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NCBC Advice No. Rajasthan 52/2000

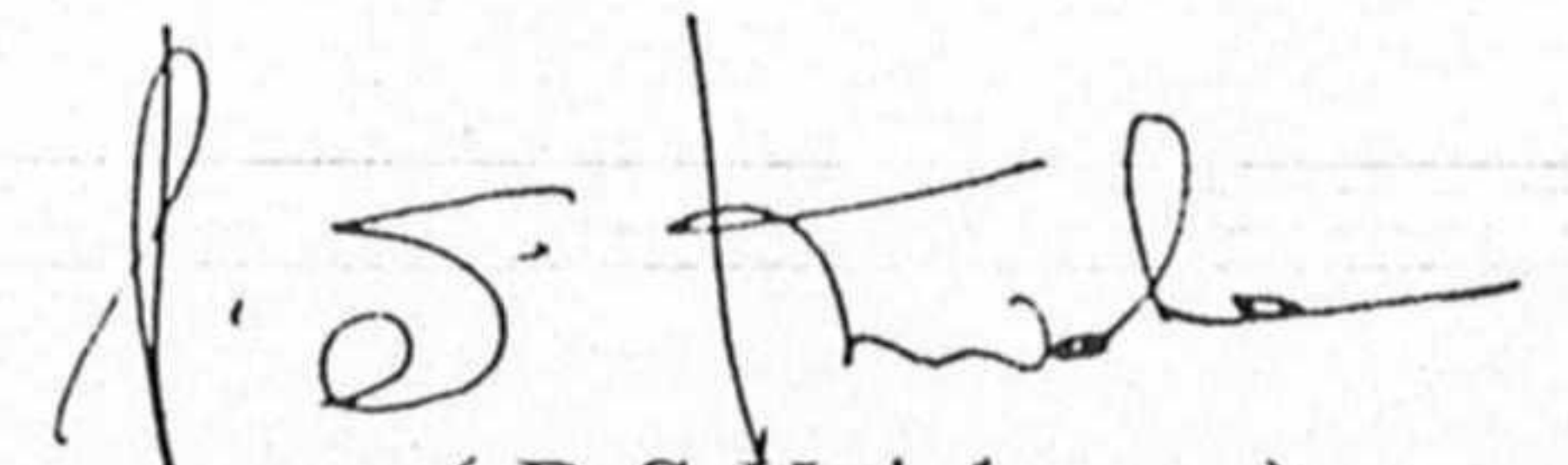
19.1.2000

Dear Smt. Das,

I am sending herewith the Advice of the National Commission for Backward Classes under Section 9(1) of the NCBC Act, 1993 for the Inclusion of "Kalbi" 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 NCBC Act.

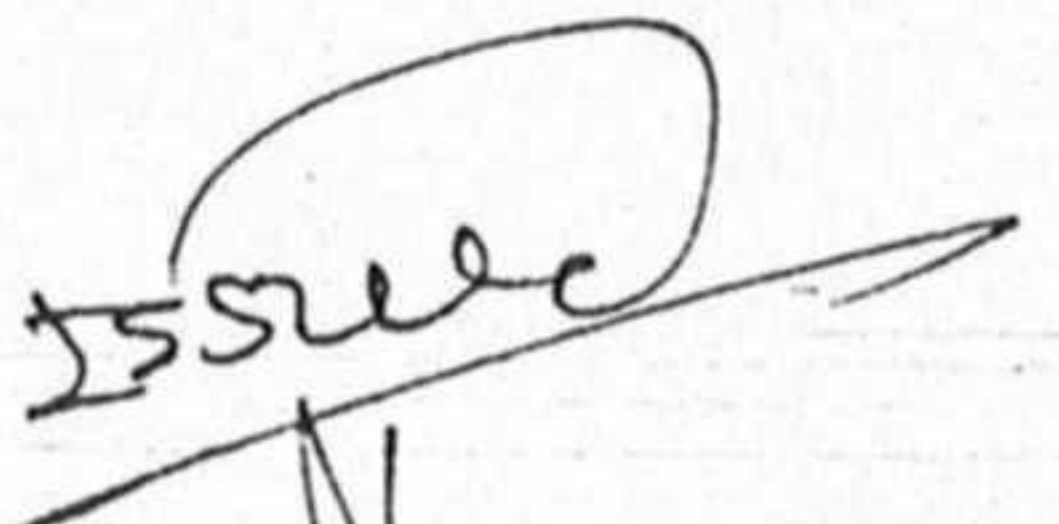
2. With this, Advices in respect of total of 784 (386 for Inclusion + 398 for Rejection) castes, sub-castes, communities, synonyms etc. have been tendered by the Commission after its reconstitution in 1997 of which 513 (115 for Inclusion + 398 for Rejection are still pending with the Government for Notification.

Yours sincerely,


(P S Krishnan)

Encl. : as stated

Smt. Asha Das
Secretary.
Ministry of Social Justice & Empowerment
Shastri Bhavan
New Delhi.


18/1/2000

NATIONAL COMMISSION FOR BACKWARD CLASSESRAJASTHAN BENCHFINDINGS

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of "Kalbi" in the Central List of Backward Classes for Rajasthan

I. Request

This case arises from the Request received in this Commission from Shri Bhagraj Chowdhary, MLA, Shivaji Nagar, Jalore (Rajasthan) for the inclusion of "Kalbi" as a synonym of "Kanbi" 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 Public Hearings in respect of this Request at Jaipur on 31.5.97 and 10.6.98. At these Public Hearings 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 caste/community under consideration was represented by the Request-maker Shri Bhagraj Choudhary.

