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सदस्य-सचिव
राष्ट्रीय पिछड़ा वर्ग आयोग

भारत सरकार
ट्रिकूट-१, भीकानजी 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 41/98

16. 11. 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 for Inclusion of "Joshi" caste/community 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.

Yours sincerely

(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

16/11/98

NATIONAL COMMISSION FOR BACKWARD CLASSES

RAJASTHAN BENCH

FINDINGS

Per Shri P.S.Krishnan, Member-Secretary

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

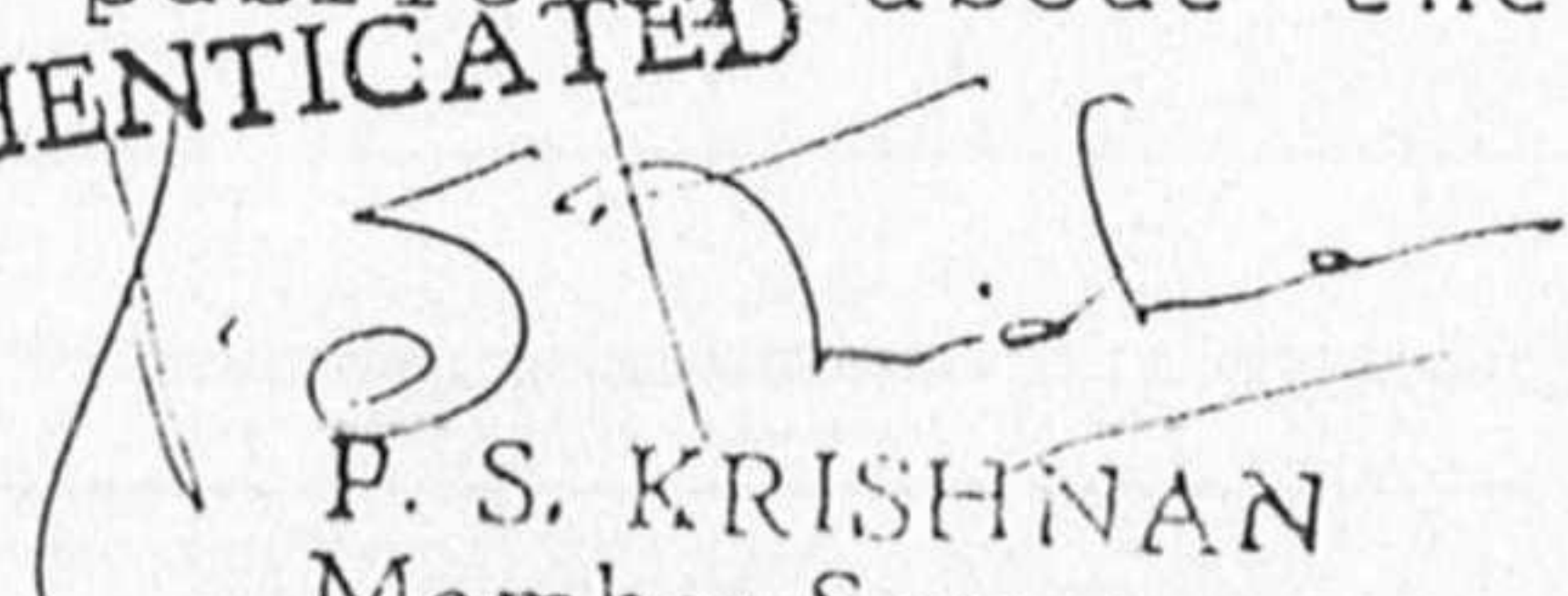
I. Request

This case arises from the Requests received in this Commission from Shri Girraj Prasad, Vill&PO Khera Thakur, Teh Rupwas, Dist. Bharatpur(Rajasthan) for the Inclusion of "Joshi" 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 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. No member or representative of the "Joshi" caste/community appeared before the Bench to give evidence inspite of wide publicity about the Public Hearing

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through media as well as separate intimation to the Request-making party by the office of the NCBC.

