



श्री. टी. बेंजामिन
T. BENJAMIN
Tel. : 6183190
Fax : 6183227

सदस्य सचिव
राष्ट्रीय पिछड़ा वर्ग आयोग
भारत सरकार

ट्रिकूट-१, भीकाजी कामा प्लेस, नई दिल्ली - ११० ०६६
Member Secretary
National Commission for Backward Classes
Government of India
Trikoot - 1, Bhikaiji Cama Place, New Delhi - 110 066

11.06.2001

NCBC Advices No. Rajasthan 60,61,62,63,64,65/2001

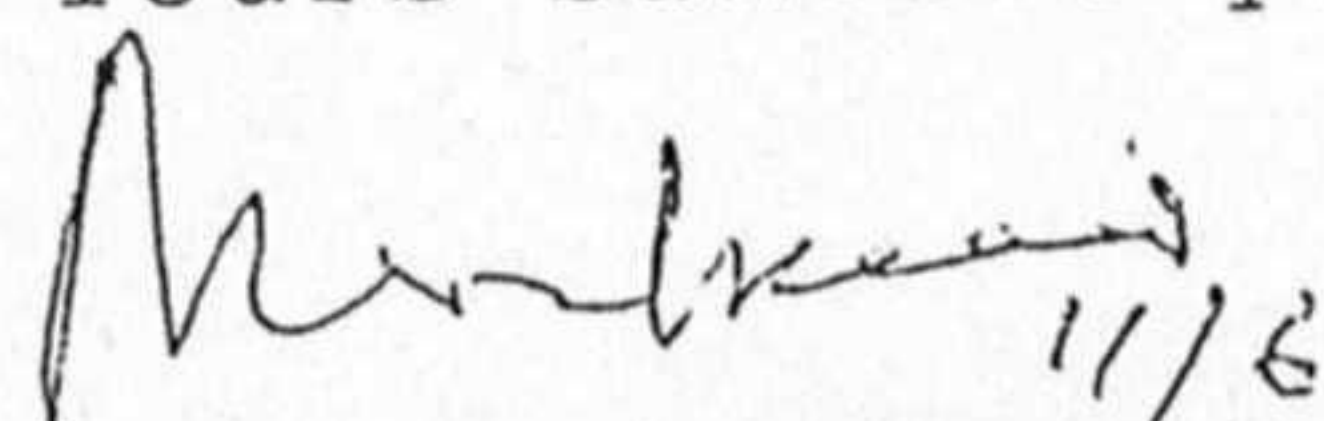
Dear Smt. Asha Das,

I am sending herewith advices of the National Commission for Backward Classes under Section 9(1) of the National Commission for Backward Classes Act, 1993, for rejection of requests for inclusion of

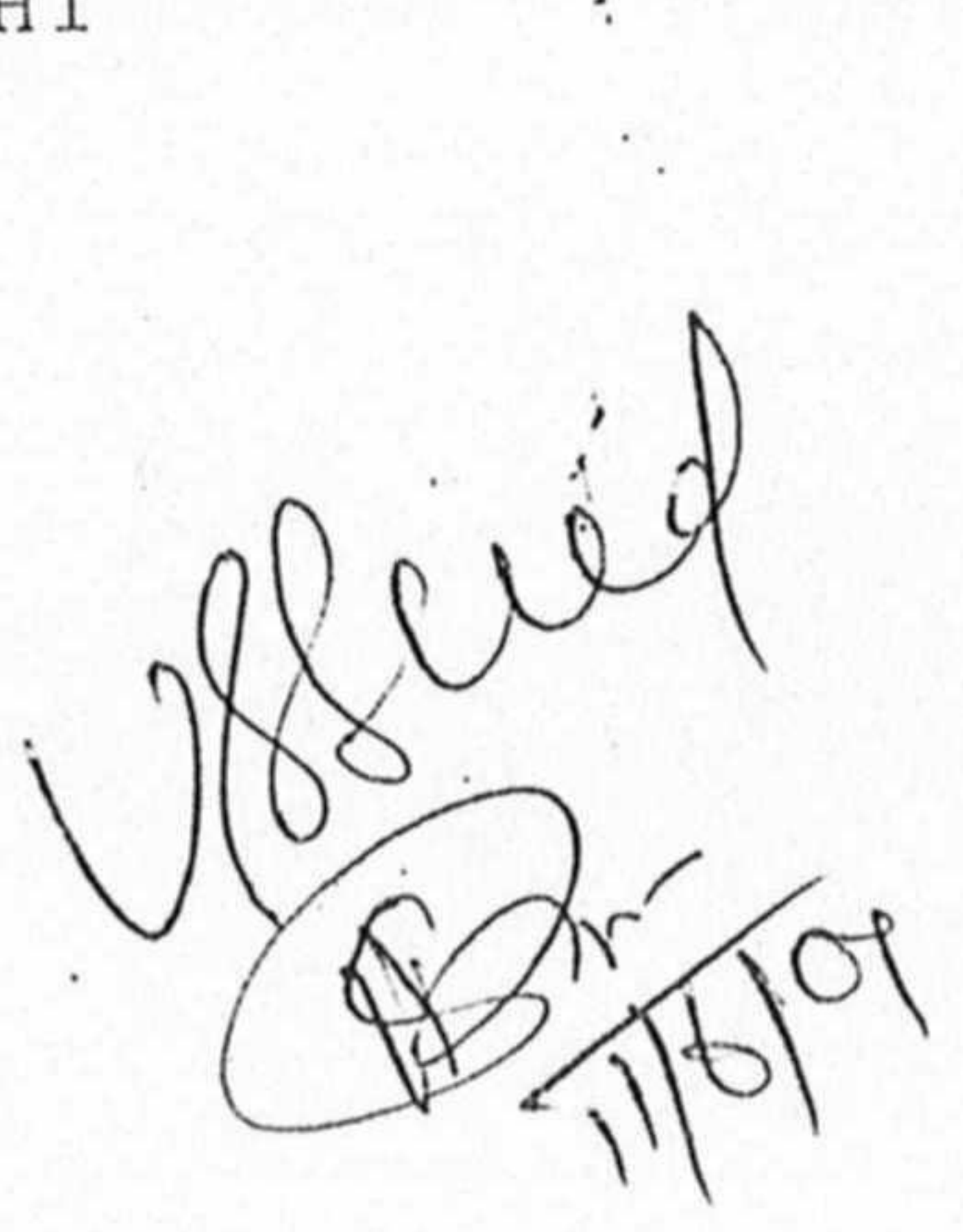
- (1) Chobdar
- (2) Sidh
- (3) Rajput
- (4) Patidar, Kulmi, Kurmi, Patel, Dangi, Anjana
- (5) Sahu, Rathore
- (6) Kakri/Krekani

castes/communities/synonyms, 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


(C.T. Benjamin)

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



BC Advice No. Rajasthan 60/2001

NATIONAL COMMISSION FOR BACKWARD CLASSES

RAJASTHAN BENCH

FINDINGS

Case: Request for inclusion of "Chobdar" caste/community in the Central list of backward classes for Rajasthan

I. REQUEST

This case arises from the request made to this Commission by Shri Nang Ram, President, Chobdar Samaj Sudhar Samiti, Bhusavar, Bharatpur, Rajasthan for inclusion of "Chobdar" community in the Central list of backward classes for Rajasthan.

II. PUBLIC HEARING

2. A four-Member Bench of the Commission, consisting of Shri C.T.Benjamin, Hon'ble Member-Secretary, Shri M.S.Matharoo, Dr. B. M. Das and Smt. Neera Shastri, Hon'ble Members held a public hearing to examine this request at Jaipur on 23rd January 2001. At the public hearing, the State Government was represented by Smt. Rupa Gulwani, Addl. Director, Backward Classes Welfare, Shri H.M. Mishra and Shri B.P.Sharma, Deputy Directors, Deptt. of Social Welfare. Shri B.L.Sheesu, Member-Secretary and Shri J.D. Garg, Joint Director, State Backward Classes Commission were also present. The community was represented by Shri Nang Ram Chobdar, Shri Babulal Chobdar, Shri Chand Singh Chobdar, Shri Rambabu Chobdar and Shri Janak Singh Chobdar.

III. FACTS

3. "Chobdar" is not included in the central list of backward classes for Rajasthan issued by the Central Government vide Ministry of Welfare's Resolution No. 12011/9/94-BCC dated 19.10.1994 as it was not included both in the Mandal Commission's list for Rajasthan and in the State Government's first list of backward classes issued by the State Government by its Notification No.

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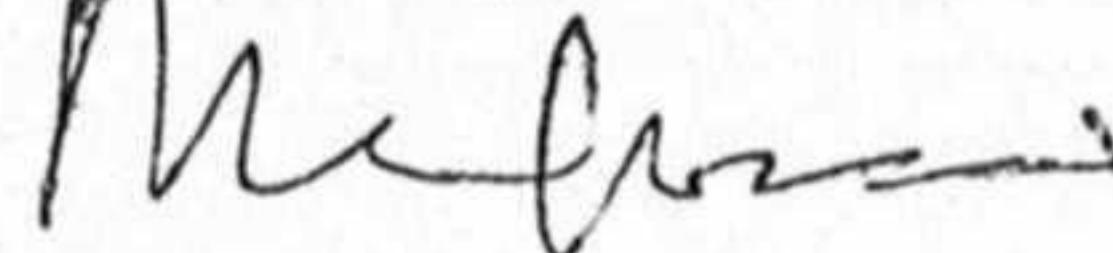
(C. T. BENJAMIN)

Member Secretary

111(125)/R&P/SWD/52307 dated 6.8.1994 and, therefore, did not satisfy the criterion of commonality based on which the central list was prepared.

4. According to the information furnished by the request-maker in his letter of request and in the NCBC's questionnaire, the Chobdar community is also known by Rawat and Bari. The population of the community is stated to be 20,000 which constituted 2% of the total population of the State. The community is spread over the districts of Kota, Sikar, Dhaulpur, Sawai Modhopur, Dausa, Alwar and Bharatpur. The members of the community follow Hindu religion. The occupations on which the members of the community mainly depend for their livelihood are indicated as "leaf-plate making, labour work, small farming and small scale industry". There are also teachers, Patwaris, class four employees etc. among them. Women and children of the community are, as a general practice, stated to be engaged in agricultural labour and leaf-plate making. 40% of the members of the community work as agricultural labour and 20% are engaged in other manual work. Only about 2,500 people are literate. There is no MLA or MP from the community. Only 1% of their members are in Class 1 posts in the State Government services. It is mentioned that due to landlessness, illiteracy and unemployment, they consider themselves to be a socially backward community.
5. During the public hearing, the representatives of the community sated that during the times of Rajas and Maharajas, members of their community used to work as guards of the rulers. In Rajasthan, the population of the community is 80,000 and in the whole of India, their population is about 1.5 lakh. Only 4% of their families hold limited amount of land. Other members are agricultural labourers. They claimed that the community is socially backward in every sense. They said that members of their community write "Chobdar" as their surname and that they do not write "Varma" as their surname or title.
6. The request for inclusion of "Chobdar" in the State Government's list of backward classes was considered and rejected by the State Backward Classes Commission. In this regard, the State Backward Classes Commission's Fifth Report (December, 1998) mentions that Chobdar was a name used for the royal guards. They

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were respected servants of the royal houses and jagirdars. If Chobdar is included in the list, those members of the high castes who write Chobdar as their titles will take benefit from it. Besides, the social position and status of Chobdar is not low. Their educational level is good. They also do not come under the Shudra category.

7. The Anthropological Survey of India's People of India series (Vol. XXXVIII) on Rajasthan (Popular Prakashan, Bomday, 1998, General Editor K.S. Singh) describes "Chobdar" as follows:-

"Chobdar means 'stick-holder' (chob-stick, dar-holder). Chhadidar too means the same. Actually Chobdar was the title of the persons who used to guard the rulers and inform the people about the arrival of the ruler in a loud voice. It is said that Prithviraj Chauhan; had appointed Tomar Rajputs as Chobdars. Some of the Rajputs, it is said, changed their surnames to protect themselves from the Yavan and came to be known as Chobdars. They are distributed in Bharatpur, Dholpur and Kota districts....

