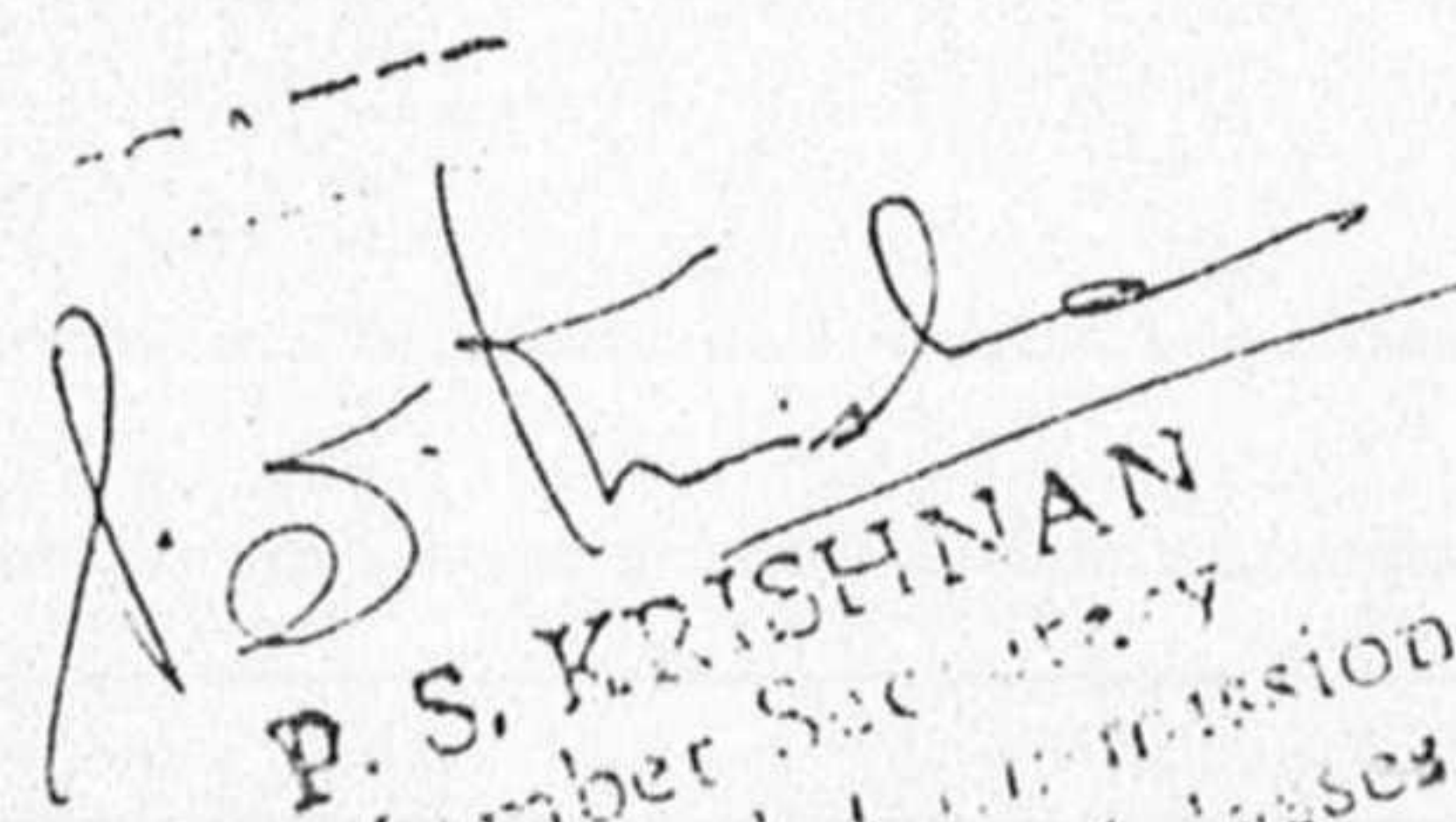
"The Bhat tribe

In the North-Western Provinces, Bhats and Charans are frequently one and the same tribe; but in Rajputana they are separate tribes with separate duties. The Bhats are genealogists, and concern themselves about the pedigrees of great families. They also engage in trade. The tribe has great influence in all the native States, and is held in great awe by the other tribes, in the same way as the Charans....."

From Sherring's accounts it appears that the traditional Bards and Genealogists enjoyed a considerable high social position and also attendant material wealth. There is no reason to assume that the position of Rao or Rao Rajputs who sang songs in praise of Rajahs would have been in any way different from that of similar castes/communities like Charans, Bhats etc.

IV. Findings

10. From the above material and evidence, the Bench came to the Finding that "Rao Rajput" being a community of traditional bards is not a Socially Backward caste/community. Therefore, the Request for Inclusion of "Rao Rajput" in the Central List of Backward Classes should be rejected. The inclusion of "Rao", or of "Bhat" and "Charan", in the first-phase Central List does not lend any support to the claim of backwardness of the community since their inclusion in the first-phase Central List of BCs was based purely on the mechanical process of Listing of castes/communities which were found included in the


P. S. KRISHNAN
Member Secretary
National Commission
Backward Classes

Mandal Commission's List and the State Government's List and there was no objective and indepth analysis of data and facts. The question of whether "Rao", "Bhat" and "Charan" should continue in the Central List or not will arise for examination and Advice only if and when a complaint of over-Inclusion in respect of them is received by the Commission or at the time of the revision envisaged under Section 11 of the NCBC Act. Since "Rao Rajput" is not in the Central List, the question of whether it is fit to be included in the Central List as per the Request or not has been examined by the Bench and it has found that it cannot and should not be included in the Central List of Backward Classes for Rajasthan.

11. 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.

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IV. Advice of the Commission

12. The Commission considered and agreed in full with the above Finding of Rajasthan Bench and decided to tender the following Advice to the Central Government under Section 9(1) of the National Commission for Backward Classes Act, 1993, for necessary action by the Central Government under Section 9(2) of the Act:-

The Request for Inclusion of "Rao Rajput" in the Central list of Backward Classes for Rajasthan be Rejected as it is

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not a Socially Backward caste/community.

13. 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.

Rshayan
03.11.98

Adarsh Singh
3.11.98

J. S. Kishor
2.11.98

~~Signature of Shri Navtej Puadhi~~

P. U. Kishor
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J. S. Kishor