III. Facts

3. The State Government of Rajasthan had no list of Backward Classes till after the Supreme Court Judgement in the Mandal

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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.&Trg.)'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. Entries relevant to the present Request in different lists are as follows:-

(i) Mandal Commission's List for Rajasthan

"72. Kanvi"

(ii) State Government's List

"28. Kanbi"

(iii) Central List

"26. Kanbi"

"Kanbi" is included in the Central List issued by the Govt. of India on 19.10.94 (at which stage the Expert Committee of 1993 had ceased to be in existence and the matter was not before the NCBC and the Govt. of India's decision was taken without

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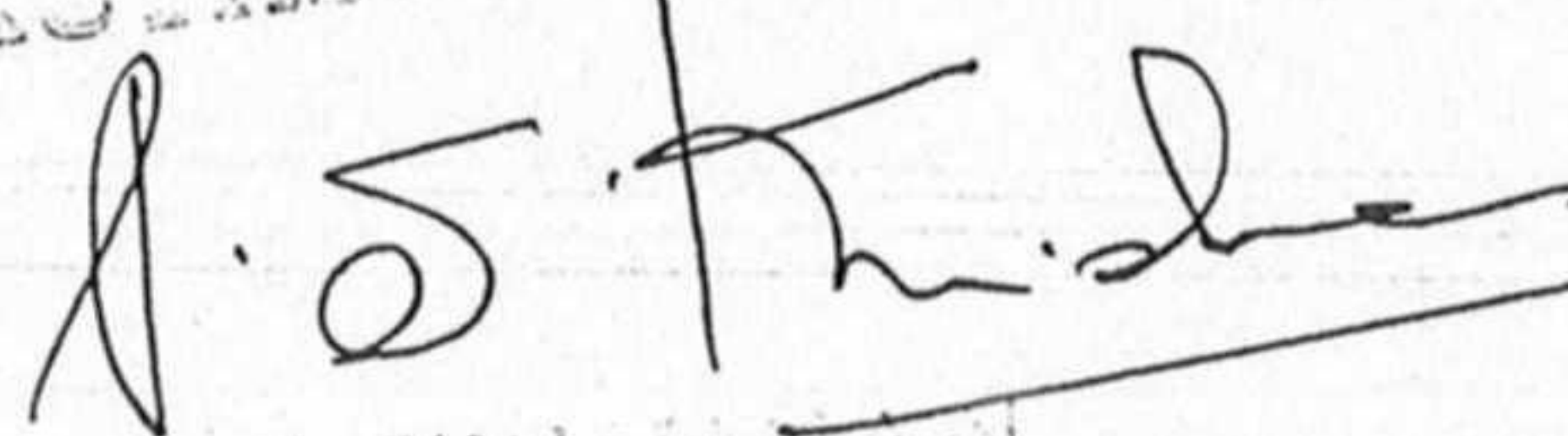
this Commission's Advice) apparently on the reckoning that "Kanvi" included in the Mandal Commission's List is the same as "Kanbi" in the State List.

5. The State Government has, on the basis of the Advice of the Rajasthan State Backward Classes Commission, added "Kalbi" in the State List vide Social Welfare Department Notification No. F.11 (125) R & P/SWD/92810 dated 24.12.1994. The Advice of the State Commission in this regard, as contained in its first Report furnished to the State Govt. on 2 April 1994, reads as follows:-

"This caste/community mostly reside in the Jalore, Pali and other districts of Western Rajasthan. They are engaged in small scale agriculture, animal rearing and labour. They are socially, educationally and economically weak and backward. Requests received and the representatives and office bearers of different organisations have demanded that in the place of Kanvi, Kanbi and Kalbi should be included. In this regard they have furnished some old literature. They have also stated that in some places they also write 'Kunbi' and 'Choudhari'. 'Choudhari' is a name used by many communities and therefore it will create confusion and therefore it is not proper to include 'Chaudhary'. In the List, it will be proper to include 'Kanbi, Kalbi' in the place 'Kanvi'"

6. During the Public Hearing of this Bench on 31.5.97, the representatives of the State Govt./State Commission stated that the name "Kanvi" in the Mandal Commission's List was felt by the State Commission to be a typographical error for "Kanbi". During this Public Hearing, the Bench also learnt that a Writ Petition was filed in the High Court of Rajasthan against the above notification of the State Govt and that as per the direction of the High Court the case of "Kalbi"

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caste/community is under re-examination of the Rajasthan State Backward Classes Commission. At the Public Hearing, Shri Ummed Singh Rebari, stated to be President, Akhil Bharatiya Rebari Mahasabha, Rajasthan branch, stated his objection to the inclusion of "Kalbi" as a synonym of "Kanbi" on the ground that "Kalbi" and "Kanbi" are not one and the same caste/community but are different communities. The Bench decided to wait for some time for the completion of enquiry by the State Commission.

7. Subsequently, the State Commission vide letter No.F1/R.B.C.C./97/17457 dated 14 July 1997 from its Member-Secretary addressed to the Member-Secretary, NCBC gave the following information:-

"Kanvi was included at entry no. 72 of the Mandal Commission's List of BCs for Rajasthan. The Mandal Commission's List for Rajasthan was given recognition by the State Government and the List was notified on 27 August 1993. In this regard, the State Commission issued a public notice and in response to this public notice an application was received to include Kanbi in the place of Kanvi and also to add Kalbi after Kanbi. In this connection, the Commission sought objection if any from the public through newspapers. But, no objection was received. For this reason, the Commission, on the basis of the literature furnished by the Kalbi community, advised the State Government to include Kalbi as a synonym of Kanbi in the State List and this was accepted by the State Government. With regard to this, a Writ Petition was filed in the Rajasthan High Court by Rebari Samaj and the High Court delivered the following decision:-

'Admittedly, a representation stands filed by the petitioner before the respondent no.2 (State Commission) a copy of which has been placed on record as annex.4. This

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petition raises disputed questions of fact, which simply cannot be permitted to be agitated in the extra-ordinary writ jurisdiction. In the prayer, the petitioner has himself said that some evidence may be required to be led to prove the contentions raised in the writ petition.

In my opinion, it would be appropriate to direct the petitioner to appear before the respondent no. 2, where the aforesaid representation is said to be pending. The respondent no. 2 (Raj. B.C. Commission) is directed to look into the matter and grant an opportunity of hearing to the petitioner before the matter is finally disposed off.

With these observations, the writ petition stands disposed off.'

According to the above decision of the High Court, this Commission has to decide whether Kanvi, Kunbi, Kalbi is the same caste/community or not. Before a decision is taken, more materials are to be collected. Apart from acquiring available literature from Gujarat, Maharashtra etc., information is also to be collected from the field."

8. During the Public Hearing held on 10.6.98, Shri Bhagraj Chowdhury, MLA who has made the Request for the inclusion of "Kalbi" expressed that it is three years after the High Court directed the State Commission to take a decision. Therefore, there should not be delay any more. The Bench requested the State Govt./State Commission representatives to expedite their decision in this regard.