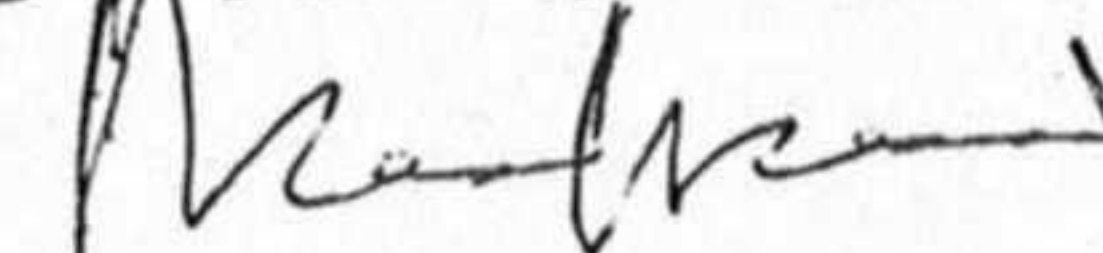
The Chobdar are divided into exogamous kuls... A few of the Chobdar have started writing Varma as their surname. They occupy middle position in the local social hierarchy and are placed after Rajputs....

The Chobdar are mainly farmers. They also make leaf cups and plates. Their traditional work was to serve the rulers. They are in government as well as private services. They have got the organisation of community association *panchayat* at four levels, i.e., vilage, tehsil, district and state. They are trying very hard to get the status of Rajput by organising Rajput meetings.....

Traditional inter-community linkages are found with the Brahman, Nai and other *kamin* group of people. They accept food and water from higher castes. They share wells and water sources with other communities.....

The Chobdar are literate and send their children to schools. Boys study up to college level while the girls generally restrict their studies up to school level....."

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IV. FINDINGS

8. From the above material and evidence, the Bench is of the view that "Chobdar" is not a socially backward caste/community and, therefore, it does not deserve to be included in the list of backward classes. Hence, the request for inclusion of "Chobdar" in the Central list of backward classes for Rajasthan should be rejected.

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V. ADVICE OF THE COMMISSION

9. 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 9(1) of the National Commission for Backward Classes Act, for necessary action by the Central Government under Section 9(2) of the Act:-

The request for inclusion of "Chobdar" in the Central list of backward classes for Rajasthan be rejected, as it is not a socially backward caste/community.

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(C. T. BENJAMIN)

Member Secretary
National Commission For

NCBC/ Advice No. Rajasthan 61/2001

NATIONAL COMMISSION FOR BACKWARD CLASSES

Rajasthan Bench

- (Findings)

Case:- Request for inclusion of 'Siddh' caste/community in the Central List of BCs for the State of Rajasthan

I. Request

1. This case arises out of the request made by Shri Hemnath Jakhar Siddh, Coordinator, Siddh Samaj Arakshan Sangharsh Samitee, Office- Ghum Chakkar, Sri Dungar Garh, Rajasthan- 331803 for inclusion of Siddh caste/community in the Central List of OBC for the state of Rajasthan.

II. Public Hearing

2. A four- Member Bench of the commission, consisting of Shri C.T. Benjamin, Hon'ble Member-Secretary, Shri M.S. Matharoo, Smt. Neera Shastri and Dr. B.M. Das, Hon'ble Members of National Commission for Backward classes held a Public Hearing at Jaipur on 22nd January 2001 regarding the request received in this commission from /on behalf of this caste/community, for its inclusion in the Central List of Backward Classes for the State of Rajasthan. At the Public Hearing the State Government/ Commission was represented by Shri O.P.Meena, Smt.Rupa Gulwani Addl .Director , Shri H.M.Mishra and Shri B.P.Sharma Deputy Directors, Department of Social Welfare, Govt.of Rajasthan, Shri B.L.Sheeshu, Member -Secretary & Shri J.D.Garg, Joint Director, Rajasthan State Backward Classes Commission. The caste community was represented by Shri Hemnath Jakhar Siddh & Shri Bhanwar Nath.

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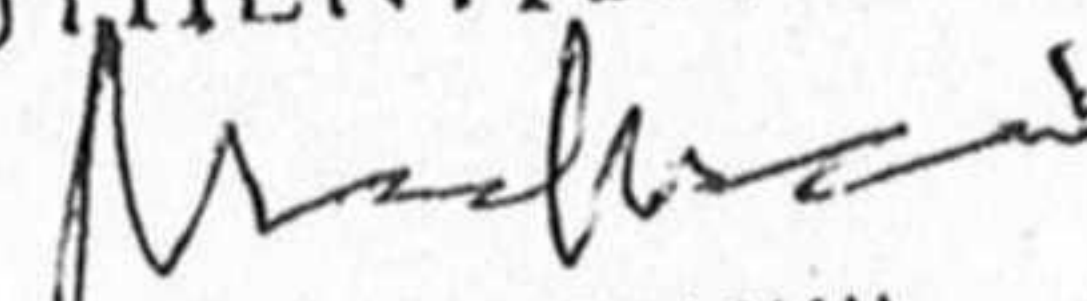
III. Facts

3. At the time when the Expert Committee on Backward Classes prepared the first phase central list of Backward Classes on the basis of the principle of commonality, i.e. by listing castes common to both the Mandal List for each state and the respective state lists and when, on the basis of the Expert Committee's Report, the Govt. of India notified the first phase central list in 1993, Rajasthan was one of the States which did not have a state list of its own and therefore no central list of Backward Classes for Rajasthan was prepared at that stage. It was only after the Supreme Court's Judgement in the Mandal case that the State Govt. of Rajasthan undertook the preparation of a state list on 6.8.1994. The Siddh caste/community is not included in this list or in the Mandal Commission's list of Backward Classes for Rajasthan, and therefore it is also not included in the first phase central list of OBC for Rajasthan prepared on the basis of the principle of commonality and notified by the Govt. of India. Later on, the state Govt. of Rajasthan has included Siddh after 'Jogi, Nath' at entry no 24 in the State List vide notification No.F.11(125)(6) R&P /SKV/01 dated 1.1.2000

4. The request maker in his letter has mentioned that animal husbandry and wage labour are the main occupations of the caste/community and that economically it is most backward. He has stated that Mali, Gurjar, Suthar, Swami, Nath and Nai castes/communities which are already included in the list of OBCs, also occupy social status similar to this community. They trace their origin to Jat community which has already been included in the list of OBCs. The caste/community does not have any representation in the Govt. services.

5. According to the questionnaire submitted, the members of the community are spread over in the districts of Churu, Bikaner, Nagour and Shriganganagar. They are the followers of Hindu Saint Jasnathji. The main occupation of the caste/community is agriculture and labour. Ninety percent members of the caste/community including children and women work as manual labourers. Only 5% people are having their own cultivating land. The caste/community is already included in the State OBCs list at

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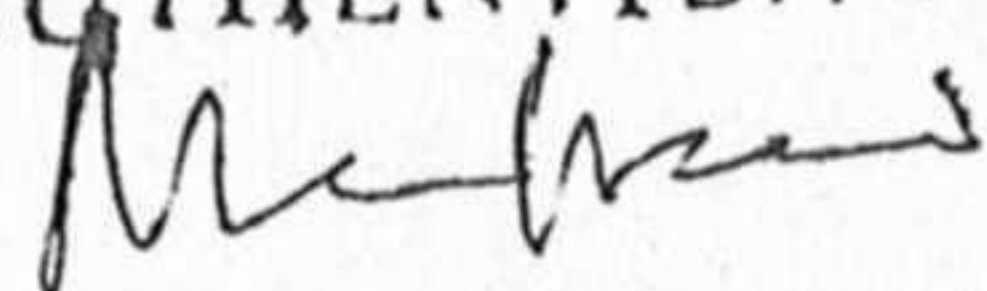
Entry No. 24. Only 1000 persons are literate in the Siddh caste/community, among these persons 100 are matriculate and only 10 persons are graduates. Ninety five percent people live in Kaccha houses and 5% in Pucca houses. Due to the drought in the state the economic condition of caste/community people is deteriorating day by day. Brahamans and Rajputs are just one level higher to them and Jat, Bishnois are at equal level. The caste/community is socially, economically and educationally backward.

6. During the public hearing the representatives of the caste/community stated that their main occupation is agriculture. Their population in the state is about one lakh. They are separate from Jogi and Nath caste/community. They are the followers of Siddh Jasnathji, and an offshoot of Jat, and many of the followers of Siddh Jasnathji are Jats. It was gathered during hearing that they are engaged as priests in different temples and are socially held in high esteem.

7. The Anthropological Survey of India's "People of India" series on Rajasthan (Vol. XXXVIII, 1998) gives following account of the 'Siddh'

"The Siddhs are a group of devotees of the saint Jasnathji who is founder of a religious sect known as Jasnathi sampradai. The Siddh trace their ancestry back to his disciples who were mainly the Jats. It is said that the Jat Choudhuri of the village Katriastar in Marwar was not blessed with a child and so he undertook austere worship of Lord Siva. Being pleased with his tapasya, Siva himself took birth as his son. The son Jasnathji, underwent tapasaya and founded his own religious sect. He got disciples from the Jats who being followers of a Siddh (one who attained divine grace), became known as Siddh. In course of time they became a closed endogamous community. They are distributed in the districts of Bikaner, Jodhpur, Churu, Ganganagar and Barmer.----- The Siddh are divided into a number of gotras. Some common gotras are Kokna, Godara, Jani, Manda, Jakhar, Sain, Maiya, Bhadu, Sau, Kalawania, Baniara, Shihag, Mari etc. Gotras are strictly exogamous and all equal in social status. They being a religious community perceive themselves in a position

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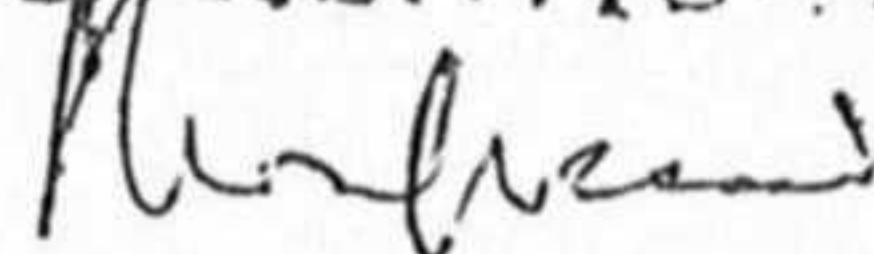
Backward Classes

something beyond the social hierarchy. Others put them in middle order in the local social hierarchy. ----- The Siddh bury their dead.----- -- The major economic resources of the Siddh is land. They mainly subsist on agriculture. Animal husbandry is the other main economic pursuit of the community. Most of them hold lands and other depend on share- cropping. Exchange of labour (barisi) is reported among the Siddh. Now a few are reported to have shifted to various other occupations like business of grocery, service etc.----- The Siddh belong to the Jasnathi sect within the wider Hindu fold.----- The Siddh traditionally have linkages with a few other communities. Brahamans and nai(barber) serve them. They are paid in cash and kind for their service. The Siddh do not accept water from Scheduled Castes, Muslims and other communities who take non-vegetarian diet. Connubial relationship with other communities is prohibited."

8. The Rajasthan State Commission in its 2nd report (Oct. 1995, page no. 78) had earlier rejected the caste/community's request for inclusion in the state OBCs list on the basis that they are the offshoot of Jats. Their social position among other castes including the higher castes is respectable. The social and educational level of the caste/community is high in comparison to other castes, and are socially not backward so the request for inclusion in the state list was rejected.

