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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 44/99

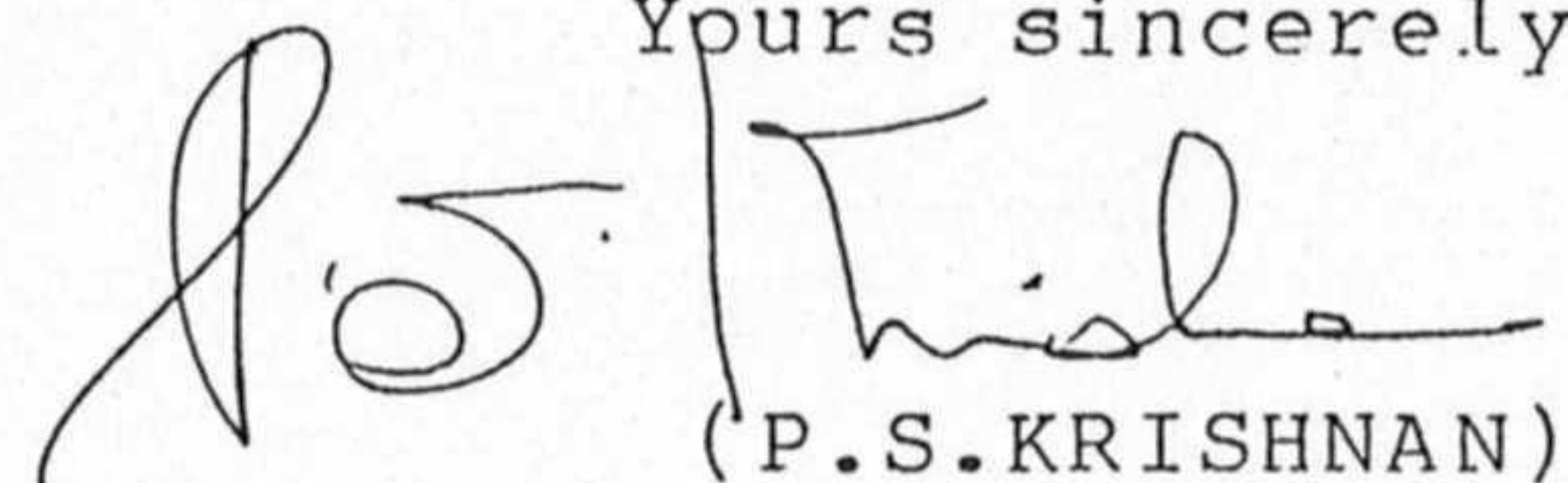
08.03.1999

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 "Vachet Palival" 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.