9. The State Commission has since informed this Commission vide letter No. F1/RBCC/Sec/98/19 dated 6.1.99 from its Member-Secretary to the Member-Secretary, NCBC that, after detailed examination of literature and books and after hearing the representatives of Kalbi and and also of Rebari Samaj, the State Commission has come to a conclusion that its earlier

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decision to add 'Kalbi' along with 'Kanbi' was correct. In the letter, the following grounds are given in support of this decision:-

- "(1) There is no caste in the State by the name of "Kanbi"
- (2) The two villages in Sirohi district where the Mandal Commission had visited are inhabited by Kalbis. No caste/community by the name of Kanbi is resident in these villages nor was it resident at the time of the Mandal Commission's visit. Hence, those people who were contacted by the Mandal Commission, certainly would have been Kalbis.
- (3) It is recorded in the Rajasthani dictionary that in Marwar 'क' is pronounced as 'क'.
- (4) In the 1931 census reports the population of the caste named as 'Kanbi' is given, but at that time and even at present there is no 'Kanbi' caste residing in the State. Kalbi caste is there but the population of Kalbi caste is not given.
- (5) In the Census of 1911, along with Kunbi, Kalbi, Kulbi, Kulmi, Kurmi castes are included.
- (6) In the Census Report of 1921, along with Kunbi, Kalbi is included.
- (7) At page no. 140 of the Census of Marwar State, it is stated that 'Kunbi' caste is residing in the parganas of Jautaran, Jalore, Jaswantpura, Malani etc. But, on enquiry, 'Kunbi' caste is not found in these places. Kalbi caste is found.
- (8) In the 'Census of India 1931: Rajputana Agency', by B.L.Cole, it is written at page 126 that 'Cultivator castes:- Kunbi, Kurmi, Kalbi, Patidar etc. These are residing mostly in

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Marwar and Sirohi which are on the border of Bombay Presidency'. On enquiry it is learnt that there is no caste named Kunbi here but Kalbi caste is residing.

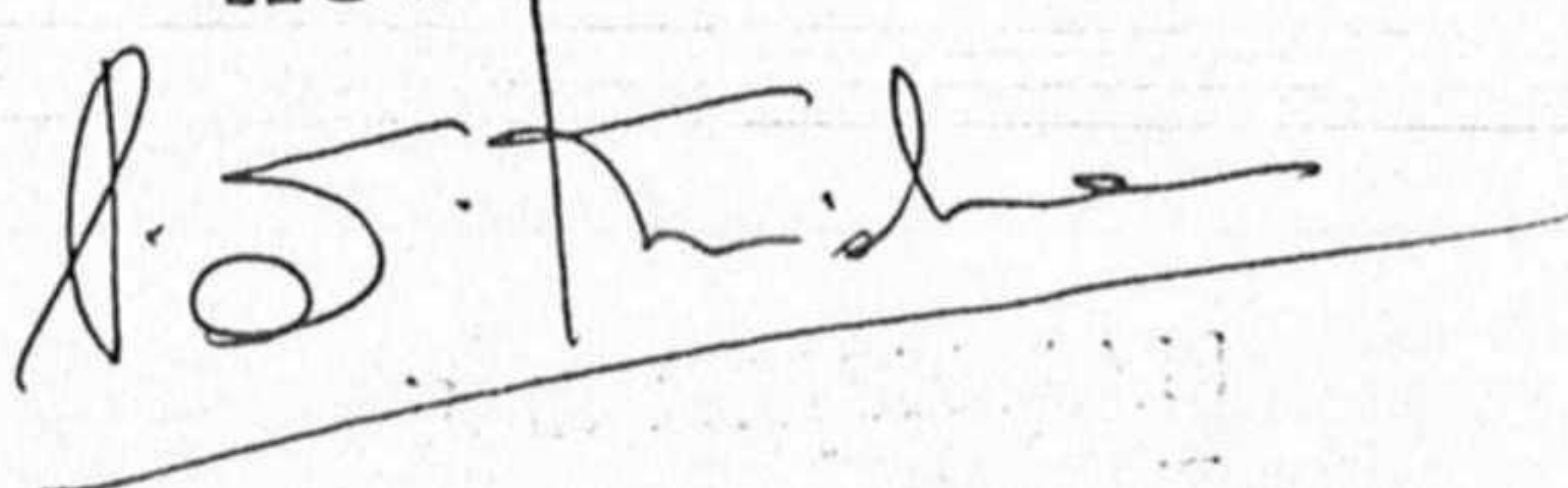
(9) In a book authored by Kailashnath Vyas and Devendra Singh on the social and economic history of Rajasthan castes/communities, it is mentioned that Kalbi or Patel community are residing, apart from Rajasthan, also in Gujarat and Madhya Pradesh. This community is also called by the names of Kulambi, Kalbi, Kanbi etc. Their large populations are in Pachapdara and Siwan tehsils of Barmer district and in the Jalore district. From these, it emerges that Kanbi is the same as the Kalbi."

10. Shri Ummed Singh Rebari has in his letter of objection to the inclusion of "Kalbi" has inter alia stated as follows:-

"..... The inclusion of 'Kalbi' in the BC List is not in the interest of the backward castes of Western Rajasthan. Kalbis residing in the Jodhpur region are known as 'Kalbi Choudhary'. Apart from agriculture, this community is also engaged in other occupations such as running grocery shops, selling of seeds, cloths, electrical equipments etc. and this community's competency in this field is so much as to surpass even those who were traditionallly in this field. Agricultural activities have never been considered as a lowly occupation.... and from this point of view this community has never been socially backward. Since Independence this community own high quality land of the Jodhpur area. They hold about 60 per cent of the total irrigated land in Jodhpur, Pali, Jalore, Sirohi and Barmer.....

