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PREFACE

A great secular country on the world map is known by different names like 'India', 'Bharat', 'Hindustan', 'Jambu Deepay Bharat Khandey'. The land of this country is also called as 'Dev Bhoomi'. Its history is ancient and this land gave birth to great Saints, Scholars, Reformers, and Artisans etc. This country conveyed the message of 'co-existence', all over the world. The sword of 'non-violence' used by Mahatma Gandhi 'The Father of the Nation' to get India free from British Rule is praised all over the world. History is the witness that its rich heritage and hard labour of the people of this country had made this country as '**Sone ki Chiriya**' which attracted the invaders to rob/ruin and to rule over this country. This country was divided in small states having Rulers of different castes and religions; and due to their personal enmities, they fought among themselves. The invaders took advantage of the situation and succeeded in robbing the country, and caused destruction and devastation a number of times. Besides, it was ruled over by the people of other religions for a number of centuries.

This holy country gave birth to world renowned Saints, Politicians, Social Reformers and Scientists who conveyed messages of 'Co-existence', 'Tolerance' and 'Brotherhood' to the world. It is astonishing that evils like casteism and untouchability got roots in this society. The scheme of Varnashram is considered as the main basis of caste system. The rank of caste is measured in terms of the broad divisions of the Varna, such as, Brahmins, Kshatriya, Vaishya and Shudra. With increasing role of different castes in the society, the four Varna multiplied resulting into hundreds of castes and sub-castes. Each caste/sub-caste evolved its own rules and regulations. Besides, caste endogamy and clan exogamy which governed connubial and commensal relations, yajmani system regulated economic activities in terms of patron and clients. Varnas transformed into castes and the later formed rigid hierarchy. When sociologists talk about the caste system they tend to discuss it as a form of social stratification or as a system of social inequality. Louis Dumont, while analyzing caste system, drew a distinction between 'hierarchy' and 'stratification'. For him, "caste is an expression of hierarchy – a consciously organized principle, whereas stratification refers to layers which are constructed on the basis of a set of criteria. Some of the non-caste based religions attracted the caste-based Hindus to adopt their religion and they were successful in converting a large number of people into their religions. Further-more, the invaders who had casteless society, could not remain unaffected by casteism prevalent in India. So casteism is not only prevalent but is also deep rooted in India. **Every citizen born in India is born into a particular caste, so while recognizing backward sections of society, because one of the most important basis of its recognition.** There are two essential characteristics of Indian Society. The first, status is determined by achievements and second is based on ascriptions. The second has prevailed over the first, hence the demand for reservations by the lower and deprived castes. The hegemony enjoyed by the higher caste based on their birth can be challenged by way of protective discrimination. Caste based reservation amounts to an attack on the rigid and fixed caste based distributions of resources and opportunities. The principles of equality and hierarchy are one of the most constraining facts of our political and social life. Adult franchise, election policies of protective discriminations, participation in body polity, growth and development have brought about a considerable level of equality. On the contrary, there are impediments or un-freedom as Amartya Sen discusses with regard to poverty, employment, ignorance, illiteracy and gender discrimination. How to overcome these impediments? One way is to transform growth into distributive justice for the backward sections of the society. The other mechanism is to put a check on the better off people in regard to access to the societal resources, and make available the same to the deprived ones. Some of the castes/sections suffer from social disabilities of various kinds and are so weak that they are not in a position to take equal advantage of the opportunities as compared to educationally and socially stronger castes. Caste is a clearly recognized social yard-stick which can be used as a device to identify socially and educationally backward classes. Articles 15 (4) and 16 (4) of the Constitution of India specifically provide for reservation in educational institutions and Government services for socially and educationally backward classes and Article 46 also directs the State to promote educational and economic interests of weaker sections and to protect them from social injustice and exploitation.

Haryana is no exception. So while recognizing backwardness, this Commission feels that caste, though not the sole factor is one of the most important factors. In addition to this, social status, educational and economic conditions are other factors in recognition of Backward Classes. Therefore all these factors need to be taken notice of.

HISTORY OF BACKWARD CLASSES MOVEMENT IN HARYANA

Haryana was carved out of Punjab (Virtually East Punjab) on 1st November, 1966. East Punjab itself came into existence as a result of partition of Punjab between India and Pakistan in August, 1947. It has been a part of the kuru region in North India. The name Haryana is mentioned in the 12th century AD by the Apabhramsha writer Vibudh Shridhar (VS 1189-1230). It is bordered by Punjab and Himachal Pradesh to the North, and by Rajasthan to the West and South. The river Yamuna defines its Eastern border with Uttarakhand and Uttar Pradesh. Haryana also surrounds Delhi on three sides, forming the northern, western and southern borders of Delhi. Consequently, a large area of Haryana is included in the National Capital Region, the capital of which is Delhi and is administered as a union territory.

The south west of the Haryana is dry sandy and barren. The natural boundaries are: the Shivalik Hills in the north, River Yamuna in the east and river Ghaggar in the west. The south western boundary is provided by the range of Aravalli hills, which runs through southern Delhi and the Gurgaon district up to Alwar. There are some high ridges running from the north-west to south-east with numerous spurs branching out in all directions. These hills are known as the Morni and Tipra ranges which belong to the outer ranges of the Himalayas.

The Treatise written by Manu, the lawgiver in Indian mythology, designated Haryana as Brahmavart from where the Brahmanical religion and social system grew up and spread outwards to the rest of the country. In a sense, therefore, one can say that much of the Hindu religion and society was formed on the flat, dry plains of the present-day Haryana.

In the epic of the Mahabharata, it was at Kurukshetra, during a battle between that Kaurava and Pandava, that Lord Krishna delivered one of his most important messages through the celestial sermon-the Gita.

With Delhi as the prize awaiting generations of invaders, Haryana served as a sort of a geographical corridor. Over the centuries, waves of invaders poured across the plains of Haryana, sometimes fighting battles there. At the end of the 14th Century, Timur led an army through the State towards Delhi. In 1526, the invading Mughals defeated the armies of the ruling Lodi dynasty at the Battle of Panipat and 30 years later, in 1556, the Mughals won yet another decisive battle there.

By the mid-18th century, the Marathas were in control of Aryans, an era that was brought to an end after the Afghans under Ahmed Shah Abdali defeated the Maratha forces in the third battle of Panipat in 1761.

Punjab lay in between Khaibar pass and Delhi. In old times almost all invaders used to pass through the State and every time, they caused destruction and devastation. But in the beginning of this century, it was disturbed not due to any foreign invasion but due to internal conditions. Western and middle regions of Punjab were predominantly populated by Muslims under "The Muslim League" were bent on getting Pakistan and in reaction many Sikhs under Akali's influence, were demanding a separate Sikh Home Land. The Nationalist Sikhs and Hindus were perturbed by these separatist demands. Southern Punjab was populated by Hindus who were stunned to hear the Muslim League's demand of getting Pakistan upto Delhi. They feared horrible killings, ruthless lootings and thoughtless destructions as an aftermath of partition. In such surcharged conditions, there was no scope of the emergence of any socio-economic movement.

Punjab was situated in the basin of Rivers Ganga, Sindhu and their tributaries and as a result was one of the most fertile tracts on the globe. But Southern Punjab (now Haryana) was quite different. It was dry and dusty, rains were scanty and irrigation facilities were negligible. It was, most of the time in the grip of droughts. The people had to struggle hard for their livelihood. Poverty and illiteracy were rampant and hence birth of any movement for social upliftment was unthinkable.

Earlier Haryana had its social and cultural identity in conjunction with adjoining states of Punjab and Himachal Pradesh as the three formed the former state of Punjab. After the formation of Haryana state it is no more the harbinger of sleepy and motley traditions that were considered its dominant features. Haryana has carved out its own identity based on its trajectory of socio-cultural tradition continues to haunt its socio-cultural fabric and development process.

It is often stated that Haryana lags behind in Social cultural domains. The peasant community comprises Jats, Ahirs, Gujjars, Rajputs, Rors and Bishnois having agriculture as the main stay of their livelihood. The Punjabi and Sikh settled down in this region after the partition. The Meos

settled down in Haryana during the medieval period. Such a social fabric of the state speaks of its diversity and also unity, as historically evidenced through peace and harmony.

The aspirations of the people to have a justifiable distributive share in the development processes and resources of the state are reflected in the demands for education, employment and infrastructure.

Culture of Punjab was a unique one. In Southern States the society was sharply divided between Brahmans and non-Brahmans, where Brahmans had secured a monopoly in services, resourced and the mediatory farming castes and artisans were oppressed, suppressed and depressed. So the latter joined hands together to end the monopoly of Brahmans. In Northern India, Varna theory was practiced. The upper castes of Brahmans, Kayasthas, Bhumihars, Rajputs and Banias had cornered away all the resources and services. So the mediatory farming castes organized a massive and effective movement of farmers and artisans. As in Bihar and UP, the farming castes of Ahirs, Jats, Gujjars, Kurmies and Lodha led the movement of Backwards. But in Punjab, of which Haryana was a part, the society was comprised of Muslims, Sikhs and Hindus. The Muslims never recognized casteism. The barriers of casteism were very weak in Sikhism. Only Hindus were rigid on casteism. But in the later half of the last century they were very much influenced by the teachings of Arya Samaj. As a result, caste factors were very much weakened. So cleavage of the society in upper and lower castes was not wide enough to make them stand against each other.

In Punjab, unlike in other States, there were no big Zamindaries. There were, of course, some Muslim and Bania Zamindars but the land owned by them was only a small fraction of the total cultivable land. Major portion of it was owned by mediatory farming castes such as Jats, Ahirs, Gujjars, Rors and Sainies. Hence there was no chance of a tenant's movement against landlords.

The British, in accordance with their policy of "Divide and Rule", had very judiciously divided the Punjabi society into Marshal and Non-Marshal Castes. Jats, Ahirs and Gujjars were clubbed together with Rajputs in the Marshal Castes category. All the remaining castes were declared non-Marshal and they were not recruited in Army. The Marshal castes were not only recruited in Army but also honoured by naming regiments after their caste names. So these farming castes were affected by superiority complex. They did not join hands with artisans and landless farmers in the way their counterparts had done in almost all states and mixing up with artisan castes was considered below their dignity. On the other hand they considered themselves akin to upper castes and generally joined with them to exploit the Backward Classes. So the movement of Backward Classes was not born till the fifties came.

Backward Classes movement in Southern Punjab i.e. Haryana was born in 1953 when Haryana Backward Classes Federation, Rohtak was floated. There were many caste associations before it, but those were working for getting their respective castes declared Brahmans or Rajputs. With the help of Charnas, Bhats and Pandas, they were trying to discover their links with some high caste Puranic Saint or King. They were not concerned with the upliftment of their castes by getting due share in services and resources. The Federation, for the first time, began in right earnest, awakening, educating and organizing the Backwards for a movement for their upliftment. The first generation leaders, though handicapped by paucity of funds, lack of skills and experience in organization and apathy of the Backward Classes, yet they did a laudable work. They took their message to half of Haryana. The Government, taking notice of their activities and rising discontent among Backward Classes, tried to assuage them in two ways. First it granted 2% reservation in jobs and admissions in 1954 and secondly Congress allotted five tickets to the Other Backward Classes candidates in 1967 Assembly elections.

The baton of relay race was taken by the leaders of the second generation. They accelerated the speed by increased activities and during seventies they were successful in getting some demands fulfilled. In 1968, the first M.L.A. of Other Backward Classes entered the Haryana Vidhan Sabha and again in 1977 five MLAs of Other Backward Classes were returned. Two of them got ministerial berths. The Government increased the reservation quota to 5% in 1978 and then to 10% in 1979. To provide funds to Backward Class artisans, a Nigam was also constituted in the year 1980.

The movement had slowed down after 1980 and it remained so till 1985. In 1982 elections, only two MLAs of these classes were elected. But in 1985, it again gained momentum. The Government enacted legislation for provision of one Backward Classes Numberdar and one Panch in each village and panchayat respectively. In 1987 elections, again five MLAs entered the Vidhan Sabha and every one of them was given a Ministerial seat at different intervals. In 1991 elections,

only two MLAs were elected from the Backward Classes. In 1990, the Central Government accepted the recommendations of 27% reservation in jobs and admissions. There was a violent and virulent agitation against this order. As there was no Pro-Mandal movement so the Government did not implement the decision. A stay was granted by the Hon'ble Supreme Court and reservation could not be given till 1993.

It is not only the partition of India that witnessed various communities migrating to Haryana but even during the medieval times, a large number of Muslims namely Meos migrated from elsewhere and settled in Haryana. Punjabis who migrated to Haryana from erstwhile Punjab were mostly Khatri and Aroras. These Punjabis came from East Pakistan. It is reported that the Punjabis who came from Jhang and Multan region of Pakistan can be identified as distinct cultural groups. The Anthropological Survey of India (ASI) has identified 82 communities in Haryana and has pointed out that most of them have migrated in Haryana at different points of time. The stories of 37 communities about migration are recalled in old traditions of the region (K.S. Singh: 1994 Page – XIV). Alluding to the socio-cultural features of different communities in Haryana, the survey conducted by the ASI has also pointed out that sixteen languages are spoken by them. According to 1991 Census, Hindi is spoken by 91%, Punjabi by 7.11% and Urdu by 1.5% of the people. There is a significant number of people who are bilingual and multi-lingual. So far as religion is concerned, six religious groups are reported to have their presence in Haryana, with a numerical preponderance of Hindus population in the state.

The social division in Haryana is demonstrated by various endogamous caste groups. The exogamous category locally termed as gotra or got is considered the most popular social division and nearly 80% of its communities consider it to be the most common attributes. The social division that considered hierarchy to be important criteria is followed by about 44% of communities. The hierarchical divisions existing among such communities often become the basis of regulating marriage. Sagotra marriage and marriage within the village is considered violations of norms. The norms of avoidance consider avoiding marriage into father's, mother's and grand-mother's gotra.

Among the communities surveyed by ASI, it was found that there was a tendency to claim Kshatriya status (48.78) by the communities who were placed low in regional social hierarchy. A high incidence of levirate (84.15%) against the national average (of 14.01) was reported. The notion of village exogamy was also adhered to. It is also observed as all persons living in the village are considered to have fictive kinship relations that is inter and intra caste brotherhood. Thus, the village had earlier the pattern of unigotra settlement (K.S. Singh 1994: XVII). In contemporary times, however, there is a greater degree of shift and migration of people due to which unigotra pattern of settlement has undergone substantial change. The villages have acquired multi-gotra character due to which there are villages where as many as dozen gotras are found living in a single village. The demographic composition of the village has become quite diverse. The number of people living in a village have also increased multifold. In fact 2001 Census shows that there are 97 villages in Haryana which have a population of more than ten thousand. It is reported that in Meham Tehsil of Rohtak district there are villages reported to have more than twenty thousand people. In such a situation it becomes difficult to follow strictly the rules of gotra and village exogamy.

The irony is that the traditional panchayats at times take a rigid stand on the violation of traditional sanctions especially when there is a non adherence to the rules of gotra and village exogamy. It is also pointed out that the rules of gotra and village exogamy are not strictly adhered to in all the ethno cultural regions. For example, the extreme incidence of honour killings and disputes has occurred in Khadar and Ahirwal regions more than other cultural regions of Haryana.

During the year 2010, the Jat Community of Haryana which has been craving for the OBC status for the past many years and also despite the recommendations of the Gurnam Singh Commission, the Jat Community has not been included in the list of OBC. Due to intervention of the Judiciary, the Jats has adopted an agitational approach. The ongoing agitation of the Jats was causing loss to public property also inconvenience to the general public. The Government of Haryana constituted this Commission vide notification no.311SW (2) dated 8.4.2011 for entertaining, examining and recommending upon receiving requests of Jats, Jat Sikhs, Rors, Tyagis and Bishnois or any other caste(s) for inclusion in the list of other Backward Classes of the State, from time to time and hear complaints of over-inclusion or under-inclusion of any Backward Classes in such a list to redress their demand in a most justifiable way.

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Identification of Backwards

The Constitution of India grants some protection to Backward Classes, besides the Scheduled Castes and Scheduled Tribes. These are to be found amongst all religious sects Hindus, Muslims, Christians etc. The framers of the Indian Constitution were well aware about their miserable and apathetic living conditions, who have remained segregated from national and social currents and who have continued to be socially condemned and economically oppressed for centuries. Consonantly they resolved in the Preamble, to secure to all citizens justice—social, economic and political, equality of status and of opportunity and to promote among them all fraternity, assuring the dignity of the individual.

The State is empowered to make special provision for the advancement of any socially and educationally Backward Classes besides the Scheduled Castes and Scheduled Tribes. The State has power to lay down classifications or categories of persons from whom the recruitment is to be made and this classification has a reasonable nexus with the object, namely, a fair and just distribution of seats. It secures employment in public services in a just proportion to those who were handicapped and who, but for the preferential treatment given to them, could not stand a chance against those who were not so handicapped and were therefore in a superior position. To borrow the wordings of the Supreme Court (*In D.N.Chanchala v. State of Mysore AIR 1971, S.C 1762*), it is not unreasonable to extend the principle to those who were not in a position to make available to their children that class of education which would place them, in fair competition with the children of those who did not suffer from that disadvantage. Availability of reservation benefits to socially backward classes or economically backward classes may equalize opportunities for persons coming from different socio-economic backgrounds. Although, it cannot be gain-said that reservation of seats for classes of persons from disadvantageous backgrounds will in the long run significantly help to raise the educational, occupational and income levels of those classes of persons. Nevertheless the degree of inequality between the privileged and underprivileged, forward and backward classes of person should not be permitted to remain static.

In pre-independence era, the backward classes of persons, who were living in rural areas or in urban areas cared little for their lot but after independence, the efforts of Government as well as of enlightened and more prosperous sections of the society and the facilities provided for them, aroused in them, a desire to acquire higher status and to carve out a place for themselves in higher strata of society. In order to protect the interests of the Backward Classes, the Constitution apart from Article 340, provides that in the State of Bihar, Madhya Pradesh and Orissa there shall be a Minister-in-Charge of Tribal Welfare, who may in addition, be in-charge of the welfare of the Scheduled Castes and Backward Classes. Further the President of India has powers to appoint a Special-Officer for the Scheduled Castes and Scheduled Tribes. This Officer would have the authority to look after the interest of Backward Classes as provided in the Constitution. The Constitution also authorizes the Union Government to exercise control over the administration of Scheduled Areas and to promote the welfare of the Scheduled Tribes.

Determination of Backward Classes

The President under Article 341 of the Constitution is empowered to specify the castes, races or tribes or parts of or groups within castes, races or tribes which shall be deemed to be Scheduled Caste, by notification. Under Article 342 he may by public notification specify the tribes or tribal communities or parts of or groups within it, which shall be deemed to be Scheduled Tribes. There is no such parallel Article of the Constitution for the Backward Classes. "Scheduled Castes" and "Scheduled Tribes" respectively have been defined in sub-clauses (24) & (25) of Article 366 of the Constitution, but there is no clause defining Backward Classes of citizens. In fact, Backward Classes of citizens for whom special provision has been made are, by Article 15(4) itself, treated as being similar to the Scheduled Castes and Scheduled Tribes, which were defined and were known to be backward and for whom it was felt that special provision should be made for their advancement. There were other classes of citizens, as well, who were equally or may be somewhat less backward than the Scheduled Castes and Scheduled Tribes and it was thought that some special provision be made for their advancement as well. Article 15(4) and 16(4) of the Constitution are meant for that purpose.

It is the State-responsibility to take effective steps for the upliftment of Backward Classes of citizens, socially, educationally and economically. Backwardness may be expressed in lack of adequate opportunity for group or individual self-development, especially in economic life and in matters of health, housing and education. It may be measured in terms of low level of income, the extent of illiteracy and the low standard of life demonstrated by living conditions. The State is enjoined to promote with special care the educational and economic interests of the weaker sections of the people and shall protect them from special injustice and all forms of exploitation. Given the great distance that the Scheduled Castes, Scheduled Tribes and other Backward Classes of citizens have yet to travel, before they are fairly represented in the public services, more than a simple concern for them will be needed.

