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सदस्य-सचिव
राष्ट्रीय पिछड़ा वर्ग आयोग

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

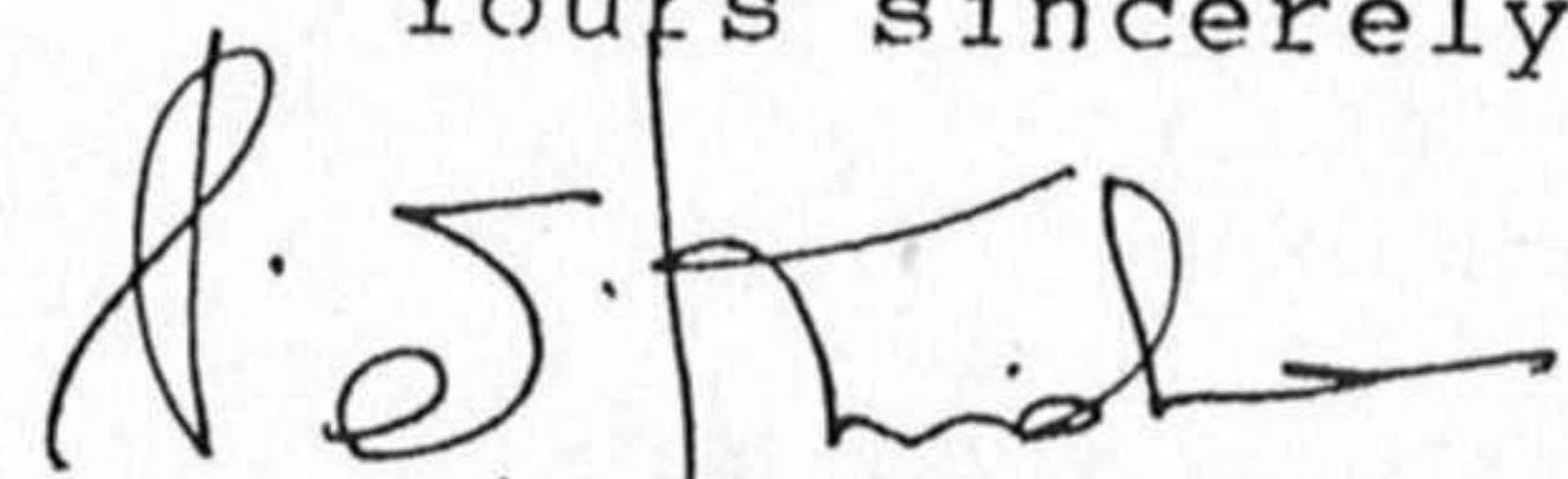
Member - Secretary
National Commission for Backward Classes
Government of India
Trikoot - 1, Bhikaiji Cama Place, New Delhi - 110 066
29.06.1999

NCBC Advice No. Rajasthan 46-47/99

Dear Smt. Das,

I am sending herewith the Advice of the National Commission for Backward Classes under Section 9(1) of the NCBC Act for the Inclusion of "Kasai" caste/community and for the Rejection of the Request for Inclusion of "Hammal, Palledar, Kasab, Qureshi" 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.

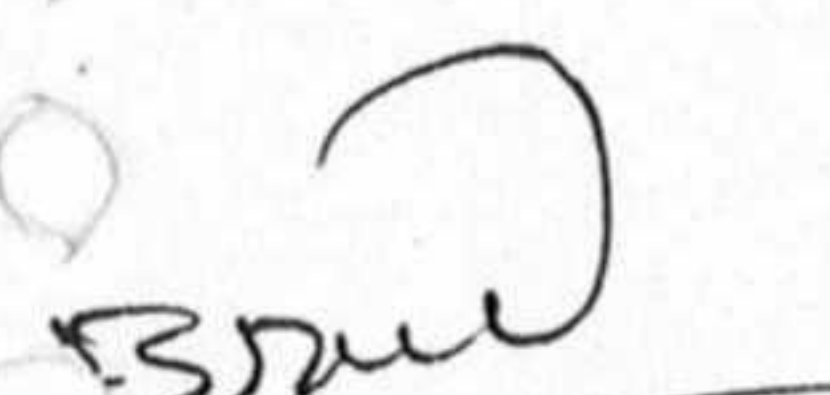
Yours sincerely


(P.S. KRISHNAN)

Encl: As stated.