.... Their high social position can be assessed from the fact that they even smoke and eat together with Brahmins..... Brahmins openly accept raw and cooked food at the ceremonies

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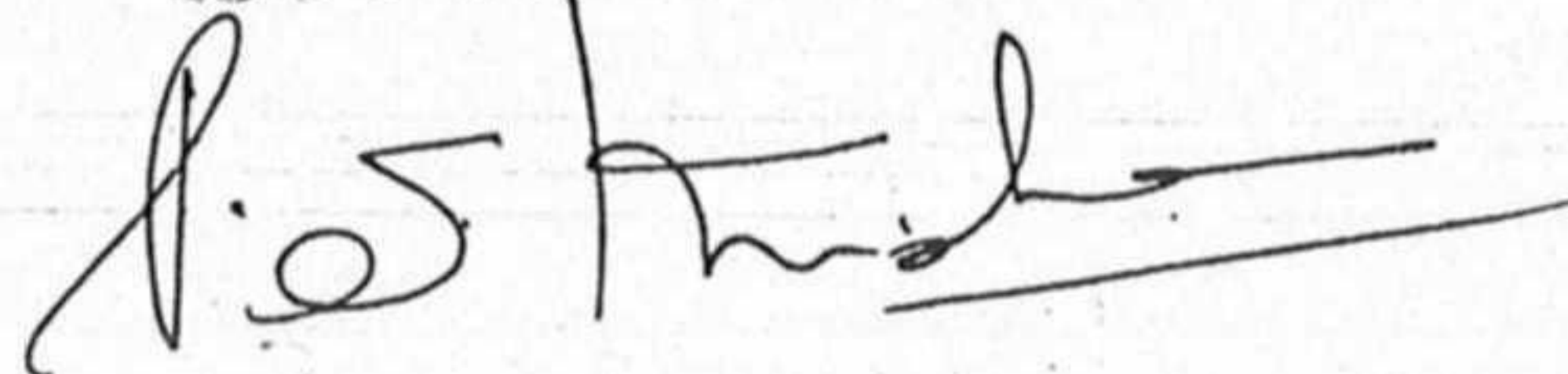


conducted in the Kalbi Choudhari households.... My personal thinking is that Sirvi, Kalbi and Bishnoi communities are probably offshoots from the Jat community and many gotras of Kalbi community are similar to those of Jats...

Even before independence, this community had good hold in the above areas. Local and small Jagirdars sought advice from them and their opinions were considered as important. This community was regarded as a community with foresight, intelligence and professional acumen. Therefore, this community is lord of good agricultural land and they earn good income. They own modern agricultural implements, well furnished pucca houses and commercial establishments. Members of this community from Jalore, Sirohi, Pali, Jodhpur, Barmer districts have established good commercial establishments in other States like Gujarat, Maharashtra, Karnataka, Andhra Pradesh and Tamil Nadu and they even sponsor grandiloquent functions. Economically this community is self-sufficient... They enjoy all material wealth... Inclusion of this community in the BC List is considered by the socially and educationally backward caste members of Western Rajasthan as an attack on their interests. The inclusion of Kalbi in the State List is considered as an unethical conspiracy on the part of the State Backward Classes Commission because in Western Rajasthan Kalbi caste/community is not called as Kunbi or Kanbi. That Kalbi was never called as Kanbi or Kanvi is also said by the knowledgeable persons of old generations who are at their 80s or 90s."

11. Shri Ummed Singh Rebari in his letter further submits that, "Kalbi Choudhari is originally Ajana Choudhary and this community relates their origin from Anjani Mata. Similarly Ajana Khap is also available among Jats. In this regard, my personal opinion is that Kalbi Choudhary (originally Ajana Choudhary) was the same as Jat caste and (in the past for some

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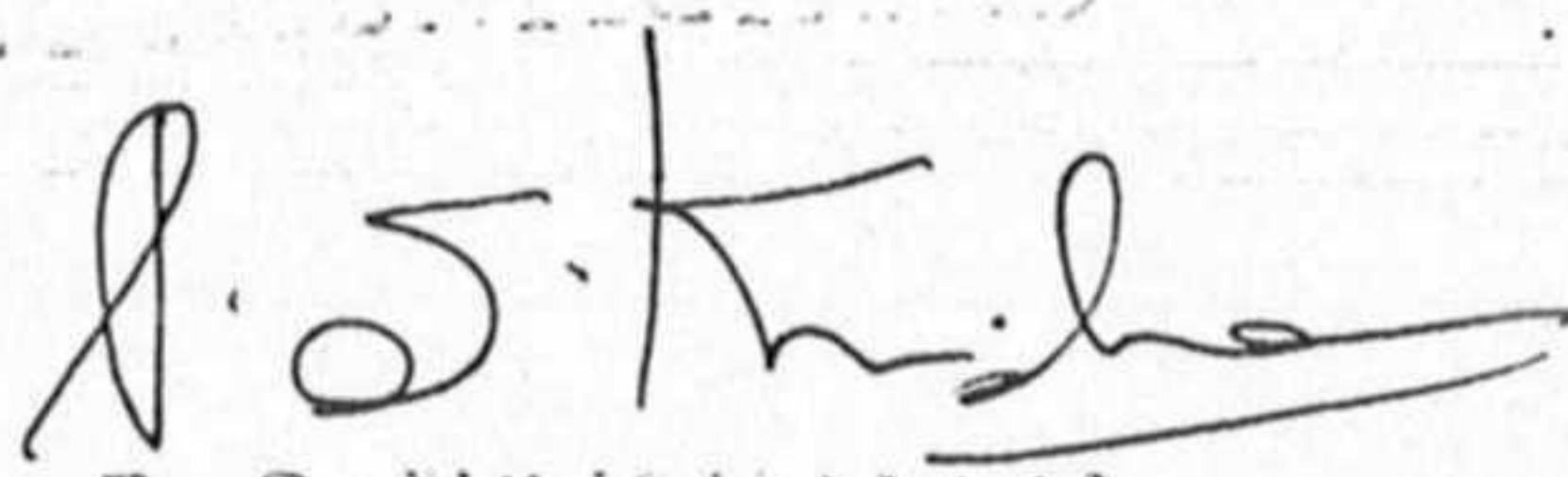


reasons) their social relations came to an end and this community came to be called as Kalbi or Patil (Patel).... In some other features also this community is like Jat caste as exemplified by the caste-indicative word 'Choudhary', which name, in Northern India, is indicative of wealth, influence and good social condition."