However, no definite standard has been laid down by the framers of the Constitution to define 'Backward Classes'. In the Constituent Assembly, during the general discussion, the use of the word "backward" proved controversial. Some members supported its omission on the ground that the scope of the word was likely to be misconstrued by the State, thereby adversely affecting the claims of minority groups for adequate representation in the services. One member pointed out that in Madras the word 'backward' bore a definite and technical meaning, according to which more than a hundred and fifty communities, all belonging to the majority community, came under this label and with the addition of the Scheduled Castes, decidedly constituted the majority of the whole population of the Province. He apprehended, if that was the meaning of the word "backward", the backward classes in the minority communities such as the Christians and Muslims would be totally excluded from the purview of the clause. On the other hand, members belonging to the Scheduled Castes and Scheduled Tribes expressed their apprehension regarding the scope of the word "backward" and pressed for a clarification that the word "backward" might apply only to them. They in fact submitted that words "Backward-Classes" be substituted by words "Scheduled Castes" or "depressed classes" or words "Scheduled Castes" added after words "Backward Classes".

K.M. Munshi replying to various criticisms leveled against the Draft Article argued that what we want to secure by this clause is to achieve the highest efficiency in services of the State. "At the same time in view of the conditions in our country prevailing in several Provinces, we want to see that Backward Classes, classes who are really backward should be given scope in State services,..... the word 'backward' signifies that class of people—does not matter whether you call them untouchables or touchables, belonging to this community or that—a class of people who are so backward that special protection is required for them in the services...

It appears that the term has not been specified in the Constitution, as not much information was available about them at the time of framing of the Constitution. In fact no uniform or single nomenclature has been used in the Constitution to denote backward classes e.g. Articles 15(4) and 340 use the expression 'socially and educationally backward classes', Article 16(4) uses 'backward classes' simpliciter, whereas in Article 46 the term used is 'weaker sections of the people'. As such it is one of the difficult problems to define the term 'backward classes' for the purposes of the Constitution. No indisputable yardstick is there. The task is extremely difficult as Dr. Jain (Dr. Jain, M.P Indian Constitutional Law (Second Edition, Reprint 1974) p.686) aptly remarks that for the

present each State defines backwardness in its own way and in this, political expediency plays its own role.

Many communities desire to be characterized as backward because of the facilities of admission and services which are available to such classes and they thus bring all their political influence to bear upon the Government for being recognized as backward. When a class is designated as backward, then even rich and well educated members of the class claim the privileges available; the more unfortunate members of the class are excluded and thus is frustrated the basic objective of the Constitution, viz, amelioration of those who are really and factually weak and downtrodden. Moreover the danger is that the State, due to the ambiguity of the expression may abuse its power and permit, such reservation of seats to the socially and educationally backward classes, which may not be justified, keeping in view the needs and interests of all citizens of the nation. Such a situation may give rise to differences of opinion, after creating a suspicion in the mind that their interests are curtailed by allowing unjustified reservation of seats.

Since the term does not admit of a precise definition, its indiscriminate use is likely to create serious difficulties and grave injustice. The decision of *B.S. Kesava v. State of Mysore (AIR 1956 Mys.20)* may be cited here. The Government Order of Mysore State which declared every community except the Brahmins, as backward, was held, constitutionally valid. It appears that the Mysore High Court was strictly construing Miller's Committee Report, according to which all communities except the Brahmins, were backwards. Their Lordship went to the extent of observing that for ten appointments to be filled up, if there are candidates belonging to the backward classes of citizens, who in the opinion of the state are inadequately represented in the service, it will not be wrong for the State to allot all the appointments to these communities under the backward classes of citizens. A member belonging to a class, which is well represented in a particular service cannot have and should not have any grievance as against, such appointments. It appears that the decision has travelled far, from the ends of justice.

Then how to devise positive and workable criteria to identify backward classes? How to evolve a yardstick for the purpose? Attempts have been made in two directions, first, through the efforts of various commissions constituted for the purpose and secondly, through the judicial attempts i.e. where the judiciary had tried to define backward classes and made efforts to identify them.

Presidents Power to Constitute Commission

Article 340 of the Constitution states that the President may by order, appoint a commission, consisting of such person as he thinks fit, to investigate the conditions of socially and educationally backward classes, within the territory of India and the difficulties under which they labour and to make recommendations as to the steps that should be taken by the Union or any State to remove such difficulties and to improve their condition and as to the grants that should be made for the purpose by the Union or any State, and the conditions, subject to which such grants should be made. A Commission so appointed shall investigate the matters referred to them and present to the President a report setting out the facts as found by them and making such recommendations as they think proper.

Central Backward Classes Commission

On January 29, 1953 the President appointed the Backward Classes Commission, by virtue of the above power conferred on him, under the Chairmanship of *Kaka Saheb Kalelkar*. The Commission made its report on March 30, 1955. It prepared a list, containing as many as two thousand three hundred and ninety nine Communities which were treated socially and educationally backward. Out of these communities nine hundred and thirteen alone had estimated population of one hundred and fifteen millions. It was realized that the problem of Backward Classes was essentially the problem of rural India. According to it the relevant factors to consider in classifying backward classes, would be their traditional occupation or profession, the percentage of literacy or the general educational advancement, made by them, the estimated population of the community and the distribution of the various communities throughout the State or their concentration in certain areas. The Commission also thought that the social position which a community occupies in the caste hierarchy, would also have to be considered as well as its representation in Government serviced or in the industrial sphere.

According to the Commission, the causes of education backwardness amongst the educationally and socially backward communities were:

- i. Traditional apathy for education, on account of social and environmental conditions or occupational handicaps.
- ii. Poverty and lack of educational institutions in rural areas.
- iii. Living in inaccessible areas.
- iv. Lack of adequate educational aids such as free studentships, scholarships and monetary grants.
- v. Lack of residential hostel facilities.
- vi. Unemployment among the educated which acts as a damper on the desire of the members to educate their children.
- vii. Defective educational system which does not train students for appropriate occupations and professions.

The report disclosed a considerable divergence of opinion among its members and the Commission failed to specify any easily discernible objective tests to define 'backwardness'. It appears that having considered several criteria relevant in determination of backward classes, it ultimately decided to treat the status of Caste as an important factor for that. And it is on that basis that the Commission proceeded to make a list of backward communities. The Central Government could not accept such criterion. It is important here to note that the Chairman of the Commission admitted a feeling of grave dissatisfaction with the approach adopted in the Report in determining the question as to which community could be regarded as backward. In fact the consciousness of the Commission in favour of caste as a criteria to determine the backwardness, gave him a rude shock and he concluded that the remedies suggested by the Commission were worse than the evil, it was out to fight. He suggested that "*if we eschew the principle of caste, it would be possible to help the extremely poor and deserving from all communities. Care however, having taken to give preference to those who come from the traditionally neglected social classes*" The Chairman thus expressed his distress in very strong language over the caste as the basis accepted by the Commission.

Approach of the Government

The Central Government apparently did not feel satisfied about the approach adopted by the Backward Classes Commission in determining as to who should be treated as backward classes. The Memorandum on the Report of the Commission issued by the Government of India points out that "it cannot be denied that the caste system is the greatest hindrance in the way of our progress towards an egalitarian society and the recognition of the specified castes as backward, may serve to maintain and even perpetuate the existing distinction on the basis of castes." Some of the tests applied by the Commission were vague tests more or less of an individual character and if they were accepted they would have encompassed a large majority of the country's population. Memorandum goes on to add that if the entire community, barring a few exceptions, has thus to be regarded as backward, the really needy would be swamped by the multitude and hardly receive any special attention or adequate assistance.

It emphasized that action on a systematic and elaborate basis can be proceeded with, only after the necessary positive test and criteria have been laid down for the determination of backward classes. To that end further investigation was indicated, so, that the deficiencies notified in the Commission's Report could be made good and the problem be solved within due regard to the requirement of Article 340. Instructions were issued by the Government of India to the State Governments requesting them to render every possible assistance and to give all reasonable facilities to the people who come within the category of backward classes, in accordance with their existing list and also to such others who, in their opinion, deserve in the existing circumstances, to be considered as socially and educationally backward. Further attempts by the Central Government to draw up a list of backward classes on an all-India basis did not meet with such of a success.

The report was neither discussed in Parliament nor accepted by the Government of India and remained only as the first national enquiry on the conditions of the socially and educationally backward classes.

On 20th December, 1978, the then Prime Minister Mr. Morarji Desai announced in the Lok Sabha that under provisions of Article 340 of the Constitution the Government has set up a Commission to probe the conditions of socially and educationally backward classes. The Commission was headed by Mr. B.P. Mandal, a Member of Parliament and included four other members. It was required to present its report not later than December 31, 1979. The terms of reference of the Commission were:-

- (1) To determine the criteria for defining the socially and educationally backward classes.
- (2) To recommend steps to be taken for the advancement of the socially and educationally backward classes of citizens so identified.
- (3) To examine the desirability or otherwise of making provision for the reservation of appointments of posts in favor of such backward classes of citizens, which are not adequately represented in the services of both the Central and the State Governments or Union Territory Administrations.
- (4) To present a report setting out the facts as found by them and making such recommendations as they think proper.

The summary of the Report submitted by Mandal Commission on 31.12.1980 reads as under :—

“Chapter I—The First Backward Classes Commission

The First Backward Classes Commission was set up on January 29th 1953 and it submitted its report on March 31st 1955. On the basis of criteria evolved by it, the Commission listed 2,399 castes as socially and educationally backward. It recommended various welfare measures for OBCs including reservation in Government services and educational institutions.

The Central Government did not accept the recommendations of the Commission on the ground that it had not applied any objective tests for identifying Backward Classes. Five out of 11 Members of the Commission had given notes of dissent. The Government felt that the Commission had classified a very large section of the population as backward and if special assistance had to be extended to all these people, “the really needy will be swamped by the multitude”. The Government was also opposed to the adoption of caste as one of the criterion for backwardness and preferred the application of economic tests.

As Article 340 of the Constitution speaks of “socially and educationally backward classes” the application of ‘economic tests’ for their identification seems to be misconceived.

Chapter II—Status of OBCs in Some States

It is for nearly 100 years that Provincial Government in India have been implementing special programmes for the welfare of depressed and backward classes. Madras Government took the lead by framing Grant-in Aid Code in 1885 to regulate financial aid to educational institutions for backward classes students. Mysore State was the next to follow and, by now, all the Southern States are implementing fairly comprehensive programmes for OBCs. As on date 16 States and 2 Union Territories are providing special assistance of varying degrees to Other Backward Classes. Ten State

Governments are doing so on the basis of recommendations made by Backward Classes Commission specially set up by them in this behalf and the others are doing in an ad hoc manner.

Special concessions like reservation of jobs in Government employment and seats in educational institutions; financial assistance; subsidized educational facilities, etc. are being given by several State Governments to OBCs. Southern States have done much more work in this connection as compared to the rest of the country. Karnataka has reserved 48% of all Government jobs for OBC candidates in addition to 18% for SCs and STs. In the case of Tamil Nadu, these figures stand 50% and 18% respectively.

Chapter III—Methodology and Data Base

One serious defect noticed by the Government in the report of first Backward Classes Commission was that it had not formulated any objective criteria for classifying Other Backward Classes. The need for field surveys and formulation of objective tests has also been repeatedly emphasized by the Supreme Court in several cases. In view of this, the Commission has taken special care to tap a number of independent sources for the collection of primary data. Some of the important measures taken in this connection were: seminar of sociologists on social backwardness; issue of three sets of questionnaires to State Governments Central Government and the public; extensive touring of the country by the Commission, taking evidence of legislators, eminent publicmen, sociologists, etc; undertaking a country-wide socio-educational survey; preparation of reports on some important issues by specialized agencies; analysis of census data, etc; etc.

By adopting this multilateral approach the Commission was able to cast its net far and wide and prepared a very firm and dependable data base for its Report.

Chapter IV—Social Backwardness and Caste

Castes are the building bricks of the Hindu social structure. They have kept Hindu society divided in a hierarchical order for centuries. This has resulted in a close linkage between the caste ranking of a person and his social, educational and economic status.

This manner of stratification of society gave the higher castes deep-rooted vested interests in the perpetuation of the system. The priestly castes evolved an elaborate and subtle scheme of scripture, ritual and mythology and perpetuate their supremacy and, hold the lower castes in bondage for ages. Most of our Shastras uphold the four-fold Varna system and, because of this religious sanction, caste system has lasted longer than most other social institutions based on inequality and inequity.

In view of the permanent stratification of society in hierarchical caste order, members of lower castes have always suffered from discrimination in all walks of life and this has resulted in their social, educational and economic backwardness. In India, therefore, the low ritual caste status of a person has a direct bearing on his social backwardness.

Chapter V—Social Dynamics of Castes

Caste system has been able to survive over the centuries because of its inherent resilience and its ability to adjust itself to the ever changing social reality. The traditional view of caste system, as contained in Chapter IV, is based more on Hindu Shastras than the actual state of social reality. Moreover, caste restrictions have loosened considerably as a result of the rule of law introduced by the British, urbanization, industrialization, spread of mass education and, above all, the introduction of adult franchise after independence. But all the above changes mark only shift of emphasis and not any material alteration in the basic structure of caste.

It is generally agreed that whereas certain caste taboos have weakened as a result of the above changes, the importance of casteism in Indian politics is on the increase. This perhaps, was inevitable. Caste system provided the political leadership with readymade channels of communication and mobilization and, in view of this, the importance of caste was bound to increase in Indian politics. As Rajni Kothari has observed, "those in India who complain of 'casteism' in politics are really looking for a sort of politics which has no basis in society."

The pace of social mobility is no doubt increasing and some traditional features of caste system have inevitably weakened. But what caste has lost on the ritual front, it has more than gained

on the political front. In view of this it will be unrealistic to assume that the institution of caste will wither away in the foreseeable future.

Chapter VI—Social Justice, Merit and Privilege

Equality before the law is a basic Fundamental Right guaranteed under Article 14 of the constitution. But the principle of 'equality' is a double edged weapon. It places the strong and the handicapped on the same footing in the race of life. It is a dictum of social justice that there is equality only among equals. To treat unequals as equal is to perpetuate inequality. The humaneness of a society is determined by the degree of protection it provides to its weaker, handicapped and less gifted members.

'Equality of opportunity' and 'equality of treatment' places the weak and the strong on par and to that extent; it amounts to denial of social justice. In fact, it is 'equality of results' which is the acid test of society's egalitarian pretensions. In a highly unequal society like ours, it is only by giving special protection and privileges to the under-privileged section of society that we can enable the weak to resist exploitation by the strong.

It was in view of these considerations that our Constitution makers made special provisions under Articles 15(4), 16(4) and 46 etc. to protect the interests of SCs, STs and OBCs. Some people consider provisions like reservation of posts for backward classes, etc. as a violation of their Fundamental Right and denial of meritorious person's legitimate due. In fact, 'merit' itself is largely a product of favourable environmental privileges and higher rating in an examination does not necessarily reflect higher intrinsic worth of the examinee. Children of socially and educationally backward parents coming from rural background cannot complete on an equal footing with children from well to do homes. In view of this 'merit' and 'equality' should be viewed in proper perspective and the element of privilege should be duly recognized and discounted for when 'unequals' are made to run the same race.

Chapter VII—Social Justice, Constitution and the Law

The element of conflict between the Fundamental Rights and the Directive Principles of State Policy has been the subject matter of numerous Parliamentary debates and judicial pronouncements. In pursuance of Articles 15(4) and 16(4) a number of State Governments made reservations in Government services and educational institutions for OBCs and several petitions were filed before the High Courts and the Supreme Court against such orders. Gradually in sizeable body of case law has grown on the subject and a gist of it is given below.

Caste is an important factor in the identification of Other Backward Classes among Hindu communities. Backwardness must be both social and educational and not either social or educational. Caste is also a class of citizens and if the caste as a whole is socially and educationally backward, reservation can be made in favour of such a caste on the ground that it is a socially and educationally backward class of citizens within the meaning of Article 15(4). The further division of backward classes into 'backward' and 'most backward' is not warranted by Article 15(5). The aggregate reservation of posts under Article 15(4) should be less than 50%. Objective criteria should be evolved on the basis of field survey, etc., for identifying OBCs.

Chapter VIII—North South Comparison of OBC Welfare

Southern States have done much more for the welfare of Other Backward Classes than Northern States. Moreover, in the South the whole operation was conducted quite smoothly whereas in the North even modest welfare measures for OBCs have given rise to sharp resistance. The Commission approached Tata Institute of Social Sciences, Bombay, to prepare a comparative study of the 4 States of Tamil Nadu, Karnataka, Bihar and Uttar Pradesh, so as to have better appreciation of this phenomenon.

Tata Institute Study formulated a number of hypotheses in this regard. They are : Reservation scheme had a much longer history in the South; forward castes were more divided among themselves in the South; OBCs were not getting along very well with SCs/STs in the North and thus divided the backward classes movement; backward classes were more politicized in the South; reservation scheme was introduced too suddenly in the North; the capacity of backward classes to retaliate depends upon their numbers, political consciousness, dominance and perceived

lack of alternative opportunities; more rapid expansion of tertiary sector gave opening to forward castes in the South which was not available to the same extent in the North, etc.

Chapter IX—Evidence by Central and State Governments

Two sets of questionnaires were circulated to all State Governments, Union Territories and Ministries and Departments of Central Government for eliciting information on various aspects of our inquiry. These questionnaires were designed to obtain a comparative picture of status of backward classes in various States, steps taken for their welfare, views of various Government agencies on the question of social and educational backwardness and any useful suggestions regarding the Commission's terms of reference.

Most of the State Governments favoured caste as an important criterion for determining social and educational backwardness. Some States preferred economic criteria and some a combination of caste and means test. Eighteen State Governments and Union Territories have taken special steps for the welfare of Other Backward Classes, though there is wide variation in the quantum of assistance provided by them. For instance, reservation in Government services for OBCs ranges from 50% in the case of Karnataka and Tamil Nadu and 5% in Punjab and nil in the case of Rajasthan, Orissa, Delhi, etc. Representation of OBCs in local bodies, State Public Service Commissions, High Courts, etc., is also negligible. Social discrimination is still practiced against OBCs. There are a number of castes and communities which are treated as untouchables though they have not been included in the list of Scheduled Castes. All the State Governments which have launched programmes for the welfare of backward classes have to fund the same from their own resources as no separate Plan allocation is made by the Centre for this purpose.

Most States have reported loss of employment by village artisans owing to the introduction of machines, change in consumption patterns, etc.

From the information supplied by the Central Government Ministries and Departments it is seen that Other Backward Classes constitute 12.55% of the total number of Government employees whereas their aggregate population is 52%. Their representation in Class I jobs is only 4.69%, i.e. less than 1/10th of their proportion to the country's total population.

Chapter X—Evidence by the Public

Nearly 2/3rd of the respondents to our questionnaire for General Public felt that no material changes have taken place in the country's caste structure since Independence. Regarding criterion for identifying backwardness, nearly 3/4th of the respondents favoured caste. More than 3/4th of the respondents also complained of various disabilities suffered by backward classes and many felt that no concrete steps have been taken to remove them. They wanted job reservation quotas to be enhanced and more educational concessions to be given to the children of OBC. Ameliorative measures suggested for OBCs were : reservation in Government employment and educational institutions; grant of interest free loans, free distribution of agricultural land and house sites; etc.

In their evidence before the Commission, Members of Sixth and Seventh Lok Sabha also expressed views similar to those summarized above. Some MPs warned against malicious propaganda being carried on by vested interests to create conflict between OBCs and SCs and STs. Some stated that the Commission should adopt those criteria for determining backwardness which have been tested before the Courts. They also suggested that the lists of OBCs prepared by State Governments and accepted by the courts, should be adopted by the Commission *in toto*.

During the Commission's tour to various States, a large number of representations were received for including particular castes in the list of OBCs. Most of the other respondents expressed similar views on the criteria for identifying backward classes and measures to be taken for their upliftment as already indicated above.

Chapter XI—Socio-Educational Field Survey—Criteria for Backwardness

A country-wide socio-educational survey covering 405 out of 407 Districts was conducted with the help of Bureau of Economics and Statistics of various states from February to June, 1980. Voluminous data gathered from the Survey was computerized and 31 primary tables were generated from this data in respect of each State and Union Territory. On the basis of these tables, 11 Indicators or Criteria for social and educational backwardness were derived and they were grouped under

3 broad heads, i.e. Social, Educational and Economic. In view of their relative importance, 3 points were assigned to each one of the Social Indicators, 2 to Educational Indicators and 1 to Economic Indicators. This added upto a total score of 22 points. All these 11 indicators were applied to each one of the castes covered by the Survey in each State. Castes obtaining a minimum score of 11 points on this scale were listed as socially and educationally backward.