9. Again the caste/community requested the State Commission to reconsider their request for inclusion. The state commission in its ~~Sixth~~ report (December 1999, pages 37-38) has mentioned that the State Commission requested the District Collectors for reports on social and educational status of this caste/community. According to the reports of District Collectors of Bikaner, Churu, Ganganagar & Nagaur, the caste/community is socially and educationally backward. The Distt. Collector of Bikaner however in his report has stated that their social position is equal to the 'Savarna' communities. It is further mentioned in the report of the Commission that nobody from the caste/community has become a gazetted officer in the state administrative services. On the basis of these reports from Revenue officers, the State Commission came to the conclusion that the caste/community is educationally

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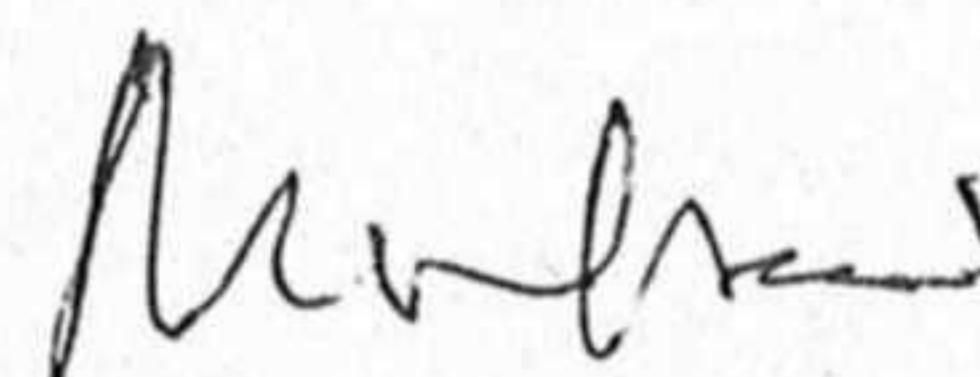
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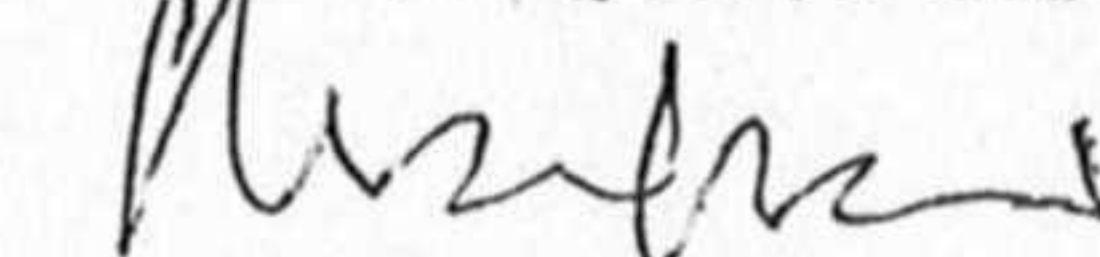
backward and its social position is equal to that of 'Kamin' communities. The State Commission accordingly recommended inclusion of the caste/community in the state OBCs list.

IV. Findings

10. From the above material and evidence the Bench found that a social group or community, the traditional occupation of which is 'priestly' in nature, cannot be backward in terms of the caste system prevalent in the country. The Bench noted that the inclusion of Siddh in the State list of Backward Classes, based on the recommendations of the Rajasthan State Backward Class Commission, is not in conformity with the reality as revealed during the discussion in the public hearing and evident from the ethnographic accounts available about this caste/community. It is the finding of the Bench that the Siddh caste/ community is not socially backward. It is traditionally a landowning community and a socially advanced one. Therefore, the request for inclusion of 'Siddh' in the Central list of Backward Classes for Rajasthan should be rejected.



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Member Secretary
National Commission For
Backward Classes

V. Advice of the Commission

11. 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 Govt. under section 9(1) of the NCBC Act, 1993, for action under section 9(2) of the Act:-.

The request for inclusion of 'Siddh' caste/community in the Central List of Backward Classes for Rajasthan be rejected as it is not a socially backward caste.

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NATIONAL COMMISSION FOR BACKWARD CLASSES

RAJASTHAN BENCH

FINDINGS

Case: Request for inclusion of "Rajput" caste/community in the Central List of Backward Classes for Rajasthan.

I. REQUEST

This case arises from the request made to this Commission by Dr. Mahavir Singh Nathavat, President, Rajput Sena, Jaipur for inclusion of "Rajput" caste/community in the Central list of backward classes for Rajasthan..

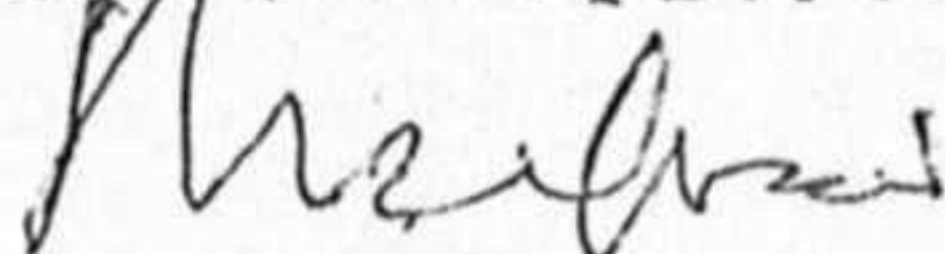
II. PUBLIC HEARING

2. A four-Member Bench of the Commission consisting of Shri C.T. Benjamin, Hon'ble Member-Secretary, Shri M.S. Matharoo, Dr. B.M. Das and Smt. Neera Shastri, Hon'ble Members held a public hearing to examine this request at Jaipur on 23rd January 2001. At the public hearing, the State Government was represented by Shri H.M.Mishra, Shri B.P.Sharma, Deputy Directors, Social Welfare Deptt.; Shri J.D. Garg, Joint Director, State Backward Classes Commission and other officers in the Social Welfare Deptt. The caste/community was represented by Dr. Mahavir Singh Nathavat, President, Rajput Sena, Jaipur; Shri Arjun Singh Rathod, President, Rajput Arakshan Mach; Shri Devi Singh Bhati, MLA and others.

III. FACTS

3. "Rajput" caste/community is not included in the central list of backward classes for Rajasthan issued by the Central Government vide Ministry of Welfare's Resolution No. 12011/9/94-BCC dated 19.10.1994 as it is not included both in the Mandal Commission's list for Rajasthan as well as in the State Government's first list of backward classes issued by the State Government by its Notification No.

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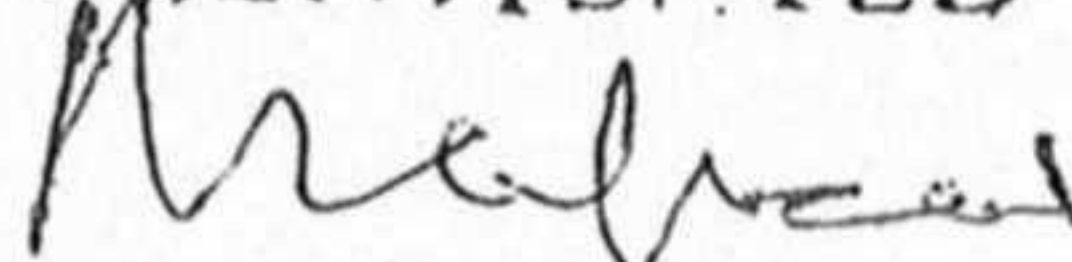
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F.111(125)R&P/SWD/52307 dated 6.8.1994 and, therefore, did not satisfy the criterion of commonality based on which the central list was prepared.

4. The request-maker Dr. Mahavir Singh Nathavat in his letter of request has stated in support of the claim for inclusion of the Rajput caste/community in the list of backward classes, that the ordinary Rajputs are different and distinct from the limited number of members of the caste/community belonging to the royal families and that the social position of such Rajputs is lower than that of the members of royal families. Members of the caste/community other than the rajas and their family members were common people who were exploited by their own community members. Children of ordinary Rajputs were not allowed to study in schools run by Rajputs themselves. During the British rule, upto 1938, the Rajputs were prohibited from occupying gazetted posts. The position of common Rajputs was worse than that of other castes whose members were given posts of Patel, Choudhury etc. The request-maker has also stated that the condition of erstwhile Rajas and Maharajas is now worse than that of ordinary Rajputs. Their economic position has declined. Most of their property and palaces have been taken over by the State. Privy purses to them have been abolished. As their economic position declined, their social position has also vanished. Their political power has waned as is evident from the continuous defeat of the Rajput candidates in elections. After the Rajasthan Tenancy Act of 1949, most of the lands of Rajputs have been taken away from them and given to their tenants. Only those Rajputs who actually cultivated their own lands were saved from this. Due to economic and political harassment, in the forty years after independence, the Rajput community has reached to a very low level in its social position and in this the erstwhile Rajas are also not an exception. Jobs in the army and the police are the only occupations available to them. The request-maker argued that in fact the Rajas did not have any caste as there were also Rajas from other communities like Jat, Maratha, Patil, Pawar, Meena, Yadav etc., but the Rajputs are called a caste of Rajas and denied reservation benefits. It was stated further to establish the social backwardness of the community, that the women of the community were confined to their homes and they had the responsibility of taking care of the household in the absence of the men who mostly remained out of their homes, in the battlefields. Child marriage is still prevalent

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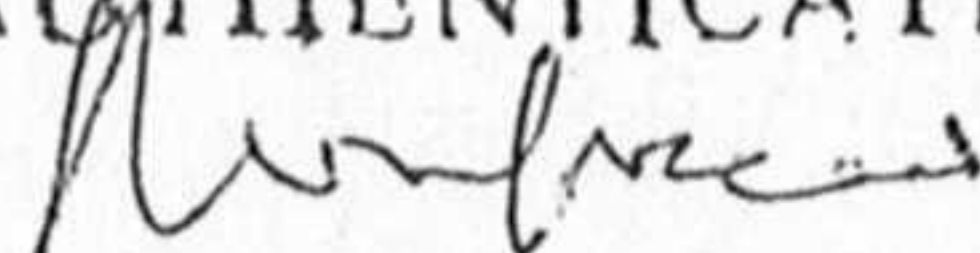
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both in rural and urban areas because of which there is a large number of widows in the community. Widow re-marriage is not permitted. *Pardah* and *Sati* are still practised by the community. The youth of the community suffers from physical weakness due to poverty and as a result of this, they often fail to qualify for recruitment in the army or police service. Due to lack of knowledge and awareness, family planning is not resorted to by the community and therefore even today cases of parents having 7 to 8 children are common. 99 percent of the females of the community are uneducated. The request-maker also stated that when agricultural communities like Jat, Kalbi, Bishnoi, Sirvi etc., which hold more land than the Rajput community are given reservation, it is discriminatory that Rajputs are not given reservation. Similarly, the Meenas who were rulers in Amer and who after their displacement by Rajputs as Rajas were given the position of guardians of royal treasury have been given reservation, but ordinary Rajputs who were not given any such position by the Rajput rajas have not been given reservation. Finally, the request-maker also argued that Jats, in respect of the extent of landholding, political representation and in many other respects are higher than the Rajputs and that since Jats have already been included in the list of backward classes, Rajputs should also be included in the list of backward classes. In this regard, the request-maker gave comparative statistics in respect of Rajputs and Jats regarding their respective representation in the Lok Sabha, Vidhan Sabha, local bodies etc.

5. During the public hearing held on 23rd January 2001, the request-maker Shri Mahavir Singh Nathavat and other representatives of the community, apart from reiterating the above claims and arguments, also added that certain castes already included in the list of backward class such as Nai, Khati, Suthar etc. are fully employed and therefore if they are provided reservation, the Rajputs also should be considered since they are unemployed. They also stated that now only the Rajput caste/community has been kept out of the list of backward classes as even the Brahmins like Gosai, Sadh etc. have been included in the list. During the public hearing, a separate representation was also submitted to the Bench by Shri Arjun Singh Rathod on behalf of the Rajput Arakshan Manch. The gist of this representation is that in their opinion the provision of reservation is not in the interest of the country as it will only exacerbate casteism and

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caste conflicts, but, since a number of castes like Charan and Jat which are in no way socially backward have been included in the list of backward classes, the Rajputs should also be included in the list of backward classes, so that they do not lag behind in the matter of recruitment to Government services etc.

6. The Anthropological Survey of India's The People of India series (Volume XXXVIII) on Rajasthan (Popular Prakashan Pvt. Ltd., Mumbai, General Editor K.S.Singh) describe "Rajput" caste/community as follows:-

"The Rajput were the traditional ruling, warrior, landowning caste organised in patrilineal clans. The name is a corrupt form of the ancient word *rajputra*, son of a king. In different Vedas it occurred as a synonym of *rajanya* used in the sense of Kshatriya meaning one who is the scion of one endowed with kingdom.....

.....