12. Regarding the point mentioned by the State Commission at para 9 above, which according to Shri Ummed Singh Rebari is also a point put before the State Commission by the representatives of the Kalbi community, that in Marwar in the place of "क", "क़" is commonly used and therefore "Kanbi" is the same as "Kalbi", Shri Ummed Singh Rebari submitted that though it is true that in certain instances "क़" is used in the place of "क" like "क़ल्लिमा" for "कल्लिमा" and "क़म्बरदुआ" for "कम्बरदुआ", this cannot be extended to the case of Kalbi. He states that "कल्लिमा", "क़म्बरदुआ" are used not only in Western Rajasthan but also in the rural dialect of the entire Rajasthan. If "क" is replaced by "क़", then in Western Rajasthan "काढ़ी" should be "काढ़ी", "काथ" should be "काथ" and "कलिया" should be "कलिया" etc., but these are not so, so why is it true only in respect of one caste?

13. In support of his argument that "Kalbi" and "Kanbi" are different castes, Shri Ummed Singh Rebari in his letter has referred to the book "Rajasthan Ka Itihas", which he states is kept in the National Archives, Delhi, as listing "Jat, Gujjar, Bishnoi, Kunbi, Kalbi, Keer, Dhakad, Mali, Ahir, Rebari etc." as the agricultural and animal rearing castes of Rajasthan. From this, he further submits, it is clear that 'Kunbi' and 'Kalbi' are separate castes/communities.

14. Shri Ummed Singh Rebari has also inter alia stated that in the List of Semi-Nomadic castes/communities issued by the Social Welfare Deptt. of Rajasthan, "Kanis" was mentioned



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at entry no. 6. Probably, this is the caste/community included by the Mandal Commission by way of a spelling or typing error as "Kanvi". He in his letter or during the Public Hearings however has not made any Request to include "Kanis" in the List and his whole objection is against the inclusion of "Kalbi" in the List of BCs. In the last para of his letter he has stated that Kalbi is a community that commit inhuman atrocities and other forms of maltreatment against backward classes and that for this reason the majority of the people of the backward classes consider the inclusion of this community in the BC List as very dangerous.

15. In the List of Backward Classes recommended by the Kaka Kalelkar Commission in respect of Rajasthan, "Kanvi" and "Kalbi, Kulbi" are included at separate entries and the traditional occupation of "Kanvi" is mentioned as "Agriculturists" and of "Kalbi, Kulbi" as "Cultivators", as follows:-

<u>S.No.</u>	<u>Name of the community</u>	<u>Traditional occupation</u>	<u>Estimated population, 1951</u>
59.	Kanvi	Agriculturists	(Not available)
61.	Kalbi, Kulbi	Cultivators	(Not available)

16. Munshi Hardyial Singh in his book 'The Castes of Marwar' based on the Census Report of 1891 describes "Pital or Kalbi" under the head 'Minor Agricultural' castes, as follows:-

"The Pitals are really the same as the Kalbis, though they have returned themselves separately in Marwar,.... They follow no other profession but cultivation, and are called Chowdhris. They assumed the name of Pital after their migration to Patan, and in the eastern part of Marwar, they

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chiefly go under the same name. In Malwa and the Deccan they are, however, known as Kalbis. The origin of the name Kalbi might be traced to the Persian word Kalba which means a plough, but the local tradition assigns a different etymology of the name being derived from Kol or Kul a family and be two, which means one produced from two families. The Kalbis are said to have sprung from the combination of Rajputs with some of the Brahman woman of Gujarat, where the former had sought refuge for fear of Musalman invasions over their country, about the twelfth century A.D. Hence the derivation of the name. The Kalbi women still abstain from the use of liquor and meat, being originally Brahman by caste and do not join their husbands in taking meals, and also keep their vessels separate as the latter do not observe such restrictions.

The original home of Kalbis in Marwar was Bhinmal now amalgamated with Jaswantpura, whence they proceeded to Patan in Gujarat. From Patan they came to Pachphadra and thence to Siwana.

The chief Khamps of Kalbis are Parihar, Chohan, Solunkhi, Gayal & C., each of which is again divided into various sub-clans, being chiefly called after the names of birds or animals such as Tantiā, Kag,

17. Anthropological Survey of India's the People of India series volume on Rajasthan (General Editor K.S. Singh, Popular Prakashan Pvt. Ltd., Bombay, 1998) contains separate accounts of "Kalbi" and "Kulmi" as two distinct castes/communities. The account of "Kalbi" is by S.K. Mandal. In this account, apart from reproducing the description of Kalbi by Munshi Hardyal Singh as above, it is also inter alia mentioned as follows:-

"..... The local tradition reveals that the term Kalbi is derived from Kurmi which corrupted to Kurbi to Kulbi and finally to Kalbi.....

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..... The Kalbi perceive themselves in the middle order of local social hierarchy. The neighbouring communities conceive them in middle order....

.....
Land is the principal source. They are a landowning community. The traditional occupation of the Kalbi is farming. They also do share cropping. They have links with market for purchase of daily necessities and for sale of their agricultural products. They also rear livestock.

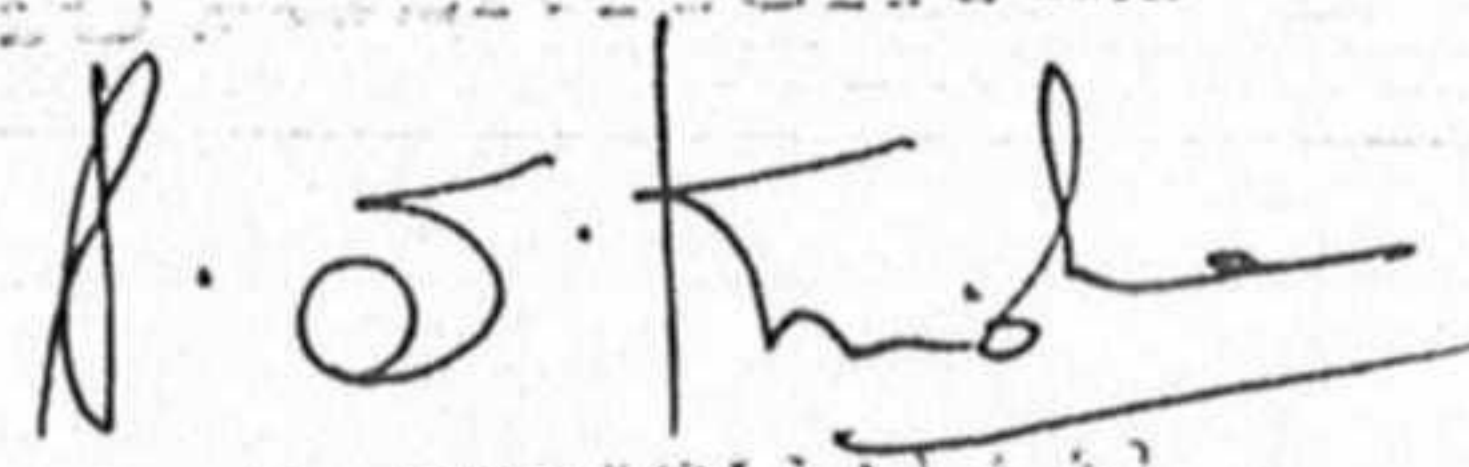
..... The Kalbi are traditionally linked with neighbouring communities at social, ritual and economic levels. They accept water from higher castes like Brahman, Rajput, Bania and Bishnoi. They traditionally abstain from taking water from Scheduled Castes. Putative kinship like dharam bhai or dharam bahin are established within and outside the community. The Kalbi have separate cremation ground of their own. The other public places like school, panchayat ghar and religious temples are shared with all other communities. In modern times the Kalbi have proliferated their linkages. They participate in modern state politics.