Smt. Asha Das
Secretary to Govt. of India
Ministry of Social Justice & Empowerment
Shastri Bhavan
NEW DELHI

O/c


29/6/99

NATIONAL COMMISSION FOR BACKWARD CLASSES

RAJSTHAN BENCH

FINDINGS

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of "Kasai, Kassab, Qureshi, Hammal, Palledar" caste/community in the Central List of Backward Classes for Rajasthan

I. Request

This case arises from the Requests received in this Commission from Jamiat-ul-Quresh, (Jamaat Khana-Jamiatul Quresh, Mohalla Qureshyar, M.D. Road, Jaipur-302 004) for the Inclusion of "Kasai, Kassab, Qureshi, Hammal, Palledar" in the Central List of Backward Classes for Rajasthan. The All India Sheep & Goats Breeders & Dealers Association(Regd.), Branch Ajmer (Rajasthan), has also sent a Request for the Inclusion of "Qureshi" in the Central List of Backward Classes for Rajasthan.

II. Public Hearings

2. The two-Member Rajasthan Bench of this Commission, consisting of Shri P.S.Krishnan and Shri Navtej Puadhi held a Public Hearing in respect of this case at Jaipur on 9.6.98. 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 Clases Commission. The caste/community under

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consideration was represented by S/Shri Alimuddin Qureshi, Sageer Ahammed, Insaf Ali Qureshi, Anwar Muhammad Qureshi.

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 --- a principle laid down in Govt. of India (Dept. of Per.&Trq.)'s O.M. No. 36012/31/90-Est.(SCT) dated 13.8.1990 and upheld by the Supreme Court in the above Judgement ---, 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.II(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. Kasai, Kassab, Qureshi, Hammal, Palledar are not included in the Mandal Commission's List for Rajasthan as well as in the State Government's List. Therefore, they are also not included in the "Common (Central) List" issued by the Govt. of India on 19.10.94.

5. In its letter of Request dated 10.3.97, the Jamiat-ul-Quresh has inter alia submitted that they have made a Request to the Rajasthan State Backward Classes Commission for the inclusion of Qureshi community in the State List of Backward Classes on 10 October 1993. But that State Commission has not so far taken any action to include Qureshi community and this

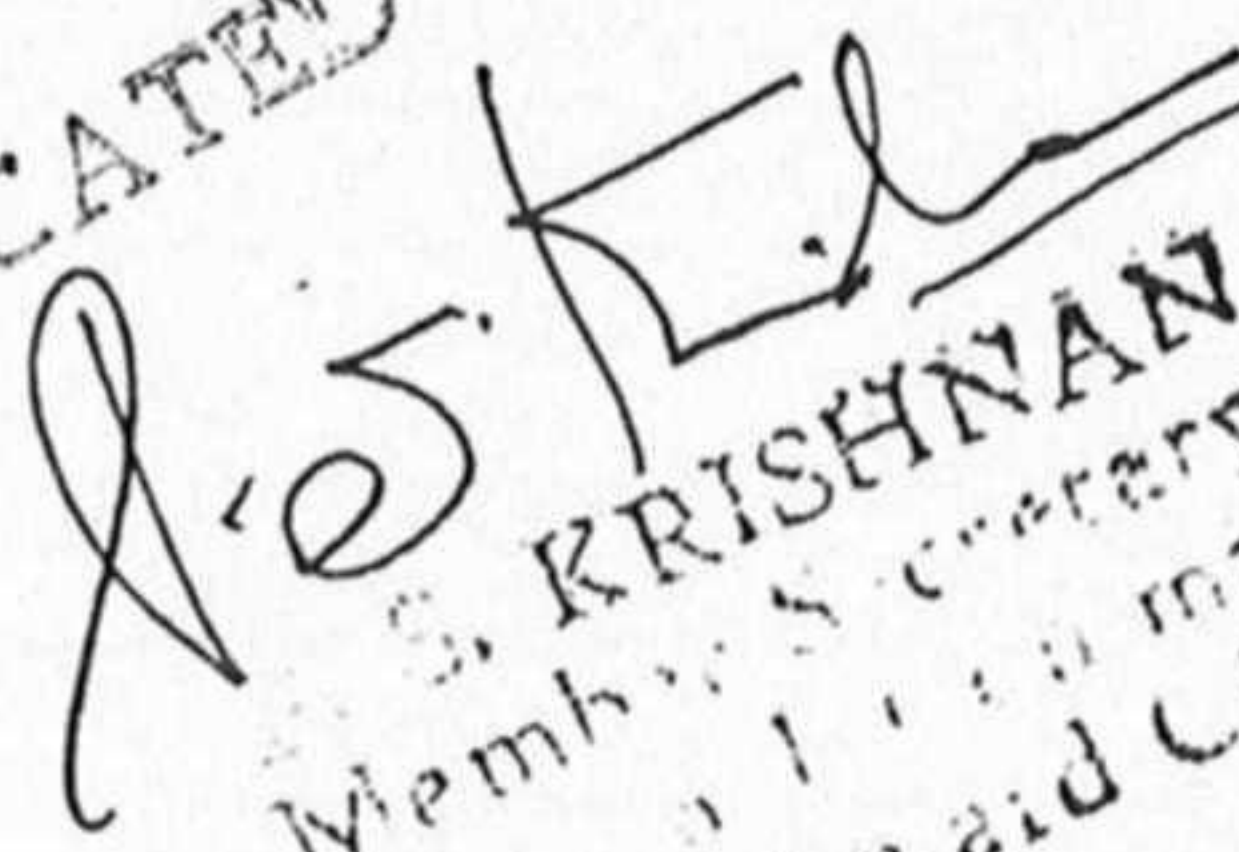
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Rajasthan State Backward Classes Commission