The Rajputs are distributed all over the State. The concentration of a particular clan members is still found around their erstwhile thikanas (princely States). For example, the Rajput of Rathor clan are concentrated in Jodhpur, Bikaner and Kishangarh areas of Ajmer district; Sisodia Rajputs are in Udaipur, Dungrapur, Pratapgarh (Chittor District). The Yadav are in Karauli of Sawaimadhopur district, Bhatti in Jaisalmer district etc.

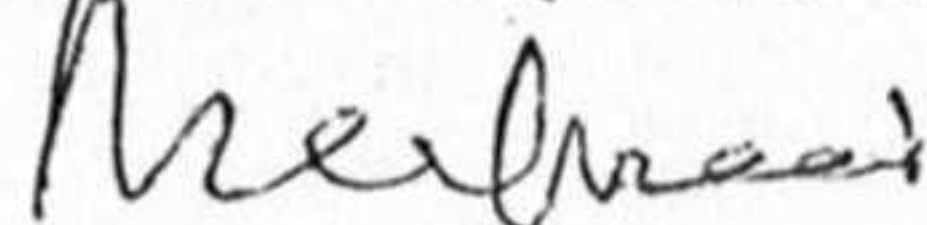
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The Rajputs mainly depend on land. They are a landowning community. There are many absentee landlords among them, who lease out their land. Their traditional and primary occupation is agriculture. In rural areas they cultivate themselves. Some of the Rajputs are in trade and many are in army, other services and white-collar jobs. With the merger of the princely states, the *jagirs* and *zamindari* system were abolished and the jagirdars have now mostly shifted to business. There has been a large scale diversification of profession.....

.....

..... Traditionally the Rajput are linked with different neighbouring communities. They are the main patrons of service castes. Brahman serve them as priest.

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Backward Classes

The Rajput is one of the constituents of the caste cluster occupying the highest position in the local hierarchy. Brahman and Bania are the other two constituents.....

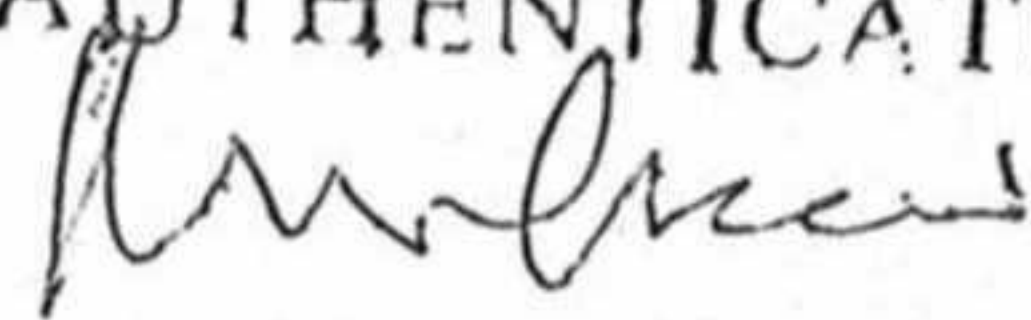
The literacy level among the Rajput is quite high.....”

IV. FINDINGS

7. In the traditional Indian society, highness and lowness in the social hierarchy corresponded roughly to the relative purity of castes/communities. A caste's standing in the hierarchy also expressed its political and economic power. That the Rajputs were of the Kshatriya varna and therefore occupied a high position in social status and respectability, second only to the highest varna of the Brahmins, is a fact known to any one who has any knowledge of the traditional Indian social structure. Being Kshatriyas, Rajputs were the designated ruling class of the country. While in the capacity of rulers, they acted as the executive power of the Brahman religious authorities, in the secular affairs of the society they reigned supreme and enjoyed enormous material wealth and political power. History also tells us that by virtue of their political power, they could and often did make the Brahmins do what they wished to do for which they doled out gifts to Brahmins. Rajput being a caste/community with such a historical legacy cannot in any way be held to have suffered from any kind of social backwardness.

8. In the Indian social order, status of a person depended not on his wealth or individual merit but on the traditional importance of the caste in which he had the luck of being born. The position of a particular varna/caste in the hierarchy provided all the individuals of that varna/caste a common social identity and a status appended to that identity, with its associated privileges or deprivations. Therefore, all individuals belonging to a privileged caste can be said to have shared the privileges of the caste. In view of this and also in view of the fact that social backwardness envisaged in the Constitutional provision under Article 16 is the one that was induced basically by the traditional caste-based society, the averment made by the representatives of the Rajput caste/community during the public hearing that a distinction should be made between the royal family members among them and the rest of the members of the community cannot

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(C. T. BENJAMIN)

Member Secretary

National Commission For

be accepted as a valid ground for considering inclusion of what they termed as ordinary Rajputs in the list of backward classes.

9. The other arguments raised by the representatives of the community during the public hearing like loss of land after the introduction of Rajasthan Tenancy Act, 1949, decrease in political representation, economic deterioration of royal families after the abolition of privy purses, etc. also do not deserve any consideration as these are not indicators of social backwardness but are only a reflection of change in their political and economic power brought about by the working of the democratic polity and the modern economic forces in the Independent India. No caste/community can be included in the list of backward classes unless it is established to be socially backward. Even if any caste/community included in the list of backward classes is found to be socially not backward, that cannot be a ground for the automatic inclusion of any other socially advanced caste/community in the list. Therefore, the claim of the representatives of the community for inclusion of their community in the list of backward classes on the ground that communities like Jat, Charan etc have been included, is unacceptable.

10. In view of the above facts and position, it is the conclusion of the bench that **Rajput caste/community of Rajasthan is not socially backward and hence it should not be included in the list of backward classes. The request for its inclusion in the central list of backward classes for Rajasthan should therefore be rejected.**

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(C. T. BENJAMIN)

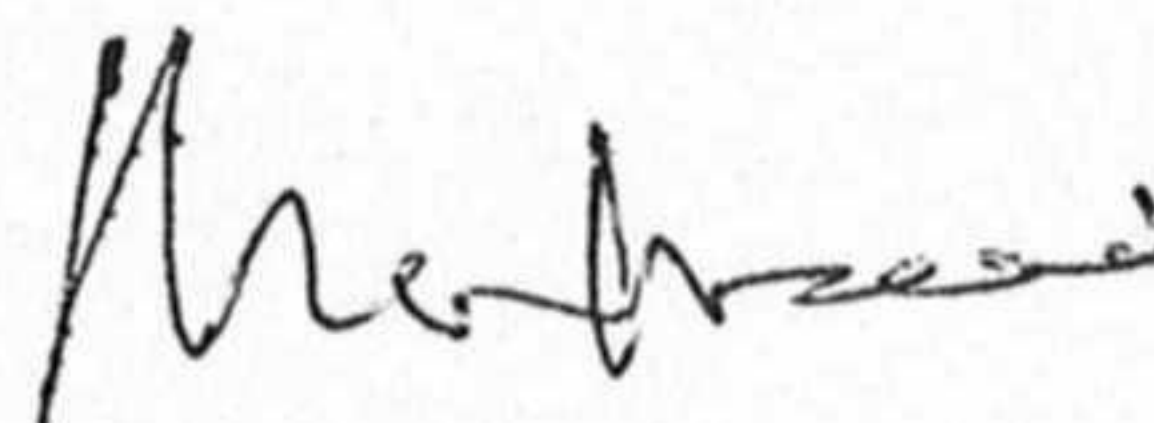
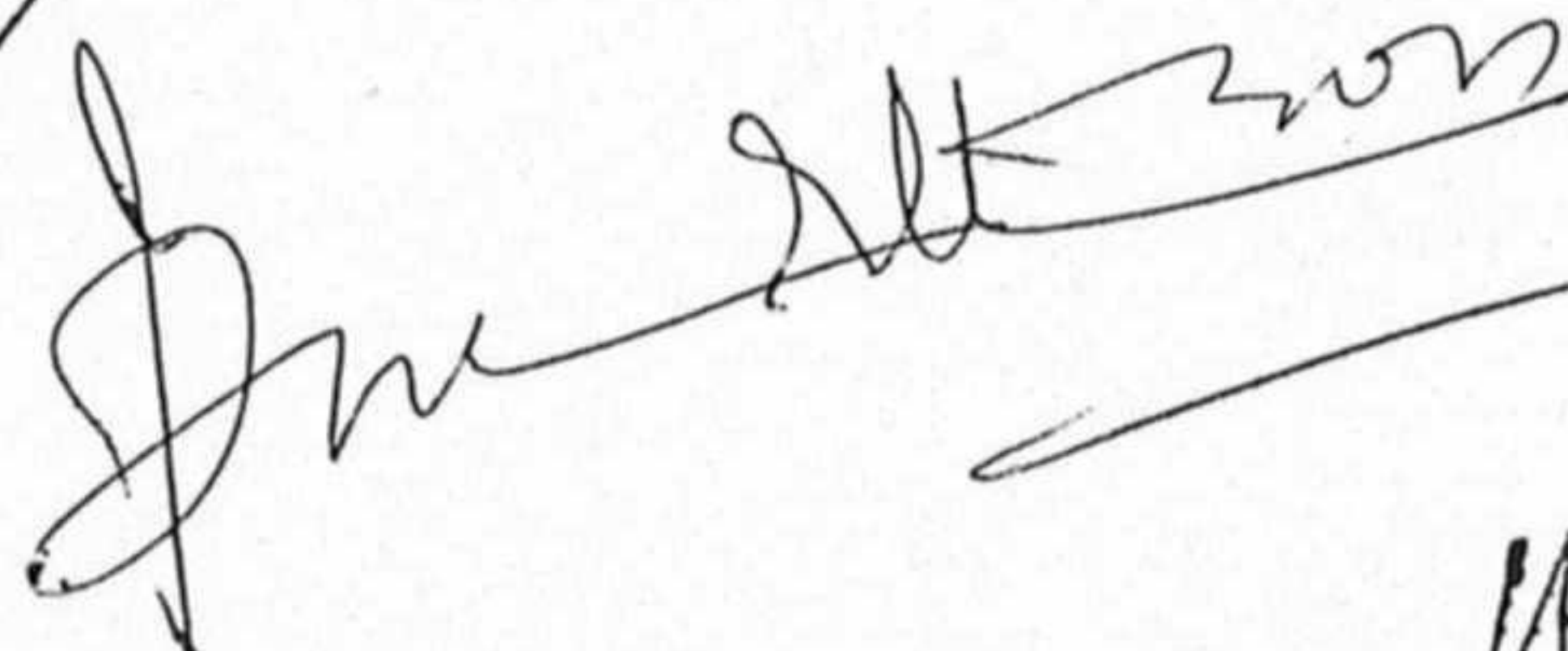
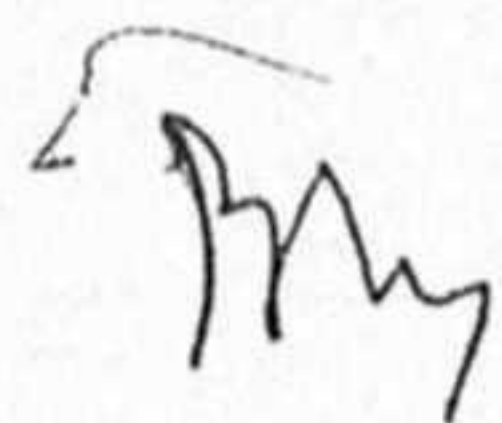
Member Secretary

National Commission For
Backward Classes

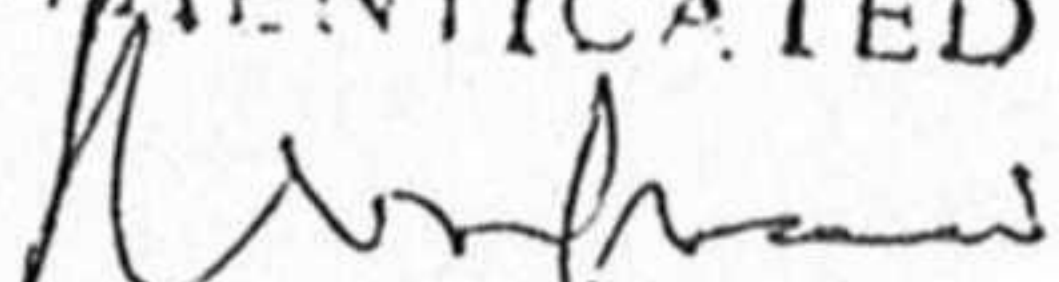
V. ADVICE OF THE COMMISSION

11. 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 9(1) of the NCBC Act, for necessary action by the Central Government under Section 9(2) of the Act:

Request for inclusion of "Rajput" caste/community in the Central list of backward classes for Rajasthan be rejected, as it is not a socially backward caste/community.