Chapter XII—Identification of OBCs

A large number of castes were identified as backward in each State as a result of the Socio-Educational Survey. As this Survey covered only 2 villages and one urban block per District, a large number of Castes were naturally left out. Moreover, in some cases, the size of the sample was so small that the results were not dependable.

In view of this, two supplementary approaches were adopted to prepare complete lists of OBCs for each State. First, State-wise list of the 11 groups of primitive tribes, exterior castes, criminal tribes, etc. contained in the Registrar General of India's compilation of 1961 were culled and included in the Commission's lists of OBCs. This was done as the social and educational status of these castes and communities was more or less akin to Scheduled Castes and Scheduled Tribes. Secondly, based on the public evidence and personal knowledge of the Members of the Commission, State-wise list of those OBCs were drawn which could not be covered by the socio-educational survey.

It was as a result of this three pronged approach that State lists of OBCs (Volume-III) were prepared.

From the results of the field survey it was seen that some of the well-known OBCs which were also included in the lists of backward classes notified by various State Governments were not ranked as 'backward' in the survey. This is unavoidable in any sociological survey based on Statistical methods. Such aberrations were corrected in the light of the other field evidence available with the Commission.

The set of eleven Indicators (criteria), being caste-based, could not be applied to non-Hindu communities. In view of this, a separate set of 3 criteria was evolved for the identification of non-Hindu backward communities.

On the basis of the available census data, the population of Hindu and non-Hindu OBCs was estimated to be 52% of the total population of India. This is in addition to the population of Scheduled caste and Scheduled Tribes which amounts to 22.5%.

Chapter XIII--Recommendations

Reservation for SCs and STs is in proportion to their population, i.e. 22.5%. But as there is a legal obligation to keep reservations under Articles 15(4) and 16(4) of the Constitution below 50%, the Commission recommends reservations of 27% for OBCs. This reservation should apply to all Government services as well as technical and professional institutions, both in the Centre and the States.

Special educational facilities designed at upgrading the cultural environment of the students should be created in a phased manner in selected areas containing high concentration of OBCs. Special emphasis should be placed on vocational training. Separate coaching facilities should be provided in technical and professional institutions to OBC students to enable them to catch up with students from open quota.

Special programmes for upgrading the skills of village artisans should be prepared and subsidized loans from financial institutions granted to them for setting up small scale industries. To promote the participation of OBCs in the industrial and business life of the country, a separate network of financial and technical institutions should be created by all State Governments.

Under the existing scheme of production-relations, Backward Classes comprising mainly small land holders, tenants, agricultural labour, village artisans, etc., are heavily dependent on the rich peasantry for their sustenance. In view of this, OBCs continue to remain in mental and material bondage of the dominant castes and classes. Unless these production-relations are radically altered through structural changes and progressive land reforms implemented rigorously all over the country,

OBCs will never become truly independent. In view of this, highest priority should be given to radical land reforms by all the States.

At present no Central assistance is available to any State for implementing any welfare measures for Other Backward Classes. Several State Governments expressed their helplessness in undertaking more purposeful development programmes for backward classes in view of lack of resources. It is, therefore, recommended that welfare programmes specially designed for OBC should be financed by the Central Government in the same manner and to the same extent as done in the case of SCs and STs.

Sd/-
(BINDHYESHWARI PRASAD MANDAL)

Sd/-
(R.R.BHOLE)

Sd/-
(DIWAN MOHAN LALL)

Sd/-
(K.SUBRAMANIAM)
(*Subject to my minute of dissent*)"

Sd/-
(L.R.NAINK)

The Mandal Report gathered dust for about one decade and recommendation No. (i) of this report, mentioned above, was abruptly accepted by the Government of India on August 7, 1990 giving 27 percent job reservations to the socially and educationally backward class (SEBCS) in the Central Government and Public Sector Undertakings. This led to Anti-Reservation demonstration and self-immolations on unprecedentedly large scale.

The said Report was challenged in the Hon'ble Supreme Court. The Hon'ble Supreme Court delivered its judgment on 16.11.1992 in case *Indira Sawhney & Others Vs. Union of India & Others AIR 1993 SC 447*. The summary of findings of the Hon'ble Supreme Court in the above said judgment is as under :—

1. "a) It is not necessary that the provision under Article 16(4) should necessarily be made by the Parliament/Legislature. Such a provision can be made by the Executive also. Local bodies, Statutory corporations and other instrumentalities of the State falling under Article 121 of the Constitution are themselves competent to made such a provision, if so advised.
(Para 55)
- b) An executive order making a provision under Article 16(4) is enforceable the moment it is made and issued.
(Para 56)
2. a) Clause (4) of Article 16 is not an exception to clause (1). It is an instance and an illustration of the classification inherent in clause (1).
(Para 57)
- b) Article 16(4) is exhaustive of the subject of reservation in favour of backward class of citizens, as explained in this judgment.
(Para 58)
- c) Reservations can also be provided under Clause (1) of Article 16. It is not confined to extending of preferences, concessions or exemptions alone. These reservations, if any, made under clause (1) have to be so adjusted and implemented as not to exceed the level of representation prescribed for backward class of citizens as explained in this judgment.
(Para 60)
3. a) A caste can be and quite often is a social class in India. If it is backward socially, it would be a backward class for the purposes of Article 16(4). Among non-Hindus,

there are several occupational groups, sects and denominations, which for historical reasons are socially backward. They too represent backward social collective for the purposes of Article 16(4).

(Paras 61 to 82)

- b) Neither the Constitution, nor, the law prescribed the procedure or method of identification of backward classes. Nor, is it possible or advisable for the court to lay down any such procedure or method. It must be left to the authority appointed to identify. It can adopt such method/procedure as it thinks convenient and so long as its survey covers the entire populace, no objection can be taken to it. Identification of the backward classes can certainly be done with reference to castes among, and along with, other occupational groups, classes and sections of people. One can start the process either with the occupational groups or with castes or with some other groups. Thus one can start the process with the castes, wherever they are found, apply the criteria (evolved for determining backwardness) and find out whether it satisfies the criteria. If it does-what emerges is a "backward class of citizens" within the meaning of and for the purposes of Article 16(4). Similar process can be adopted in the case of other occupational groups, communities and classes, so, as to cover the entire populace. The central idea and over-all objective should be to consider all available groups, sections and classes in society. Since Caste represents an existing identifiable social group/class encompassing an overwhelming majority of the county's population, one can well begin with it and then go to other groups, sections and classes.

(Paras 83 to 84)

- c) It is not necessary for a class to be designated as a backward class that it is situated similarly to the Scheduled Castes/Scheduled Tribes.

(Paras 87 and 88)

- d) 'Creamy layer' can be, and must be excluded.

(Para 86)

- e) It is not correct to say that the backward class of citizens contemplated in Article 16(4) is the same as the socially and educationally backward classes referred to in Article 15(4). It is much wider. The accent of Article 16(4) is on social backwardness. Of course, social, educational & economic backwardness are closely inter-twined in the Indian contest.

(Para 85)

- f) The adequacy of representation of a particular class in the services under the State is a matter within the subjective satisfaction of the appropriate Government. The judicial scrutiny in that behalf is the same as in other matters within the subjective satisfaction of an authority.

(Para 89)

4. a) A backward class of citizens cannot be identified only and exclusively with reference to economic criteria.

(Para 90)

- b) It is, of course, permissible for the Government or other authority to identify a backward class of citizens on the basis of occupation-cum-income, without reference to caste, if it is so advised.

(Para 91)

5. There is no constitutional bar to classify the backward classes of citizens into backward and more backward categories.

(Para 92)

6. a) & b) The reservations contemplated in Clause (4) of Article 16 should not exceed 50%. While 50% shall be the rule, it is necessary not to put out of consideration certain extraordinary situations inherent in the great diversity of this country and the people. It might happen that in far-flung and remote areas the population inhabiting those areas might, on account of their being out of the main-stream of national life and in view of the conditions peculiar to and characteristics of them need to be treated in a different way, some relaxation in this strict rule may become imperative. In doing so, extreme caution is to be exercised and a special case made out.
- c) The rule of 50% should be applied to each year. It cannot be related to the total strength of the class, category, service or cadre, as the case may be.
(Para 96)
- d) Devadasan was wrongly decided and is accordingly over-ruled to the extent it is inconsistent with this judgment.
(Paras 97 to 99)
7. Article 16(4) does not permit provision for reservations in the matter of promotion. This rule shall, however, have only prospective operation and shall not affect the promotions already made, whether made on regular basis or on any other basis. We direct that our decision on this question shall operate only prospectively and shall not affect promotions already made, whether on temporary, officiating or regular/permanent basis. It is further directed that wherever reservations are already provided in the matter of promotion- be it Central Services or State Services, or far that matter services under any Corporation, authority or body falling under the definition of 'State' in Article 12- such reservations may continue in operation for a period of five years from this day. Within this period, it would be open to the appropriate authorities to revise, modify or re-issue the relevant rules to ensure the achievement of the objective of Article 16(4). If any authority thinks that for ensuring adequate representation of 'backward class of citizens' in any service, class or category, it is necessary to provide for direct recruitment therein, it shall be open to it do so. (Ahmadi, J. expresses no opinion on this question up holding the preliminary objection of Union of India). It would not be impermissible for the State to extend concessions and relaxations to members of reserved categories in the matter of promotion without comprising the efficiency of the administration.
(Paras 100 to 107)
8. While the rule of reservation cannot be called anti-meridian, there are certain services and posts to which it may not be advisable to apply the rule of reservation.
(Paras 108 to 112)
9. The distinction made in the impugned Office Memorandum dated 25th September, 1991 between 'Poorer sections' and other among the backward classes is not invalid, if the classification is understood and operated as based upon relative backwardness among the several classes indentified as other Backward Classes as explained in para 114 of this judgment.
(Para 114)
10. The reservation of 10% of the posts in favour of other economically backward sections of the people who are not covered by any of the existing schemes of the reservation made in the impugned office memorandum dated 25.9.1991 is constitutionally invalid and is accordingly struck down.
(Para 115)
11. There is no particular or special standard of judicial scrutiny applicable to matters arising under Article 16(4).
(Para 113)

12. The Government of India and the State Government have the power to, and out to, create a permanent mechanism in the nature of a Commission for examining requests of inclusion and complaints of over-inclusion or non-inclusion in the list of O.B.Cs and to advise the Govt. which advice shall ordinarily be binding upon the Government. Where, however, the Government does not accept the advice, it must record its reasons therefore.

(Para 117)

13. In view of the answers given by us herein and the directions issued herewith, it is not necessary to express any opinion on the correctness and adequacy of the exercise done by the Mandal Commission. It is equally unnecessary to send the matters back to the Constitution Bench of Five Judges.

(Paras 118 to 119)

For the sake of ready reference, we also record our answers to questions as framed by the counsel for the parties and set out in para 26. Our answers question-wise are:

1. Article 16(4) is not an exception to Article 16(1). It is an instance of classification inherent in Article 16(1). Article 16(4) is exhaustive of the subject of reservation in favour of backward classes, though it may not be exhaustive of the very concept of reservation. Reservations for other classes can be provided under clause (1) of Article 16.
2. The expression 'Backward Classes' in Article 16(4) takes in "Other Backward Classes", S.Cs, S.Ts and may be some other backward classes as well. The accent in Article 16(4) is upon social backwardness and economic backwardness. They are mutually contributory to each other and are inter-twined with low occupations in the Indian society. A caste can be and quite often is a social class in India. Economic criterion cannot be the sole basis for determining the backward class of citizens contemplated by Article 16(4). The weaker sections referred to in the Article 46 do include S.E.B.Cs referred to in the Article 340 and covered by Article 16(4).
3. Even under Article 16(1) reservations cannot be made on the basis of economic criteria alone.
4. The reservations contemplated in Clause (4) of Article 16 should not exceed 50%. While 50% shall be the rule, it is necessary not to put out of consideration certain extraordinary situation inherent in the great diversity of this country and the people. It might happen that in far-flung and remote areas the population inhabiting those areas might, on account of their being out of the main-stream of national life and in view of the conditions peculiar to and characteristic of them need to be treated in a different way, some relaxation in this strict rule may become imperative. In doing so, extreme caution is to be exercised and a special case made out.

For applying this rule, the reservation should not exceed 50% of the appointments in a grade, cadre of service in any given year. Reservation can be made in a service or category only when the State is satisfied that representation of backward class of citizens therein is not adequate.

To the extent, Devadasan is inconsistent herewith, it is over-ruled.

6. There is no constitutional bar to classification of backward classes into more backward and backward classes for the purposes of Article 16(4). The distinction should be on the basis of degrees of social backwardness. In case of such classification, however, it would be advisable-nay, necessary – to ensure equitable distribution amongst the various backward classes to avoid lumping so that one or two such classes do not eat away the entire quota leaving the other backward classes high and dry.
7. For excluding 'creamy layer' an economic criterion can be adopted as an indicia or measure of social advancement.
8. A 'provision' under Article 16(4) can be made by an executive order. It is not necessary that it should be made by Parliament/Legislature.

9. No special standard of judicial scrutiny can be predicated in matters arising under Article 16(4). It is not possible or necessary to say more than this under this question.
10. Reservation of appointments or posts under Article 16(4) is confined to initial appointment only and cannot extend to providing reservation in the matter of promotion. We direct that our decision on this question shall operate only prospectively and shall not affect promotion already made, whether temporary, officiating or regular/permanent basis. It is further directed that wherever reservations are already provided in the matter of promotion- be it Central Services or State Services, or for that matter services under any corporation, authority or body falling under the definition of State in Article 12- such reservations may continue in operation for a period of five years from this day. Within this period, it would be open to the appropriate authorities to revise, modify or re-issue the relevant rules to ensure the achievement of the objective of Article 16(4). If any authority thinks that for ensuring adequate representation of 'backward classes' of citizens in any service, class or category, it is necessary to provide for direct recruitment therein, it shall be open to it do so."

(As pointed out at the end of the paragraph 101 of this judgment, Ahmadi, J. having upheld the preliminary objection raised by Sh. Parsaran and others has not associated himself with the discussion on the question whether reservations in promotion is permissible. Therefore, the views expressed in this judgment on the said point are not the views of Ahmadi, J.).

THE FOLLOWING DIRECTIONS ARE GIVEN TO THE GOVERNMENT OF INDIA, THE STATE GOVERNMENTS AND THE ADMINISTRATION OF UNION TERRITORIES.

1. "The Government of India, each of the State Government and the Administrations of Union Territories shall, within four months from today, constitute a permanent body for entertaining, examining and recommending upon requests for inclusion and complaints of over-inclusion and under-inclusion in the lists of other backward classes of citizens. The advice tendered by such body shall ordinarily be binding upon the Government.
2. Within four months from today the Government of India shall specify the basis, applying the relevant and requisite socio-economic criteria to exclude socially advanced persons/sections ('creamy layer') from 'Other Backward Classes'. The implementation of the impugned O.M dated 13th August, 1990 shall be subject to exclusion of such socially advanced persons ('creamy layer').
3. It is clarified and directed that any and all objections to the criteria that may be evolved by the Government of India and the State Govts. In pursuance of the direction contained in clause (B) of para 123 as well as to the classification among backward classes and equitable distribution of the benefits of reservations among them that may be made in terms of and as contemplated by clause (1) of the Office Memorandum dated 25th September 1991, as explained herein, shall be preferred only before this Court and not before or in any other High Court or other court or Tribunal. Similarly, any petition or proceeding questioning the validity, operation or implementation of the two impugned

Office Memorandum on any grounds whatsoever, shall be filed or instituted only before this Court and not before any High Court or other Court or Tribunal.”

“The Office Memorandum dated August 13, 1990 impugned in these writ petitions is accordingly held valid and enforceable subject to the exclusion of the socially advanced members/sections from the notified ‘Other Backward Classes’ as explained above. Clause (i) of the Office Memorandum dated September 25, 1991 requires- to uphold its validity to be read interpreted and understood as intending a distinction between backward and more backward classes on the basis of degrees of social backwardness and a national and equitable distribution of the benefits of the reservations among them. To be valid, the said clause will have to be read, understood and implemented accordingly. Clause (ii) of the Office Memorandum dated September 25, 1991 is held invalid and inoperative.

The Writ Petitions and Transferred cases are disposed of in the light of the principles, directions, clarifications and orders contained in this judgment.

NEW DELHI.
NOVEMBER 16, 1991

Sd/-
(M.H.KANIA) C.J.I.

Sd/-
(M.N.VENKATACHALIAH) J.

Sd/-
(A.M. AHMADI) J.

Sd/-
(B.P.JEEEVAN REDDY) J. “

State Commissions and their recommendations

In the light of the direction of the Central Government, various State Governments appointed their own Commissions and Committees to investigate the conditions of backward classes and to evolve some definite criteria and test to identify the 'backwards' in their States. Even here some State Governments were in favour of adopting economic backwardness as a criterion while others were inclined to stick on to the list prepared by them on the basis of caste. The Central Government on August 14, 1961 conveyed to the State Governments expressing its view that while the State Governments have the discretion to choose their own criteria for defining backwardness, it would be better to apply economic tests rather than classifying people by their castes.

Raison D'être of Judicial Approach

Thus in dealing with the question as to whether any class of citizen is backward or not, it may not be wholly irrelevant to consider the caste of the said group of citizens but its importance should not be exaggerated. It will be illogical to base the classification solely on the basis of caste of the citizen. Backward Classes of citizens can not be equated with Castes. Caste and poverty both may be relevant but neither can be the sole determining test. The courts have been able to instill some rational approach in this regard to some extent by insisting that the caste cannot be the sole criterion to determine the backwardness. Thus it seems well settled that the State cannot use the *forbidden criteria of caste*, race or creed for determining backwardness. Although these criteria may be used in conjunction with some neutral factor like occupation, place of residence, poverty etc; but neither 'caste' nor 'poverty' can be the sole criterion for determining it.

The policy of naming the caste as Backward Class without any economic considerations has two main shortcomings: first, it has the tendency of perpetuate the Caste System and thus hamper the growth of an egalitarian society and secondly, within a backward caste, if no economic considerations are applied, then all the privileges may be utilized by well-to-do people. It is, therefore, necessary that caste alone as such should not be recognized as the basis for reservation. Other tests like economic, professional, environmental and educational etc. should be given due importance. In a country in which 80 per cent of the people are illiterate and nearly 50 per cent live under the breadline there can be no case to consider caste as the sole determinant of the backwardness. Undoubtedly, the Government has to take reasonable and even generous steps to help the advancement of the weaker elements, but the extent of the problem must be weighed and the requirements of the community at large must be born in mind. This leads us to an interesting sphere of extent of reservation.

Haryana attained its separate identity as a full-fledged State of the Indian Union on November 1, 1966. Its geographical area is 44,212 sq. kms. Its present population is 25353081. There are 21 districts in Haryana and number of villages is 8841. Rural population is 16531000 (65.2%) while urban population is 8833000 (34.8%). Total literacy is 76.64% (169043324 persons), while males literacy is 85.38% (9991838 persons) and that of females is 66.77% (6912486 persons). Sex ratio is 877 females qua 1000 males (the aforesaid figure is according to 2011 Census). At the time of its formation, it was referred to as the 'Dust Bowl' State because of the arid nature of its soil and lack of irrigation facilities and people even doubted about its economic viability. By dint of the hard work of the people, the determined political leadership and the efforts of the officers and staff of the Haryana Government, it is now one of the most developed and the best administered State in the country.

Haryana has a rich cultural heritage. The people of Haryana have always been in the country's mainstream as one of its best farmers and soldiers. They are the sword-arms of the country that can beat their swords into plough-shares with equal ease and enthusiasm. The population of Haryana has, however, more than tripled since its inception, from 7.6 million to 2,5353081 approximately according to 2011 Census. Out of it, 1,3505130 are males while 1,1847951 are females. The population of State as percentage of all India population is 2.09%. Jat community constitutes about 25% of the total population of Haryana approximately; but no exact figure is available. With the increase in population and successive succession in the families has resulted in fragmentation of agricultural holdings, most of which have become uneconomic for cultivation. This has also resulted in an increase of unemployment, both in rural and urban areas.

About 65% of Haryana's population lives in villages and their economy is primarily based on agriculture. The agricultural communities are dispersed amongst 8841 villages of the State. They form a bold peasantry and a reservoir of one of the finest soldiers for the country's defence.

Under Articles 15(4) and 16(4) of the Constitution of India, the State can provide reservation for socially and educationally backward classes of citizens who are in adequately represented in the services under the State. Article 46 also directs the State to promote the educational and economic interests of the weaker sections of the society.