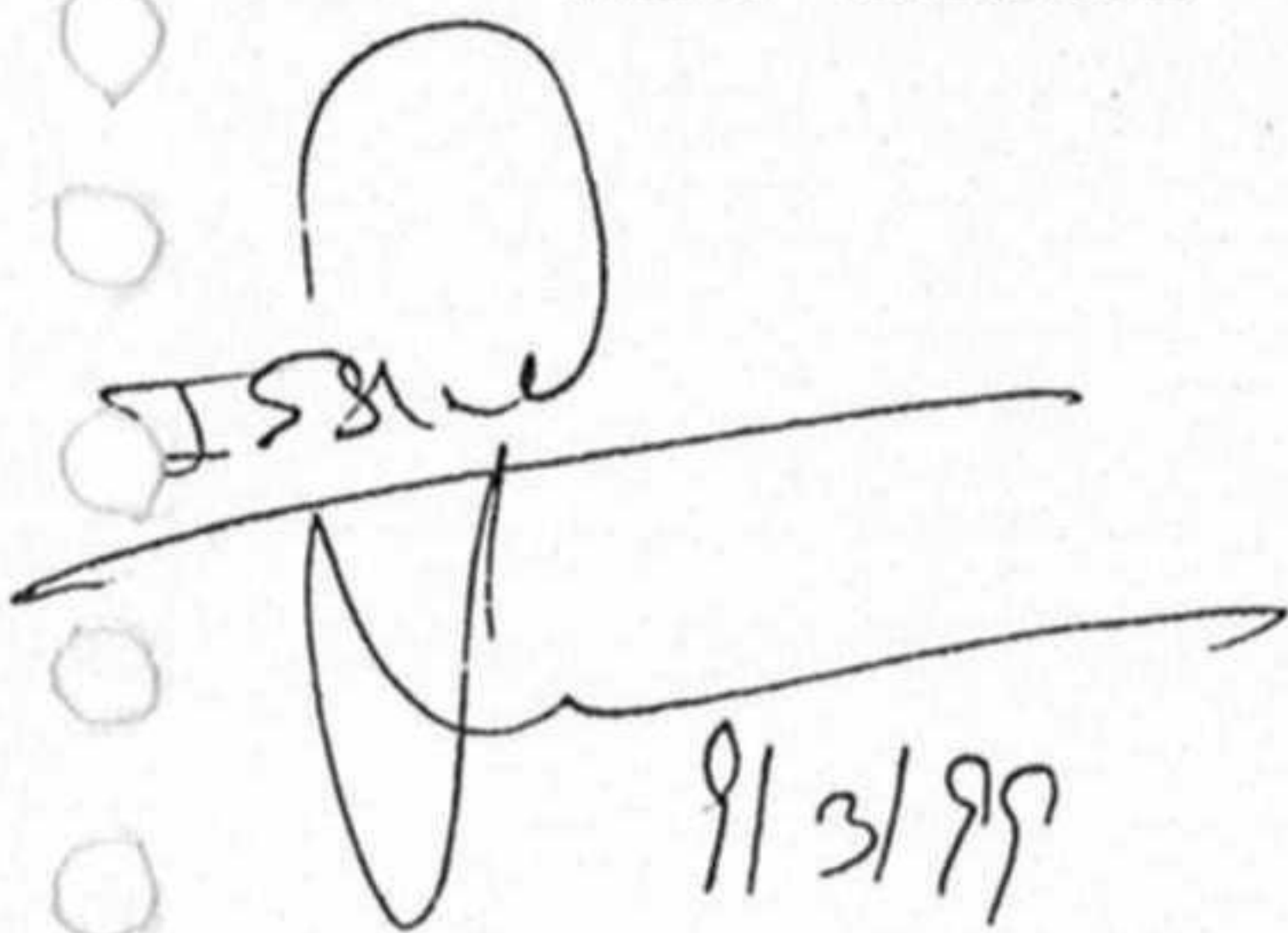
2. With this, Advices on 550 (296 for Inclusion + 254 for Rejection) castes, sub-castes, synonyms etc. have been tendered to the Government by the Commission, after its reconstitution in 1997, of which 544 (290 for Inclusion + 254 for Rejection) are still pending with the Government for Notification.