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National Commission For
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NATIONAL COMMISSION FOR BACKWARD CLASSES

RAJASTHAN BENCH

FINDINGS

Case: Request for inclusion of "Patidar, Kulmi, Kurmi" and "Patel, Dangi, Anjana" castes/communities in the Central List of Backward Classes for Rajasthan.

I. REQUEST

This case arises from the requests made to this Commission by Shri Shrikrishna Patidar, Jilla Pramukh, Jilla Parishad, Jhalawar; Shri Vishnu Prashad Patidar and Shri Shyam Patidar, President and Secretary respectively of Jilla Patidar Samaj, Jhalawar for inclusion of "Patidar, Kulmi, Kurmi" caste/community in the Central list of backward classes for Rajasthan. In their letters of request, they have stated that the community, being an agricultural caste/community, suffers from the prevalence of illiteracy and social evils. They also face economic difficulties due to diminishing income from their lands because of division and fragmentation of their lands and natural calamities like floods. They have also stated that their caste/community has been included in the neighbouring States of Gujarat and M.P. and that it should also be included in the Central list of backward classes for Rajasthan.

2. During the public hearing held at Jaipur on 22nd January 2001 by a four Member bench of the Commission to examine this request, a separate request was made to the Commission by Shri Meghraj Patidar and others on behalf of the 'Patel, Patidar, Dangi, Anjana Samaj' and "Pichada Varg Sangarsh Samiti" for the inclusion of "Patel, Patidar, Dangi, Anjana" in the Central list of Backward Classes for Rajasthan. They have stated in their letter of request that their community mainly live in the hilly regions of southern Rajasthan, which is an economically backward region. They have claimed that their community shares many of the features of tribal communities found in the region and that their social, educational and economic position is lower than many of the castes already included in the list of backward classes like Suthar, Sunar, Swarnakar etc. Because of

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lack of irrigation facilities in the region, they are unable to get sufficient income from their lands for their livelihood. Many of their families are forced to send their children to other States to do manual labour. It has also been stated that their community is affected by social evils like child marriage, practice of magic and other superstitions.

II. PUBLIC HEARING

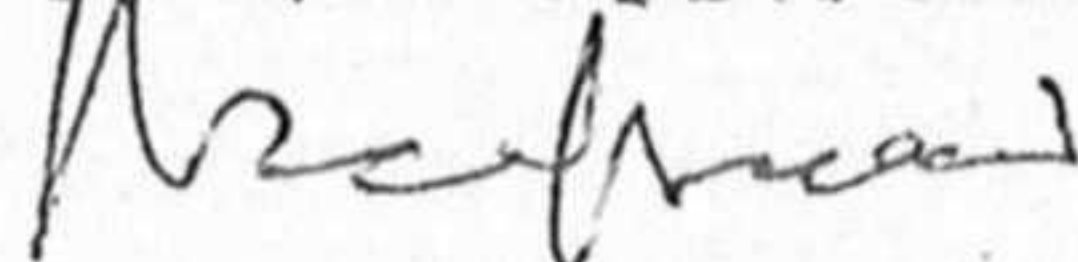
3. A four-Member Bench of the Commission consisting of Shri C.T. Benjamin, Hon'ble Member-Secretary, Shri M.S. Matharoo, Dr. B.M. Das and Smt. Neera Shastri, Hon'ble Members held a public hearing to examine this request at Jaipur on 22nd January 2001. At the public hearing, the State Government was represented by Shri H.M. Mishra, Shri B.P. Sharma, Deputy Directors, Social Welfare Deptt.; Shri J.D. Garg, Joint Director, State Backward Classes Commission and other officers in the Social Welfare Deptt. The caste/community was represented by S/Shri Meghraj Patidar, Kachra Lal Patidar, Dalchand Patidar, R.P. Kurmi, Jagdish Chandra Patidar and others.

III. FACTS

4. "Patidar, Kulmi, Kurmi, Patel, Dangi, Anjana" are not included in the central list of backward classes for Rajasthan issued by the Central Government vide Ministry of Welfare's Resolution No. 12011/9/94-BCC dated 19.10.1994 as they were not included both in the Mandal Commission's list for Rajasthan as well as in the State Government's first list of backward classes issued by the State Government by its Notification No. F.111(125)R&P/SWD/52307 dated 6.8.1994 and, therefore, did not satisfy the criterion of commonality based on which the central list was prepared.

5. The Central list and the State Government's first list of backward classes contained the entry "Kanbi". In the case of the Central List "Kanbi" was included at S.No. 26 and in the case of State List it was included at entry no. 28. To the entry "28.Kanbi" in the State list, the State Government added "Kalbi" by a Notification dated 24.12.1994 on the basis of the advice of the State Commission, which after conducting enquiry found that "Kanbi" is actually a spelling mistake for "Kalbi", though while arriving at this finding the State Commission did not advise the deletion of the "Kanbi"

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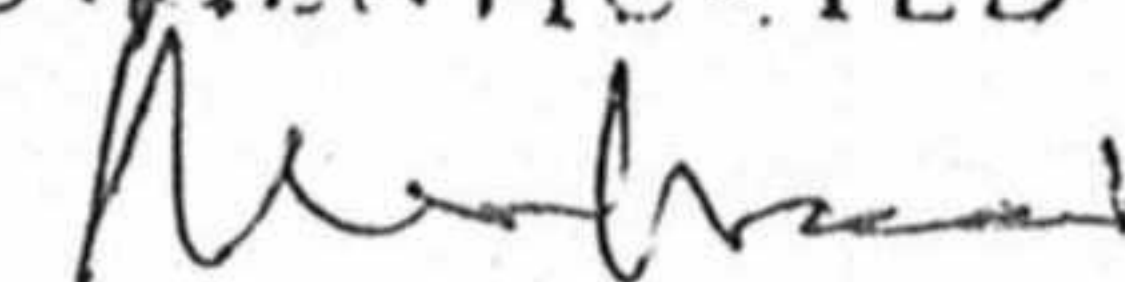
National Commission For

but only the addition of "Kalbi". Therefore, the entry in the State List was amended as "28. Kanbi, Kalbi". The NCBC under our predecessor Members had also advised the inclusion of "Kalbi" in the Central list vide NCBC Advice No. Rajasthan 52/2000 dated 19.1.2000, but not along with the existing entry "26. Kanbi" but as a new entry "63.Kalbi" as the then Commission found "Kanbi" to be a non-existent caste/community and therefore felt it inappropriate to add "Kalbi" as a synonym of non-existing "Kanbi". Based on the advice of the Commission, the Central Government has included "Kalbi" in the Central list of backward classes for Rajasthan at entry No. 63 vide Ministry of Social Justice & Empowerment Resolution No. 12011/44/99-BCC dated 21st September, 2000.

6. The Rajasthan State Government has also included "Patel, Patidar, Anjana, Dangi Patel, Kulmi" after "Kanbi, Kalbi" at entry no. 28 in the State List vide Notification No. F11(125)(6) R&P/SKV/01 dated 01.01.2000. This was based on the Rajasthan State Backward Classes Commission's advice in its Sixth Report of December 1999. Earlier, the Rajasthan State Backward Classes Commission in its Fifth Report of December, 1998 had rejected the request for inclusion of "Kurmi" and "Kulmi" in the State list. In the Fifth Report the State Commission had mentioned about 'Kurmi' as follows:-

"In the representation of the community, it was mentioned that Kurmi is mainly a caste of Bihar. They have stated that if Kurmi is added in the place of Kanbi, Kalbi in the State list, then it will cover Kanbi, Kalbi, Patel, Patidar etc. All parties were called but they did not agree with this suggestion as according to them their community is called by different names in different places. They further stated that in Rajasthan the Kurmis are found only in three villages, namely, Bonlee, Kadedda and Kalyanpura. After visiting these villages, it has been learnt that socio-educational status of this community is not low. They are known as Kurmi Brahman and they also write as Kurmi Brahman. Though their population is small, they are generally educated. They are good cultivators. They are also found in the Government service. Kurmi has not been included in the Mandal Commission's list. They also call themselves Kurmi Kshatriya... In view of these facts, their request for inclusion in the list of backward classes has been rejected."

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Backward Classes

Under the head "Kulmi", the Fifth Report of the State Commission mentioned as follows:-

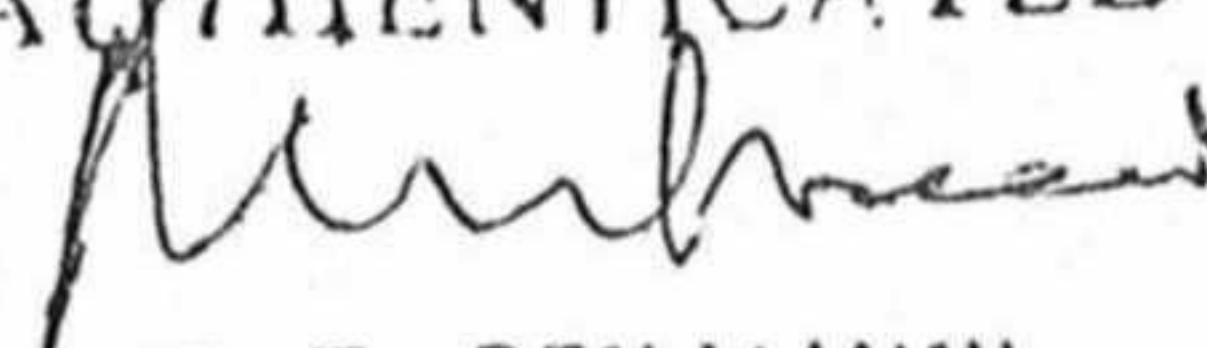
"Kulmis mainly reside in Jhalawar district of Rajasthan. They are also called as Patidar. They say that they are Kshatriya... On enquiry, their social position was found to be good. Their main occupation is agriculture and they are good cultivators. Their life style are like that of higher castes with whom they eat and drink and sit together. The common people do not regard this community to be socially backward. They have a good economic position. ...

In view of these fact, the Commission has decided not to include Kulmi caste/community in the list of backward classes..."

The representatives of the caste/community requested the State Commission again for inclusion in the State list. The State Commission in its Sixth report states under the head "Patel, Patidar, Anjana, Dangi Patel, Kulmi" that it conducted enquiry through the Tahsildars and the people's representatives also placed their views before the Commission. After enquiry, the Commission found the social position of the caste/community is low in the social hierarchy, their educational level is also low and there are very few of them in the government jobs. Their economic position is also not good. Most of them are marginal farmers.

7. During the public hearing on 22nd January, 2001, the representatives of the caste/community said that Patel, Patidar, Kulmi, Kurmi, Dangi, Anjana, and Kalbi are different names of the one and the same caste/community. The main name of the caste/community is Kurmi and they are called by different names in different places. Some of them use *Patidar*, some *Kurmi*, some *Patel*, and some others *Choudhury* as their surnames. Inter-marriages take place among the members of the community who call themselves by these different caste names. For example, intermarriages take place between Patel and Patidar. Agriculture is their main occupation. They stated that 90% of their families hold land. On a query from the Bench as to how such a community can be said to be socially backward, they said that because of the division of land, now they hold less than one acre of land per family. They also stated that earlier the Maharajas did not

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make any efforts for their educational development. Most of their female members are uneducated. There is child marriage prevalent among them, which they said is a sign of their social backwardness. They clarified that they do not call themselves as Kurmi Brahmins or Kurmi Kshatriyas and that the Rajputs will take from them only water and not food. In support of their claim for inclusion in the Central list of backward classes for Rajasthan, they also stated that their caste/community has already been included in the list of backward classes in Madhya Pradesh, Bihar and Uttar Pradesh.

8. The Anthropological Survey of India's People of India series on Rajasthan (Vol.XXXVIII 1998) gives the following account of the "Kulmi" caste/community:

"The community is also locally known as Patidars..... *Patti* means a strip of land and *dar* means holder. The holder of a large area of land thus has come to be called as Patidar. The Kulmi now use Patidar as their surname. The Kulmi are mainly distributed in Chittorgarh, Banswara and Dungarpur with a large concentration in Pratapgarh tehsil. The Kulmi speak Malvi with their castemen.....