With a view to honour this constitutional obligation, the Government of Haryana constituted its first ever Backward Classes Commission to enquire into the state of the socially and educationally backward classes in the State and recommend measures for their upliftment.

The Haryana Government set up its first ever Backward Classes Commission on September 7, 1990, consisting of the following members :—

1. Mr. Justice Gurnam Singh, Retired Judge of the Punjab & Chairman Haryana High Court, Chandigarh.
2. Shri Mohari Ram Kamboj, Advocate, Mandi Dabwali, Member District Sirsa.
3. Shri Shadu Ram Saini, Chairman, Haryana Freedom Fighters Member Committee, Chandigarh.

The terms of reference of this Commission were as under :

- (i) To determine the criteria for defining the socially and educationally backward classes in the State, also keeping in view their economic conditions;
- (ii) To investigate the reasons for backwardness of various agricultural classes/communities in the State such as Ahirs, Gujars, Sainis, Jats, Jat Sikhs, Rors and Meos etc;
- (iii) To recommend measures to be taken for social and economic advancement of such backward classes; and
- (iv) To examine the desirability of making suitable provisions for reservation of posts in the services of the State for such backward classes.

Dr. Sukhbir Singh, I.A.S, Additional Principal Secretary to Chief Minister, Haryana was appointed as the Secretary of this Commission.

This commission was requested to submit its report to the Government of Haryana by October 31, 1990.

The Commission known as Gurnam Singh Commission, after deliberations and discussions submitted its report on 30.12.1990.

The Commission identified the Backward Classes on the following parameters :—

There are two important prerequisites for identification of socially and educationally backward classes and a caste can be declared backward only if it fulfills both these conditions. First condition is that it should be found socially and educationally backward on the basis of the criteria of social and educational backwardness, in the present case if it secures 30 or more points out of 60 points as detailed in Table 36 above and secondly its representation in services under the Government and professional educational institution should be inadequate, in the present case the percentage of representation in services should be less than percentage of their population in the State as detailed in Annexures 'G' and 'H'.

Out of 80 castes only 16 castes : Ahir, Arora/Khatri, Bishnoi, Brahman, Gossain, Gujar, Jat, Jat Sikh, Kalal, Mahajan/Bania, Meo, Muslim, Rajpt, Ror, Saini and Tyagi do not find mention in the lists of Scheduled Castes and Backward Classes notified by the Haryana Government. Ramgarhia caste which is synonymous with Khati or Barhai does not find any mention in the list of Backward Classes of Haryana Government and it is only a matter correction. The rest of 63 castes/communities have already been notified either as a Scheduled Caste or Backward Class by the Haryana

Government. The work of this Commission has, therefore, been narrowed down to identify backward classes only from amongst the 16 castes mentioned below on the basis of points scored by these castes, their representation in government services and professional educational institutions and special reasons given by the Commission in certain cases. The Commission has identified 9 castes from amongst the 16 castes mentioned below as socially and educationally backward as per details given in Table 37.

TABLE 37

Identification of Backward Classes by the Haryana Backward Classes Commission out of the castes/communities surveyed which have neither been included in the list of Scheduled Castes nor Backward Classes by the Haryana Government.

Sr. No.	Caste/Community	Marks obtained in survey out of 60	% of representation in Class I & Class II Services	Estimated % of representation in educational institutions	Estimated % population in the State	Whether included (Yes) or excluded (No) from the list of Backward Classes
1	Ahir	31	3.08	0.86	5.0	Yes
2	Arora/Khatri	15	26.91	25.86	8.0	No
3	Bishnoi	42	0.88	0.17	0.7	No
4	Brahman	10	11.76	7.59	7.0	No
5	Gossain	29	Included in Brahman	Included in Brahman	Included in Brahman	No
6	Gujar	42	0.41	0.34	2.75	Yes
7	Jat	36	17.82	10.35	25.0	Yes
8	Jat Sikh	24	2.64	2.07	4.0	Yes (Jats can not be divided on religious grounds).
9	Kalal	20	Included in Khatri/Arora	Included in Khatri/Arora	Included in Khatri/Arora	No
10	Mahajan/Bania	15	12.54	13.10	5.0	No
11	Meo	39	Nil	Nil	2.0	Yes
12	Muslim (other than Meo & Gujar)	27	0.34	0.34	Nil	No
13	Rajput	18	1.95	1.03	3.0	No
14	Ror	23	0.38	Nil	1.0	Yes (They are similar to Ahirs, etc.)
15	Saini	33	0.88	1.55	2.5	Yes
16	Tyagi	27	Included in Brahman	Included in Brahman	Included in Brahman	Yes (They are similar to Ahirs, etc.)

The nine castes/communities identified by Commission in Table 37 above are Ahir, Bishnoi, Gujar, Jat, Jat Sikh, Meo, Ror, Saini and Tyagi. All these communities are agricultural/pastoral communities who comprise 43 percent of the total population of the State.

On the basis of the results and discussion, the Haryana Backward Classes Commission put forward its recommendations to the Haryana Government, for the upliftment of the Backward Classes

identified, as follows :—

(a) Reservation in Government jobs

- (i) Although as per the law laid down by the Hon'ble Supreme Court of India, reservation in Government jobs can not be done beyond 50% yet the Haryana Government may try and reserve 69% of Government jobs, as has been done in the State of Tamil Nadu.
- (ii) The present percentages of reservations given by the Haryana Government for Class I, Class II, Class III and Class IV jobs being 38, 38, 50 and 50 respectively, the Government may further reserve 26%, 26%, 14% and 14% of Class I, Class II, Class III and Class IV jobs for the Backward Classes identified by the Commission which constitute about 43% of the total population of Haryana and besides this 5% of all classes of jobs may be reserved for the economically backward households among the forward classes which otherwise have no reservation in jobs so far. To be economically backward among the forward classes, the total annual income of such a household from all sources should be not more than Rs. 15,000/- and in agricultural classes the land possessed by the household should not more than 2 hectares of dry rain fed land or its equivalent.
- (iii) Regarding the apportionment of the additional reservation percentages of 26, 26, 14 and 14 for Class I, Class II, Class III and Class IV services under the State Government recommended for the backward Classes identified by the Commission, Meos may be given job reservation to the extent of 2, 2, 1 and 1 percent for Class I, II, III and IV, respectively, as a special group of its own kind and regarding the rest of this proposed additional quota, these two alternatives are suggested by the Commission as follows :—

(1) As recommended by Sarvshri Mohari Ram Kamboj and Sadhu Ram Saini, Members of the Commission

The additional reservation percentages of 24, 24, 13 and 13 recommended for Class I, II, III and IV jobs, respectively, maybe apportioned between two groups of backward classes identified by the Commission (except Meo) : (a) Jat group consisting of Jat and Jat Sikh and (b) Non Jat group consisting of Ahir, Bishnoi, Gujar, Ror, Saini and Tyagi, pro-rata the respective populations of these two groups.

(2) As recommended by Justice Gurnam Singh, Chairman of the Commission

The additional reservation percentages of 24, 24, 13 and 13 recommended for Class I, II, III and IV jobs, respectively, may be provided to all the eight remaining castes namely Ahir, Bishnoi, Gujar, Jat, Jat Sikh, Ror, Saini and Tyagi, as a composite backward agricultural communities group, because dividing these agricultural communities into Jats and Non Jats will not be a rational thing to do and will not pass the legal test.

- (iv) Reservation in jobs may also be provided to the backward classes identified by this Commission in the State Government undertakings and local bodies on similar scales.
- (v) While granting these job reservations, it may be ensured that these benefits percolate down below to the really deserving members of these backward classes. This can be done best by adopting the criteria set by Mr. Justice O. Chinappa Reddy by putting a ceiling based on the status and economic condition of the parents of the candidates as follows :—
 - (i) either of his parents is a class-I or Class-II officer in the service of the Government or holds an equivalent post in a Public Sector Undertaking or is employed under a private employer and draws a salary which is not less than that of a Class-II Officer;

- (ii) either of his parents is a professional, i.e.(a) Doctor,(b)Lawyer,(c) Chartered Accountant,(d) Income Tax Consultant,(e) Financial or Management Consultant,(f) Dental Surgeon and (g) Engineer or Architect;
- (iii) both of his parents are graduates;
- (iv) either of his parents is an Income Tax Assessee;
- (v) either of his parents is assessed to Sales Tax; and
- (iv) either of his parents or both together own more than 8 hectares of rain fed dry land or its equivalent.

This embargo also applies to all other concessions recommended in this chapter.

(b) Educational concession

- (i) Reservation in seats for the backward classes identified by this Commission in the professional educational institutions may also be done in a similar manner and to the same extent as has been recommended for job reservations mentioned above.
- (ii) Special educational schemes with emphasis on vocational training should be started for these backward classes; they should also be given special coaching in technical and professional institutions to enable them to compete with students from the open quota.
- (iii) All educational concessions being given to Scheduled Castes at present, like scholarships, stipends, fee concession, etc., may also be extended to these backward classes on the same scale and to the same extent.

(c) Other recommendations

- (i) These backward classes may be encouraged and helped to set up small scale industries.
- (ii) All the welfare programmes being run by the Government for the welfare of Scheduled Castes in the State may also be extended in the same manner and to the same extent to these backward classes also.
- (iii) The State Government may recommend to the Government of India that as the representation of these backward classes in All India Services, etc., is even lower than that in the State services and is quite inadequate, the Government of India may also include them in the list of the Mandal Commission relating to the Haryana so that they can also get the benefit of reservation, etc., in the Government of India jobs also.
- (iv) Ramgarhia Community may be added in the list of Backward Classes already declared by the Haryana Government.

Sd/-
SADHU RAM SAINI
MEMBER
Dated 30-12-1990

Sd/-
JUSTICE GURNAM SINGH
CHAIRMAN
Dated 30-12-1990

Sd/-
MOHARI RAM KAMBOJ
MEMBER
Dated 30-12-1990"

The recommendations of Gurnam Singh Commission were accepted by the Haryana Government. The matter went to Hon'ble Supreme Court as the report of the Commission was challenged. However, it appears that a settlement took place out of Court and the Government agreed not to take any action on Gurnam Singh's Report. Accaordingly, the writ petition was dismissed as withdrawn.

Thereafter by notification dated 12.10.1993, Haryana Government set up Haryana Second Backward Classes Commission, who made the following recommendations :—

The Commission, in accordance with the accepted methodology, has considered the representations for inclusion of only those castes/communities which stand in the list of Backward Classes of Haryana in Mandal Commission Report, which are as follows:—

“1. Ahir/Yadav

It is estimated that the population of Ahir/Yadav to the total population of Haryana is more than 5%. A major chunk of their population resides in the Southern part of Haryana. This part of the State is dry and dusty and lacks in irrigation facilities, so the income of the people of all the southern part is very less. Ahirs/Yadavs are generally petty farmers and cattle breeders. So they are economically poor. They are also educationally and socially backward. So the Commission recommends their inclusion.

1. Gujjar

The Gujjar's percentage in population is about 2.5%. They reside either in the hilly tract or in the Southern tract of Haryana and hence they are poor. They are educationally and socially backward. They are also inadequately represented in State Service. So the Commission recommends their inclusion.

2. Lodh/Lodha

Lodh/Lodha community is only a small community which is generally residing in districts of Ambala, Karnal, Kurukshtra, Panipat and Sonapat. They are mostly landless farmers and petty shop keepers. They are inadequately represented in services. They are socially and educationally backward. So the Commission recommends their inclusion.

3. Saini

The Saini's population comes at about .5% of the total population. They reside in and around cities and their land has either been acquired by Government agencies or purchased by private colonizers. So, now a days, they work on small fields or engaged in cultivation of green fodder/vegetables. They are educationally and socially backward. They are inadequately represented in the services. So the Commission recommends their inclusion.

5. The Commission has collected population figures of the Backward Classes of the existing list of Haryana Government which is 15.04% of the total population (Annexure N). The Commission feels that this figure is less than the actual figure. Population figures of Backward Classes have already been appearing in the newspaper and magazines at the time of elections. These figures also appeared in some books. From all the three sources, the figure comes at a higher percentage. The Commission also feels that Keshdharis in Kamboj, Kumhar, Rai Sikh are generally included in the Sikhs and also the Mohammedan Kumhar, Teli, Dhobi, Chhipi, Lohar, Lakhera, Nai are also generally counted in Muslims. A criterion for a person to belong to Backward Caste is his caste and not religion. So in the opinion of the Commission, the population of the present Backward Classes comes more than 19% and the percentage of the newly recommended castes/communities more than 10%. The total of the present and the new castes population becomes more than 29%. The Commission recommends that reservations in jobs and services for Backward Classes be raised to 27% and also the same percentage in admission to various educational, vocational and technical courses.

6. The Commission is of the view that the sentiments of the present Backward Classes of Haryana Government be included in the new list as Block 'A' numbering 67, whereas the new inclusions be added in the new list as Block 'B' numbering 4. The Commission feels that to safeguard the interest of both the groups, percentage of reservations be earmarked separately. Hence the Commission recommends that out of 27% reservation, 19% should be earmarked for the castes which are in the Block 'A' and 8% for the castes which are in Block 'B'.

7. The Commission recommends to the State Government that it should approach the Central Government for inclusion of the newly recommended castes/communities in the Central list of Other Backward Classes for the purpose of reservations in jobs and services and admissions in various educational, vocational and technical courses.

8. The Commission also recommends that some synonymous names, which do not stand in the present list of Haryana Government should be added along with their respective castes which are

as follows:—

Name of present caste	.....	Synonymous words which are Required to be added
Hajjam, Nai, Nais	.....	Sain
Jangra-Brahman, Khati	.....	Suthar, Dhiman, Tarkhan, Barhai, Baddi
Dhimar, Mallah, Kashyap	.....	Khewat, Mehra, Nishad
Rajpoot, Kahar, Jhiwar Dhinwar		
Sunar	.....	Zargar, Soni
Lohar	.....	Panchal
Kumhars	.....	Prajapati
Chimba, Chippi,	.....	Rohila
Chimpa, Darzi		
Gadaria	.....	Pal
Jogi-Nath	.....	Jogi, Nath, Jangam-Jogi.

Sd/-
(DES RAJ KAMBOJ)
CHAIRMAN

Sd/-
(Prof. PARMA NAND)
MEMBER

Sd/-
(JAI NARAYAN VERMA)
MEMBER"

On the basis of recommendations of Haryana Second Backward Classes Commission and other considerations, Bhajan Lal Government notified Ahir/Yadav, Meo, Saini, Gujjar and Lodh/Lodha communities as backward Classes and gave 11% reservation to them, while giving 16% reservation to OBC to 71 castes/communities mentioned in Block A. 10% reservation was given in Class I and Class II Services.

Most recently, the Jat community mainly from Haryana, Rajasthan and parts of Uttar Pradesh had held protests for the inclusion of their castes within the ambit of OBCs for quotas in Central government jobs. When the protests turned violent causing loss to private and public property, and disrupted the free flow of essential goods of life, the Supreme Court intervened and directed the state governments to take suitable steps to ensure that the supply and transportation of essential commodities, including milk, food and fuel from one place to another was not affected.

Later, a Division Bench of the Punjab and Haryana High Court comprising Chief Justice Ranjan Gogoi and Justice Kawaljit Singh Ahluwalia directed the Jat leaders to desist from disrupting movements of trains. For due compliance of their order, the Bench directed the concerned Deputy Commissioners to serve a copy of the directions to the leaders concerned.

It took the judicial notice of the "large-scale disruption of train movements, including the movement of trains on the Delhi-Chandigarh route" that fall within its territorial jurisdiction.

Resultantly, it observed that they were of the view that different agitating groups who may have a right to agitate for the redress of their just grievances have to limit the modes of agitation within the parameter of law, without adversely affecting the national interest. With this prefatory statement, the Judges directed the leaders who were spearheading the present agitation in clear and categorical terms to exclude the blockades of train from their imitational programme with immediate effect.

CONSTITUTION OF HARYANA BACKWARD CLASSES COMMISSION

Judicial feat had done the job! The order prompted the Haryana government to set up a three-member Backward Classes Commission headed by Justice K.C. Gupta to consider the legitimacy of the claim to reservations of various segments of society such as Jats, Jat Sikhs, Tyagis, Rors and Bishnois.

Consequently, the Haryana Government issued notification dated 8th April 2011 as under:—

“No. 311SW(2) — The Governor of Haryana hereby reconstitutes the Haryana Backward Classes Commission for entertaining, examining and recommending upon receiving requests of Jats, Jat Sikhs, Rors, Tyagis, and Bishnois or any other caste(s) for inclusion in the list of Other Backward Classes of the State, from time-to-time, and hear complaints of over-inclusion or under-inclusion of any Backward Classes in such a list. The Governor of Haryana hereby appoints the following as Chairman and Members of the Commission :—

- | | |
|--|----------|
| (i) Justice K.C.Gupta (Retd.)
Punjab & Haryana High Court 61,
Sector 9, Panchkula. | Chairman |
| ii) Shri Jai Singh Bishnoi
487, Krishna Nagar, Hisar. | Member |
| iii) Shri Som Dutt, Advocate
607, Sector 13, Urban Estate,
Kurukshetra. | Member |

2. An IAS/HCS officer of the rank of Joint Secretary to Government of Haryana will be the Secretary of the Commission.

4. The term of the Chairman and Members of the Commission shall be for a period of three years. Other terms and conditions of service of the Chairman and Members of the Commission would be determined and notified by the Government separately.

DHANPAT SINGH,
 Financial Commissioner and Principal Secretary to
 Government of Haryana,
 Welfare of Scheduled Castes and Backward Classes Department.”

Subsequently, the Government of Haryana vide its notification No.469/SK(2) 2011 dated 7.6.2011 appointed Shri Arjun Dev Gulatii as Member of the Haryana Backward Classes Commission. He joined as such with effect from 22.6.2011.

There was lot of hue and cry that Members belonging to Backward Classes had not been included in the Commission. Consequently, the Haryana Government included two Members in the Commission belonging to Backward Classes, namely Shri Rao Ranpal Singh and Shri Telu Ram Jangra vide notification No.9975/SK(1) 2011 dated 24.1.2012, who joined on 30.1.2012 and 27.1.2012 respectively.

DETAIL OF REPRESENTATIONS SUBMITTED TO THE COMMISSION

The Commission received 340 applications in all from various organisations and individuals for inclusion or exclusion of castes/communities namely, Ahir/Yadav, Arkwanshi, Bhargva, Bishnoi, Brahman, Gaur, Goswami/Gosai, Gujjar, Jat, Jat Sikh, Kalal, Kushwaha, Lodha/Lodhi, Meo, Punjabi, Quarashi, Rajput, Rod, Saini, Tyagi, Vaish and others. Out of 340 applications, 169 were received for inclusion of the above said castes while 171 were received against the inclusion of aforesaid castes. The aforesaid 171 applications were mostly against the proposed castes/communities namely, Jat, Jat Sikh, Bishnoi, Ror and Tyagi. The statement showing caste-wise and district-wise detail of the representations/applications for and against inclusion of other castes in the list of Other Backward Classes is mentioned as **Annexure X-1**.