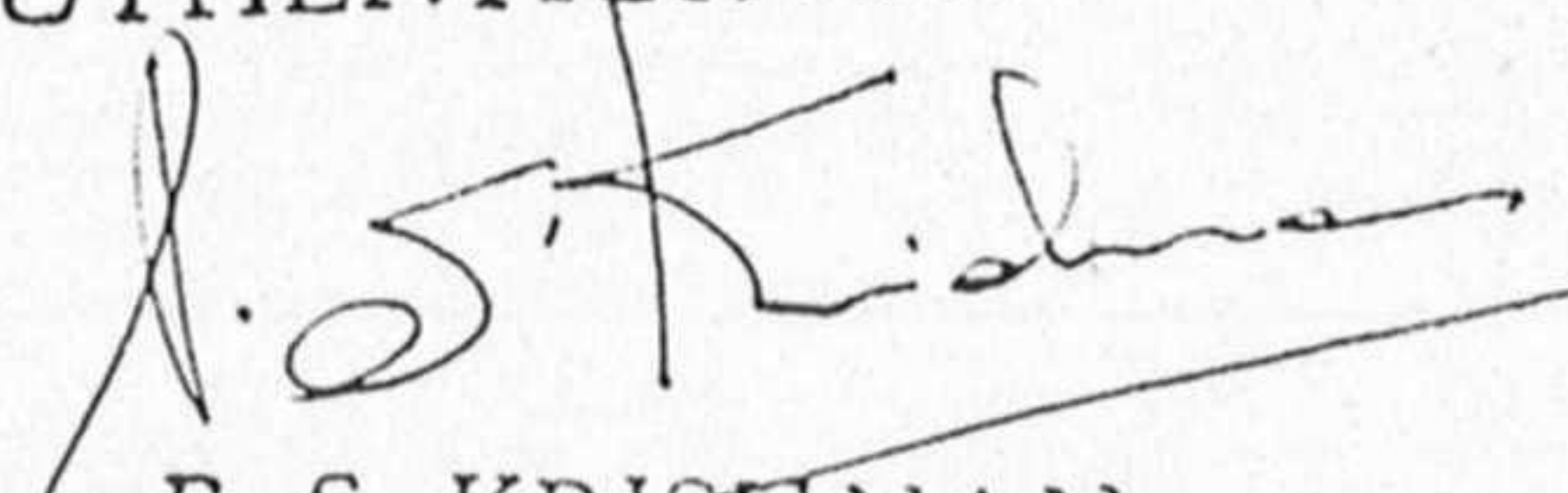
III. Facts

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

5. In his letter of Request, Shri Girraj Prasad has stated that "Joshi" is a synonym of "Deshantri" and "Dakaut" which are already included in the State (entry no. 9) and Central (entry no. 9) Lists of Backward Classes for Rajasthan. In the NCBC's Questionnaire filled up and furnished by Shri Girraj, the main occupation on which the members of the

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community depend for their livelihood is given as "begging (oil & Paise on every saturday), in rest of the days of the week, Astrology". This is also stated in the Questionnaire to be the traditional occupation of the caste/community, in terms of the caste system. Apart from this occupation, the members of the community are also stated to be engaged in "rickshaw pulling & selling crockery in exchange of old clothes/sarees". Besides, it is also stated in the Questionnaire that 50% of the members of the community are agricultural labourers. The literacy rate of the community is given as 1%. 95% percent of the families of the community is stated to be living in Kachha houses.