The Kulmi are purely vegetarian and take wheat and maize as their staple food.... Alcoholic drinks are strictly prohibited among the Kulmi.

The Kulmi are divided into two broad territorial divisions Lewa Kulmi and Kadwa Kulmi.... They consider themselves inferior to the Rajputs and Jains but higher than the Bhil, Meena, Dangi etc.

Divorce is permitted.... Widow remarriage is prohibited. However, a widower is allowed to marry again.

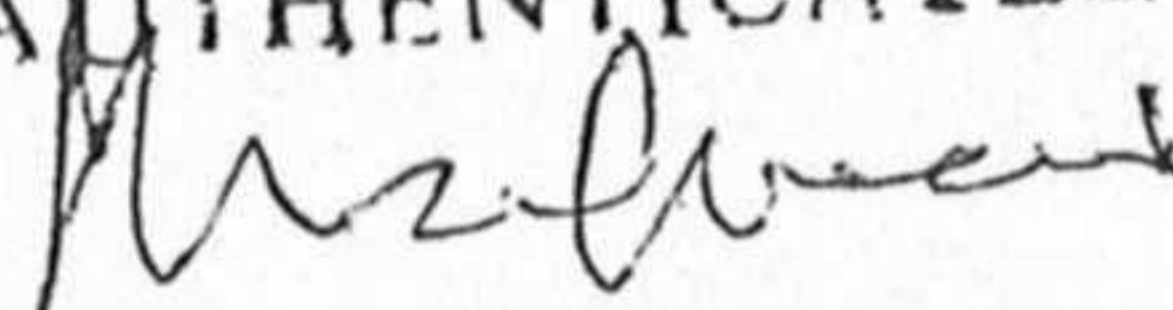
.....

The primary occupation of the Kulmi is agriculture. Besides they are also engaged in some other jobs such as trading and service in government office. Those who are big land owners, also hire out portions of their land on share-cropping. The small and marginal farmers also do farming as share croppers.

.....

They accept water and food from higher castes. Communal relations with the lower castes are desired... The Kulmi are a clean caste. They are allowed to have entry

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at all the public places including sanitary well, temple etc. The social and economic ties of the Kulmi are quite close with the intermediate and high castes.

.....”

9. The Anthropological Survey of India's People of India series on Rajasthan also mentions "Patel", "Dangi" and "Anjana" as distinct castes/communities. The "Dangi" is described as an agricultural community. "They are also known as Patels, a term applied to a class of well-to-do farming community. Bhattacharya and Vyas .. are of the opinion that the Dangi are the inhabitants of Dangs (in Sanskrit, Dang refers to a higher upland) and western Khandesh. At present they are mainly found in Dungapur, Banswara, Chittorgarh, Bhilwara, Kota and Jhalwar districts. They speak Mewari..... The community is purely vegetarian... The Dangi strictly follow community endogamy and clan exogamy..... Traditionally they are agriculturists. Now-a-days some of them are employed in educational institutions and in other government offices. Some have their own flour mills, poultry and do small scale business. They are also employed as labourers in agricultural farms.....”

10. "Patel" is described in the same book as follows:-

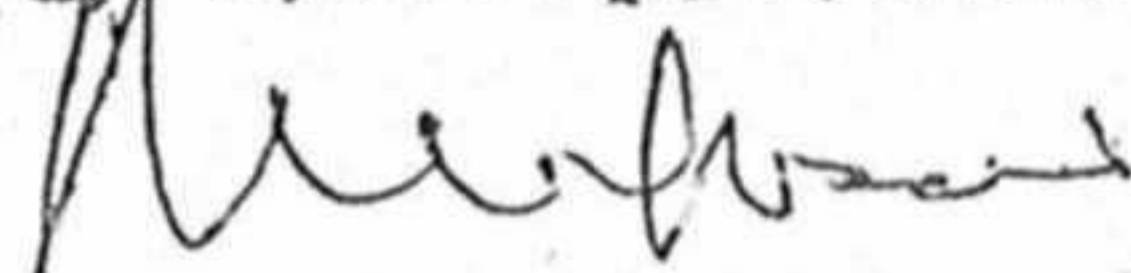
"The Patel of Rajasthan are sometime called Dangi-Patel. Most of the Patel are of the opinion that they are the indigenous population of the region. They are mainly distributed in the districts of Udaipur and Dungarpur of Rajasthan state....

The Patel are traditionally vegetarian.....

The Patel community is divided into various exogamous gotras(clans)....They belong to the Vaishya category of the varna hierarchy. The Brahman and Kshatriya are superior to them and the Bhangis and other Scheduled Castes and Scheduled Tribes are inferior to them.....

The Patel are land owning community. They depend for their livelihood on agriculture. Besides agriculture they have also entered into non-agricultural occupations. A few who possess very little land, also earn through wage work. The children are also engaged in agricultural occupations.....

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Traditionally they have socio-economic relations with the communities like Bhils and Bunkar. Ritually they are linked with the Brahmans and socially they are linked up with artisans, Harijans, Jains and Muslims. They do not accept food and water from Harijans.....”

11. “Anjana” caste/community is described in the People of India series on Rajasthan as follows:-

“The Anjana are also known as Patils, Jagirdars or Zamindars. They are one of the landholding communities of Rajasthan.... The Anjana claim that they are the sons and/or followers of Anjni Mata, the mother of Lord Hanuman. They also claim that they are related to the Rajputs. The Anjana are migrants from Mandsore in Madhya Pradesh and came to the Pratapgarh tehsil of Chittorgarh district.

The Anajana are non-vegetarians.....

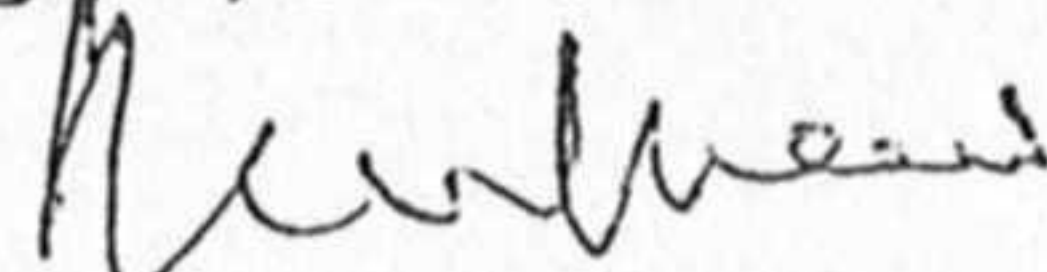
Land is the main economic resource of the Anjana community. Their traditional occupation is agriculture, which continues till today as their primary occupation. Some members of this community are doing business and some are employed in government service.....”

12. The People of India series on Rajasthan also describes “Kalbi” as a separate caste/community. It is mentioned in the account that, “The local tradition reveals that the term Kalbi is derived from Kurmi which corrupted to Kurbi to Kulbi and finally to Kalbi” Further, it is mentioned that “.... the Kalbis are said to have sprung from the combination of Rajputs with some of the Brahman women of Gujarat, where the former had sought refuge for fear of invasions in the twelfth century A.D... They are distributed in Jalor, Jodhpur, Barmer, Udaipur and Chittor districts.... The Kalbi are an endogamous community.....”

IV. FINDINGS

13. From the facts and evidence available to the Bench, it is the finding of the Bench that the “Kulmi” caste/community who are also known as “Patidar” is not a socially backward caste/community as they are a traditionally landowning community. The

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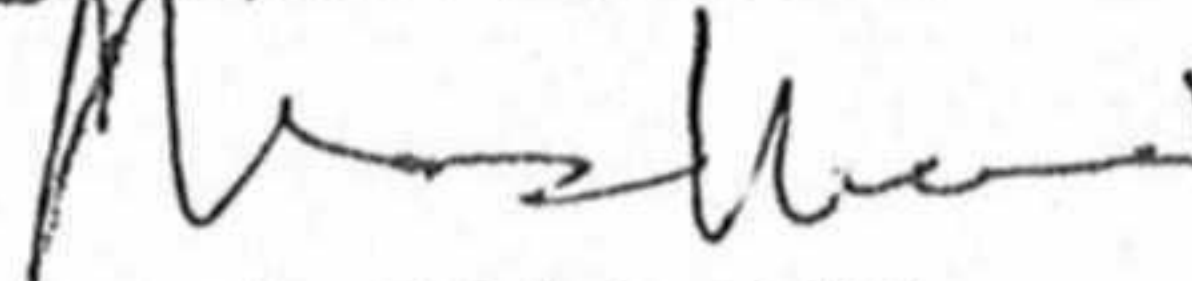
economic difficulties arising from division of land etc. is a phenomenon affecting all communities and this cannot be equated with the social backwardness envisaged in the Article 16(4) of the Constitution. The social practices of this community, namely, child marriage, prohibition of widow remarriage etc. which the community representatives claimed during the public hearing as signs of their social backwardness, though contrary to the modern ideas of gender equality etc., are in fact hallmarks of socially advanced castes/communities. The claim of the representatives of the community that the names Patel, Dangi, Anjana and Kalbi also denote the same caste/community as "Kulmi/Patidar" seems to be not in conformity with the reality as is evident from the separate accounts for these castes/communities in the ethnographic literature quoted above. The literature significantly shows that each of them is a distinct endogamous community with distinct features of its origin, local traditions, dialects etc. The ethnographic accounts on Patel, Dangi and Anjana also clearly reveal that they are also traditionally landholding communities. Anjana, particularly, is described as a caste of jagirdars and zamindars. Obviously, these castes/communities also are not socially backward and therefore do not deserve inclusion in the list of backward classes. In view of these facts, it is the conclusion of the Bench that the requests for inclusion of "Patidar, Kulmi, Kurmi" and "Patel, Dangi, Anjana" castes/communities in the Central list of backward classes for Rajasthan should be rejected as they are not socially backward castes/communities.



IV. ADVICE OF THE COMMISSION

14. 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

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Member Secretary

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Backward Classes

under Section 9(1) of the NCBC Act, for necessary action by the Central Government under Section 9(2) of the Act:-

The requests for inclusion of "Patidar, Kulmi, Kurmi" and "Patel, Dangi, Anjana" castes/communities in the Central list of backward classes for Rajasthan be rejected as they are not socially backward castes/communities.

By
[Signature]
[Signature]
[Signature]
[Signature]

AUTHENTICATED

(C. T. BENJAMIN)

9 Member Secretary
National Commission For
Backward Classes

NATIONAL COMMISSION FOR BACKWARD CLASSES

RAJASTHAN BENCH

FINDINGS

Case: Request for inclusion of "Sahu, Rathore" in the Central list of Backward Classes for the Rajasthan..

I. REQUEST

This case arises from the Request made to this Commission by Shri Kewal Chand Solanki, Gen. Secretary Rajasthan Sahu-Ghanchi- Rathore-Teli Vikas manch, G-148, Uday Path Shyam Nagar, Jaipur for inclusion of "Sahu, Rathore" caste/community in the Central list of Backward Classes for the State of Rajasthan.

II. PUBLIC HEARING

2. A four-Member Bench of the Commission, consisting of Shri C.T. Benjamin, Hon'ble Member-Secretary, Shri M.S.Matharoo, Dr. B.M. Das and Smt. Neera Shastri, Hon'ble Members held a public hearing to examine this request at Jaipur on 22nd January 2001. At the Public Hearing the State Government was represented by Smt. Rupa Gulwani, Addl. Director, Backward Classes Welfare, Shri H.M. Mishra and Shri B.P.Sharma, Deputy Directors, Department of Social Welfare. Shri B.L.Sheesu, Member-Secretary and Shri J.D. Garg, Joint Director, State Backward Classes Commission were also present. The caste/community was represented by Shri Kewal Chand Solanki, Sri.Babulal Sahu and Shri Ganesh Rathore

III. FACTS

3. The central list of backward classes for Rajasthan issued by the Central Government vide Ministry of Welfare's Resolution No. 12011/9/94-BCC dated 19.10.1994 contains the entries "17. Ghanchi" and "51. Teli". "Sahu" and "Rathore" are not included in the central list because they were not included both in the Mandal Commission's list for Rajasthan and in the State Government's first list of backward

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classes issued by the State Government by its Notification No. F.111(125)/R&P/SWD/52307 dated 6.8.1994 and, therefore, did not satisfy the criterion of commonality based on which the central list was prepared.

