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भारत सरकार
नई दिल्ली-110 066
MEMBER-SECRETARY
NATIONAL COMMISSION
FOR BACKWARD CLASSES
GOVERNMENT OF INDIA
NEW DELHI-110 066

DO NCBC Advice No. Rajasthan 18/97

17. 12. 1997

Dear Shri Baksi,

I am sending herewith the Advice of the National Commission for Backward Classes under Section 9(1) of the National Commission for Backward Classes Act, 1993 for rejection of the Request for Inclusion of "Gaur Brahman" caste/community in the Central List of Backward Classes for Rajasthan, for necessary action by the Central Government under Section 9(2) of the Act.

Best wishes.

Yours sincerely

P. S. Krishnan
(P.S. KRISHNAN)

Encl: As stated

Shri K.K.Baksi
Secretary to Government of India
Ministry of Welfare
Shastri Bhavan
NEW DELHI

NCBC Advice No. 15/97/Raj.
NATIONAL COMMISSION FOR BACKWARD CLASSES

Rajasthan bench

Findings

Case: Request for inclusion of "Gaur Brahman" in the
Central List of Backward Classes for Rajasthan.

Per Shri P.S. Krishnan, Member Secretary

I. Request

1. This case arises from the Requests received in
this Commission from the following:-

1. Shri. Pramod Kumar Sharma,
President,
Brahman Samaj, Yuva Samity,
Vill. Tunga, Tehsil, Bassi,
District Jaipur.
2. Shri Shiv Dutt Rai Gaur,
President,
Gaur Vipra Samaj, Gaur Brahim,
Maha Sabha,
D-40, Madho Singh Circle,
Beni Park,
Jaipur.

for inclusion of the "Gaur Brahman Caste/Community in the
Central List of Backward Classes for Rajasthan.

The information in National Commission for Backward
Classes's Questionnaire was furnished by the Gaur Brahman,
Maha Sabha, Jaipur.

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II. Public Hearing

2. The two-Member Rajasthan Bench of the Commission consisting of Hon'ble Member Secretary, Shri P.S. Krishnan and Hon'ble Member, Shri Navtej Singh Puadhi NCBC held a Public Hearing at Jaipur on 30.5.1997 inter alia to examine this Request. At the Public Hearing the State Government was represented by Shri S.K. Dalel, Joint Director and Shri Ramesh Chandra Sharma, Deputy Director in the Directorate of Social Welfare. Shri G.D. Garg, Joint-Director represented the Rajasthan State Backward Classes Commission. The community was represented by Shri Pramod Kumar Sharma, Shri Mahendra Kumar Sharma, Shri Shiv Ram Sharma, Shri Manohar Lal Sharma, Shri Mahesh Kumar Sharma, Shri Shiv Dutt Ram Gaur & others.

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 Government 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 Government of Rajasthan undertook the preparation of a State List on 6.8.1994. Gaur Brahman Caste/Community is not included either 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

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Central List of Backward Classes for Rajasthan prepared on the basis of the principle of commonality and notified by the Government of India on the 19th November, 1994.

4. From the request of the Brahman Samaj Yuva Samity, Village Tunga, Tehsil Bassi, Distt, Jaipur and Gaur Brahman Maha Sabha, Jaipur the following information emerge about the "Gaur Brahman" Caste/Community.

(i) The "Gaur Brahman" Caste/Community is spread all over the State. They Community consideres itself Socially backward. The occupation on which the members of the Caste/Community mainly depend for livelihood is "Priestly activities" and performing rituals after the death of any person in the Society. Besides the traditional occupation the Community ^{or has} adequate representation in the Services of the State Government at various levels of posts viz. Group A/Class I (5%), Group B/Class II (20%), Group C/Class III (30%), Group D/Class IV (40%) as per information given in the NCBC Questionnaire.

The Questionnaire gives 60% of their population literate whereas the State's literacy rate is 38.55 % as per the Census of India, 1991.

5. Munshi Hardyal Singh in his book "The Castes of Marwar"-Being(Census Report of 1891) (Books Treasure, Jodhpur, Second edition, 1990, First edition, 1894, PP 67-68) attests to the existence of the "Gaur" "Caste/Community" under "Professional Priests" class in the Marwar. He writes "The Gaur Brahmans though forming the fountain head

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of numerous Brahmanical tribes are found in very small number in Marwar. They State that they have come from Gour in Bengal, but Sir H.M. Elliot regards it improbable for the whole tribe of Gaur to have not only left their native Seats but to have crossed through the country of the Kanoujias and dwelt on the other side of them".

IV. Findings

6. It is the finding of the Bench that a social group or community the traditional occupation of which is priestly activities is not considered inferior or lowly in terms of the caste system prevalent in the country. Thus the traditional occupation of this community does not justify its inclusion in the list of Backward Classes. It is not merely that the community is of professional priests, but their social status in society is indicated by the reference of Munshi Hardyal Singh^{3/6/3} as forming the "fountain head" of the numerous Brahmin communities. Further their level of representation in the Government services particularly in the higher categories, as furnished by the community itself, is also high and is not an indicator of social backwardness. Their admitted literacy percentage is also more than 50 % higher than the average literacy rate of the State. This indicates that the community is educationally advanced.

7. From the above evidence, including the data furnished by the representatives of the community themselves, it is the Finding of the Bench that Gaur Brahman is not a Socially or educationally Backward Class. It is clearly a socially and educationally advanced Class. The inclusion of such Castes/Communities in the list of Backward Classes is not

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only counter to facts and social realities, but also deprives the classes which are genuinely Socially Backward of their due and thus seriously distorts the Constitutional and National Policy on Backward Classes. The inclusion of such Advanced castes/communities in the list of Backward Classes also would confer on them an un-constitutional and un-conscionable 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 "Gaur Brahman" caste/community in the Central List of Backward Classes for Rajasthan should be rejected.

Lavtej Singh

P. S. Verma
10.12.97

P. S. Verma
P. S. VERMA
Secretary
Commission
Classes

V Advice of the Commission

7. 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, 1993:-

The Request for Inclusion of "Gaur Brahman" caste in the Central List of Backward Classes for Rajasthan be rejected as it is not a Socially or educationally Backward Class.

Sanjay Kumar
10-12-97

Vidya Prakash S.
15-12-97

P. S. Krishna
10-12-97

Rohayen
16-11-97

P. de. Singh Chief Executive
17/12/97

P. S. Krishna
P. S. KRISHNAN
Secretary
Commission
for