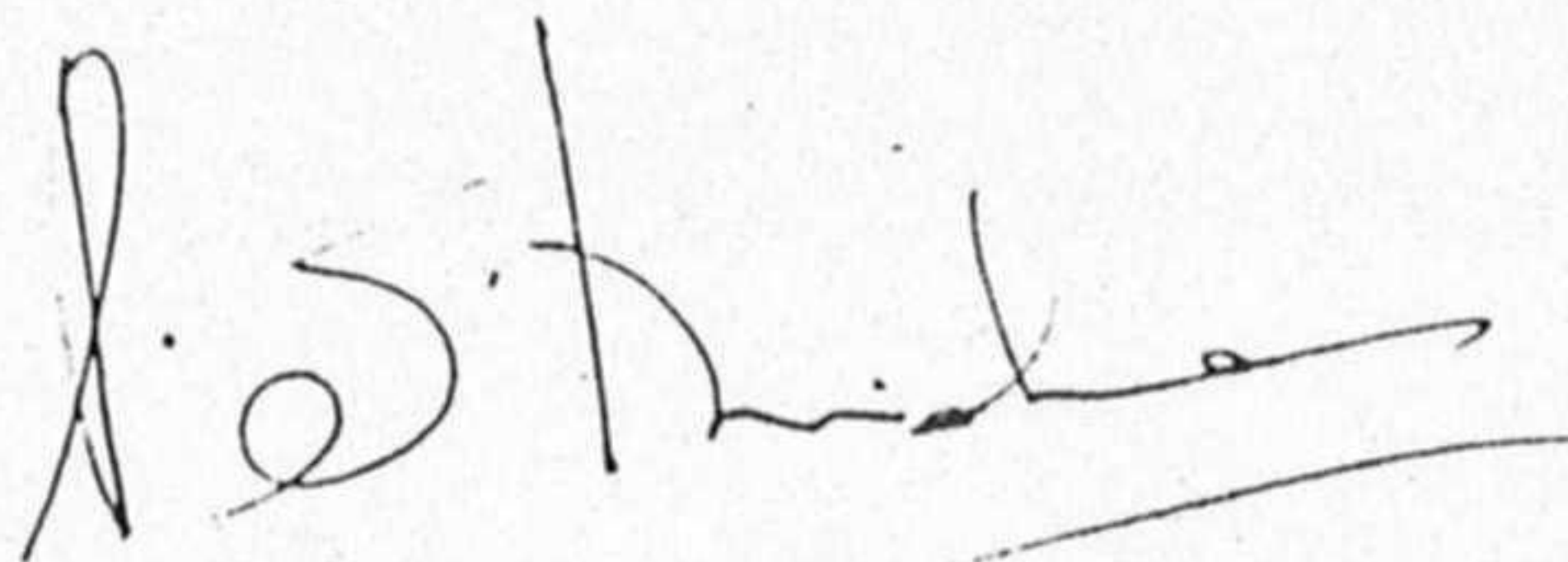
6. Under the chapter on "Professional Priests", Munshi Hardyal Singh (The Castes and Tribes of Marwar, based on Census Report of 1891, Books Treasure, Jodhpur, 1990, first edition 1894 published by Order of the Marwar Darbar) writes about "the Joshis" as follows:-

"The Joshis bear a proportion of 1-29 per cent to the total Brahman population of Marwar. They belong to the Punch-Deravar group and are also known by the name of Sanchora Brahmans in Marwar. The fable current among them shows that they originally came from the Deccan and assembled for the first time in Bhinmal at some very remote period, when the marriage of Bhagwan with Lukhshimi was celebrated there, and afterwards settled at Sanchor from which place they took their name as the Sanchora Brahmans.

.....

The Joshis do not eat bread from the hands of any other Brahmans except those of their own tribe. They are largely found in Mallani where they are called the Badmera Joshis and carry on trade in Ghi and Gond on a large scale. 'These Joshis who are cultivators', says Col. Walter, "are dealt with

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on more favourable terms than other labouring classes, a fourth share only of the produce is taken from them, and they pay no import or export dues.'

The females of Joshis unlike other Brahman women generally adorn their forehead with tikis or small round glass ornaments, as the Purbia do. The widows make use of a special red chinty."