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


9/3/99

c/c

NATIONAL COMMISSION FOR BACKWARD CLASSES

RAJASTHAN BENCH

FINDINGS

Per Shri P.S.Krishnan, Member-Secretary

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

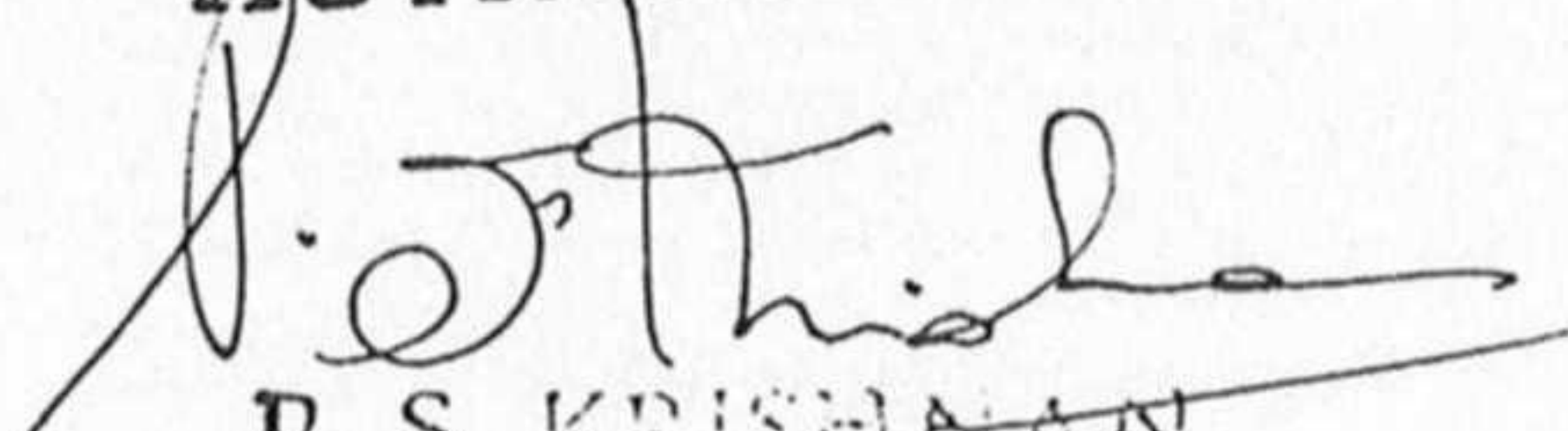
I. Request

This case arises from the Request received in this Commission from Shri Govind Narayan Palival, 3255, Jaylal Munshi Ka Rasta, Chandpel, Jaipur for the Inclusion of "Vachet Palival" 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 30.5.97 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. Neither the request-making party nor any other member or representative of "Vachet Paliwal" caste/community appeared before the Bench to give evidence despite wide publicity about the Public Hearing through media as well as separate intimation to the Request-making individual by the

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office of the NCBC.