The literacy rate among the Kalbi is low. Their attitude towards formal education is favourable for boys...."

18. The People of India series on Rajasthan does not contain any account of any caste/community named as "Kanbi".

19. The Census of India, 1931 --- Rajasthan Agency Report (Lieut. Colonel B.L. Cole, Manohar, New Delhi, Second Edition 1992) in 'Chapter XII-- Race, Tribe and Caste', under the head "Other localised castes" mentions that "Those large agricultural communities known variously in other parts of India as Kunbis, Kurmis, Kalbis, Patidars etc., are represented in the Agency by 57,815 persons of whom the bulk are found in those parts of Marwar and Sirohi which adjoin the Bombay Presidency. The 5,100 Kunbis returned from the

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scattered parganas of Tonk are probably Kurmis akin to those found in large numbers in the United Provinces and Central India. Among this class of agriculturists, mention should be made of 55,867 Patels, most of whom are found in Banswara and Dungarpur, also of 2,778 Anjnas in tracts adjacent to the Central Indian Agency.....". Part 1 of Table XVII in this Census Report gives population figures for each caste/community returned in the Agency. This table gives the population of "Kunbi" which is mentioned to include also "Kurmi" as 57,815. Figures for "Patel" and "Patidar" are given separately as "55,867" and "65" respectively. "Kalbi" is not mentioned in this Table.

20. Rev. M.A. Sherring's ethnographic work "Hindu Tribes and Castes --- Vol.III Part I The Tribes and Castes of Rajasthan" contains separate accounts on "Kumbi, or Kurmi" and "Kalbi", under the head "Agricultural Tribes and Castes", as follows:-

"Kumbi, or Kurmi"

Cultivators, who are found especially to the south of the Aravalis, having come originally from Central and Southern India. The agriculturists of Dungapur are chiefly Kurmis."

"Kalbi"

Cultivators in Mallani, on estates bordering on the Luni. They are worshippers of Vishnu".

IV. Findings

21. No caste/community with the spelling "Kanvi" is mentioned in available ethnographic literature or census reports. Therefore, "Kanvi" included in the Mandal Commission's List for Rajasthan as well as in the Kaka Kalelkar Commission's List of BCs for Rajasthan is apparently a spelling/typographical error for "Kunbi". Phonemic equivalence of the phones "v" and "b" is a widespread



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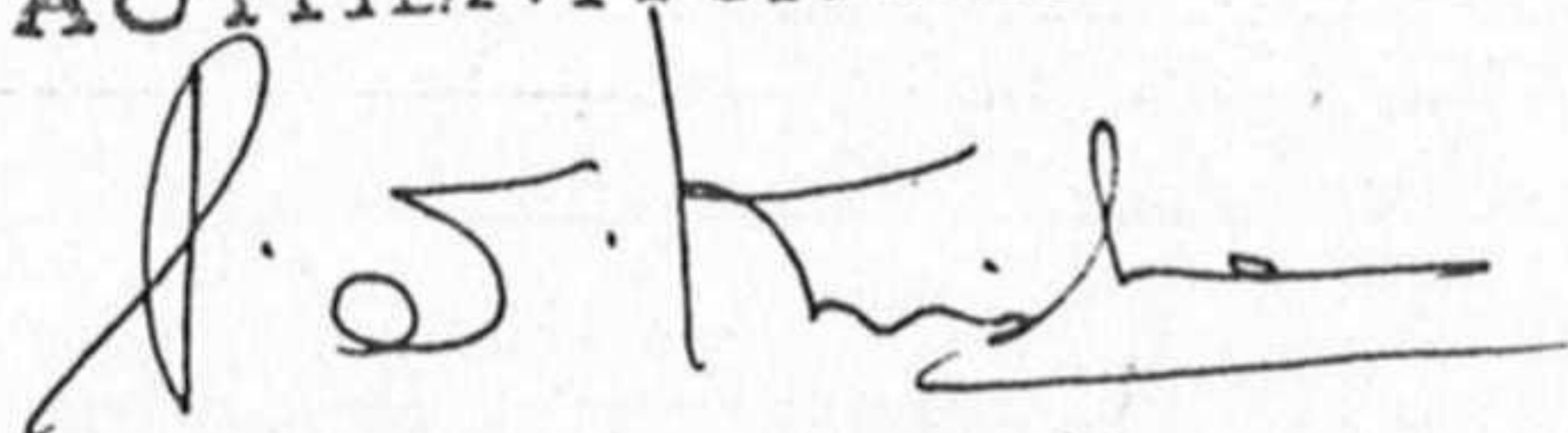
linguistic feature of many languages of the world and in Sanskrit it has been formalised in the aphorism or Sutra of Panini "वदयोरभेदः।". This apparently also refers to the occurrence of "v" in some dialects of North India where "b" occurs in some other dialects. But, according to the State Commission's Findings, no community of the name of either "Kanvi" or "Kanbi" actually exists. In that case, can "Kanbi" be held to be the same as the "Kalbi" caste/community? The Rajasthan State Backward Classes Commission's finding that there is no caste/community as "Kanbi" in Rajasthan is in accord with the fact that no caste/community with the name "Kanbi" is described in the recent compilation of castes/communities of Rajasthan in the Anthropological Survey of India's People of India series on Rajasthan as well as in Munshi Hardyal Singh's book 'The Castes of Marwar' based on the Census Report of 1891. In the 'Census of India, 1931 --- Rajputana Agency Report' by Col. B.L.Cole it is mentioned that "those agricultural communities known variously in other parts of India as Kunbis, Kurmis, Kalbis, Patidars etc. are represented in the Agency by 57,815 persons....". This Report also specifically mentions that the "5,100 Kunbis returned from the scattered Parganas of Tonk are probably Kurmis akin to those found in large numbers in the United Provinces and Central India". Available ethnographic accounts describe "Kalbis" as a caste/community closely connected with the Patan region of Gujarat and hence are also referred to as Pital or Patel. From these, it is probable that there are two separate castes/communities with similarities of spellings, viz., Kunbis who are said to be akin to Kurmis of North India and the Kalbis who are also known as Pital or Patel. Since the Kaka Kalelkar Commission's list contain "Kalbi, Kulbi" and "Kanvi" at separate entries it cannot be said with certainty that the "Kanbi" included in the Mandal, State and Central List of Backward Classes are the same as "Kalbi" and not "Kunbi". This doubt also arise from Rev. Sherring's separate