4. According to the request maker, Sahu, Rathore and Ghanchi are synonyms/sub-castes of the Teli caste/community. In the questionnaire filled up by the request maker it is mentioned that the main caste is "Teli(Ghanchi)" and "Sahu" and "Rathore" are its synonyms/sub-castes. The population of the caste/community in the State is 14 lakhs and they constitute 7% of the total population of backward communities in the state. The traditional occupation of the community is oil extraction and presently, in addition to their traditional occupation, they also depend on agriculture for their livelihood.

5. During the public hearing, the representatives of the caste/community stated that the Teli community is known by the four names of Teli, Ghanchi, Sahu and Rathore. They clarified that while Muslim members of the Teli community are known by the name Ghanchi, their Hindu counterparts are known by Sahu and Rathore. They pleaded that "Sahu" and "Rathore" should also be included in the Central list of backward classes for Rajasthan in addition to the existing entries Ghanchi and Teli.

6. "Sahu" and "Rathore" as caste names are not attested to by available census reports or ethnographic literature. Neither of these names is included in the State list or in the Mandal Commission's list.

7. The Anthropological Survey of India's People of India series (Vol.XXXVIII) on Rajasthan (Popular Prakashan, Bombay, 1998, General Editor K. S. Singh) describes Ghanchi as a "community of oil pressers, make edible oil with the help of ghani, a traditional type of oil-pressing machine. From their oil press their name ghanchi has been derived. There are two communities which are engaged in edible oil-pressing. The Muslim segment is called Ghanchi and the Hindu Teli. They are distributed in the districts of Dungarpur, Banswara Jodhpur and Udaipur. Dungarpur has a large concentration of Ghanchi.... The Ghanchi are traditionally an oil-pressing community, Recently they have taken to trading and cultivation also. They are

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Member Secretary

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Backward Classes

also engaged as daily wage labourers, drivers, industrial labourers, etc.... The Ghanchi profess Islam'.

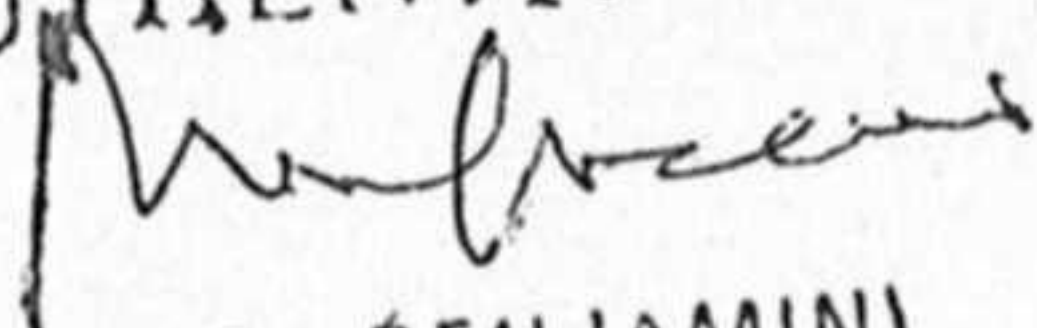
8. The "Teli" is described in the same book as follows:-

"The Teli derive their name from Sanskrit word tailaka or taila, i.e., oil. Among the Hindu Teli there are two endogamous sub-groups viz., Kachelia and Ghaniwale Teli.... The Teli have a number of exogamous gotras like parmar, Nakuma, Parihar, Hurecha, Devra, Balsara, Rathor, Madresa, Chouhan, Borana etc. All these gotras are equal in social status and have respective deities. The Teli perceive themselves in Kshatriya order of Varna system. While the neighboring communities concede them as vaishya..... The Teli mainly depend on land resources. The Teli are mainly a land owning community. The traditional occupation of the Teli is oil pressing..... At present most of them have shifted to oil trading. Subsidiary occupation is agriculture and those without any land earn by day labour."

IV. FINDINGS

9. The main names of the caste/community, viz., "Teli" and "Ghanchi" have already been included in the Central list of Backward classes for Rajasthan. The requested synonyms, "Sahu" and "Rathore", are not included either in State list or in the Mandal Commission's list. The Bench is of the view that these are not actually real caste names but are only titles or surnames used by the members of the Teli community. Generally, if a caste/community is included in the OBC list without specifically excluding any section within that caste/community, all members of that caste/community are included, irrespective of whether they belong to one or other sub-caste or sub-division of that caste/community and irrespective of the religion/religious denomination or sect followed by them. From the ethnographic accounts referred to above, it is seen that Teli/Ghanchi caste/community in Rajasthan, like many other castes/communities, has a number of sub-castes/sub divisions. The Bench feels that when the main caste/community already find a place in the list, it is not necessary to include all its sub-caste nomenclatures or all the titles or surnames used by their members. Many of the titles and surnames like "Sahu" and "Rathore" are common to many castes/communities. For example, Sahu is also a title used by money lending castes/communities and "Rathore" is also a

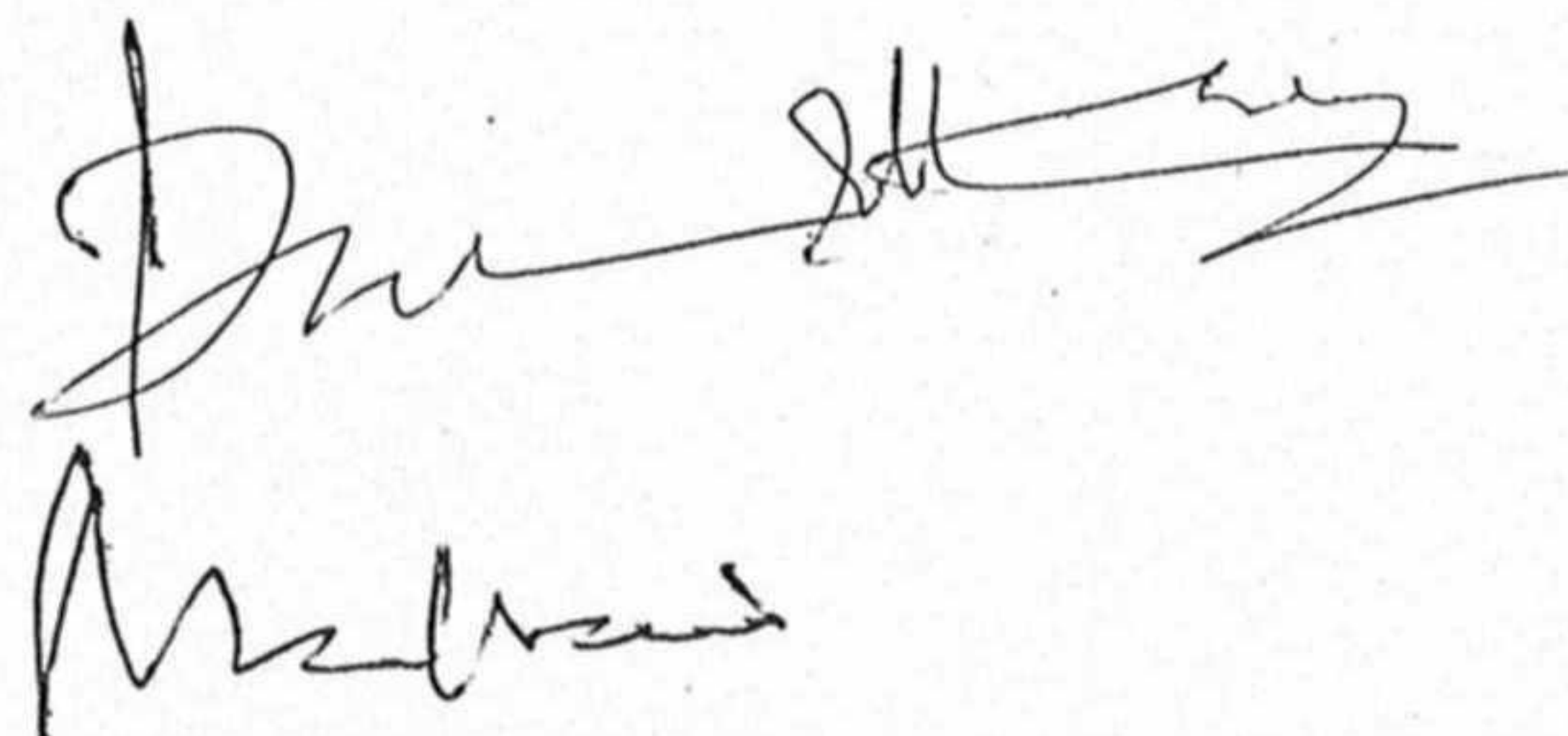
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(C. T. BENJAMIN)

Member Secretary
National Commission For
Backward Classes

division among Rajputs. The inclusion of such sub-caste names or titles and surnames will give scope for misuse of the entry by some members of unintended castes/communities. The Bench, therefore, is of the opinion that the request for inclusion of "Sahu" and "Rathore" as sub-castes/synonyms of "Teli"/"Ghanchi" caste/community in the Central List for Rajasthan should be rejected.



