



आमदार
विधानपरिषद सदस्य



सत्यमेव जयते

हरिभाऊ राठोड
आमदार (MLC)

माजी आमदार

लोक सभा

मोबाईल : ९९२०७१६९९९

टेली फॅक्स : ०२२ २५६८६६९९

To,
Hon'ble Justice Rohiniji,
Chairman, Commission for making enquiry for
sub-Division of Other Backward Castes
Vigyan Bhavan
New Delhi

Date:- 06/11/2017

Respected Madam,

The Central Cabinet has recently taken a decision on 23/8/2017 to divide 27% reservation of O.B.C. (Other backward castes). The D.N.Ts, (De Notified Tribes/Nomadic Tribes), and extremely backward classes have earlier remained deprived of benefits. They have not got the benefits of reservations for O.B.C. till now. Now they will get the benefits of reservations for O.B.C. because of decision of division of reservations for O.B.C. A commission has been constituted for division of reservations for O.B.C. This commission shall submit its report within three months of the date of appointment of its Chairman. The commission shall be known as "Commission for enquiry of sub categorization of other backward classes". This commission shall recommend sub-categorization of other backward classes into categories like extremely backward classes, D.N.Ts, (De Notified Tribes)/ Nomadic Tribes and people engaged in traditional occupations. Regarding the issue of granting 27% reservation, in the matter of Indra Sahany vs. Govt. of India, Hon. Supreme Court in its decision dated 16/11/1992 has observed that, there is no legal bar for dividing the reservation for O.B.C., such division of reservation can be done. Till now, separate reservation has been granted to D.N.Ts, (De Notified Tribes) Nomadic Tribes in the state of Andhra Pradesh, Telangana, Pondicherry, Haryana, Zarkhand, West Bengal, Bihar, Tamilnadu, and Maharashtra. We had made this demand for the first time 20 years ago on 9/8/1997 in our "Bombabomb" (Shouting agitation) agitation. Our demand is as per the decision of Hon. Supreme Court and the dissent note of Shri L. R. Nayak attached to the report of Mandal commission. Since then, we have fought for this issue for 20 years. The beginning of this fight was done by the blessings of Shri Gopinath Munde of BJP.

Shri L.R.Naik had submitted his views in his dissent note about 38 years ago with passion. Though late, at least now his views have been recollected. This is a very important matter and shall have long term impact from the point of view of giving social justice to the deprived classes. Justice V. Ishwarriya, of National Backward Class Commission had submitted a report stating that the O.B.Cs should be divided in three categories. I am of the opinion that despite the fact that there are similarities in the castes and classes included in the castes and classes included in the O.B.C, all castes and classes are not on same educational and social level. There are many castes and classes included in the O.B.C which are very backward socially and economically and are not able to mix and mingle with general public. Their educational and social backwardness is the reason for this. I have no doubts that if these tribes are given appropriate motivation or opportunity, today or tomorrow they will mingle and mix with the general public. We can call such classes as "Depressed backward classes".



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These shall be different than "Middle class tribes in backward classes". The "Depressed backward classes" will require lot of more time for developing and getting more knowledge because they are stuck up in too much backwardness. Efforts must be made for them on national level and the efforts must reach to them in large proportion. This must be done tactfully. These people should be separated from the main list and should form a separate group. So that a healthy competition shall start between similar classes or classes which are similar to a large extent and there shall not be any competition among classes which are not similar to each other. For this purpose, the other tribes in the O.B.C. should constitute a separate group. In view of the interest of the nation, this is essential.

Our suggestion is as under:-

- 1) The uneven distribution of benefits of reservations obtained by various classes of groups included in other backward classes should be examined. This examination should be made on the basis of castes of successful candidates in UPSC examinations like IAS, IPS, IFS, IRS and other examinations. The states to which they belong also should be examined.
- 2) Following data should be obtained from the Human Resources departments of offices of both houses of parliament, offices located in Krishi Bhavan, Rail Bhavan, Vigyanbhavan, Parivahanbhavan, Income Tax Department, Neeti Ayaog, Shashtribhavan, etc. (1) How many posts are there in these offices (2) Out of these, how many are of Class-I, Class-II, Class-III, Class-IV (3) Out of these employees, how many belong to SC/ST/OBC/Open Categories. (4) Within the OBC category the employees belong to which castes. This data may please be provided.
- 3) The sub-categorization of the O.B.C should be made on scientific basis and by scientific manner. Hence we suggest that the reservation provided to OBCs should be sub-divided in seven categories as under and the allotment of 27% reservation should be done on the basis of their population. The sub- categorization of the O.B.C. included in the Central List should be made state wise and in seven categories:-

- 1) De-Notified tribes
- 2) Nomadic Tribes
- 3) Semi-Nomadic Tribes
- 4) People engaged in traditional Occupations
- 5) Minority backward castes
- 6) Extremely Backward classes
- 7) Backward classes



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Clarification:-

- 1) De-Notified tribes:-These are the castes declared by the British Government as criminals.
 - 2) Nomadic Tribes:- These are the castes who always wander from place to place for their livelihood. They are of wandering nature.
 - 3) Semi-Nomadic Tribes:-These are the castes that go out of their houses for 4-6 months and return back afterwards. Shepherds, Pal, Gaderia and fishermen belong to these categories.
 - 4) People engaged in traditional Occupations:-The people like barber, tailor, potter, iron-smith; Prajapati,/kumbhahar Badhai sutar/carpenter, Oil-man, gardner, Saidi/mali, goldsmith etc belong to this category.
 - 5) Minority backward castes:-These are the castes included in the Central OBC list. These include Muslim, Christen, Sikh and related castes. These are required to be included in this category because these are included in the Central OBC list.
 - 6) Extremely Backward classes:- These are the castes which do not come under any one of the above five categories and also under the seventh category. Such castes should be found from the social justice department of each state and should be included in this category.
 - 7) Backward classes:- The castes which cannot find place in any one of the above six categories should be included in this class.
- 1) The Government of India has enacted a law and has done caste wise census. The 27% reservation should be allotted on the basis these figures.
 - 2) This information shall certainly prove to be useful for following scientific basis and laying down proper criteria and standards.
 - 3) The data regarding identification of concerned castes, sub-castes and groups included in Central list and classification of such castes, sub-castes and groups in concerted categories should be obtained from the states. It is also true that many sub-castes are known by different names, i.e they are synonymous, the but their main caste is same, but they are included in the sub-castes.

We have very carefully and deeply seen and thought about these issues. We have also discussed these matters with main leaders of various castes working on social level and only after this, we are making this demand that if the Commission thinks it fit, it can call us for a hearing and if the Commission need our services, we are ready to render these services to the Commission.

Haribhau Rathod

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