FORMAT AND CRITERIA FOR IDENTIFICATIONS OF SOCIAL, EDUCATIONAL, ECONOMICAL BACKWARDNESS

The Commission in its meeting held on 7.10.2011 prepared format for Social Educational and Economic Survey for identification of backward classes in Haryana as under :—

“Social Educational & Economic Survey for Identification of Backward Classes in Haryana

A : Identification Particulars

District

Tehsil

Block

Village

Ward

B : Household Particulars

1. Sr. No. of household
2. Name of the Head of household
3. Name of information & relationship with head of household
4. Size of household (no.) Male Female
5. Religion
6. Caste
7. Specify occupation, if any occupation(s) is traditionally associated with your caste
8. Present occupation of household
 - (i) Main
 - (ii) Subsidiary
9. Total annual income of household from all sources during 2010-11
10. Total annual household expenditure during 2010-11

C : Cultivated area with the household (Acres)

Cultivate

Un-cultivated

Irrigated/Un-irrigated Saline Water Logged Kalar Kandi Others (Semi Hilly) Total
agricultural land

1. Owned
2. Leased in
3. Leased out
4. Total (1+2+3)

D : Facilities Available

1. Type of Dwelling (Hut/House)
2. Structure of house (Katcha/Pucca/Semi-pucca)
 - (i) Roofed area (sq. yards)
 - (ii) Open area (Sq. yards)
3. Ownership (owned/not owned)
4. Main source of drinking water and its distance

5. Main source of lighting
6. Main source of fuel for cooking.
Latrine facilities
Within house premises
Community latrine for
 - (i) Men
 - (ii) Women
 - (c) Open
 Bathroom facility
Disposal drains
7. Separate cattle shed if available or not
8. Separate room for kitchen (Yes/No)

E : Particulars of household Members (Starting from head of household)

- | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|---|---|---|---|---|---|---|---|---|
| 1. Name | | | | | | | | |
| 2. Relationship of Head | | | | | | | | |
| 3. Sex | | | | | | | | |
| 4. Age (in complete years) | | | | | | | | |
| 5. Educational standard | | | | | | | | |
| 6. If student, whether studying in | | | | | | | | |
| (a) Ordinary Government/private school | | | | | | | | |
| (b) Public/Convent School (English School) | | | | | | | | |
| 7. If Matriculate or above, Division obtained in matriculation | | | | | | | | |
| 8. If appeared in Matric exam. Whether passed/failed in first attempt | | | | | | | | |
| 9. Marital status | | | | | | | | |
| 10. Age at marriage | | | | | | | | |
| 11. If worker indicate | | | | | | | | |
| (a) Main occupation | | | | | | | | |
| (b) Subsidiary occupation | | | | | | | | |
| 12. If involved in manual work, whether | | | | | | | | |
| (a) Skilled/unskilled | | | | | | | | |
| (b) Working for himself | | | | | | | | |
| (c) Working for others | | | | | | | | |
| 13. If wage earner, wage rate per day for | | | | | | | | |
| (a) Main occupation | | | | | | | | |
| (b) Subsidiary occupation | | | | | | | | |
| 14. Number of days worked in a year | | | | | | | | |
| (a) Main occupation | | | | | | | | |
| (b) Subsidiary occupation | | | | | | | | |

15. Distance of place of work
16. Nature of place of work
(Under sun/under roof)
17. Employment Status
(Employer/employee/or self employed)
18. Sector in which employed
 - (1) Organized
 - (a) Organized
 - (b) Government
 - (2) Un-Organized
19. If not working whether seeking or available for work

F : For Non-Students Between 6-14 years

1 2 3 4 5 6 7 8

1. Sr. No. as given under E
2. Whether attended school or not
3. If not attended reasons why?
4. If attended, indicate No. of years studied
5. If dropped out indicate:
 - (a) At what age
 - (b) In what year
 - (c) Reasons for dropping out
6. If working whether working within/outside village
7. Kind of work
 - (b) Details of regarding higher education
 - (i) Total no. of member in house
 - (a) Matric pass
 - (b) + 2 pass
 - (c) B.A Pass
 - (d) M.A/P.G
 - (ii) Who acquired Professional course
 - (a) Name of course

G : Assets

	Number	Current Value
a. House		
b. Land (Acres)		
c. Shop/Factory/Godown with goods		
d. Motor Cycle/Scooter/Car		
e. Tractor		
f. Truck		
g. Thresher		
h. Combine Harvester		
i. Tubewell/Pumping sets		

- j. Other agricultural implements
- k. Livestock/Poultry
- l. Refrigerator
- m. Cycle
- n. T.V
- o. Radio Transistor
- p. Other Assets, specify
- q. Telephone/Mobile Phone

H : Indebtedness

1. Have you taken any loan during the last three years?
2. Main reasons for taking loan
3. If yes, total amount of loan taken
 - (i) Consumption
 - (ii) Non-consumption
 - (iii) Total
4. From whom taken
5. Amount of loan outstanding
6. If defaulter, reasons for non-payment of loan

I : Miscellaneous Information of Household

1. Is widow remarriage like karewa/Chaddaradazi/Reet common in your caste/community?
2. If you were to have 3 children how many of them would you have liked to be boys and how many girls?
3. If you were to have three daughters will you like to have a son or not?
4. Indicate whether you agree or not to the following state:
 - i. Rich food such as gheree/milk etc is necessary for boys only
 - ii. Since boys have to be got out doors more often, more money needs to be spent on their clothing.
 - (i) agree (ii) disagree (iii) no option
 - (c) Sons and daughter both need to be given equal education:
 - (i) agree (ii) disagree (iii) no option
5. No. of Children born in household during the last five years
6. No. of children who died below one year of age in household during last five years.
7. No. of married women who delivered children in household during the last five years.
8. No. of children delivered in the last five years.
9. No. of women who died at the time of delivery in last five years.

- J :** 1) Whether any member of the family holds Passport ?
- 2) If yes, whether passport holder visited abroad ? How many times?
- 3) Political status – If any member of the family had been member of :
- i) Parliament
 - ii) Rajya Sabha
 - iii) Legislative Assembly
 - iv) Zila Parishad
 - v) Municipal Committee/Corporation
 - vi) Block Samiti
 - vii) Sarpanch
 - viii) Gram Panchayat”

The Commission in its meeting held on 7.12.2011 prepared a Social Educational and Economic criteria for determining backwardness amongst various castes i.e. the Commission prepared the following four schedules for canvassing the field survey :—

- (i) Household Schedule (Rural)
- (ii) Household Schedule (Urban)
- (iii) Village Schedule
- (iv) Town Schedule

SAMPLE SIZE

Household schedule was divided into five parts i.e. household particulars, particulars of individual members, particulars of non-students, between 6-14 years, kind of work, description of Assets and indebtedness.

Questions under each part were so framed as to get information on such social, education and economic particulars of a Household as characterized the syndrome of social and educational backwardness in the Indian conditions.

The Commission was of the view that “3% purposive sample of villages and one urban block at district level to be able to identify a vast majority of backward classes” was sufficient.

CRITERIA FOR DETERMINING SOCIAL, EDUCATIONAL AND ECONOMIC BACKWARDNESS

The Commission proposed **12 Social Indicators, 7 Educational Indicators** and **5 Economic Indicators as criteria** for determining social, educational and economic backwardness of various caste/classes of communities.

Under heading of 'Social Indicators', are: Delivery at home, Maternal Mortality (MMR), Infant Mortality (IMR), Manual Labour, Age at marriage, below 21 years (Male), Age at marriage, below 18 years (Female), Female Work Participation (Manual), Remarriage of widow by Chadarandazi/Reet within family and outside family, Inter-caste marriage, Still engaged in traditional occupation, Discrimination against daughter/s visa-viz son/s regarding treatment, behaviour, food, clothing, education and inheritance of property etc., Direct Civil & Allied Services (From Primary Data), Govt. Services Class-1 & Class-II (From Secondary Data), Elected Members of Parliament/Assembly, Elected Members of Zila Parishad/BS/Gram Panchayat/Municipal Committee/Corporation/Council (From primary data), and Class III & IV Services.

Under 'Educational Indicators' are: Never attended school (age group 6-14), Drop-out (age group 6-14), Percentage of Matriculation Pass, Percentage of 10+2 Pass, Higher studies and Technical skills, Graduates, Post Graduates, Technical Skill/ B. Ed./ IIT/ITI/Polytechnic, etc, Percentage of B. Tech/ M. Tech, BE/ME, MBA, MBBS and Other Professional Degrees, Female Literacy, Male Literacy, Type of Schooling (Government), or (Public/Convent).

Under the heading of 'Economic Indicators' are: Household Annual Income, Value of Family assets from Rs.50,000/- upto 5.00 lacs, Housing Conditions Basic Services, Kutcha House/Semi pucca, Roofed area of the house upto 200 sq. yards, Source of drinking water (all other sources other than piped water), Toilet facility (all other than flush toilet), Percentage of persons working under sun, Fuel used in kitchen (other than LPG/Microwave plate/Bio-gas), Size of the land Holding less than 5 acres and Consumption of loan (Housing, education, agricultural loan etc).

There are 45 scores for Social Indicators, 30 scores for Educational Indicators and 15 scores for Economic indicators and in all the total score is 90. These scores are in the ratio of 3:2:1. If a particular class of citizens or community gets 50% or more than 50% score then the same will be declared as 'Backward'.

The Commission has tried to cover all the social, educational and economic aspects as prevalent in the present society. If a need is felt later on that in any indicator more aspects are required to be added then same would be added.

The score criterion is above or below the State average. The percentage at which the Social Indicators, Educational Indicators and Economic Indicators would be above or below would be decided at the time of preparing criteria indicating the weightage given to each indicator.

The separate weightage is to be given to 'indicators' in each group. Economic, in addition to Social and Education indicators, is considered important as it directly flowed from social and educational backwardness. This will also help to highlight the fact that socially and educationally backward classes are economically backward also.

It will be seen that from the values given to each indicator, the total score adds upto 90. All these 24 indicators are to be applied to all the castes to be covered by the survey for Haryana state. As a result of these applications, all castes which would a score of 50% (i.e.45 points) or above would be listed as socially and educationally backward and the rest were to be treated as 'advanced'.

Further, in case the number of household covered by the survey for any particular caste is below 20, it is to be left out of consideration, as the sample would be considered too small for any dependable inference.

The system of listing castes as socially and educationally backward on the basis of their score may appear somewhat arbitrary. On the face of it, this is a tentative view point. On the other hand, the points scored by a particular caste under the above system actually reflects the number of indicators of backwardness which it satisfies. Secondly, this method has the great merit of objectivity, as point system allows no subjective assessment.

Thirdly, the commission thinks that this method is to be found highly dependable, in practice. For instance, as a result of its application, most of the well-known socially and educationally backward castes would be identified as backward.

In the end it may be emphasized that this survey would have no pretensions to be a piece of academic research. It is to be used as a rough estimate identifying social and educational backwardness. Throughout this survey our approach would be conditioned by practical considerations, realities of field conditions, constraints of resources and trained manpower and paucity of time. All these facts obviously would militate against the requirements of a technically sophisticated and academically satisfying operation."

Estimated Sharing and Breakup of the sample

The Commission in its meeting held on 24.2.2012 approved the sample size of all the castes, number of villages from which sample to be collected, and number of urban areas from which sample to be collected. The percentage of the sample was also decided for rural and urban based population, upon the general distribution of population in the ratio of 70:30. The Proforma which was prepared and approved is as under:-

“Haryana Backward Classes Commission

Sample Size of all the castes: 50000

Number of Villages from which sample to be collected: 229

Number of Urban Areas from which sample to be collected: 83

Number of Claimant castes/sub castes for survey is given below:

Estimated Sharing and Breakup of the sample

Sl No.	Castes	Share (%)	Number of Sampled Households	Sample of Rural Households	Sample of Urban Households	Number of Villages	Number of Urban Areas
1.	Jat	20	10000	7000	3000	57	14
2.	Brahmin	4.0	2000	1400	600	8	3
3.	Gaur	2.5	1250	875	375	6	3
4.	Gosain	2.5	1250	875	375	6	4
5.	Punjabi/Arora*	12.5	6250	2500*	3750*	16	7
6.	Jat Sikh	8	4000	2800	1200	20	4
7.	Ror	8	4000	3000	1000	18	4
8	Tyagi	8	4000	2800	1200	20	6
9	Bishnoi	8	4000	3000	1000	20	4
10	Rajput	8	4000	2800	1200	20	4
11	Vaish (Bania/Aggarwal)*	8	4000	1200*	2800*	8	14
	Other Minor Castes/Sub castes						
12.	Maithili/Kushwaha/Kalal/Arkwanshi/Qureshi/Muslim Jat etc.	10.5#	5250	3675	1575	30	16
	Total	100	50000	31925	18075	229	83

*Since these castes are mainly found in urban areas their sample will predominantly be collected from the urban areas.

The sample is subject to minor variation of 5% if required.

The sharing of the sample has been done on the basis of rough estimates of the share of the population of the concerned castes in the State.

1. The Rural and Urban ratio of sample to be done in the ratio of 70:30%, respectively except in case of Punjabi and Vaish where the ratio was reversed due to availability of majority of the population of the concerned castes in urban areas.

2. Sample of multiple castes can be taken from one village/town.

3. Efforts may be made to collect data from the villages and towns conveyed in the representations. But in case they are not represented in adequate number then more villages and towns can be considered from various districts.

4. If some castes cannot be located in adequate number then their sample can be suitably reduced. The sample can be collected from those localities having concentration of the castes.

5. As far as possible the sample should be widely distributed to cover all the districts and divisions.

6. The number of villages and towns may increase and decrease depending upon the availability and unavailability of towns. The Survey Agency may take the suitable action during the field work.

Caste-wise villages and towns.

1. Jat

Villages			Towns	District
1. Balawas Jat	2. Ransing Majiri	3. Suthana	---	Rewari
1. Napla	2. Paira	3. Jatwas	---	Mahendergarh
1. Himayu Pur	2.Kkasni	3.Bhurawas	Jhajjar	Jhajjar
1. Gadhauli	2. Basai		---	Gurgaon
1. Pandwan	2 Gauri Pur	3 Attela Kalan	Bhiwani	Bhiwani
1. Bhojraj	2 Kanwari	3 Balawas	Hisar	Hisar
1. Pharan	2 Didhauli	3.Hansdar	Jind	Jind
1. Badi Bahu	2. Sundarpur	3.Badhaudid	Rohtak	Rohtak
1. Manirpur	2.Naina Titarpur	3.Bidhwan	Sonipat	Sonipat
1. Bani Majra	2.Shergarh	3.Debal	Kaithal	Kaithal
1. Bahu pur	2.Dadolo	3.Nurpur	Panipat	Panipat
1. Baram	2.Sarai Sukkhi	3.Mukimpura	Kurukshetra	Kurukshetra
1. Patwi	2.Raulam	3. Baranpur	---	Ambala
1. Sikandar pur	2. Tapu	3.Bhedmajra	Karnal	Karnal
1. Gopi Khera	2.Jalhaka	3.Khajurka	---	Palwal
1. Jajuru	2.Cchandawali	3.Macchghar	---	Faridabad
1. Rampur Dhillon	2.Rupawas		Sirsa	Sirsa
1. Salsa	2. Albhuga		----	Sirsa
1. Khurdan	2. Haripur Jattan		Yamuna Nagar	Yamuna Nagar
1. Munshiwali	2. Bhuthan		Fatehabad	Fatehabad
1. Toda	2. Nawan Gaon		Panchkula	

2. Jat Sikhs

Table S.No.6

Villages			Towns	District
1. Salpani Kalan	2. Lukhi	1.Ajrana	Pehowa/Ladwa	Kurukshetra
1. Garnala	2. Panjokhara	3. Pilakhani	Ambala	Ambala
4. Mohra	5. Machonda	6. Jartwad		
1. Mandhar	2. Masimbal	3. Khundewaal	Yamuna Nagar	Yamuna Nagar
2. Khan Ahmedpur				
1. Ratangarh	2. Khundan		----	Fatehabad
1. Mangepana	2. Phullon	3. Bhiwan	Sirsa	Sirsa

3. Ror

Table S.No.7

Villages	Towns	District
1. Kaimla 2. Gangtehari 3. Chor Karsa	1.Karnal 2.Tarawadi	Karnal
1. Anchra Khurd 2. Morkhi 3. Allen (Jogi Khera)	---	Jind
1. Khukhrana 2. Ahar 3. Chichrana		Panipat
1. Tigri 2. Tamthana 3. Kamocha 4. Khaspur	Thanesar	Kurukshetra
1. Mohana		Sonipat
1. Sirsal 2. Kaul 3. Pabnava	Kaithal	Kaithal

4. Bishnoi

Table S. No.9

Villages	Towns	District
1. Dhani Khasa 2. Moth Sara 3. Chudhariwali 4. Chhaberwal 5. Bhana	Hisar	Hisar
1. Talwandi-ruka 2. Rawat-khera 3. Sainiwas 4. Lillas 5. Dholkot	Siwani Mandi	Bhiwani
1. Chinder 2. Dadupur 3. Nagpur 4. Lalwas 5. Dholu 6. Kajal-heri	Fatehabad	Fatehabad
1. Khairka 2. Abubshahar 3. Ganga 4. Rupana-Bishnoiyan	Sirsa	Sirsa

5. Tyagi

Table S.No.8

Villages	Towns	District
1. Gadhi Keshri 2. Barhi 3. Teha 4. Ghasauli 5. Kheri Tanga 6. Malikpur 7. Tikola 8. Jainpur 9. Shahpur 10. Bhigan 11. Dhanturi	1.Rai 2.Gannaur 3.Sonipat	Sonipat
1. Tajpur 2. Hathwala 3. Sanauli Kalan 4. Barana 5. Palheri	Panipat	Panipat
1. Mohammad Heri 2. Dharampour		Gurgaon
1. Haaria Bains 2. Dushyani	Yamuna Nagar	Yamuna Nagar
-----	Faridabad	Faridabad

Villages	Towns	District
1. Manak Tabra	---	Panchkula
1. Rewasa 2. Dwarka 3. Khirawad	Bhiwani	Bhiwani
1. Arniawali 2. Fatehapuria	Rania	Sirsa
	Jagadhari	Yamuna Nagar

11. Punjabi/Khatri/Arora

Table S.No.5

Villages	Towns	District
	Ambala City	Ambala
1. Adampur Mandi 2. Mothluhari 3. Sisai	Hisar	Rewari
1. Kahnaur 2. Anwal 3. Llahri 4. Samargopalpur 5. Lakhanmajra 6. Chidi	Rohtak	Rohtak
1. Talwada		Sirsa
	Faridabad	Faridabad
	Kurukshetra	Kurukshetra
	Panchkula	Panchkula
1. Bigar	Ratia	Fatehabad
1. Sampal 2. Nigana 3. Patwapur		Bhiwani
1. Bapoli 2. Israna		Panipat

12. Vaish (Bania/Aggarwa)

Table S.No.11

Villages	Towns	District
	1 Ambala City. Ambala Cantt.	Ambala
1. Sarsana 2. Mangali 3. Balsamand	Hisar	Hisar
	Rohtak	Rohtak
1. Rori 2. Odhan 3. Nathusiri Chopta 4. Ding	Sirsa	Sirsa
	Faridabad	Faridabad
	1.Kurukshetra 2.Shahabad	Kurukshetra
	Panchkula	Panchkula
	Fatehabad	Fatehabad
	Kaithal	Kaithal
1. Barua	Bhiwani	Bhiwani
	Jind	Jind
	Karnal	Karnal

13. Qureshi/Muslim Jat

Table S.No.12

Villages	Towns	District
1. Singar 2. Bisaru 3. Sakras4. Bhiwan 5. Suraka	Mewat	Mewat
1. Gashera	Gurgaon	Gurgaon
---	Palwal	Palwal

14. Kushwaha

Table S.No.12

Villages	Towns	District
1. Sikari2. Parthala	Palwal	Palwal
1. Mujeshar2. Seehi	Faridabad	Faridabad
1. Kansapur2. Farakpur	Yamuna Nagar	Yamuna Nagar

14. Rajput

Table S.No.10

Villages	Towns	District
1. Rewasa	Bhiwani	Bhiwani
	Hisar	Hisar
1. Ajrana Kalan 2. Shudpur 3. Kalsana 4. Tangore 5. Jalbera	---	Kurukshetra
1. Chayla 2. Ladoli 3. Sunped 4. Ferojpur	Old Faridabad	Faridabad
1. Padla 2. Gora 3. Shiwan. 4. Bir Bhangra 5. Narwal		Kaithal
1. Kalawad 2. Syalwah 3. Tigra 1. Jagdolli 5. Thana Chappar.	Yamuna Nagar	Yamuna Nagar

VISIT BY THE COMMISSION OF VARIOUS DISTRICT HEADQUARTERS IN HARYANA

The Commission visited Hisar District on 11 and 12 January, 2012, Jind District on 16 and 17 January, 2012, Gurgaon District on 1 and 2 February 2012, Rewari District on 29.2.2012, Karnal District on 9 and 10 February 2012 and Panchkula District on 13 February 2012 for recording statements of the public persons/delegations, who met the Commission personally regarding identification and upliftment of Backward Classes in Haryana at the aforesaid places.

At Hisar, the Commission covered Hisar District, Fatehabad District, Bhiwani District and Sirsa District.

At Jind, the Commission covered Jind District, Kurukshetra District, and Kaithal District.

At Gurgaon, the Commission covered Gurgaon District, Faridabad District, Palwal District and Rewari District.

Again at Rewari, the Commission covered Rewari District and Mohindergarh District at Narnaul.