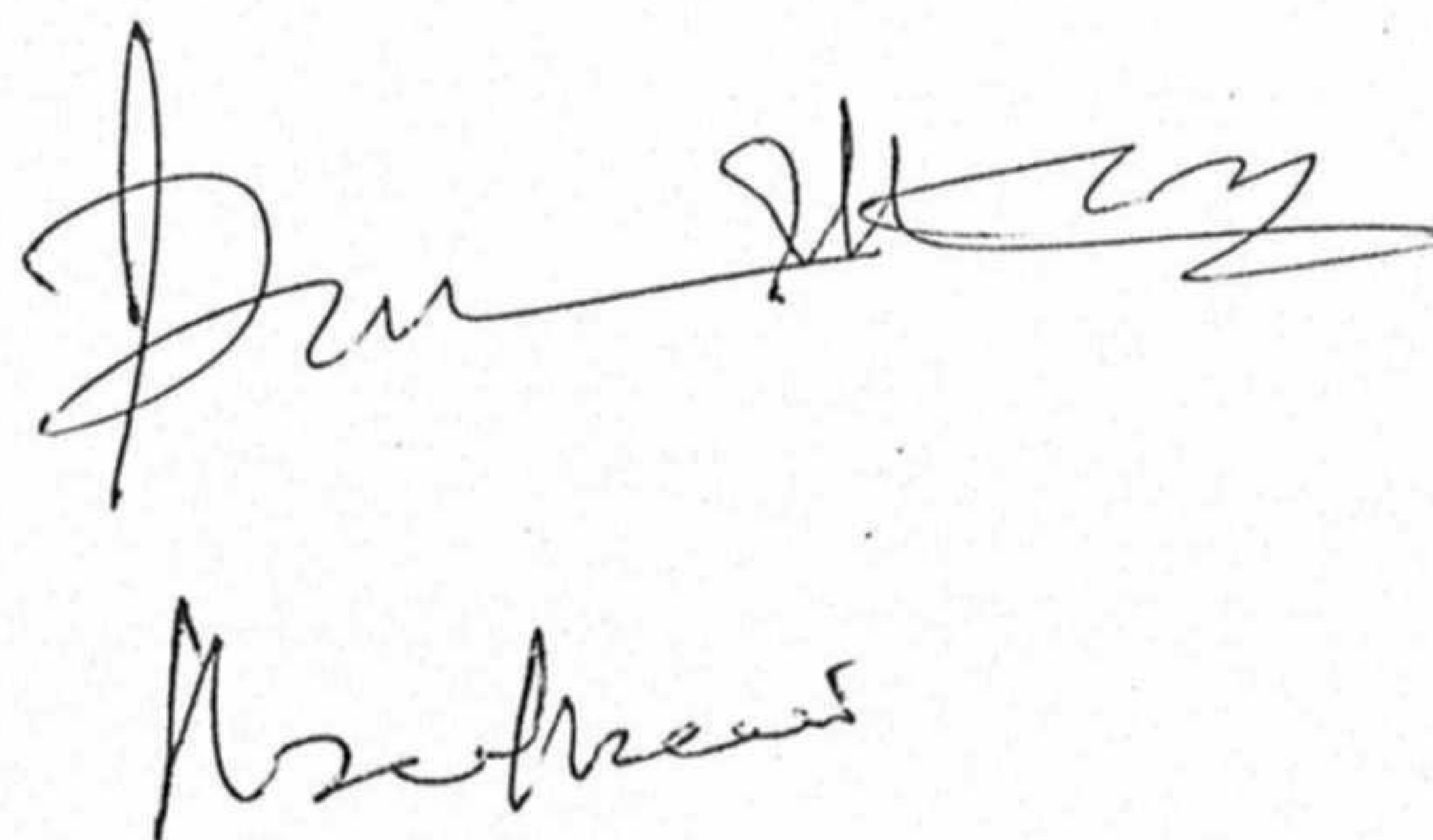


V. ADVICE OF THE COMMISSION

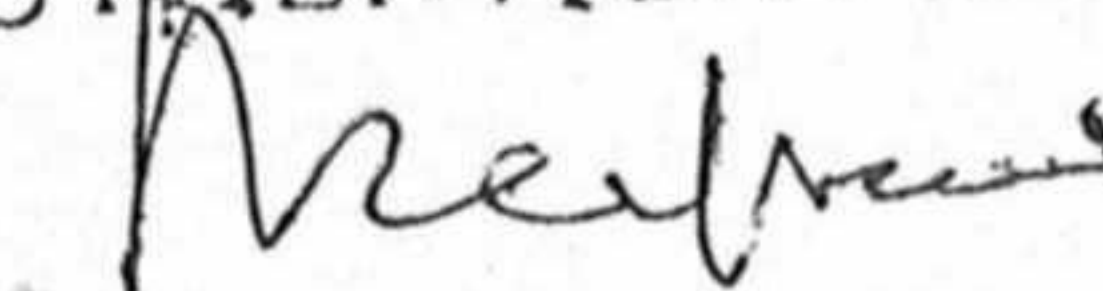
10. The Commission considered and agreed in full with the above findings of the Rajasthan Bench and decided to tender the following Advice to the Central Government under section 9(1) of the NCBC Act, for necessary action by the Central Government Under section 9(2) of the Act:-

The request for inclusion of "Sahu" and "Rathore" as sub-castes/synonyms of Teli/Ghanchi in the Central list of backward classes for Rajasthan be rejected.





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(C. T. BENJAMIN)

Member Secretary

National Commission For

Backward Classes

NCBC Advice No. Rajasthan 65/2001

**NATIONAL COMMISSION FOR BACKWARD CLASSES
RAJASTHAN BENCH**

FINDINGS

Case: Request for inclusion of "Kakri/Krekani" caste/community in the Central list of backward classes for Rajasthan.

I. REQUEST

This case arises from the request made to this Commission by Shri Tejbhan Dhingra, General Secretary, Bilochi Samaj Seva Samiti, Jaipur for inclusion of "Kakri/Krekani" caste/community in the Central list of backward classes for Rajasthan.

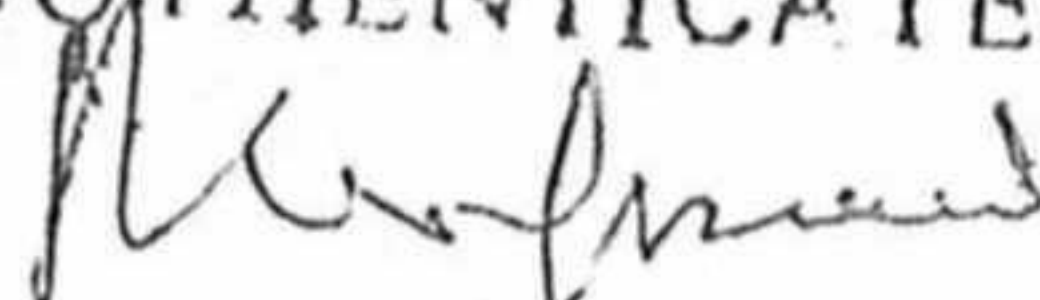
II. PUBLIC HEARING

2. A four-Member Bench of the Commission, consisting of Shri C.T. Benjamin, Hon'ble Member-Secretary, Shri M.S.Matharoo, Dr. B.M. Das and Smt. Neera Shastri, Hon'ble Members held a public hearing to examine this request at Jaipur on 22nd January 2001. At the public hearing, the State Government was represented by Shri H.M. Mishra, Shri B.P. Sharma, Deputy Directors, Social Welfare Deptt.; Shri J.D.Garg, Joint Director, State Backward Classes Commission and other officers in the Social Welfare Deptt. The caste/community was represented by Shri Baldeo Singh and Shri T.M. Khatri, President and General Secretary respectively of the Bilochi Samaj Seva Samiti, Jaipur.

III. FACTS

3. "Kakri/Krekani" caste/community is not included in the central list of backward classes for Rajasthan issued by the Central Government vide Ministry of Welfare's Resolution No. 12011/9/94-BCC dated 19.10.1994 as it was not included both in the Mandal Commission's list for Rajasthan and in the State Government's first list of backward classes issued by the State Government by its Notification No. F.111125/R&P/SWD/52307 dated 6.8.1994 and, therefore, did not satisfy the criterion of commonality based on which the central list was prepared.

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National Commission For

4. In the NCBC's questionnaire filled up by the Bilochi Samaj Seva Samiti, it has been stated that "Kakri/Krekani" belongs to Bilochi community. The population of the community in the State is given as 2000 to 2500. They are concentrated mainly in the two districts of Jaipur and Chitorgarh. The occupation on which the community members depend for their livelihood is indicated as manual labour, stitching and embroidery, hawking and vending of articles. 95% of the members of the community are stated to be engaged in manual labour for their livelihood. Only 20 to 25% of their members are literate.

5. During the public hearing, the representatives of the caste/community stated that the members of their community are descendants of the people who in the past migrated from Baluchistan province of Pakistan, and that they are neither Hindu nor Muslim, though there is a *Musalmani touch* in their food habits and speech. The community has a population of about 2,500 in the whole of India, but most of them live in Rajasthan. They further stated that they eke out their livelihood by vending or hawking articles at market places and busy roadsides, moving from place to place. They do not hold any agricultural land. There are no members of their community in the State services. There are also no professionals like doctors among them. The educational level among their women is very low.

6. The Rajasthan State Backward Classes Commission has already rejected the request of the Kakri/Krekani caste/community for inclusion in the State Government's list of backward classes. The State Commission in its Third Report (November, 1996) recorded that the families who have migrated from the province of Bilochistan are called Bilochi and their commonly used name is Kakri/Krekani. The people are engaged in petty business and trade. Though their economic condition is weak, they are not socially backward. The caste/community did not find a place in the State lists of other States and in the list prepared by the Kaka Kalelkar Commission and subsequently also by the Mandal Commission. The State Commission found that the caste/community is not socially backward and therefore rejected the request for its inclusion in the State list. The

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(C. T. BENJAMIN)

Member Secretary

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State Commission subsequently reconsidered the same request, but again in its Fifth Report (December, 1998) reiterated its earlier stand in favour of rejection of the request on the ground of non-submission of any information by the caste/community in support of their claim of social and educational backwardness.

IV. FINDINGS OF THE BENCH

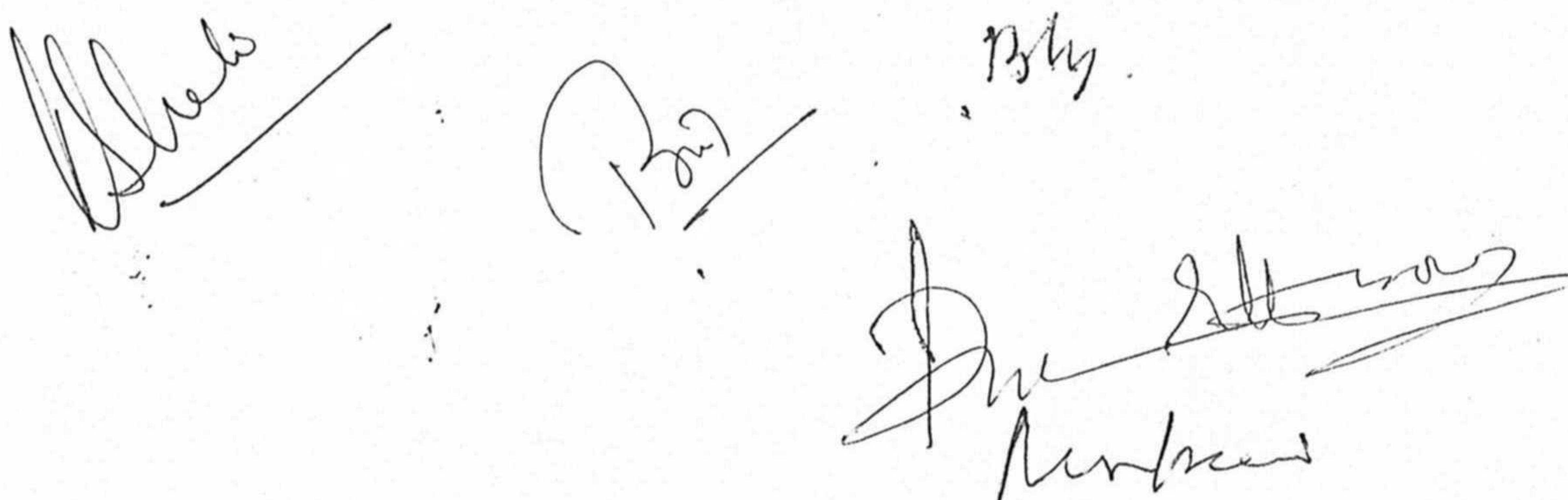
7. From the evidence adduced before the Bench, it is the finding of the Bench that the Kakri/Krekani is a community of petty traders and that they do not suffer from any social backwardness and, therefore, do not deserve to be included in the list of backward classes. Hence, the request for inclusion of Kakri/Krekani in the Central list of backward classes for Rajasthan should be rejected.

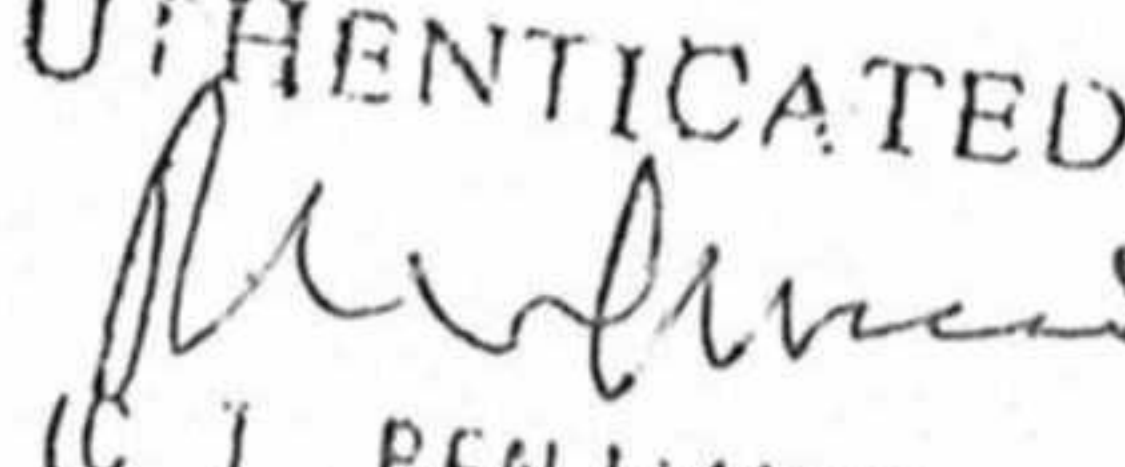


V. ADVICE OF THE COMMISSION

8. 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 9(1) of the National Commission for Backward Classes Act, for necessary action by the Central Government under Section ((2) of the Act:-

The request for inclusion of Kakri/Krekani caste/community in the Central list of backward classes for Rajasthan be rejected, as it is not a socially backward caste/community.



AUTHENTICATED

 (C. T. BENJAMIN)
 Member Secretary
 National Commission For
 Backward Classes