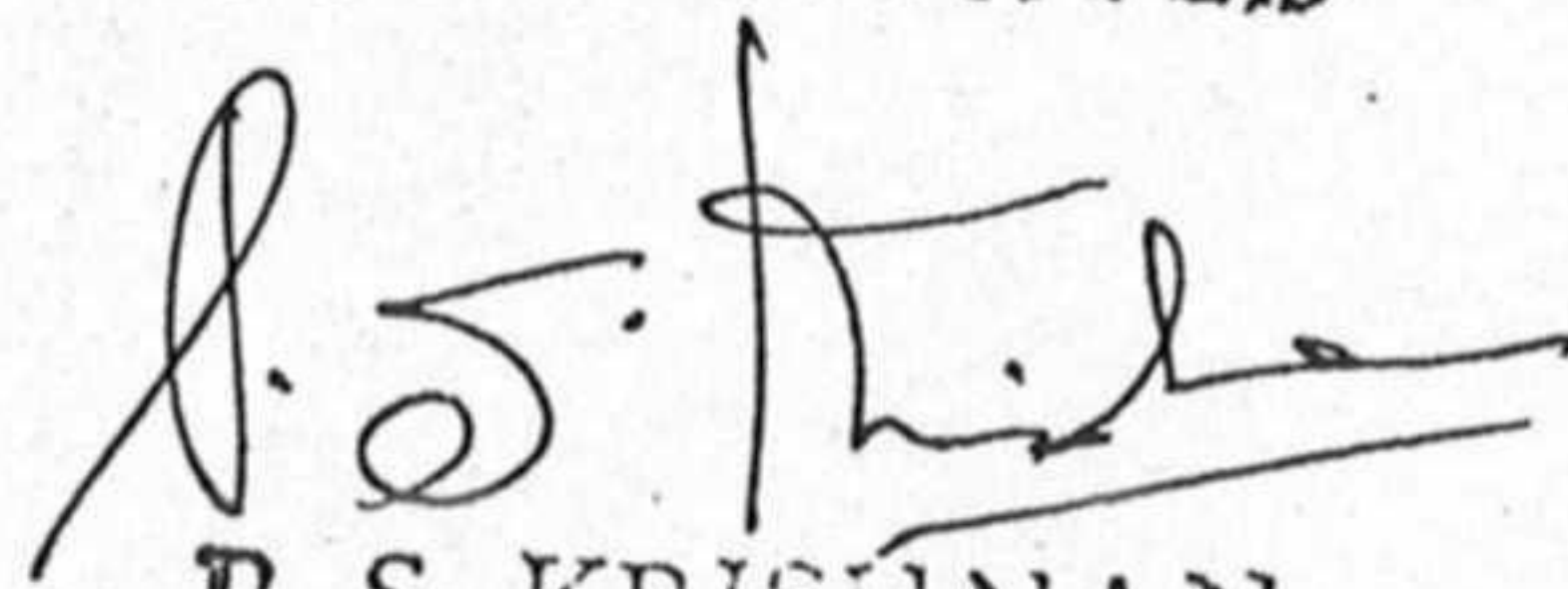
III. Facts

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. The caste/community under consideration is not included in the State List and the Mandal Commission's List of Backward Classes for Rajasthan and therefore it is also not included in the first-phase Central List of Backward Classes for Rajasthan notified by the Central Government on the 19th October 1994 on the basis of the principle of commonality.

4. The request-maker has not furnished any information or data whatsoever to the Commission in respect of the caste/community. No evidence was adduced before the Bench during the Public Hearing in support of the Request as neither the request-making individual nor any other member of the caste/community appeared before the Bench.

5. Munshi Hardyial Singh in his book 'The Castes of Marwar -- being Census of 1891' (Books Treasure, Jodhpur, 1990, first

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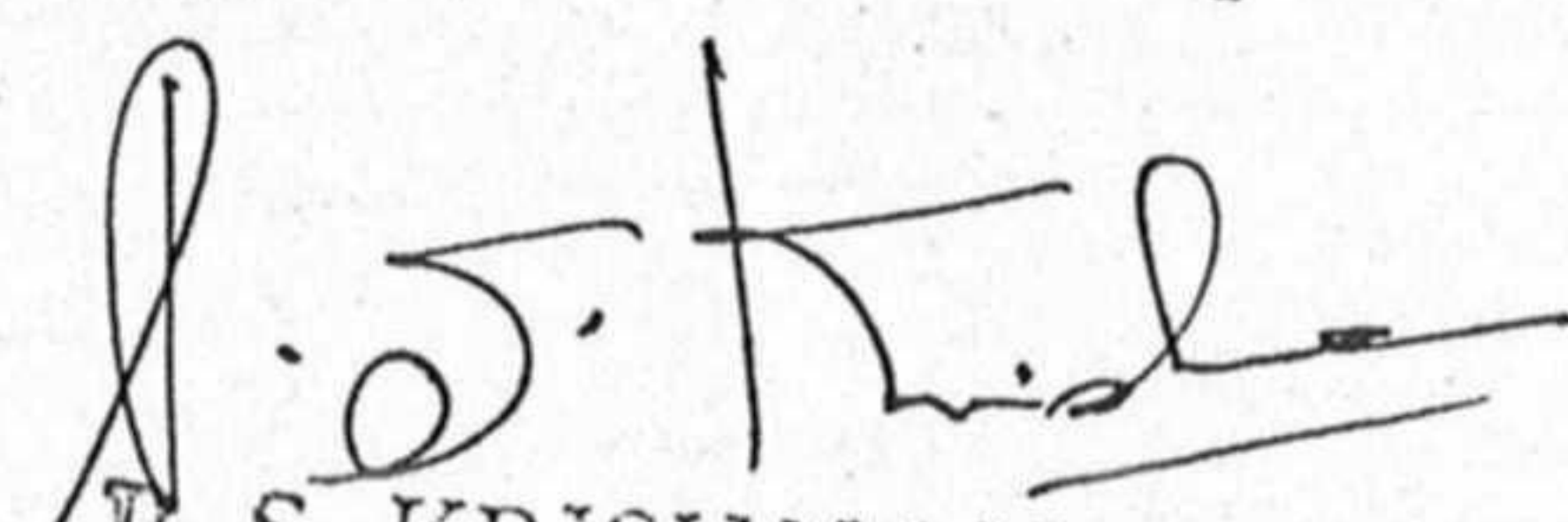