7. Munshi Hardy al also discusses "The Dakot" in the chapter on "Professional Priests" as follows:-

"The Dakot Brahmans belong to the Punch-Gour group, and bear a proportion of 2.45 per cent to the total Brahman population of Marwar. They are also called Desantries in Marwar, and in the North-Western provinces are known by the name of Bhadries, or Bhaddalis so called from following the tenets of Bhaddal, though Sir, H.M. Elliot describes them as a branch of the Dakot. In Benares they are likewise spoken of by the term of Bhanririya where as the Revd. Sherring remarks they are men of considerable influence and also discharge functions of guides to the multitudes of pilgrims who visit the sacred city from all parts of India.

..... The Dakots include several tribes of Brahmans among them which form their chief sub-divisions. They are---- (1) Gour, (2) Chilodia, (3) Mer, (4) Rawal, (5) Goriwa, (6) Pabusia and (7) Ghosi.

The Dakots are considered to be proficient in astrology. They worship Saturday, and receive presents of oil on this day in honour of the god. All the unlucky offerings, such as black things and dirty clothes made to Rahu and Ket, which no other Brahman would accept, are offered to them. They also receive offerings made on the occasion of grahins or eclipses such as worn-out clothes, satnaja or seven grains mixed, as well as the charity given in Tula-dan in which ceremony as Mr. Talboys Wheeler describes, great men are weighed and the good things in the opposite scale are given to the poor or to

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the Brahmans. They are described by Col. Walter in his Gazetteer of Mallani, as 'an inferior class who more often beg than work. Whatever charity is given on a Saturday, is given to these men. If a Rajput, Brahman, Jat or other Hindu falls on an unlucky Saturday, the Desantries are presented with a black buffalo, cow, goat or even a black blanket, and in return they worship the God(Saturn) in order to drive off the evil omen."

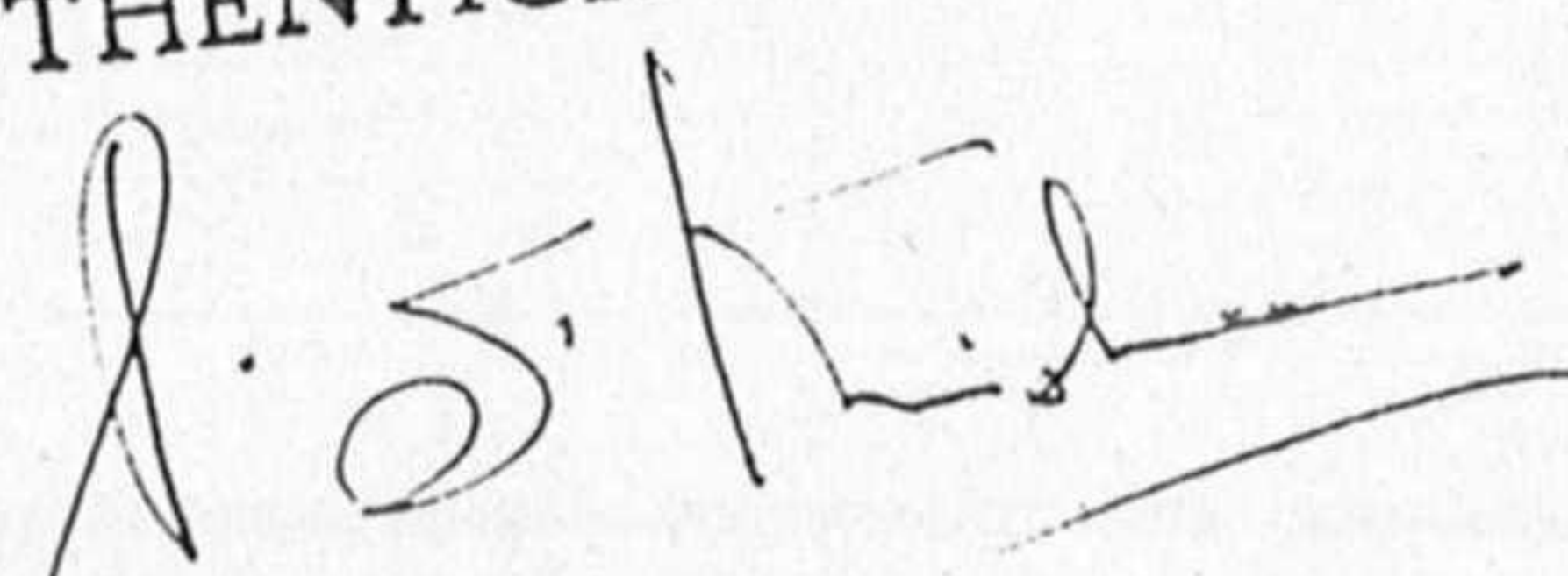
8. 'People of India: Rajasthan' brought out by Anthropological Survey of India (Popular Prakashan Pvt. Ltd., Mumbai, 1998) does not discuss "Joshi" as a separate caste/community, but mentions it as a synonym of "Dakot" as well as as a surname of Dakots as follows:-