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descriptions of "Kumbi, or Kurmi" and "Kalbi" under the head "Agricultural Tribes and Castes".

22. Irrespective of whether the Kalbi is the same as Kanbi or Kanbi, it emerges from available material and evidence that it is undisputedly a peasant caste/community. Munshi Hardyal Singh's account classifies Kalbis under "Minor Agricultural" castes. Shri Ummed Singh Rebari who has made objection to the inclusion of "Kalbi" has not contested this. In the NCBC's Findings/Advice on the Requests for Inclusion of Jats of a number of States including Rajasthan, a socio-historic analysis of the position of peasant castes in India has been brought out [NCBC Advice No. 26(Haryana)/12(MP)/17(Rajasthan)/7(UP)/97]. It has been shown in that Advice that castes of peasants are generally (subject to a limited number of exceptions) found included in the lists of Backward Classes identified by different Commissions and States and promulgated by different provincial/Princely State/State Governments at different points of time. Peasant castes are among the categories of castes included in different lists with general uniformity, subject to a limited number of exceptions. This general pattern has its own rationale derived from the peculiar features of the Indian Caste System and its bearings on the Indian agrarian society. These features of the Indian Caste System in so far as it relates to peasants and their castes have been brought out in the Advice on Jats referred to above drawing upon different authorities like Tapan Raychaudhuri, Eric Stokes, B. Chaudhuri, H. Fukazawa, Tom G. Kessinger, Angus Maddison, S. Bhattacharya, Dharma Kumar, V.D. Divekar, R.S.Sharma, Irfan Habib, alter Rubin, Sumit Sarkar, Dipankar Gupta, Daniel Thorner, K.L.Sharma. No doubt, as explained in detail in the Advice on Jats, as a result of change in modern times, a few peasant castes had progressed to such a level that when the lists of Backward Classes were prepared, they were not found to be

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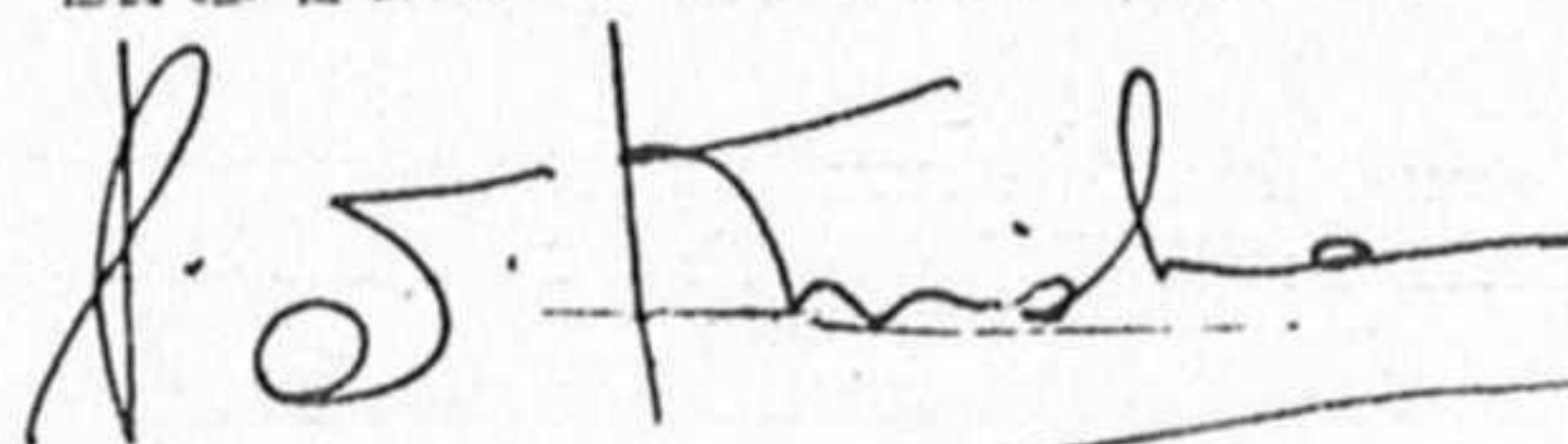


"socially Backward", though almost all peasant castes were found to continue to have the disadvantage of what is currently referred to as "social backwardness". From a study of such exceptional castes, they were found to have the following advantages which helped them to rise above the line of social backwardness:-

- (i) Non-subjection to intermediary tenures like Jagirdari and Zamindari in the areas inhabited by them or most of the areas inhabited by them.
- (ii) Residence in areas not under princely rulers or Chieftains belonging to other castes.
- (iii) Availability of dependable irrigation.
- (iv) Accession of political power in the recent past, i.e., later medieval and modern period, through rulership and chieftainship of native State rulers of their own castes.