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edition 1894) under the Chapter "Professional Priests" writes about "The Palliwal Brahmins" that, "They belong to the Gour tribe, and take their name from the princes of Mundore before the establishment of Rathor power in Marwar. 'It was in Sambat 1212(A.D. 1156)' says Col. Tod, 'that Siaji, the founder of the Rathor dynasty and son to the Emperor of Kanouj, passed Pali on his return from a pilgrimage from Dwarka to the Ganges. The Brahmins sent a deputation to relieve them from two great enemies to their repose, namely the Minas of the Aravalli, and the lions which had become numerous. Siaji releived them from both, but the opportunity to acquire land was too good to be lost, and on the festival of the Holi, he put the leading Brahmins to death and took possession of Pali.'" Munshi Hardyal Singh further writes that "In Marwar, they are chiefly cultivators, but outside of it, they form a respectable class of Sahukars, and are known by the Nandwanas. The land they hold is called Manglik upon which they enjoy hereditary right..... The Palliwal Brahmins have several sub-divisions, the chief of whcih are --- (1) Jugia, (2) Jajia, (3) Punid, (4) Dhamut, (5) Bhayal, (6) Thuma, (7) Pethur, (8) Harjal, (9)Charak, (10)Sandh, (11)Kura, (12)Hardolia, &c."

6. In the People of India series on Rajasthan (Gen. Editor K.S.Singh, publihsed on behalf of the Anthropological Survey of India by Popular Prakashan Pvt. Ltd., Mumbai, 1998), "Paliwal" is described as one of the major segments of the Jain population in northern India, and they "derive their origin and name from the Pali town, a district headquarters of the same name in the State. Later the members of the Paliwal community dispersed in different directions. They have major concentrations in the districts of Sawaimadhopur, Ajmer, Jaipur, Udaipur and Sikar. They are distributed in the Mewat area of Alwar district also. Their migration to these areas took place largely during the first quarter of the nineteenth century. They claim a Kshatriya descent. It is said that they were the rulers of Pali state.