At Karnal, the Commission covered Karnal District and Panipat District, while at Panchkula it covered Panchkula District, Ambala District and Yamunanagar District.

First of all, the Commission shall narrate the statements recorded at Hisar in PWD Rest House. PW4 Hawa Singh Sangwan r/o Bhiwani, PW5 Daljit Panghal r/o Hisar, PW6 Dharampal r/o Kaithal, PW22 Satbir Singh Hooda, Advocate, r/o Hisar, made statements regarding grant of backward status to the Jat community.

Jats

PW-4 Sh. Hawa Singh Sangwan, President, All India Jat Reservation (Arakshan) Sangrash Samiti stated that population of Jat in Haryana is about 30%. The average land holding per member of Jat community in Haryana is 2 to 3 acres and average income of the people of Jat community is Rs.10.000 per annum. He next stated that women folk were educated up to the extent of 30% and men were educated to the extent of 45%. The position of employees of Jat community belonging to class C and D was comfortable while belonging to class I or II was hardly 12%. He further stated that about 90 % persons belonging to jat community were residing in villages. They mostly do farming and were under debt and 5 to 10% people were such who did not own any land. He further stated that widow marriage was very common in Jat community; that earlier some members of their community had refused to accept the status of backward class, because at that time land was not fragmented and the families were having large holdings. He also stated that the villagers cooked their food on earthen chullah. Some people were living in dhanies in the fields. He next stated that jat community should be included in 'Other Backward Classes'.

PW-5 Sh. Daljit Panghal r/o Hissar, District President, Jat Arakshan Sangrash Samiti. PW-6 Sh. Dharampal r/o Kaithal, Senior Vice President of Akhil Bhartiya Jat Arakshan Samiti and PW-22 Sh. Satbir Singh Hooda, Advocate, r/o Hisar, have supported the above version of PW-4.

PW-5 also stated that they shared *Hukka and Pani* with Sunar, Kumhar, Khati, Ahir, Saini and Gujjar communities.

PW-22 also stated that socially they were condemned by Brahmans and Rajputs and they did not share *Hukka-Pani* with them and they could not touch their drinking water. He next stated that there was no proper drinking facility available to them. He further pleaded for the grant of reservation to Jats etc.

Persons who opposed the grant of Backward Class Status to the five proposed communities

PW-11 Sh. Lal Bahadur Khowal, Advocate, r/o Hisar (Belonging to Kumhar Community) PW-19 Sh. Ravinder Kumar Bagoria, Social Worker, r/o village Bhagana, District Hisar, (belonging to Kumhar community), PW-12 Col. Om Parkash (Retired), Practising at Hisar Courts, PW-12/A Sh. Bhupender Singh Gangwa, President Kumhar Maha Sabha, Kumhar Dharmshala, Patel Nagar,

Hisar, PW-13 Sh.Satyawan r/o village Mugalpura, Distt. Hisar, PW-14 Sh.Ramesh Kumar r/o village Mugalpura, Distt. Hisar, PW-15 Sh.Rajender Kumar, Govt Teacher at village Behbalpur, Distt. Hisar, PW-18 Sh.Bhoop Singh Rohila, Businessman r/o Hisar Secretary of Sant Shiromani Nam Dev Charitable Trust (Belonging to Chhippa caste), PW-19 Ravinder Kumar Bagora r/o Village Bhagana, PW-20 Sh. Chander Mal Jangra r/o Hisar, PW-28 Sh. Bhim Singh, Retired Superintendent from PWD, Haryana, PW-29 Sh. P.C.Chauhan, r/o Krishna Nagar, Hisar, PW-31 Nihal Singh Jangra, General Secretary at Block Level, Brahman Maha Sabha r/o Barwala, Hisar, and PW-32 Sh.Desraj s/o Sardara Ram, r/o village Dhani Khan Bahadur, Hisar, have opposed the grant of Backward Class status to the five communities, namely, Jat, Jat Sikh, Ror, Tyagi and Bishno.

PW-32 Desraj stated that jat community was strong and influential and they did not share *Hukka-pani* with persons belonging to Backward communities; that persons belonging to Backward Classes were not allowed ceremony of *Ghurchari* (i.e. where the bridegroom rides mare at the time of marriage); that the persons belonging to the Backward Classes were prevented by Jat Community who are *Dabang* in nature from performing certain chorus i.e. they prevented women folk of Backward Classes to take water from well and did not to allow to do labour work in their fields and also did not allow their cattle to graze in their fields,; that even they prevented the children to go to school for study. He next stated that the persons belonging to Jat community were well educated and were IAS, IPS officers in large number. He further stated that Jat, Bishnoi, Ror, Brahman had got maximum property and were in Government service in large number; that they have got their own agencies, petrol pumps, Transport Business and private educational institutions; that Jats have got agriculture land in Haryana.

PW-11 Sh. Lal Bahadur Khowal, Advocate, stated that Jats had got a separate regiment in the Indian Army and large number of persons of their community were employed as Doctors, Engineers, Judges, IAS, IPS, HCS Officers and in other organizations and their ratio was much more than the other Backward Classes; that they had got a hold in the private sector. He further stated that they had got more land holdings than any other community and they were politically highly active.

The other persons also stated that the aforesaid five castes were socially, educationally and economically influential and dominating and did not deserve any reservation. They further stated that reservation to the extent of 27% granted to Other Backward Classes should not be disturbed.

PW-16 Sh. Ram Niwas Soni, r/o Ghandi Chowk, Hisar, and PW-17 Sh. Chattar Pal Singh Soni, r/o Hisar, both belonging to Sunar caste, stated that they belonged to Sunar caste which had already been declared as Backward Class. They next stated that Jat, Jat Sikh, Rod, Tyagi and Bishnoi were not inferior in any manner in any sphere and they were owners of land to the extent of 80 to 90% in Haryana and they should not be included in the Backward Class and reservation granted to them should not be disturbed or tampered with.

PW-21 Sh. Sadhu Ram Sain, Retired Army Havaladar, r/o Gangwa PW-23 Sh.Ram Dass Sen, resident of vilalge Talwandi Rana PW-34 Sh. Baljeet Singh, Transporter, R/o Sector 13, Hisar, PW-31 Sh. Nihal Singh Jangra r/o Barwala, Hisar, belonging to Jangra caste, PW-25 Dharampal Saini r/o Dhani Badwali, Hisar, PW-26 Sh. Ram Prasad Saini r/o Mohalla Sainiyan, Hisar, PW-27 Sh. Surinder Singh Saini r/o Hisar, (belonging to Saini community) have also opposed the grant of reservation to the five communities namely, Jat, Jat Sikh, Rod, Tyagi and Bishnoi on the plea that they were dominating castes and were not inferior in any manner and owned land to the extent of 80% to 90% in Haryana. They further stated that already they had been granted the status of OBC but reservation of 27% granted to them should not be disturbed.

Kalal

PW-24 Sh.Mohinder Singh r/o village Lalwandi Rana, stated that he belonged to Kalal community and there were about 60,000 persons belonging to his community who were politically, socially and economically weak and most of them were without land. He prayed that backward status should be granted to their community.

Rajput

PW-7 Sh. Anoop Singh Parmar, Associate Professor D.N. College, Hisar and PW-8 Sh. Jai Singh Parmar, Govt. Contractor PWD, Hisar, stated that they were Members of Haryana Rajput Partinidhi

Sabha and they had got about 11% population in Haryana and their community was doing cultivation and cattle rearing and their share in the State Government services was less than 1%.; that mostly people of their community were land less and doing labour work in industries. They further stated that more than 70% people of their community were residing in villages and were working as agriculture labourers and about 90% were either illiterate or under matric; that the average income in Hisar district was Rs. 3300 per month per family. Thus they prayed that they be included in reservation category (OBC).

Brahman

PW-33 sh. Laxman Singh Kaushik, Retired Professor Mathematics of Haryana Agricultural University, Hissar, stated that he belonged to Brahman community and Brahman community in Haryana was in poor shape, even worse than the Dalits. He further stated that in ancient times, the Brahmin occupied high pedestal but depended upon doles for their livelihood; that at that time also their economic condition was not very good; that thereafter there was a radical change in the society and the status of a person came to be known by the riches he possessed. With the passage of time, the social status of the Brahmin was downgraded. He also highlighted that there were 50 public toilets in Delhi and many of them were being managed and cleaned by Brahmins showing that they had become lowest in the society; 50% rickshaw pullers of Patel Nagar Delhi were Brahmin by caste. Likewise Brahmins were working as coolies and security guards etc. while Jats had become a leading community of Haryana as they had ruled the State for about 30-35 years. He further stated that the population of Brahmins in Haryana was 15 to 16%, while the share of Brahmins in Government services was about 1 or 2%; thus, he prayed that they be included in OBC Category.

Gyana

PW-10 Sh.Rajender Prasad Bawara, President Gyana Sabha Mandi Adampur, Hisar, stated that he was President of Gyana Sabha Mandi Adampur, Hisar and the total population of Gyana Samaj in Haryana was about 5000. He further stated that there were hardly one or two houses situated in erstwhile Hisar District which at present comprises Hisar, Faridabad, Sirsa and Bhiwani. He further stated that they acted as Gyana Pandit at the time of ceremonies of Bishnoi Samaj and did not have any agriculture land except one or two persons who had meager land. He next stated that none of the persons of their community was employed even as peon in any Government Department, what to talk of IAS, IPS or other higher rank officers. He further stated that they depended upon doles/daan given by the people of Bishnoi Samaj at the time of ceremonies for livelihood; that some people of their community were even living in tents; that they did not have any pucca house. He further stated that whole population of Gyana Samaj in India was about 10,000 and they deserved to be included in the Other Backward Classes Category.

Bishnoi

PW-1 Sh. Krishan Dev Pawar r/o Hisar, Member of Bishnoi Sabha Hisar, PW-2 Sh.Subhash Bishnoi, President, Bishnoi Sabha, Hisar, and PW-3 Sh,Ram Singh Bishnoi r/o Defence Colony, Hisar, supported the case of Bishnoi for grant of backward status.

They stated that they belonged to Bishnoi caste and their main profession was agriculture. They further stated that there were very few people who were land owners of 10 to 15 acres of agriculture land and average holding of land of their community was only 2 to 5 acres. They further stated that so far no person had come into IAS or IPS directly and most of the people of their community were uneducated and were doing labour work for their livelihood.

PW1 Sh.Krishan Dev Pawar further stated that earlier child marriage in their community was common but for the last 10 years no instance of child marriage had come to his notice. He further stated that a custom known as '*Kharch*' i.e. a party was given on the death of a person to the brotherhood was common in their community. He next stated that Guru Jambeshwar Maharaj had founded Bishnoi religion in 1508 and they were part and parcel of jat community because Bishnoi is not a caste but is a religion.

PW2 Sh.Subhash Bishnoi stated that mostly the people of their community were mostly residing in villages and dhanies in kacha houses where there was no adequate system of water and

electricity; that people of their community were concentrated in erstwhile Hisar which at present consisted of Districts Hisar, Fatehabad, Sirsa and Bhiwani. He further stated that the women folk was educated to the extent of one or two percent and they observed parda and even ladies kept Parda from their elderly women and the average income of a person in their community was about of Rs.2500/- to 3000/- per month.

Goswami

PW-9 Sh. Ram Parsad Goswami, Retired Professor Mathematic, Haryana Agriculture University, Hisar; stated that there were about 40000 to 45000 people belonging to Goswami community in Haryana and earlier people belonging to Goswami community used to beg but afterwards they started working as agriculture labourers and some of them were still engaged in begging. He further stated that there were about 50 people in govt. job such as Clerks and Chowkidars etc., that total population of Hisar District of Goswami community was about 3200, out of which 700 were educated upto the level of matric and about 30 to 40 people might be graduate and postgraduate were 5 to 7 people; that monthly income per family in Hisar District was about Rs. 4000. He also stated that their community should be included in the reservation category.

Statements of prominent persons recorded at Jind on 16th and 17th January, 2012.

Jats

PW-7 Sh. Om Parkash Maan, President All India Jat Mahasbha r/o Bhiwani PW-8 Sh. Chander Singh Chaihal, District President of All India Jat Sangharsh Samiti r/o Village Ujhana PW-9 Shri Risal Singh r/o Dhanauri, PW-10 Sh. Ram Karan Hooda, Advocate, r/o village Khidwali, PW-11 Dr. Om Parkash Dhankhar r/o Village Dhakala, President of Haryana Dhankar Sabha and General Secretary, All India Jat Arkshan Sanghrash Samiti, PW-12 Sh. Dharampal r/o Hanuman Colony, Rohtak, PW-13 Dr. Santosh Dahiya, Professor, Kurukshetra University, Kurukshetra President, Akhil Bhartiya Jat Arkshan Sangharsh Samiti of Mahila Cell, PW-15 Maan Singh, Spokesperson of All Haryana Sarv Jatiya Khap, PW-25 Tara Chand, Vice President of Haryana state of Jat Arkshan Sanghrash Samiti Regd. Gurgaon PW-38 Dalbir Singh Farmer, r/o Kurukshetra, General Secretary of Jat Sabha Kurukshetra, were examined on behalf of Jat community.

PW-7 Om Parakash Maan stated that the percentage of Jat population in Haryana is 28% and about 9% people of their community were in services; that about 70% of people of their community were dependent on agriculture for their livelihood and further women -folk and children also helped in cultivation. He further stated that average land holding per family was about 2 acre and the persons who owned less than 2 acre of land rear cattle; that about 70% people of their community resided in villages and they were having social links and share Hooka- Pani with communities like Sainis, Ahir, Gujjar, Khati, Kumhar which have already been declared as backward classes. He also stated that Justice Gurman Singh Commission had granted them reservation but later on in an unjustified manner they were deprived of reservation. He further stated that Mandal Commission had also written in its report that Jat community was inferior to Ahir and Sainis but reservation was not given to the Jats by stating that Jats did not want reservation, although some of the Sub castes/ Gotras like Sihag, Chilan, Gutka Jat . were given reservation; that some of the States like Delhi, Rajasthan, U.P. Bihar, and Madhya Pradesh had already declared Jats as backward. He further stated that they were also educationally backward, because there were not proper facilities for good education in the villages, so their children were unable to properly study in the villages and also due to the fact that they remained busy in helping in cultivation. He further cited the example that their daughters who were married in Rajasthan get the benefit of backward but while it was not so in Haryana. Thus he prayed that their community be declared as backward.

PW-8 Sh. Chander Singh Chaihal stated that approximately 20% people of their community were educated and about 5% people were in Govt. Service in A & B Groups, while 10 to 15% were in C & D Groups; that there were about 30 MLAs belonging to their community and their community people had got land holding to the extent of 32% between 1 and 1.5 acre and there were about 15% to 20% people having land holding from 1.5 acres to 2 acres and about 10 to 15% people were having no land. The annual income of a family of their community was Rs.10, 000/ to 15,000/-. He next stated that they were unable to send their children to good public schools for lack of sufficient funds.

To the same effect is the statement of PW-10 Ram Karan Hooda, Advocate and PW-11 Dr. Om Parkash Dhankar.

PW-11 Dr. Om Parkash Dhankar also stated that 80% people of their community were languishing in jails because they could not get proper education due to lack of funds and the land holdings had dwindled on account of fragmentation. He further stated that a farmer could get income of Rs. 685 per acre after laboring for 6 months i.e. Rs. 114 per month while a labourer gets Rs. 400/- per day. The people of communities like Brahman, Aggarwal, Rajput, Kayastha looked upon their children with inferiority complex and even the social condition of a rickshaw-puller was better than a person belonging to Jat community who were residing in villages. He also stated that Sainis and Yadavs had got more land holdings than the persons of their community and were financially well off.

To the same effect are the statements of PW-12 Dharampal, PW-13 Dr.Santosh Dahiya.

Dr. Santosh Dahiya further stated that the living standard of people of their community in villages was inferior to that of communities belonging to scheduled castes; that mostly their children were going astray and indulged in criminal activities because they feel frustrated by imagining that even if they studied, they would not get Govt. Job and if their children took to criminal activities then it would be a loss to the whole nation. She further stated that people of their community resided in villages and did not have proper source of livelihood and were unable to get proper income for their livelihood from the meager land which they were holding.

To the same effect is the statement of PW-15 Maan Singh. He stated that they were socially, educationally and economically backward and as such should be included in the list of Other Backward Classes; that they did not have sufficient representation in Services and there were hardly 10% people in Class I or Class II Services, although many of their children were well educated. They socially shared food and *Hukka-pani* with the people of backward communities like Kumhar, Khati, Nai, Sunar, Gujjar, Ahir and Ror; that many of their children had gone astray and indulged in criminal activities; that they did not have good living facilities as cattle were also tethered in the same compound where most of them live; that many families cooked their food on Chullas in which firewood or cow dung cakes were burnt; that they were highly under debt as their land was mortgaged with the banks.

PW-25 Tara Chand stated that he was Vice President of Haryana State of Jat Arkshan Sanghrash Samiti Regd. Gurgoan and their community was socially, educationally and economically backward and 60% persons of their community were lodged in Jails as they indulged in criminal activities due to lack of financial resources.

Statement of PW-38 Dalbir Singh, General Secretary of Jat Sabha Kurukshetra is also to the same effect. He stated that cultivation of land had become unviable from economic point of view due to fragmentation of land and most of the families were under debt and were unable to pull on.

Statements made by prominent persons who were not in favour of grant of reservation to Jats.

PW-14 Jagrup Singh Tanwar, Advocate, r/o Jind PW-16 Jaswant Singh Panchal r/o Jind, Pw17 Chandni Ram, Labourer r/o Uchana Mandi, Jind, PW-18 Surya Parkash, Social Worker, Saini Mohalla Jind (Belonging to Kumhar Community) PW-19 Raghvir Singh Saini, Service in Khadi Industry, Jind. PW-23 Inder Singh Bairagi, R/o Gandhi Nagar, Jind, PW-28 J.S.Yadav, (Retired) Dean Science Faculty Geology Kurukshetra University. PW-35 Mohan Lal Dhiman, Social Worker, Kurukshetra PW-36 Sewa Singh Prajapati, Retired Teacher, R/o Partap Gate, Kaithal, have opposed the grant of reservation to the proposed five communities.

PW-14 Jagrup Singh.Tanwar, Advocate, stated that the castes such as Jat, Jat Sikh, Road, Tyagi and Bishnoi belonged to elite hierarchy and did not deserve to be included in the list of Other Backward Classes as they were not socially, educationally and economically backward; that Jats had got high status in the villages and towns and they were addressed as Choudhry; that even the lady belonging to Jat Community was addressed as Chaoudaran; that 96% people belonging to Jat community had got agriculture holding which was a symbol of high status, as the price of agriculture land at present had arisen many folds, starting from Rs. 10 Lac to 2 crore per acre; that social status of the Jats could be gauged from the fact that they did not cultivate land themselves but got it cultivated by engaging labour from amongst backward classes; that they had got Sarpanchs, Block Samiti Members, Members of Zila Parisad and others more than their population; that their social status was even high before independence as some of the people of their community were Rajas and

Maharajas; that Ch. Chhotu Ram belonging to Jat community was Minister in the Joint Punjab; that after inception of Haryana State, most of the Chief Ministers till that day belonged to their caste. Ch. Bhajan Lal had also remained Chief Minister of Haryana on three different occasions; that at present out of 90 MLAs, 26 belonged to Jat community, 1 to Bishnoi Community and 3 to Ror community and presently Chief Minister of Haryana and the Leader of Opposition belonged to Jat community; that even the Constitutional posts were held by Jat in abundance; that Lokayukat of Haryana, D.G.P of Haryana, 4/5 Vice Chancellors of various Universities in Haryana were from Jat Community. He further stated that the social status in these days mostly revolved around good economic condition and the aforesaid five communities proposed to be included had very good financial status; that the persons of these communities enjoyed a comfortable life in the villages what to talk in the cities; that they used Gas facility, water supply & electric connection as well as had good Pucca houses; that more than 40% people of their community were employed in education institutions belong to these communities; that majority of the Heads of the Corporations belonged to Jat community. Thus, they did not deserve to be included in the Backward Class.

Similar are the statements of PW-16 Jaswant Singh Panchal, PW-17 Chandi Ram, PW-18 Surya Parkash, PW-19 Raghvir Singh Saini, PW-23 Inder Singh Bairagi, PW-35 Mohan Lal Dhiman and PW-36 Sewa Singh Prajapti,

They further stated that their communities had been granted OBC status but their lot had not improved and on the other hand, the five communities, like Jat, Jat Sikh, Bishnoi, Ror and Tyagi were far superior socially, educationally and economically than them. They also stated that instead of 10% reservation in Class I and Class II Services, they should be granted 27% reservation.