Of these, the first two were necessary conditions. The peasant community of Kalbis did not have the benefit of the first two necessary conditions, as the jagirdari system under princely rulers who were Rajputs prevailed in the areas of their residence, viz., some parts of Marwar region of Rajasthan. Regarding dependable irrigation, Rajasthan has hardly had it except in parts of the old Bikaner State, especially Ganganagar district. Indira Nahar in Western Rajasthan is recent and is yet to be completed. Further, it is nobody's case that they had ever access to political power in the past. On the whole, the position of this peasant community with reference to the above conditions indicate that this community does not fall into the category of the few exceptional peasant castes which have had the advantages to rise above the line of

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

social backwardness. In this they are in a similar position as the Jats of Rajasthan (except in Bharatpur and Dhaulpur districts) whom this Commission, after due enquiry, found to be socially backward and therefore tendered Advice to the Central Government for their inclusion in the Central List of Backward Classes. Accepting the Commission's advice, the Government has already notified the Inclusion of Jats (except in Bharatpur and Dhaulpur Districts) in the Central List of Backward Classes for Rajasthan. Comparing Kalbis and Jats of Rajasthan, Kalbis seem to be at a lower level since they did not have the advantages that the Jats had in Bharatpur and Dhaulpur. One additional plus point with Kalbis is that they had earlier been found to be socially backward by the Kaka Kalelkar Commission. Their low educational status has been attested to in the People of India series on Rajasthan.

23. Shri Ummed Singh Rehbari who has made objection to the inclusion of Kalbi has pointed out that the position of Kalbis is like that of Jats whom he considers to be socially advanced. In view of this Commission's finding that the Jats of Rajasthan (except in Bharatpur and Dhaulpur districts) are socially backward, this argument of the objector does not apply unless Kalbi is comparable to the Jat of Bharatpur and Dhaulpur, which does not appear to be the case. The objector is also not factually correct in presuming that agricultural communities have never been considered as socially backward. The other contention of the objector that members of this community have now diversified into commercial activities and have good commercial establishments in different States is a matter to be established with hard data and information. The objector on his part has not provided any such data/information nor is there any such data/information otherwise available with this Commission.

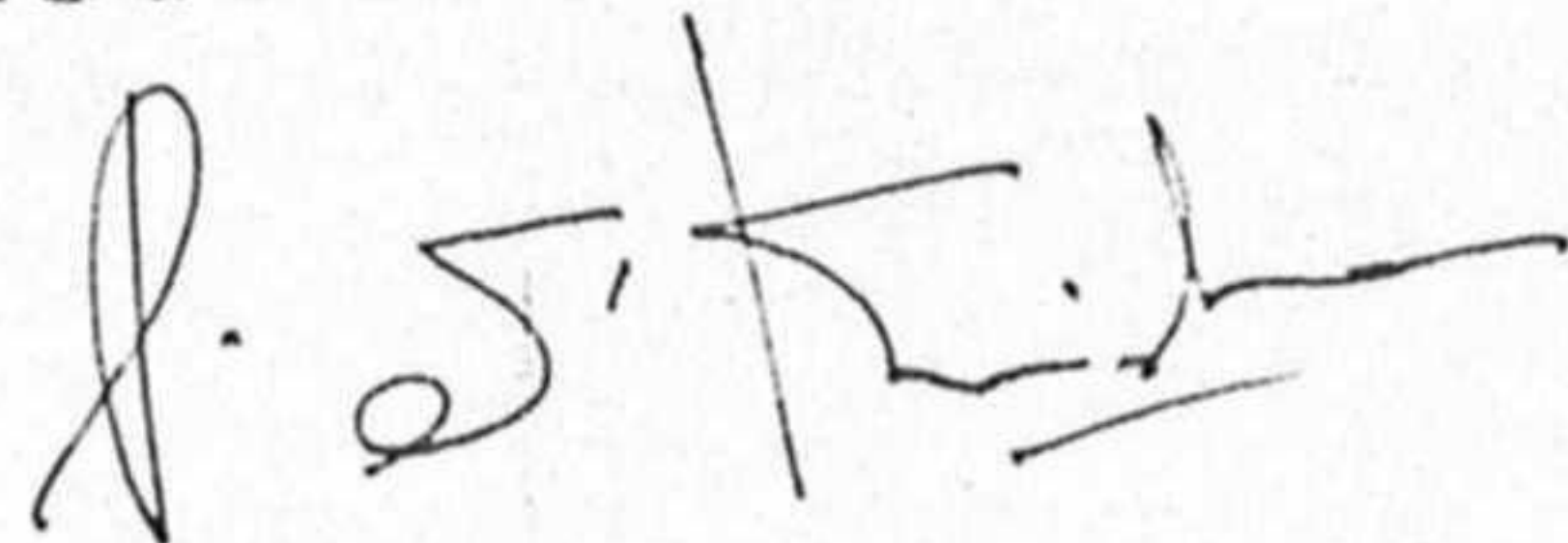
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2.5.1961
 Secretary
 Central Board of Secondary Education
 New Delhi

24. According to the Rajasthan State Backward Classes Commission's finding "Kanbi" is not a caste that actually exist in Rajasthan, but still that Commission has advised the State Government to include "Kalbi" as a synonym of "Kanbi". Since "Kanbi" does not seem to be the actual name of an existing caste/community and no caste of the name "Kanbi" exists, it would not be appropriate to add as a synonym of the non-existent "Kanbi" and the appropriate course in the view of this Bench is to include it as a separate entry. At the same time, this is not the stage to consider deletion of "Kanbi" from the Central List of BCs for Rajasthan because to do so either there has to be a Complaint of over-Inclusion/Request for deletion under Section 9(1) or it can be considered at the stage of the decennial revision of the lists of BCs envisaged in Section 11(1) of the NCBC Act.

25. In view of the above facts and position, on the balance of evidence, it is the Finding of the Bench that "Kalbi" caste/community of Rajasthan is a socially backward class and therefore it should be included in the Central List of

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Backward Classes for Rajasthan at entry no. 63, as follows:-

"63. Kalbi"

26. As one of the Members of the Bench Shri Navtej Paudhi 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.

P. S. Krishnan

31.12.99

V. Advice of the Commission

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

"Kalbi" caste/community be included in the Central List of Backward Classes for Rajasthan at entry no.63, as follows:-

"63. Kalbi"

Kshayam
19.01.2000

P. S. Krishnan

31.12.99

Dr. M. S. Thakur
10-1-2000

Madan Mohan
6.1.2000

P. S. Krishnan
19.1.2000

AUTHENTICATED

P. S. Krishnan

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Member Secretary
National Commission
for Backward Classes