is inspite of the fact brought to the notice of that Commission that other States such as Bihar, Madhya Pradesh, Gujarat, Karnataka and Delhi have included this community in their list of Backward Classes. The letter of Request further states that it is a historical fact that this community who were engaged in the occupation of dealing in flesh and leather was treated as very lowly and the bastis where their members resided were invariably situated at the outskirts of towns. Thus, the community was socially very low and because of their weak economic condition and lack of education they still continue to be a backward community.

6. During the Public Hearing the representatives of the caste/community said that 75% of the members of their community are still engaged in their traditional occupation of rearing and butchering of sheeps and goats and selling meat. The community has a population of 5 lakhs in Rajasthan. They clarified that the original name of the community is "Kasai", but now the members of the community are largely known by the name of "Qureshi". They also said that they are also known by the names of Kassab and Halali. Regarding Hammal and Palledar, on specific enquiry from the Bench, they admitted that these are not really the names of the caste/community but are only occupational names and in view of this they stated that the names Hammal and Palledar need not be included in the List of BCs. Regarding Qassab and Halali it was stated by them as well as by some others present that nowadays these names are not in vogue in Rajasthan and therefore these names also need not be included in the list of BCs. Regarding "Qureshi", the representatives of the community initially stated that in Rajasthan this name pertain only to their community and no other community including Syeds use this name. However, when the Bench cited the name of former UPSC Chairman Shri J.M. Qureshi and some other instances, the representatives of the community said that there may be a few

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exceptions where the name Qureshi is used also by members of some forward sections of Muslims. Upon this, some persons who were present who were from different parts of the State stated that the name "Qureshi" is used not only by the Kasai community members but also by some forward sections among Muslims. Shri Bansilal who was present representing the Nagarchi caste/community said that in his district of Gangapur there are Qureshis but they are not of Kasai community. One representative of Chipa caste/community Shri Dhanaram supported this statement and he also said that "Qureshi" should not be included in the list. No one, however, objected to the inclusion of 'Kasai'. In fact, all those present expressed that Kasai are backward and therefore should be included in the list of BCs. Finally, the representatives of the community stated that they are also not insisting on the inclusion of "Qureshi" and said that their community may be included in the Central List of BCs for Rajasthan by their original name "Kasai".

7. Consequent to the Public Hearing, the Rajasthan Backward Classes Commission has vide DO letter No. F1/RBCC/Sec/98/872 dated 22.6.98 from its Joint Director addressed to the Member-Secretary, NCBC has given the following view about "Qassai, Qureshi, Qassab, Hammal":-

"Not all Kasais are Qureshis. Educational and economic condition of Qureshi community is good. In Rajasthan, Kassav is not in vogue as a caste/community name. Hammal can be of any caste/community and it does not denote a caste/community. Palledar also does not denote a caste/community.

In Rajasthan those who do the occupation of butchering of animals are called as 'Halali', and this is in the literature.

Those who write themselves as Kasai and has requested for its inclusion are actually sellers of meat and fish which work is also done by other caste members, both Hindu and Muslim. They are economically in a good position.

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'The Commission has recommended the inclusion of the butcher caste which is called as Halali'

8. Anthropological Survey of India's the People of India's series volume on Rajasthan (General Editor K.S. Singh, Popular Prakashan Pvt. Ltd., Bombay, 1998) attests to the existence of "Kasai" as a caste/community in Rajasthan in the following account of "Kasai" by D.P. Biswas:-

"The word Kasai is derived from Kasab --- the person who slaughters animals. They claim that they are originally Sheikh Muslim but due to their occupation they are called Kasai. Kasai are also known as Kasab or Qureshi and use Qureshi as their surname. They claim that they are from Sindh and then came to Ajmer. Besides Udaipur, they are also distributed in Ajmer, Jaipur, Nagour, Jodhpur and Pali districts.