PW-23 Inder Singh Bairagi stated that Jats were running their own educational institutions even before independence and at present there were many institutions run by Jat community and they were politically strong because they had got large number of MLAs; that there were many IAS, IPS HCS officers belonging to their communities and were employed in large number in other Govt. services; that Jat, Bishnoi and Tyagi owned most of the cultivable land in Haryana and did not deserve to be included in the list of backward in any manner.

PW-28 J.S.Yadav, Retired Dean Science Faculty Geology, Kurukshetra University, stated that he retired as Dean Science Faculty Geology from Kurukshetra University and belonged to Yadav Caste which community had already been granted backward status. He next stated that he was President of Yadav Samaj Sabha Kurukshetra and the constitution of the Commission was not proper as Sh. Som Dutt & Sh. Jai Singh Bishnoi Members of the Commission should not have been included in the Commission as one cannot be a judge of his own cause. He further stated that Out of the 5 proposed communities which were to be granted backward status, in fact 3 belonged to Jat community as there was no difference between Jat –Sikh, Jat and Bishnois as Jat Sikh, Bishnoi have also their origin in Jats; that the Jats could not be included in the backward list as socially, educationally and economically they were not as weaker section of the society and on the other hand, were well versed and prosperous and they were called as '*Dabang*' and '*Chaudharies*'. He next stated that Jat community had ruled the country from the ancient times; that since the inception of Haryana; mostly Haryana State had been ruled by Jat Chief Ministers. He next stated that Vice Chancellors and Judges and other important personalities belonged to Jat community in Haryana. He further stated that Ch. Bhajan Lal during his tenure as Chief Minister for 12 years even did not fail to recruit a boy who was even middle class pass belonging to Bishnoi Caste and the total population of Bishnoi was 0.1% but they were having Govt. Jobs to the extent of 0.2%.

Ror

PW-1 Master Rati Ram, President Ror Mahasbha Karnal Regd. All India Ror Sabha, Head Office, GT Road, Karnal r/o Kalkha, Tehsil and District Panipat PW-2 Deli Ram Retired College Lecturer, r/o Karnal PW-3Om Parkash Cultivator, R/o VPO Pabnawa, Distt. Kaithal, have appeared on behalf of Ror community.

PW-1 Master Rati Ram stated that their population in Haryana was about 2,53,000 and they depended only on cultivation and cattle breeding/rearing for their livelihood; that their children were mostly read up to matric and above matric, that the average monthly income of their families might be Rs. 3000/- or Rs. 3500/-; that about 50% people of their community lived in Kachha houses. He

further stated that percentage of Government services belonging to their community was less than 1% i.e. 0.3%; that there were two MLAs belonging to their community namely Shri Sultan Singh Jandola, Halqa Pundari and Shri Kali Ram Patwari Halqa Safidon; that there were two I.A.S. officers belonging to their community who had been recruited directly; that there were about 50% people who were landless; that about 48% people were having cultivable land and about 2% were having about 5-7 acres; that there was custom of Karewa marriage prevalent in their community after a person dies, remarriage of the widow within the family either with the younger brother or elder brother whosoever was available, takes place. This system is known as Chaddarandozi System. Barter system is also prevalent in marriages in their community; that about 5% people of their community did not get married due to non availability of girls; that there was child marriage system to the extent of 25% in their community. He also stated that they had got Hukka Pani with other communities like Khati, Lohar, Kumhar, Saini, Gujjar, Ahir etc. which castes had already been declared OBC. He further stated that only 15% people of their community were educated and most of the people were doing labour work as the land which they were having had become unviable for cultivation due to successive divisions in the families. He prayed that Ror-community be included in list of Backward Classes.

PW-2 Dile Ram Joint Secretary, All India Ror Mahasabha, Karnal has also supported his statement. He stated that Ror community was concentrated in districts Karnal, Kaithal, Kurukshetra, Jind, Sonapat and Panipat and their population was 1% of the total population of Haryana and their community was backward socially, educationally and economically. He further stated that their women folk also worked in fields to help in cultivation; that they had got evils like child marriage, widow remarriage and barter marriages; that the female child was not welcomed in their families and treated in inferior manner and had no proper facilities in their houses just like separate bathroom, separate toilet and separate kitchen; that sometimes, cattle were also tethered in the same compound where the families lived; that people of their community lived in villages to the extent of 98% and as such they were deprived of good education.

To the same effect is the statement of PW-3 Om Parkash, Sarpanch of village Pabnawa, District Kaithal. Thus, they pleaded that their community be granted OBC status.

Brahman

Brahman Samaj have examined PW-4 Hari Ram Dixit, Retired Teacher, r/o Jind, and PW-33 Dharampal Sharma, Advocate, r/o Kaithal.

PW-4 Hari Ram Dixit stated that he was President of Haryana Brahman Samaj and the population of their community in Haryana was 15 to 15.5% of total the population i.e. there was population of 39,50,189 and about 70% people of their community were educated; that about 45% were read upto matric, about 50% were graduate. He further stated that people of their community were employed in government services to the extent 1 to 1.5% and there were about 20% people who did not own land and also did not have roof and were mostly dependent upon odd jobs for their livelihood by running rickshaw or doing other labour work; that there were some people of their community who were employed in the Municipalities as sweepers. He further stated that about 50% people owned Kachha houses and were engaged in labour work in the villages or on the shops in the city etc. ; that there were about 8% people who owned small land holdings and about 2% were having land to the extent 4 to 5 acres. He further stated that their community was not politically active and they got only six MLAs in the State Assembly but their status was comparable with Dalit.

PW-33 Dharampal Sharma stated that he was President of Zila Sarv Brahman Sabha (Registered) and their population in Haryana was about 16% out of which 1 to 1.5% were employed in Govt. services. He next stated that their Samaj was worst than Dalits and only a few children of their community were educated and were employed and doing small jobs and they were politically backward due to lack of reservation. Thus it was prayed that reservation be granted to their community.

Goswami/Gosai

PW-5 Ram Kumar, Retired S.S.Master, President of Haryana Goswami Samaj/Gojai Samaj, r/o village Nirjan Tehsil & Distt. Jind, stated that there were about 11000 people belonging to their

community in Haryana and mostly were landless people and earning their livelihood by doing labour work; that there were about 9,000 educated people in their community and monthly income per family was about Rs. 3,000/-; that there was no custom of child marriage in their community. However, there is custom of widow marriage. Mostly people owned Pacca houses in the villages. He further stated that there were above 778 people in jobs mostly in class -III and there was only one lecturer who was in class -II. Thus, it was prayed that reservation be granted to their community.

Rajput

Rajputs have examined PW-20 Shri R.P. Singh, retired IAS Officer, r/o Bhiwani, PW-21 Sangram Singh, Advocate, r/o Nehru Colony, Julana and PW-22 Surjeet Singh Tanwar, Retired Teacher, r/o Rohtak, to prove that Rajputs were entitled to backward status.

PW-20 R.P.Singh stated that the total population of Rajput in Haryana was about 29.00 lacs and roughly 10% of the total population and most of the people of their community followed profession of agriculture and some of them were laborers; that their percentage in Government service in Haryana was hardly 2%; that there were very few people in business and about 2.2% read upto Graduation or Post Graduation while about 37% were educated up to matric level and remaining were illiterate. He next stated that mostly Rajputs lived in villages and were doing odd jobs and followed old customs; that the women observed parda system and evils of dowry system and drinking were prevalent in their community and in rural areas mostly people were reluctant to provide education to their children, especially the girls; that married women folk generally stayed within the four walls of the house and did not venture outside. He further stated that the people of their community in villages lived under most unhygienic conditions and to some extent female feticide was also prevalent. He next stated that only 6% people of their community had land holding to the extent of more than 6 acres while the average land holding was 1.5 acres and about 40% were landless. He next stated that at present there was only one M.L.A. belonging to their community and there was no Minister or Member in the Haryana Public Service Commission or in any other important body. To the same effect are the statements of PW-21 Sangram Singh, Advocate and PW-22 Surjeet Singh Tanwar, Thus, they have prayed that since they were socially, educationally and economically backward, so they be included in the Backward Classes category.

Punjabi

PW-1 Raghuvir Singh, Retired Teacher supported the case of Punjabi community for reservation. He stated that he was President of Punjabi Sewa Samiti Regd. Jind and their population in Haryana was more than 33% and most of people of their community were earning their livelihood doing small jobs i.e. to sell vegetables on Rehries or to do other menial work; that people only to the extent of 1 or 2 % were prosperous in their community and only 2 or 3 % were in Govt. Services. He further stated that about 50% people of their community were well educated, other 50% were either matric or under matric. He further stated that they should be given reservation in Government jobs in proportion to their population in Haryana.

Muslims

PW-34 Mohmand Azad Nirmal, Cultivator, r/o Danoda Kalan, Distt. Jind, stated that he was President of Haryana Muslim Samaj; that there were about 2.00 lacs people belonging to their community in Haryana and they were socially, educationally and economically backward; that their people were concentrated in Mewat area and as such reservation should be granted to them.

Bairagi

Inder Singh, Social Worker r/o village Lijwana Kalan, District Jind, stated that their community had already been declared Backward but they had not got reservation in Class I and Class II Services which right be given to them. He further stated that there were about 70000 persons belonging to their community (Bairagi) in Haryana.

PW-29 Ram Sarup Jangra, President Jangra Dharamsala, Kurukshetra PW-31 Dayal Singh Dhiman, PW-32 Ram Ratan Kataria, Cultivator, r/o Kurukshetra belonging to Gujjar caste and PW-36 Sewa Singh Parjapat, Retired Teacher, r/p Partap Gate Kaithal, stated that their communities had already been included in the Backward Classes category but reservation of 27% granted to them should not be disturbed.

Statements of persons recorded by the Commission on 1st and 2nd February 2012 at Gurgaon

Brahmans

Brahman Samaj examined PW-13 Beny Parsad Gaur, Advocate, r/o Gurgaon, PW-26 Govind Kaushik, Businessman, r/o Faridabad, PW-39 G.L.Sharma, Businessman r/o Gurgaon, PW-41 Jula Ram Shastri Govt. Teacher, r/o Jawahar Colony, Faridabad, PW-42 B.D.Sharma Businessman, r/o Hira Nagar, Gurgaon, and PW-43 Gajanand Kaushik Retired Teacher, r/o Narnaul.

PW-13 Beny Parsad Gaur, Advocate, stated that he was President of All India Brahman Welfare Trust; that earlier Brahman used to work as *Purohit* of the *Jajmaans* i.e. castes like Rajput, Jat, Jain, Gujjar, Baniya, Yadav; that most of *Jajmaans* became financially poor and were unable to support them, so, Brahmans also became economically poor as they were not getting any financial assistance from their *Jajmaans*; that prior to Independence, there was separate regiment of Brahman in the Army but after Independence, it had been abolished; that their children passed academic qualification with good marks and also got good marks in competitive examinations, but were not able to get government jobs as most of the jobs were cornered by communities in the reservation class; that their children were getting frustrated as they were not getting job opportunities; that their children in the age group of 6-14 years could not go to school for education due to their poor financial conditions and were working as labourers on the Dhabas, Rehries etc and many of the youths were working as rickshaw-pullers and coolies etc; that in Patel Nagar area 80% people belonging to their community were employed as Sweepers and more than 50% of the people had got kacha houses and were landless; that reservation should be granted on economic basis.

PW-26 Govind Kaushik, Businessman, r/o Faridabad, President of District Brahman Sabha, Faridabad, PW-39 G.L.Sharma, President, All India Brahman Maha Sabha, r/o Gurgaon, PW-41 Jula Ram Shastri r/o Jawahar Colony, Faridabad, PW-42 B.D.Sharma r/o Heera Nagar, Gurgaon and PW-43 Gajanand Kaushik, Ex-President, Shri Gaur Brahman Sabha Registered District Mohindergarh, r/o Narnaul, have also supported his statement and prayed that reservation should be granted to them.

Jat

Jats examined PW-3 Bhagat Singh Dalal, President of All India Jat Reservation Sangh Samiti, r/o village Piyala, Distt. Faridabad, PW-5 Giriraj Singh, r/o Pirthla, Distt. Palwal, President of District Palwal All India Jat Arakshan Sangh Samiti PW-6 Partap Singh, r/o Aurangabad, Distt. Palwal, PW-7 Avtar Sarang r/o village Sahupura, Distt. Faridabad, PW-21 Tara Chand Jakhar, Retired Head Master, District President of All India Jat Sangharsh Samiti, District Jhajjar, PW-27 Maha Singh Thakran, President of Sir Chhotu Ram Educational Society, Jharsa, Gurgaon. PW-32 Satya Pal Dahiya, Advocate, District Narnaul, PW-34 Bhawal Singh Lamba, Social Worker, r/o village Dalanwal, Distt. Mohindergarh, PW-35 Dr. Rajinder Sura, Senior Vice President of Akhil Bhartiya Jat Maha Sabha, Haryana, PW-48 Hawa Singh, Advocate r/o Rewari And PW-49 Ram Kishan Mehlawat, General Secretary of All India Jat Sangharsh Samiti r/o Bawal, to prove that Jats were socially, educationally and economically backward and should be granted reservation.

PW-3 Bhagat Singh Dalal stated that persons belonging to their community to the extent of 80% resided in villages and most of them were cultivators and the land had gradually fragmented due to successive successions and at present, the average land holding of a member was 1 to 1.5 acres. He next stated that about 8-10% people in their community were doing labour work or other odd jobs. He further stated that due to financial constraints people of their community were unable to give education to their children and further they could not give them good diet etc. He also stated that some of the people lived in fields and have their *kaccha* houses. They cooked their food and lived in one room. He next stated that most of their youths were indulged in criminal activities due to poor financial condition and as such their community should be included in the Backward Classes category.

To the same effect are the statements of PW-5 Giriraj Singh, PW-6 Partap Singh, PW-7 Avtar Singh, PW-21 Tara Chand Jakhar, PW-27 Maha Singh Thakran, PW-32 Satya Pal Dahiya, Advocate, PW-34 Bhawal Singh Lamba, PW-35 Dr. Rajinder Sura, Senior Vice President, Akhil Bhartiya Jat Maha Sabha Haryana, PW-48 Hawa Singh, Advocate, and PW-49 Ram Kishan

Mehlawat. PW-21 Tara Chand Jakhar further stated that their quota for recruitment to the Army had been reduced and their children who were educated feel frustrated and were unable to get government jobs and as such their children adopted criminal activities and 80% of their youths were languishing in the Jails; that if the reservation was not granted to their community, they would be completely destroyed. He also stated that the Haryana Government has already granted reservation to Yadav, Saini, Gurjjars; who were farming communities, and they were socially, educationally and economically inferior to them and as such reservation should be granted to them.

The persons who appeared to oppose reservation to Jats

PW-1 Jagjit Singh, General Secretary of Yadav Kalyan Samiti, Rewari, PW-2 K.C.Yadav. Retired IAS, r/o Gurgaon, PW-4 Sube Singh Yadav, Advocate, District Court, Gurgaon, PW-8 Dr. Ishwar Singh Yadav r/o Rewari, PW-10 V.P Nagar, Administrative Officer in General Insurance Delhi r/o Tigaon, District Faridabad, (belonging to Gujjar community), PW-11 Suraj Mal, retired from Delhi Police, (belonging to Gujjar community), PW-16 Puran Lal, Retired Sales Tax Inspector, r/o Nai Basti, Gurgaon (belonging to Gadaria caste), PW-18 Baljit Singh, Retired Junior Engineer, r/o Ahri, Distt. Jhajjar, (belonging to Kumhar caste), PW-20 Nandan Singh, Retired Teacher, r/o village Qutabgarh, Distt. Mewat/Nuh, (belonging to Gadaria caste), PW-29 Purshotam Yadav r/o Gurgaon, PW-30 Dr. B.R.Varma, Journalist, and Publisher of Haryana Recorder, Gurgaon, (belonging to Kumhar caste), PW-31 Lal Singh Yadav, Advocate, r/o Narnaul, (belonging to Yadav caste), PW-33 Ram Kanwar, Retired Professor from Agriculture University, Hisar r/o village Dulina, Distt. Jhajjar, PW-36 Prof. Ranbir Singh Yadav, All India Yadav Maha Sabha, r/o Rewari, PW-38 Dhani Ram, Advocate, Faridabad, (belonging to Dhobi (Rajaka) sub caste), PW-44 Om Parkash Panchal, r/o Ballabgarh, (Distt. Faridabad) and PW-50 Master Dalip Singh Panchal Retired Teacher, r/o Bahadurgarh, Distt. Jhajjar, made statements to prove that the five castes, namely, Jat, Jat Sikh, Ror, Bishnoi, and Tyagi were superior to them socially, educationally and economically and should not be included in the Backward Class category.

PW-1 Jagjit Singh Social Worker stated that he was General Secretary of Yadav Kalyan Samiti, Rewari and Yadav community had already been included in Other Backward Classes. He further stated that the Commission was not properly constituted as Sh. Jai Singh Bishnoi and Sh. Som Dutt were ordinary workers of Congress Party and were not specialized in any field; that 'Jats' were called '*Choudhary*' everywhere and were also called '*dabang*' and that they did not allow Dalit community to perform *Ghurchari* and a Dalit was not even allowed to offer water in a Shiva temple brought from Haridwar; that there was a complete domination of Jats in the villages; that the Jats have dominated the political scene and there has always been a Jat Chief Minister except for a period of 12 years when Haryana was ruled by Bishnoi Chief Minister Sh. Bhajan Lal; that the percentage of Jats in Haryana was about 16-18% but their share in Services, in political field and in educational institutions was much higher and even the other offices like Boards, Corporations, Panchayats, Block Samitis, Municipal Corporations were controlled by the persons belonging to the aforesaid five communities; that they were owners of agricultural land to the extent of about 80%, which was canal irrigated. Thus, he prayed that the five proposed communities should not be included in the Backward Class category.

To the same effect are the statements of other witnesses as mentioned above.

PW-2 Shri K.C.Yadav, retired IAS stated that Jats and Sikhs had got separate regiments in the Army and the recruitment to those regiments in the Army was only made from these communities and that they had got very high percentage of officers in Government as well as private Services and the people belonging to them were well educated, socially, and economically were forward and prosperous.

PW-4 Sube Singh Yadav stated that Jats had 20% representation in Class-I and Class-II Services, while in other services, they had got 35% to 40% representation. He further stated that Jat Community also dominated the political arena of Haryana for the last 45 years and were socially and politically powerful and were not to be included in OBC category in any manner.

PW-10 V.P. Nagar stated that educational institutions, schools, colleges and universities were mostly dominated by the people belonging to Jat community and some of the institutions were managed by them. He further stated that the percentage of the people belonging to Jat community in

Government services was much more than their population and even in Administrative services mostly Jats were dominating.

PW-36 Prof. Ranbir Singh Yadav among others stated that Jai Singh Bishnoi and Som Dutt Members should not be appointed as Members of the Commission as they were ordinary workers of Congress and were not eminent persons in any manner and had no knowledge about the backward classes. He next stated that the population of Jat community in Haryana was 16% to 18% while the population of Jat Sikh was 3% that of Bishnoi was 1%, Ror 1% and that of Tyagi 0.5%. The population of Jat was 1% qua the population of India. He further stated that Jat, Jat Sikh and Bishnoi belonged to the same caste i.e. Jat, Jat Sikh and Bishnois were not separate castes but the Jats who had adopted Bishnoi religion were called Bishnoi and the Jats who kept hair and beard were called Jat Sikh. He further stated that in the year 1761, the Second Battle of Panipat had taken place and some Marathas were left behind and they settled in Panipat area and were called Rors; that Tyagis were Brahmans by caste but those persons who had not adopted the profession of worship etc. and adopted cultivation, were called Tyagis. He next deposed that Jats were not only powerful in Haryana but in whole of India and in Haryana the Jat community was ruling community because since 1968 there had been Chief Ministers belonging to Jat community. Many Ministers in Haryana were also from Jat community; that Jat Sikhs were also not backward socially or otherwise because they were big landlords and owned stud farms and one of such stud farm was situated at Tohana near Hisar; that Bishnois not only in Haryana but in whole of India were socially and educationally forward; that Ch. Bhajan Lal belonged to Bishnoi community and had ruled Haryana for 13 years and thus this community was also a ruling community; that Tyagis were important part of Brahman community and Brahman community not only in Haryana but in whole of the country was not a backward community; that Tyagis owned cultivated land in Khadar Yamuna area; that Rors claimed themselves belonging to Maratha caste and Maratha caste was not backward socially in any manner; that Rors owned land in Kaithal, Karnal, Kurukshetra and Yamunanagar which area was very fertile; that educationally, if any caste is more educated then it was Jat caste; that they had their own institutions of education in Asthal Bohar, Sonapat, Hisar, Jind, Kaithal and Kurukshetra and there was a Vidyapeeth in Sirsa; that there were medical colleges, engineering, multi-technical colleges, ITIs and other colleges in the area dominated by Jat community and for this reason, the Jat community was highly educated and out of nine Universities, six Vice-Chancellors belonged to Jat community. He further stated that in the Jat Sikh dominated area, there were Khalsa higher education colleges and in Sirsa there were educational institutions belonging to Dera Sacha Sauda. Thus Jat Sikh community was not backward in any manner. Bishnoi Samaj had got educational institutions in Hisar, Sirsa, Fatehabad and Hisar was an important district for higher education. There were three Universities and one Business School at Hisar; thus Bishnoi Samaj was a forward community.

