



एस. के. पुरकायस्थ
सदस्य सचिव
S. K. Purkayastha
Member-Secretary

राष्ट्रीय पिछड़ा वर्ग आयोग
सामाजिक न्याय एवं अधिकारिता मंत्रालय
भारत सरकार
ट्रिकूट-१, भीकाजी कामा प्लेस, नई दिल्ली - ११० ०६६
NATIONAL COMMISSION FOR BACKWARD CLASSES
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
Government of India
Trikoot-1, Bhikaiji Cama Place, New Delhi - 110 066
Tel. : 26183190 Fax : 26183227

NCBC Advice No.67/Rajasthan/2005

20.05.2005

Dear Smt. Prasad.

I am sending herewith the advice of the National Commission for Backward Classes under Section 9(1) of the NCBC Act, 1993 for rejection of caste/community 'Pujari (Sewak)' in the Central List of OBCs for Rajasthan, duly authenticated, for necessary action by the Central Government under Section 9(2) of the Act.

With regards.

25/5/05

Yours sincerely,

(S.K. Purkayastha)

Smt. Sarita Prasad
Secretary
Ministry of Social Justice & Empowerment
Shastri Bhawan
New Delhi

National Commission for Backward Classes

Rajasthan Bench

Case : Request for inclusion of the caste/community 'Pujari (Sewak) in the Central List of Other Backward Classes for the State of Rajasthan

I. REQUEST

This case arises from the request received in the National Commission for Backward Classes from Shri Ganel Lal Sewak, President, Bagat Mewar Pujari (Sewak) Samaj, PO Pujpur, Tal Ashpur, Dist. Dungarpur, Rajasthan for inclusion of caste/community 'Pujari (Sewak)' in the Central List of OBCs for the State of Rajasthan.

II. PUBLIC HEARING

2. The Rajasthan Bench of the Commission consisting of Justice Ram Surat Singh, Hon'ble Chairperson, Shri M.S. Matharoo, Smt. Neera Shastri and Dr. B. Baburao Verma, Hon'ble Members and Shri S.K. Purkayastha, Hon'ble Member-Secretary held a Public Hearing in respect of this request at Jaipur on 17th February, 2005. At the Public Hearing, the Rajasthan State was represented by Shri D.C. Janwala, GM, OBC Corporation, Shri Badoria, Dy. Director (SW) and Shri S.L. Paharia, District Probation Officer.

III. Facts

3. The Position with regard to this caste/community as reflected in different lists is as follows:-

AUTHENTICATED


एस० के० पुरकायस्थ/S.K. Purkayastha
सदस्य सचिव/Member-Secretary
राष्ट्रीय पिछड़ा वर्ग आयोग
National Commission for Backward Classes
नई दिल्ली / New Delhi

Mandal List : Nil
 State List : Nil
 Central List : Nil

IV. Request

4. The request maker Shri Ganel Lal Sewak, President, Bagat Mewar Pujari (Sewak) Samaj, PO Pujpur, Tal Ashpur, Dist. Dungarpur, Rajasthan in his request has submitted that the caste/community is spread out in Dungarpur, Baswada, Udaipur. Population of their community is 11,500. Sewak is sub-caste of the community. Population of the caste/community in the State is 0.05% as against the state population. They give their services at village temples and also give invitations regarding marriage and other religious customs on behalf of the community members. About 1900 persons are living in *kacha* houses and 400 are living in *pucca* houses. Their representation in Government services in Class II are 10, Class III are 100 and in Class IV are 25. They are landless and living in the land provided by villages. They work as labourers. For their social and religious services they are not paid in cash but in kind, such as food grains.

5. At the time of Public Hearing, Shri Lakshmi Narayan Mathuria, Jodhpur and Shri Devilal Chaparwal, Pratap Nagar, Jodhpur appeared before the Bench. On query from the Hon'ble Chairperson, the justification for inclusion of their caste/community in the Central List of OBCs for the State of Rajasthan, Shri Lakshmi Narayan stated that since ages they have been working in the temples. They are not in a position to feed their families and do not have proper education. Their social level is low. Hence their request is to give facility of reservation to them. They are Pujari as well as Sewak. They get work sometimes for a day or for a week and the remaining days they are jobless. Then Hon'ble Chairperson asked them whether they are Brahmin because

AUTHENTICATED

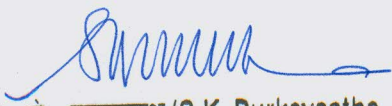

 एस० के० पुरकायस्थ / S.K. Purkayastha
 सदस्य सचिव / Member - Secretary
 राष्ट्रीय पिछड़ा वर्ग आयोग
 National Commission for Backward Classes
 नई दिल्ली / New Delhi

only Brahmin do pujas and they stated that they are Brahmins. About the social status, whether they are respected by other communities in the villages, Shri Lakshmi Narayan stated that no body in the villages cares for them and are not respected. Under the social hierarchy, they come under the Brahmin's category. Hon'ble Member referred to the ethnographic account which says that the caste/community is a brahminical one. On a query from Hon'ble Member, Shri Lakshmi Narayan stated that they are spread out in Jodhpur, Bikaner, Baswada and Dungarpur.