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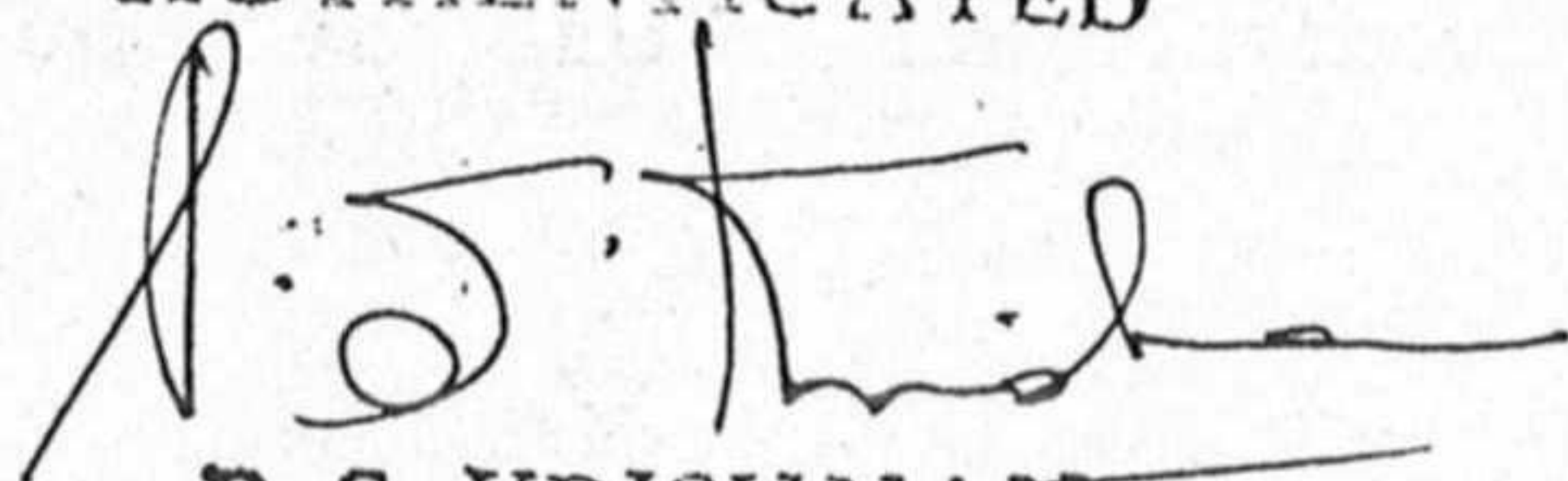
The ruler was influenced by the deliberation of a Jain acharya. So he embraced the new faith. His subjects and a large number of followers also embraced the ruler's religion and took the path of non-violence. All the weaponry were destroyed. The Paliwal are largely an urban community. They speak local Marwari dialect. For writing they use Devanagari script.". The People of India series on Rajasthan further writes that the Paliwal community "claim a high status in the local social hierarchy. They enjoy status equivalent to that of high castes" and that "Traditionally they are a community of traders. In the rural areas they own land and are land owning farmers. Some have taken to white-collar jobs. They are directly dependent on market which is fully regulated one.... They are in a wide variety of trade. In the interest of widening their trade they do not hesitate to move far and wide. All the family members in some way or the other contribute to the family trade. Their women also take interest. Many among them who have received higher education are now employed as doctors, engineers and are in other professions."

7. During the Public Hearing, the representatives of the State Government and the State Backward Classes Commission informed the Bench that the State Commission has not received any Request for the inclusion of "Paliwal" or "Vachet Paliwal" caste/community in the State Government's List of Backward Classes. They also opined that the caste/community apparently is not socially backward and therefore does not deserve inclusion in the List of Backward Classes.

IV. Findings

8. From the above material and evidence, the Bench came to the Finding that "Paliwal", which according to Munshi Hardyal Singh's is a Brahmin caste/community and which according to

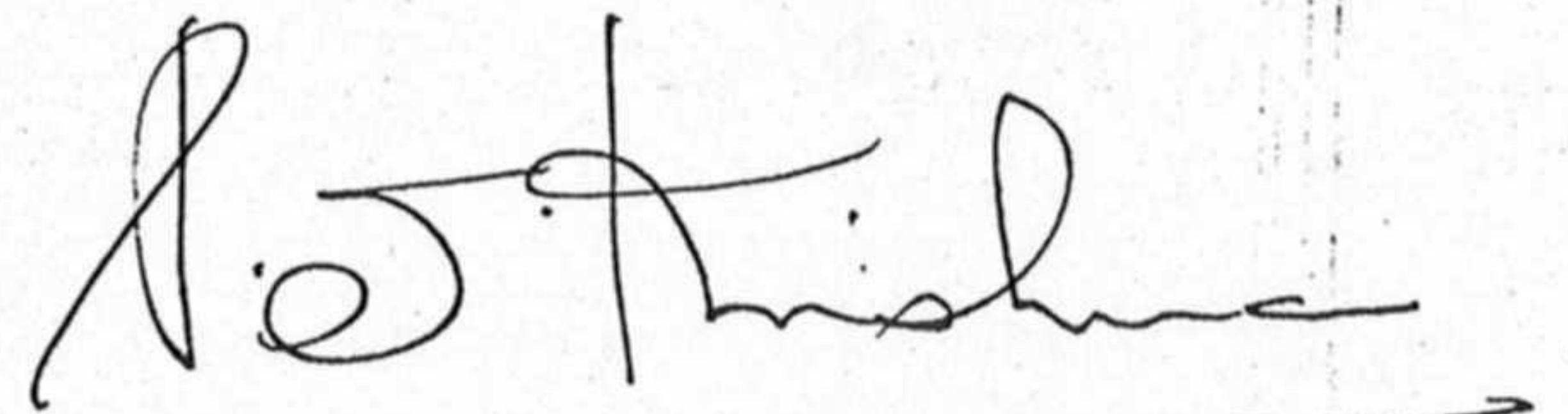
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People of India series account is a trader caste/community cannot in any way be considered as socially backward, but on the contrary is an advanced caste/community and therefore does not deserve inclusion in the List of Backward Classes. The non-appearance of the request-making individual or any other member of the caste/community during the Public Hearing is perhaps because of the fact that they themselves are aware that there is not a convincing case in support of the claim of Inclusion of "Vachet Paliwal" in the List of Backward Classes. In view of the facts, the Bench came to the conclusion that the Request for Inclusion of "Vachet Paliwal" in the Central List of Backward Classes for Rajasthan should be rejected.

