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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 19/97

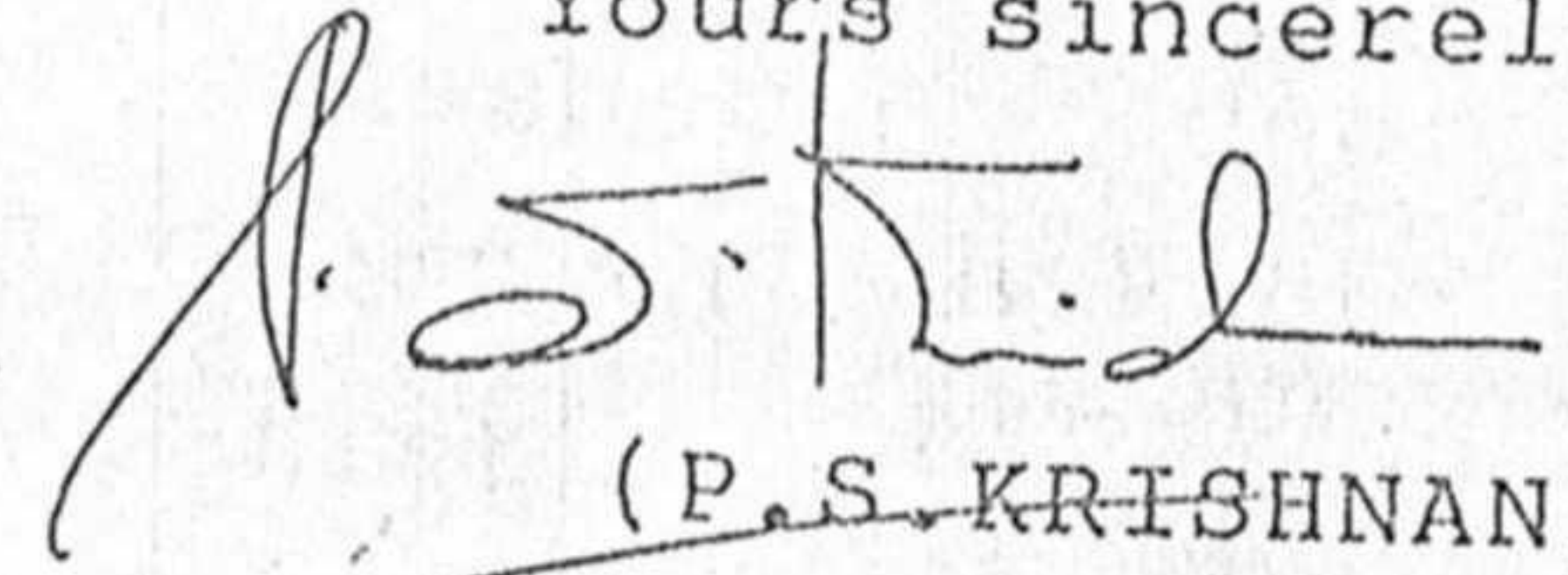
17. 12. 1997

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 Inclusion of the Request for Inclusion of "Chungar" 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)

Encl: As stated

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

NCBC/ Advice No. 19/97/Raj.
National Commission for Backward Classes
Rajasthan Bench

FINDINGS

Per Shri P.S. Krishnan, Member-Secretary

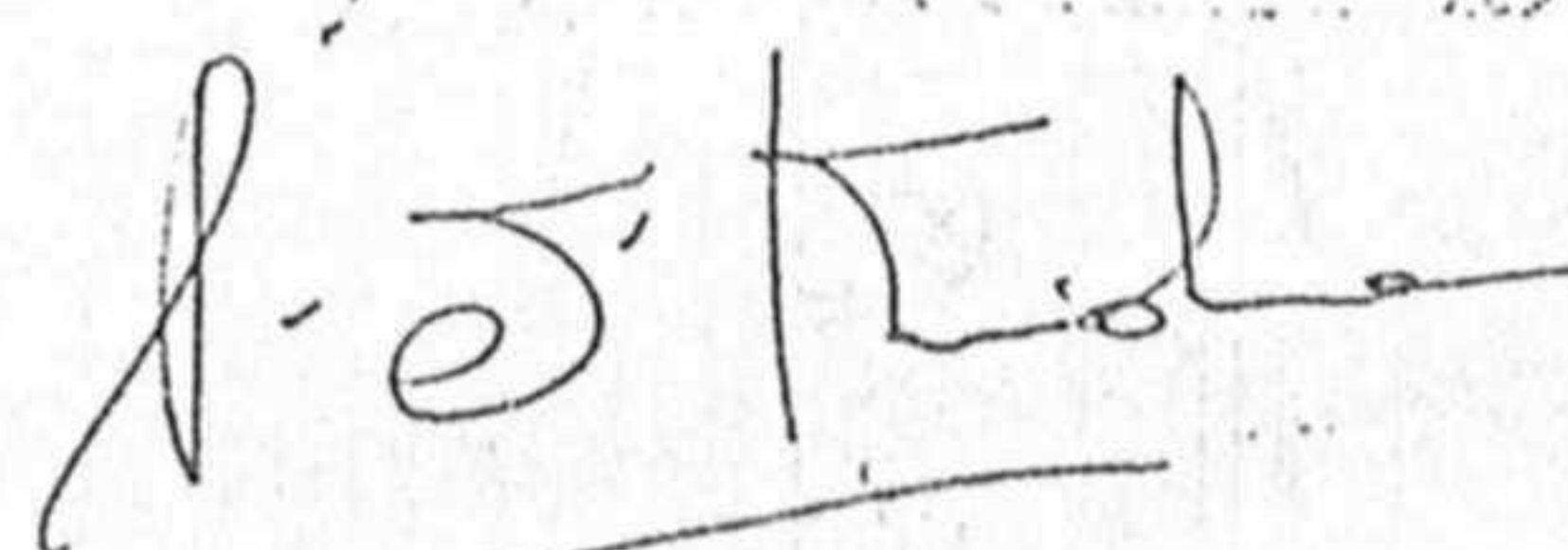
Case: Request for Inclusion of "Chungar" in the Central List of Backward Classes for Rajasthan.