6. At the Public Hearing, Shri Ganesh Lal Sewak, President, Bagad Mewar Pujari (Sewak) Samaj, District Dungarpur, Rajasthan who appeared before the Bench submitted that they are called as Pujari as well as Sewak also. They are performing pujas in temples of Hanuman ji, Mata ji etc. They also give invitations regarding marriages and other religious customs on behalf of the community members. The caste/communities have migrated from Gujarat for doing puja works in temples of Rajasthan. They could not educate their children. They have their food by taking 'bhiksha'. He further stated that they have heard that the Pujaris serving in Mehandipur Balaji temple in Rajasthan have been given OBC status. To a query by Hon'ble Chairperson whether reservation status has been given by State or Central, he replied that he has heard that reservation has been given by the Rajasthan Government. He further stated that the members of their community had been brought by Patidhar from Gujarat for performing puja duties in the temples of Rajasthan.

7. Shri Natulal Sewak Pujari, Dist. Baswada at the Public Hearing, submitted that they have been provided land for puja purposes, but now their name has been removed. Other similar caste/communities viz. Patithar, Sunar have been given reservation status but not their community. Hence they have requested that Pujari (Sewak) may be included in the Central List of OBCs for the State of Rajasthan. Shri Ram Kishore Samjogi Pujari, Gangapur submitted that the caste/community is called by different names in different places. Sadhu, Swami, Bairagi are there in the

AUTHENTICATED


 एस० के० पुरकायस्थ / S.K. Purkayastha
 सदस्य सचिव / Member - Secretary
 राष्ट्रीय पिछड़ा वर्ग आयोग
 National Commission for Backward Classes
 नई दिल्ली / New Delhi

reservation list. In their place they are Vaishnavites and in records they are called as Samjogi. Other communities like Swami are getting the reservation benefits as the different names are written in different records. Shri Badri Narayan, Dist. Dungarpur appeared before the Bench. To a query by Hon'ble Member, how they are calling themselves backward, he stated that other persons who are doing similar jobs are included in the Central List of OBCs for availing reservation but not their community. They are doing service to Backward Classes and hence they may be considered for inclusion in the Central List. Shri Jagadish Prasad Samjogi, Jilla Karoli who appeared before the Bench, submitted that in places like Dausa, Karoli and Banda in Rajasthan they are called as Samjogi. Reservation status has been given to similar castes/communities with different names. Further he has submitted that the castes/communities are very backward and poor. They are not employed in Government Service and hence Samjogi may be included in the Central List of OBCs for the State of Rajasthan.

8. The Commission took note of the following Ethnographic Accounts regarding "caste/community Pujari (Sewak)" :-

People of India : Rajasthan (page884-888) by K.S. Singh

Sevak. The Sevak, otherwise known as Bhojak, claim to be a Brahman group. Now-a-days they prefer to call themselves Sakdweepi Brahman. The name Sevak is derived from seva (service) rendered to the Jains..... The students from this community who were in the Gurukul in Osta unknowingly joined the feast and hence they lost their religion (dharma bhrasta). Since then they were forced to serve the Jains and came to be known as Sevak. They are distributed in the districts of Barmer, Jaisalmer, Jodhpur, Bikaner, and Jalor. The Sevak speak among themselves in Sindhi language and write in Sindhi script. They also speak in Marwari and Hindi. They use Devnagari script. The Sevak are strictly vegetarian.....Alcoholic drink is strictly

AUTHENTICATED



एस० के० पुरकायस्थ/S.K. Purkayastha
सदस्य सचिव/Member-Secretary)
राष्ट्रीय पिछड़ा वर्ग आयोग
National Commission for Backward Classes
नई दिल्ली / New Delhi

prohibited. They abstain from smoking and chewing tobacco. As they claim to be a group of Brahman's their position in the traditional varna system is at the top. They do not take water from Rajput, Mochi, Darji, Dhobi and accept water from Maheswari, Jain and Brahmans. Except the Brahmans, Kshatriyas and Rajputs all other neighbouring castes perceive them to be higher. The divorce among them is permitted. Remarriage after divorce or widowhood is permitted. Dowry in the form of gifts is now given in marriage. The women among the Sevak are equal to their male counterpart. They claim and do inherit the movable property viz. cash, ornaments, utensils and furniture. The educated women are employed in different government organizations and elsewhere. In social, ritual and religious life they have active role and are conscious about modern politics. Family management is the sole duty of the women. They have active part in the decision making of family affairs. Traditionally they are the priests in Jain temples. But only the priesthood does not suffice for their subsistence. They are agriculturists as well. Most of them possess medium-sized land. Some also do farming as share croppers. Now majority among the Sevak are engaged in white-collar jobs. Women are also employed either in schools or in service. Some of them are in trade also..... Literacy and education among the Sevak are high. Majority are now seeking white-collar jobs. The women are also not lagging behind. They are also coming out for employment.