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.

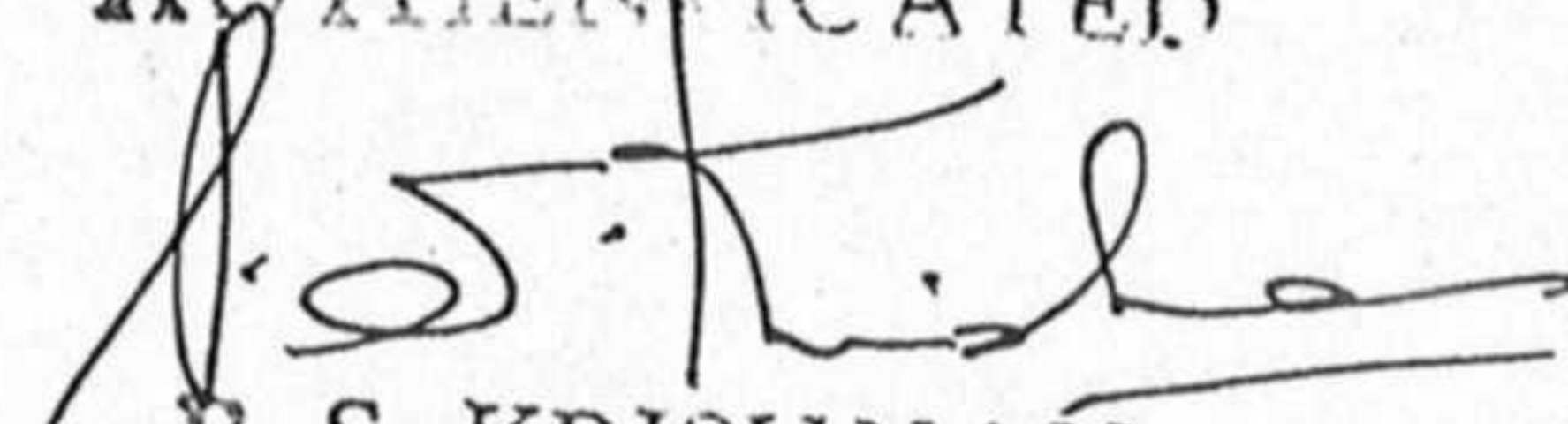

17.2.1999

V. 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 "Vachet Paliwal" in the

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Central List of Backward Classes for Rajasthan should be rejected as it does not constitute a socially and educationally backward class, but on the contrary is a socially advanced 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.

Kshayan
22.02.99

P. S. Krishna
17.2.1999

Navtej Puadhi
8.3.99

P. U. Agarwal
8/3/99

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