"The Dakot are spread in the eastern part of Aravalli ranges. In bigger villages, two-three households of the Dakot exist. They are also known as Jotishi or Joshi. The Dakot are also popular as Shani Brahman.....

..... Previously the clan names were in use as surnames. Now they use Sharma as surname. They use Joshi also as a surname. These are the common surnames among the Brahman."

9. 'People of India: Rajasthan' also mentions "Joshi" as a surname as well as one of the gotra names of "Deshantri", which is described under a separate head than Dakot, in the following words:- "Deshantri have thirty-six gotras namely Gor, Joshi, Chhalundia, Bhandari, Rawal, Bhargav, Malia, Taliyan, Palusis goria, Aharwal, Mal etc. One of the gotras namely Gosi enjoys a special status in the society. The gotras are exogamous in nature. They sometimes use surnames as Sharma, Joshi, etc. They rank themselves with the Brahman in the traditional varna order."

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10. 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) under the head "Brahmans of Mallani" writes that "In Mallani, Joshis, or astrologers, are very numerous. Instead of following the uncertain pursuit of astrology, however, they are, for the most part, engaged in trade and agriculture. They enjoy special privileges, paying neither export nor import dues, and only a fourth part of their produce as revenue."

IV. Findings

11. Since the Request-making party did not bother to appear before the Bench to give evidence inspite of wide publicity about the Public Hearing and separate intimation by the office of NCBC, the Bench was left with no option but to arrive at the Finding, based on available ethnographic literature. The non-appearance of the Request-making party could be because they themselves are not confident of making out a convincing case of social backwardness claimed by them. Munshi Hardyial Singh's account shows "Joshi" to be a group of Brahmins separate from Dakots or Desantries while the 'People of "India:Rajasthan" attests to "Joshi" as a synonym of Dakot and Deshantri. However, irrespective of whether "Joshi" is a synonym of Dakot and/or Deshantri, no evidence is suggested by these accounts to consider "Joshi" as a socially backward caste/community. Though, it appears, they are considered inferior among Brahmins on account of their receiving alms and offerings of the type which higher orders of Brahmins will not take, it does not amount to their being Socially Backward in the perception of the whole society. Therefore, the Request for Inclusion of "Joshi" in the Central List of Backward Classes for Rajasthan should be

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rejected. The inclusion of "Dakaut" and "Dashantri" in the first-phase Central List cannot support the automatic inclusion of "Joshi" in the List of BCs 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 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 "Dakaut" and "Deshanthri" should continue in the Central List or not will arise for this Commission's 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.

12. 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. Krishnan

12.11.98

IV. Advice of the Commission

13. 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

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necessary action by the Central Government under Section 9(2) of the Act:-

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

14. 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.

Kohayan
13.11.98

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[Signature]

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K. C. Sagar member Secy
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