The Kasai speak Mewari dialect among themselves as well as with local people. Some of them are conversant with Hindi. They use Devnagari script.

.....

The Kasai are considered inferior among the Muslims. They themselves consider their status inferior to Saiyad, Sheikh, Mughal, Pathan and Bohra.

.....

The traditional occupation of Kasai has been the slaughtering of cows and goats and selling the meat to the local markets. Besides, they also trade in raw hides and carcass. Another section of the Kasai is engaged in purchasing goats and sheep from villages and sell these to big markets. The community is fully dependent on local market for its requirements. The Kasai are a landless community.

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The attitude of the Kasai towards formal education of their children is favourable but the incidence of dropouts is greater. As soon as the boys grow up a little he is engaged

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in butchering or any other paying job. The children, therefore, hardly attain primary level of education. Their attitude is favourable towards the modern medicare. Family planning programmes are not popular among them."

9. "Kassai" as a butcher caste is also attested to by Munshi Hardyal Singh (The Castes of Marwar, being Census Report of 1891, Books Treasure, Jodhpur, 1990, first edn. 1894). Under the head "The Kassai", Munshi Hardyal Singh writes as follows:-

"The Kassais are Musalmans and their number is returned at 1302 males and 1240 females. They sell meat, but do not slaughter goats. This act is performed by a Muliah called Halali, who is hired for the purpose, and slaughters goats after the Mohammedan fashion.

.....

In Marwar, the Kassai caste is generally engaged in four different occupations. Those who sell meat are the true Kassais or butchers and they deal in goats as saying runs ---- Chhali Kassai ko hi dhije hai, i.e., 'the goats trust only in Kassais.' Those working as tanners are known by the name of Khalpias or Khatiks. They are also called Beoparis. Many of the Kassais work as Chawalias whose main occupation consists in lifting stone slabs for roofing purposes. They are said to have taken to this calling during the time of Maharaja Bije Singh when an order discontinuing the sale of meat was issued. Other Kassais carve stones, who are styled Silawats.

All the four classes of Kassais marry among themselves alone, and do not give their daughters in marriage to other Musalmans. Their women sell meat in shops and do not observe parda. They usually wear drawers."

10. The Kassai caste/community has already been included in the State and Central Lists of a number of States. The

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following are relevant entries in the Central List of Backward Classes for different States which found place in the Central Lists in 1993 through the process of commonality as they were already included in the lists of these different States and UT and also in the Mandal List for these States:-

S.No.	Name of State	Relevant entry
1.	Bihar	"5. Kasab(Kasai) (Muslim)"
2.	Madhya Pradesh	"59. Islamic groups:- 11. Kasai, Kasab, Kassab, Qusazb, Qassab"
3.	Uttar Pradesh	"17. Chikwa(Kassab)"
4.	Delhi	"28. Kasai, Qassab, Quraishi"
5.	Gujarat	"32. Khatki or Kasai, Chamadia Khatki, Halari Khatiki (all Muslim)"

Further this Commission has advised the Central Govt. for the Inclusion of "Khatik(other than those who are included in the List of Scheduled Castes for Maharashtra), Kasai, Kasab, Kasai-Qureshi" in the Central List of Backward Classes for Maharashtra vide NCBC Advice no. 10/98 tendered on 15.10.98.

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IV. FINDINGS

11. From the above material and evidence, it is the Finding of the Bench that "Kasai" is the name of a Muslim caste/community whose members are traditionally engaged in the occupation of butchering. By the very nature of their traditional occupation which is generally considered to be lowly and stigmatised, their social position has been considered as very low. It is obviously for this reason that they are included in the list of Backward Classes in respect of almost all of the north Indian States as well as in Gujarat. As already mentioned this Commission on the basis of strong evidence of their social and educational backwardness has already advised for their inclusion in the Central List of BCs for Maharashtra. In this background of established backward position of the Kasai caste/community in almost all the States adjoining Rajasthan, it is hardly possible for their position to be in any way different in Rajasthan. Moreover, the ethnographic accounts quoted above, particularly, the account of Kasai in the Anthropological Survey of India's People of India series on Rajasthan adequately and strongly establishes both the existence of Kasai caste/community in Rajasthan as well as their social and educational backwardness. In view of these facts, this Bench cannot subscribe to the negative attitude of the Rajasthan State Backward Classes Commission on the question of inclusion of "Kasai" in the List of BCs as expressed in its views communicated to this Commission mentioned at para 7 above. From its views, it seems that the State Commission is even reluctant to concede that the "Kasai" is actually a caste/community whereas the ethnographic accounts cited above and the fact of inclusion of "Kasai" in the BC List in a number of States irrefutably establish that it is actually the name of a caste/community. During the Public Hearing all those