I. Request

This case arises from the Request received in this Commission from Shri Israr Hasan Kadari, Kassaban, near Karbala, Bikaner and from Shri Siraj Ahmed Choongar, Bikaner for the Inclusion of "Chungar" in the Central List of Backward Classes for Rajasthan. The NCBC's Questionnaire was filled up by Shri Siraj Ahmed Choongar, Bikaner.

II. Public Hearing

2. The two-Member Rajasthan Bench of the Commission, consisting of Shri P.S. Krishnan, Hon'ble Member-Secretary, NCBC and Shri Navtej Puadhi, Hon'ble Member, NCBC held a Public Hearing at Jaipur on 31.5.1997 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 Haji Mohd. Yunus, Smt. Aneerja Begum, Shri Ziaudeen, Ms Hameeda Begum and Shri Siraj Ahmed Choongar.

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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 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 of Backward Classes which was notified by the State Government on 6.8.1994. "Chungar" 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 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. In the NCBC's Questionnaire furnished on behalf of the community it is stated that the traditional occupation of the community is "lime-burning". Since the members of the community rummage through the garbages of towns for collecting ignitable materials for use in lime-burning, they are generally considered very unclean by the society and nobody drinks water from their houses. The meaning of "Chungar" itself is "those who burn lime". The members of the community are followers of Islam. Due to the spread of lime-industry, their traditional occupation is in the decline and consequently unemployment among the members of the community is rampant. Many have been forced to move over to rag-picking.

NOTIFIED

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Notified

5. During the Public Hearing the representatives of the community said that the community is spread all over the State and there are large concentrations of Chungar families in Bikaner city, where they live in Mohallas. They said that their community is Socially and Educationally very backward and therefore should be included in the Central List of Backward Classes for Rajasthan. Those present during the Public Hearing who were from different sections of Society said that they are aware of this community and confirmed that the community is generally regarded as backward. It was also confirmed by all present at the Public Hearing that Chungar is a caste or caste-like community and that a Muslim can be a Chungar only by birth. Any other Muslim who takes to lime-burning as an occupation will not be called Chungar. Any person born in a Chungar family, even if he/she takes to some other occupation, will continue to be called a Chungar. There are no marital relations between Chungar and other social groups who follow Islam as a religion. They not only did not object to the inclusion of "Chungar" in the Central List of Backward Classes for Rajasthan but also supported it. The State Government representatives said that the Request for inclusion of this caste/community is pending with the State Commission for Backward Classes.

6. The existence of "Chungar" caste/community in Rajasthan is attested to by the book "People of India, National Series, Vol.III" [General Editor K.S.Singh, published by Oxford University Press, Delhi, Bombay, Calcutta, Madras, 1996 on behalf of Anthropological Survey of India], in "Appendix A" titled "A Consolidated List of Communities from the Censuses (1881-1941

15/11/2011
T. S. Singh
Secretary
Commission for Backward Classes
Rajasthan

and 1981) and Other Sources and their Distribution", citing the Census of 1931 and giving its earlier distribution as "Bikaner State, Rajasthan Agency", and its present distribution as "Rajasthan: Bikaner".

IV. Findings

7. From the above evidence, it is the Finding of the Bench that "Chungar" is a Socially Backward Class. It falls under the Fast-Track category as it is covered by guidelines 2(e) of the NCBC's "Guidelines for Consideration of Requests for Inclusion and complaints of under-Inclusion in the Central List of Backward Classes" and also by para 7 of the procedural clarification on the Guidelines. "Chungar" should therefore be included in the Central List of Backward Classes for Rajasthan at entry no. 57 as follows:-

"57. Chungar"

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10.12.97

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10.12.97

AUTHENTICATED

[Signature]

P. S. PRITHIVAN
Member
National Commission
for Backward Classes

Advice of the Commission

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 in terms of Section 9(1) of the NCBC Act, 1993, for necessary action by the Central Government under Section 9(2) of the Act:-

"Chungar" be included in the Central List of Backward Classes for Rajasthan at entry no. 57. as follows:-

"57. Chungar"

L. S. Krishnan
10.12.97

L. S. Krishnan
10.12.97

Kshayam
16.11.97

L. S. Krishnan
15.12.97

M. S. Krishnan
17/12

AUTHENTICATED

L. S. Krishnan
P. S. KRISHNAN
Member
National Commission
for Backward Classes