9. The Bench noted that "Pujari" is a general term and also a title used by castes/communities through out the country. It is also a term used to address respectfully in general the members of the Brahmin community who perform pujas. Inclusion of such general term/title under Backward Class will lead to complication and give way for misuse. This may also lead to entry of non-deserving in the OBC list by using the general terms or titles. The Bench also observed that a social group or community whose traditional occupation is priestly activities is not considered inferior or lowly in terms of the caste system prevalent in the country. Thus the

AUTHENTICATED


 एस० के० पुरकायस्थ/S.K. Purkayastha
 सदस्य सचिव/Member-Secretary)
 राष्ट्रीय पिछड़ा वर्ग आयोग
 National Commission for Backward Classes
 नई दिल्ली / New Delhi

traditional occupation of this community does not justify its inclusion in the list of Backward Classes.

10. Some emphasis is laid in the representation on the fact that even though they are Brahmins and their traditional occupation is performing poojas, they are backward and not able to compete with the other members of the society in education and service. If the foregoing facts were established at the Hearing, it would probably be not difficult to grant them the backwardness tag. But it did not so happen that at the hearing they have submitted that they belong to Brahmin community and are mainly engaged in performing priestly functions such as performing poojas in temples. To a query by the Commission that they are Brahmins, they stated that they are Brahmin but are not able to compete with others in the society. The deposition of the witness in the circumstances does not support the claim that the community is backward in any sense of the matter i.e. socially and educationally. More importantly, this Commission's work is only of evaluating the social backwardness of a community and promote its claim for the benefit of reservation under Article 16(4) of Constitution of India.

11. From the deposition of the witness, it becomes clear that "Pujari (Sewak)" belong to the Brahmin community, a circumstance that should totally defy its claim for entitlement to reservation on the basis of social backwardness. There may be cases of some individuals or some sections of the community suffering slight adversity but if the traditional occupation/activities of the community is taken into account about which there is no dispute at all, the alleged social or educational backwardness does not appear to support the claim for inclusion of the "Pujari (Sewak)" community in the Central List of Backward Classes. Nowhere the witness who represented the community and its organization did at any time say that the community as a whole was looked down socially by society in general or by any particular class or community. In that view of the matter, regard being had to the facts that have transpired before the

AUTHENTICATED



एस० के० पुरकायस्थ / S.K. Purkayastha
सदस्य सचिव / Member - Secretary)
राष्ट्रीय पिछड़ा वर्ग आयोग
National Commission for Backward Classes
नई दिल्ली / New Delhi

commission at the hearing and taking an over all view of the fact situation, the commission concludes that the "Pujari (Sewak)" community of Rajasthan is not socially backward and therefore not entitled for inclusion in the Central List of Backward Classes.

V. FINDINGS

12. From the evidence and documents presented at the time of Public Hearing by the representatives of the community themselves, it is the Finding of the Bench that their traditional occupation is performing pujas in temples. 'Pujari (Sewak)' is a general title/surname adopted by some member of this community and is also used by other members of the community to address them respectfully. It is not a caste. It is clearly a socially and educationally advanced class. The inclusion of such caste/community in the list of Backward Classes is not only counter to facts and social realities, but also deprives the classes which are genuinely social backward of their due and thus seriously distorts the Constitutional and National Policy on Backward Classes. The inclusion of such Advanced caste/community in the list of Backward Classes also would confer on them an un-constitutional advantage over other advanced castes/communities who are correctly not included in the list of Backward Classes and with whom the former ought to compete on equal terms. Therefore, the present request for inclusion of caste/community 'Pujari (Sewak)' in the Central List of Backward Classes for Rajasthan should be rejected.

R. S. Singh
(Justice Ram Surat Singh)

M.S. Matharoo (M.S. Matharoo) *Smt. Neera Shastri* (Smt. Neera Shastri) *Dr. B. Baburao Varma* (Dr. B. Baburao Varma) *S.K. Purkayastha* (S.K. Purkayastha)

AUTHENTICATED

S.K. Purkayastha
एस० के० पुरकायस्थ / S.K. Purkayastha
सदस्य सचिव / Member - Secretary
राष्ट्रीय पिछड़ा वर्ग आयोग
National Commission for Backward Classes
नई दिल्ली / New Delhi

VI. ADVICE

13. The Commission considered and agreed in full with the 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, 1993:-

“The Request for inclusion of caste/community ‘Pujari (Sewak)’ in the Central List of Other Backward Classes for the State of Rajasthan be rejected as the caste/community is not a Socially or Educationally Backward Class.”

R. S. S.
(Justice Ram Surat Singh)

M.S. Matharoo *Smt. Neera Shastri* *Dr. B. Baburao Varma* *S.K. Purkayastha*
(M.S. Matharoo) (Smt. Neera Shastri) (Dr. B. Baburao Varma) (S.K. Purkayastha)

AUTHENTICATED

S.K. Purkayastha
एस० के० पुरकायस्थ / S.K. Purkayastha
सदस्य सचिव / Member-Secretary
राष्ट्रीय पिछड़ा वर्ग आयोग
National Commission for Backward Classes
नई दिल्ली / New Delhi