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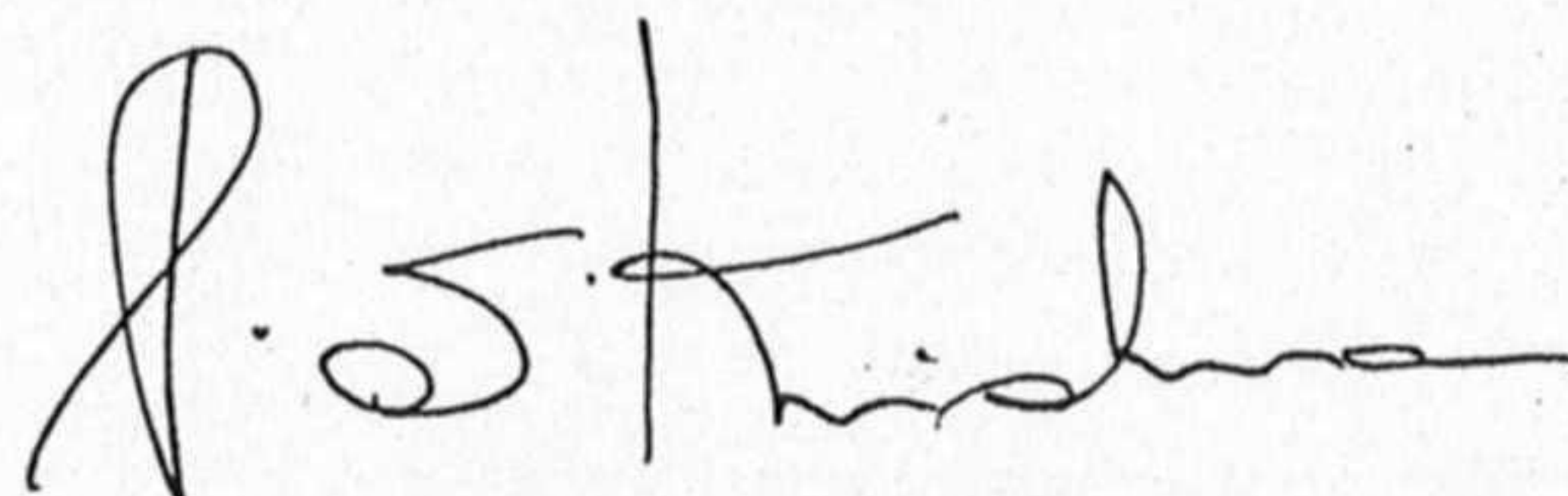
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for Backward Classes

present who were from different sections of society were of one voice in supporting the inclusion of the "Kasai" caste/community in the list of Backward Classes. In view of these, the Bench is of the conclusion that the "Kasai" caste/community of Rajasthan is a socially and educationally backward class and therefore it should be included in the Central List of Backward Classes for Rajasthan at a new entry no. 21, as follows:-

"21. Kasai"

Regarding other names mentioned in the Requests, Hammal and Palledar should be rejected as these are not caste/community names but are only indicative of occupations. Request for Inclusion of "Kassab" and "Qureshi" should be rejected as withdrawn.

12. As one of the Members of the Bench, Shri Navtej Puadhi unfortunately passed away on 16.8.1998, the Findings are formulated and signed only by one Member, who is also the co-ordinating Member of the Bench.



24.6.1999

V. Advice of the Commission

13. 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 (1) of the NCBC Act, for necessary action by the Central

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Government under Section 9(2) of the NCBC Act:-

(i) "Kasai" be included in the Central List of Backward Classes for Rajasthan at a new entry no. 61, as follows:-

"61. Kasai"

(ii) Request for inclusion of Hammal and Palledar in the Central List of Backward Classes for Rajasthan be rejected as these are not names of castes/communities but are only indicative of occupations.

(iii) Request for inclusion of Kasab, Qureshi should be rejected as withdrawn.

14. On account of the unfortunate demise of one of the Members Shri Navtej Puadhi on 16.8.98, 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.

Kshayam
24.06.99

Madan Singh
25.6.99

P. S. Krishna
24.6.99

P. Lakshman
29.6.99

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