Therefore, the aforesaid five castes were prosperous in all respects because they owned 80% of canal irrigated land and they had got irrigation facilities to the extent of 80% and in addition to that, about 90% of people of their community had got tractors. The Jats and Jat Sikhs were big landlords and they were sufficiently represented in Administrative and police and other services; that industrialists, businessmen and contractors etc. were also from these castes. He further stated that Bishnoi Samaj had got one percent population in Haryana but in the State Services as well as Central Services, they had got 2% representation. About 40 years ago Smt. Neera Tyagi was selected in IAS who belonged to Tyagi Samaj and ultimately she retired in Uttar Pradesh as its Chief Secretary and thus it was clear that these castes were not socially, educationally and economically backward. The population of Jats in Haryana was 16% to 18% but their representation in the Services was about 54%. He prayed that the proposed castes should not be allowed reservation.

Punjabi Samaj

In order to prove that Punjabi community should be included in the Backward Classes, PW-12 Shri A.C. Chaudhary has come forward and got recorded his statement. He stated that he was President of Haryana Punjabi Welfare Sabha (Registered) Haryana based at Faridabad; that they had migrated from Pakistan after partition and settled in various parts of Haryana; that they had left everything in Pakistan and came to India empty handed and all these years struggled very hard to earn livelihood; that many of the people belonging to their community, who were *Crorepati* in Pakistan became penniless; and were still penniless; that some of them were earning their livelihood by pulling rickshaws and selling some articles on Rehris etc.; that in spite of giving education to the children, they were not accommodated in Government jobs; that Hon'ble Supreme Court in AIR-1993

ASC 477 held under Article 16 (4) of the Constitution of India that persons who were economically backward were entitled to reservation to the extent of 50%; that there were about 30-40% people who had migrated from Pakistan were unable to get their houses white-washed or repaired; that it was the duty of the Government to grant status of freedom fighters to the persons of Punjabi community as they had left everything in Pakistan and came to India in three wearing apparels; that it was the duty of Government, according to Article 15(4) of the Constitution of India, to help them in resettling which was not done. It was prayed that the Punjabi community be granted the status of Backward Classes.

Maurya Caste

PW-19 Krishan Kumar, Cultivator, r/o Dharuhera, Distt. Rewari stated that he belonged to Maurya caste; that there were about 750 families belonging to Maurya caste residing in Dharuhera and the total population of people of Maurya Caste in Haryana was 0.2 to 0.6%. He further stated that most of people their community were doing cultivation or the work of selling vegetables; that they were doing cultivation after taking the land from Yadavs on contract basis; that girls in their community were read upto 5th class while boys upto 10th class and some of them studied upto 12th class or Graduation level and as such they be included in the backward classes.

Kushwaha caste

PW-15 Surjan Singh, Lineman in BSNL, r/o Devlal Nagar, Gurgaon stated that he belonged to Kushwaha caste and their population was about 1-1.5% of the total population of Haryana; that the people their community were mostly doing cultivation and labour work and most of them had got no land; that about 10-12% people of their community were read upto 10th to 12th class and thereafter they were unable to get them educated due to financial constraints; that they had got family ties with Sainis but only to a limited extent; that most of their people did gardening. It was therefore prayed that they should be given reservation.

PW-23 Ram Lakhan Singh Kushwaha, Retired Worker from Voith Paper Fabrics India Limited, Faridabad, Resident of Jawahar Colony, Faridabad; stated that he was the founder Member of Kushwaha Samaj Faridabad (Registered) and Maurya and Kaveri were also included in Kushwaha caste; that they mostly depended upon menial jobs and cultivation; that there were about 20,000 people belonging to their community in District Faridabad and their children were educated maximum to matric level and they could not send them for higher education due to financial constraints. He further stated that their community had already been included in Backward Class in Punjab, Madhya Pradesh, Bihar, Rajasthan, Chattisgarh, Orissa, Assam and Delhi. It was prayed that they should be included in the list of Backward Classes.

PW-11 Suraj Mal belonging to Gujjar caste, PW-17 Ram Niwas belonging to Khati (Jangra) caste, PW-24 Vidya Sagar Jangir belonging to Jangir Brahman caste, PW-25 Som Dutt Jangra, Ex-Chairman of Haryand Second Backward Classes Commission, PW-28 Daya Kishan belonging to Gadaria caste, PW-51 Rajinder Singh Jangra belonging to Jangra Brahman caste stated that they were already included in the Backward Classes but the reservation granted to them to the extent of 16% in Category 'A' should not be disturbed or tampered with but they had got no objection if the proposed castes were given reservation in Group 'B'.

PW-25 Som Dutt stated that the creamy layer limit should be increased to Rs. 10.00 lacs or Rs. 11.00 lacs instead of 4.5 lacs at present.

Rajput

PW-22 Thakur Raja Ram stated that he belonged to Rajput caste and people of their community mostly resided in Faridabad, Karnal, Kurukshetra, Jhajjar, Rewari, Gurgaon, Palwal, Mohindergarh Districts and their population was about 8% in Haryana and mostly people of their community depended upon labour work for their livelihood; that some people had got land but due to successive successions the land had been fragmented and at present some of the people had got land average to the extent 1 to 1.5 acres, which was not economically viable for cultivation; that their social, education and economic condition were very poor and their youths were feeling frustrated as they could not get jobs and most of them had adopted to criminal activities and were locked in Jails; that if there were 100 vacancies available for recruitment then also even one Rajput was unable to get

job ; that about a few days back 6000 constables were recruited in Haryana, but even one boy belonging to their community had not been recruited. Thus he prayed that their community be granted reservation.

Mathili caste (Khati)

PW-37 Des Raj Shopkeeper R/o Palwal stated that he belonged to Khati caste i.e. Mathili and he was President of Haryana Mathili Samaj; that Mathili and Jangra were separate castes as there were 30 sub-castes in Khati community but their community was not included in the same; that there were about 20,000 people belonging to their community Mathili who mostly resided in Faridabad and Palwal Districts and were doing carpenter job but some of them had adopted Lohar (B.C) profession and others were doing labour work; that about one per cent people belonging to their community were holding land but mostly were doing labour work as carpenters; that about 80% people of their community were illiterate and no person had occupied political post; that some youths were employed as teachers but mostly were unemployed and as such their community be also included in the Backward Classes list.

Meo Caste

PW-14 Ramjan Chaudhary r/o Nuh, Mewat stated that he belonged Meo caste; that they had ready been granted the status of Backward Class but they were even unable to compete with the communities who had not been granted reservation because their children were less educated; that they were socially, educationally and economically backward and even inferior to other castes which were included in the Backward Classes; that they should be provided special quota so that their community could come to the level of other communities.

Statements of eminent persons recorded at Rewari by the Commission on 29.2.2012

In order to prove that Jats were entitled to reservation, they have examined PW-R-VII Ram Kumar r/o Village Duliya, Distt. Jhajjar, PW-R-VIII Chaudhary Hawa Singh sangwan r/o Bhiwani and PW-R-XIV Hawa Singh Advocate, r/o Village Asraka Majra, Tehsil Bawal, Distt. Rewari,.

PW-R-VII Ram Kumar stated that he belonged to Jat caste; that Haryana was considered to be an agrarian State but at present this situation has completely changed with industrialization and urbanization; that the parts of Haryana adjoining Delhi had come under N.C.R. region and their social, education and economic conditions had totally changed. Most of them have become rich due to urbanization and most of the communities belonging to Ahirs, Gujjar who were residing in the N.C.R, region have become rich due to acquisition of their land at high prices and shifting to other professions like business and some of them have become industrialists and have also adopted construction work. He further stated that population of Jats in Haryana is 20%-23%; that Jat community in Haryana, as far as education is concerned, was above State Literacy rate and their representation in Government Services in Class-I to II was 20-30% but in Class III, it was more than 30%. He further stated that this Commission must take into consideration the representations of various communities in Government services because the power flows from Government services. He emphatically stated that though he belonged to Jat Community but reservation should not be granted to Jat community as it is against their interest.

PW-R-VIII Chaudhary Hawa Singh Sangwan stated that he belonged to Jat community and obviously supported grant of OBC status to Jats as they were socially, educationally and economically backward; that economic condition of Jat farmers have deteriorated to a greater extent as there was gross disparities between inputs and outputs of cultivation; that 90% of the Jats belonged to the farmer community and most of them were residing in rural areas and were socially, educationally and economically backward; that there was Jat regiment in the Army but they had not arisen to the higher hierarchy as they were not sufficiently educated and were not professionally qualified which was an indication of backwardness; that youth belonging to their community were not educated and due to economic backwardness, had committed suicide. He further stated that in Bhiwani district alone, 80% suicide had taken place in small village Mankawas. He further stated that if some person had become leader or even Chief Minister from their community, then it did not mean that they had become well off socially, educationally and economically that due to serious social and economic problems and lack of availability of Government services, youths had taken to drugs and other vices.

PW-R-XIV Hawa Singh, Advocate, stated that he belonged to Jat community and produced 69 affidavits in support of their stand for including their community in OBC Category. He further stated that there were many persons belonging to their community who were defaulters in repayment of loans of Co-operative Banks of the State Government.

Persons who appeared against grant of reservation to Jats

PW-R-I Ved Parkash Vidrohi , Social Activist r/o Rewari, PW-R-II Prof. Ranbir Singh Yadav, Social Activist, Rewari, PW-R-III Purshotam Saini, Retired Subedar, r/o Narnaul, PW-R-IV Dr. Iswar Singh r/o Rewari, PW-R-X Vijay Kumar Lakhera, Pump Operator in Water Supply Delhi, r/o Morekheri, Distt. Rohtak, PW-R-XII Birbal Verma, Worker, and PW-R-XIII Rajesh Kumar Pawar, Washerman, r/o Rewari, PWR-XVI Siri Chand Jangra, Retired E.O, Marketing Board, r/o Rewari, have opposed the inclusion of Jats and other proposed communities in the OBC Category.

PWR-1 Ved Parkash Vidrohi stated that he belonged to Yadav Community and the Jats were not in any manner, socially, educationally and economically backward but they belonged to forward caste and for the last 16 years they were continuously ruling Haryana State; that their population was about 22% and they were politically active; that the percentage of representation of Jats in Class –I and Class-II was more than 22% out of 80% excluding 20% of S.C. and S.T while their representation in Class III posts was about 35 to 40%; that Vice Chancellors of the Universities in Haryana were mostly Jats for last many years and they have got best educational institutions in Haryana which were run and dominated by them. He further stated that for the last about 34 years out of 46 years, there was Chief Minister of Haryana belonging to Jats Community; that the key posts to the extent of more than 60% in the Government services had been occupied by the Jat community. Similarly in all the districts SSPs and DCs posted belonged to Jat community for the last 16 years; that since the inception of Haryana State, 25 MLAs belonged to Jat community; that in Haryana mostly doctors, professors, lecturers in colleges and Universities belonged to Jat Community; that most of the Government higher learning institutions were situated in the Jat area and as such they did not deserve to be included in the OBC category.

To the same effect is the statement of PW-R-II Prof. Ranbir Singh Yadav. He stated that it was wrong that population of Jats in Haryana was 30% but in fact, it was not more than 16 to 18%; that appointment of Jai Singh Bishnoi and Som Dutt as Members of the Commission was in contravention of the Constitution and the National Commission.

PW-R-IV Dr. Iswar Singh stated that he belongs to Ahir caste and Jat, Rod, Bishnoi, Tyagi and Jat Sikh castes should not be included in Other Backward Class because they were socially, educationally and economically forward and were not inferior in any manner than any other caste. He further stated that non-Jats in Haryana were treated as second rate citizens and if reservation was given to Jats in Haryana, then the Backward Classes would be cheated.

The statements of PW-R-XII Birbal Verma, PW-R-XIII Rajesh Kumar Pawar are also on the same lines and stated that reservation should not be granted to the five proposed castes and further 27% quota of reservation granted to the Backward Classes should not be tampered with.

Brahmans

PW-R-IX Ramsaran Sharma, Social Activist r/o Village Sangwadi, Distt. Rewari, stated that he belonged to Brahman community and was President of Brahman Shaba District, Rewari and total population of Brahman in Haryana was 39.00 Lacs; and the representation of Brahmans in Government service was about 2%; that youths of their community mostly depended upon for their livelihood by working as labourers in factories or by doing other odd jobs and there were a few people who cultivated land and some of them owned land but others cultivated after obtaining land on lease.

Maurya

PW-R-XI Krishan Kumar Maruya, r/o Dharuhera, stated that he was the President of Sukhija Maurya Ekta Vikas Sangathan and they were socially, educationally and economically backward; that they grew vegetables by taking land on lease for earning their livelihood and their children were under Matric and some of them had educated upto Matric level. He further stated that there were 5.00/6.00 people belonging to their community who were residing in Gurgaon, Faridabad, Palwal,

Yamunanagar, Bhiwani, Karnal and to some extent in Panchkula, Rohtak and Panipat. Thus, he prayed that they should be included in the OBC category.

Qurashi Sub Caste

PW-R-15 Mohammad Qurashi, r/o village Omra, Distt. Mewat, stated that he belonged to Qurashi sub caste which was not included in the Backward Classes list; that their population in Haryana was about 12000 to 15000; that they were included in the Backward Classes as Shaikh but not as Qurashi and most of their people deal in sale and purchase of buffaloes; that they were socially, educationally and economically backward and as such Quarshi caste should also be included in the OBC list.

Kalal

PW-R-VI Shishpal Singh, r/o village Pinangwa, Distt. Mewat, stated that he belonged to Kalal community and their population in Haryana was about 62000 to 70000; that they were economically, socially and educationally poor and for their livelihood worked on shops, ply rickshaws and rehari, etc.; that people of their community less than 40% were read upto Matric level while others upto M.A. level and some were below Matric and their annual income per family was to the extent of Rs.70000 or 80000 on average basis.

Statements of eminent persons recorded at Karnal by the Members of the Commission on 9/10-2-2012

Jats

Jat community examined PW-K-3 Raj Narain Pangal, Advocate, Rohtak, PW-K-5 Daya Nand Dahiya r/o Alallpur, Sonapat, PW-K-6 Gian Singh, Vice President of Akhil Bhartya Jat Arakshan Samiti, PW-K-7 Sandeep Khokhar, Advocate, Gohana, PW-K-23 Col. O.P.Sandhu Gurgaon, PW-K-23 Shamsher Singh Sandhu, Karnal, PW-K-24 Mool Chand Dahiya Vice President of Jat Arakshan Samiti Haryana, PW-K-25 Pappu Dalal, Jhajjar, and PW-K-28 Bhale Ram Banewal, to prove that Jats are socially, educationally and economically backward and as such they be granted OBC status.

PW-K-3 Raj Narain Pangal stated that their population in the State of Haryana was 35% while PWK-22 Col. O. P. Sandhu, PWK-23 Sh. Shamsher Singh Sandhu, and PWK-24 Sh. Mool Chand Dahiya, Vice President, Jat Arakshan Samiti, Haryana, stated that as per Gurnam Singh Commission's Report their population was 25%. They also stated that due to non-availability of Government Services, many youths were going to jail and further they were discriminated by higher castes like Brahmans and Mahajans etc.

PW-K-6 Gian Singh further stated that 90% population of their community resided in villages and the average land holding per member of a family was 2 to 2.5 acres.

PW-K-28 Bhale Ram Beniwal further stated that population of Jat Community in Haryana was 25% and 96% were unemployed; that land owners were to the extent of 25% or less than 25%; that about 75% people of their community were doing manual work.

Eminent persons who had opposed grant of OBC status to Jats

PWK-1 Balwan Singh Panchal, Secretary, Haryana Backward Classes Federation, Jagdish Colony, Rohtak, PWK-2 Dr. Gaja Nanand Verma, Private Medical Practitioner, R/O Kalanaur, District Rohtak, PWK-5 Santa Kumar Arya S/o Sh. Keso Ram, President of Haryana Pardesh Backward Classes Block-A Kalayan Simiti, Rohtak, Social worker, PWK-10 Goverdan Lal Rohila, President of Rohila Tank Sabha (Regd. No. 757) Rohtak, PWK-11 Virender Sawami caste Baragi, President of Haryana Baragi Sabha, Rohtak, PWK-12 Balbir Singh, General Secretary of Akhil Bhartiya Parjapati Mahasangh Rohtak, PWK-13 Ranbir Singh, Ekta Munch Haryana, PWK-14 Ramesh Swami S/O Sh. Ram Singh, R/O Swami Colony, Mehiana Road, Sonipat, PWK-16 Ram Dia, (Kumhar) Vice President, National Prajapati Mahasabha, Sonipat, PWK-21 Mangat Ram Malik R/O Village Shahpur, Distirct Yamuna Nagar, PWK-39 Ishwar Singh Kamboj R/O village Hassanpur, PO Gharaunda, District Karnal, stated that the communities like Jat, Sikh, Ror, Tyagi and Bishnoi even if were included then 27% reservation granted to Backward Classes should not be disturbed. They also

stated that the above mentioned communities were not socially, educationally and economically backward in Haryana but on the other hand, they were prosperous and forward communities; that there were many officers belonging to their community such as IAS, IPS officers posted in Haryana and they were also holding many posts in judiciary.

Ror Community

The statements of following eminent persons on behalf of Rod community were recorded, namely, PWK-50 Dr. Rishi Pal Mathana President of Ror Employees Association Kurukeshtra, PWK-18 Shakti Singh R/O H. No. 112, Sector-12, Karnal, PWK-19 Dharam Singh R/O Saleempur Madud, District Kaithal, PWK-20 Om Parkash R/O Village Ahir, District Panipat, PWK-27 Master Jai Singh Ror and PWK-52 Lalit Buttana, Ex-M.L.A. Member of Haryana Subordinate Service Selection Commission.

They stated that Ror community should be included in the list of Backward classes as they were socially, educationally and economically backward and have got social evil such as Atta-Satta (Exchange of Brides); that about 28% population of their community was uneducated and about 20% were below Matric and 25% were Graduates and their participation in the Govt. job was only 5% ; that due to financial constrains they were unable to give higher education to their children; that in U.P. and Utrakhand States Rod community had already been granted OBC status; that they were also connected with Gujar, Ahir, Khati etc. by way of marriages and other social activities which were already included in BC category indicating the backwardness of their community.

PW-K-27 Master Jai Singh stated that their community totally depended on manual labour for livelihood and their women also worked in the fields; that child marriage was rampant in their community and the custom of Karewa marriage and Chadar-Odni was common; that population of their community was 2.5% of the total population of State of Haryana; that their community was confined to 5-6 districts only; that 72% persons of their community were residing in mud houses; that about 28% were illiterate, 35% were under-matric and 12% were Graduates; that 37% people of their community were holding on average 0.5 acre of agriculture land and 11% were having 2.5 acres; that their social status was below Brahamans, Punjabis and Jat communities.

Jat Sikh

PWK-9 Darshan Singh and PWK-53 Pardeep Singh Virk, President of Jat Sikh Association Karnal, have pleaded the case of Jat Sikh community. They stated that population of Jat Sikh in Haryana was 5% and they were socially, educationally and economically backward and their status was just like Jat, Rajput, Ror, Bishnoi; that 92% people of their caste were residing in villages where there was no facility of education; that Gurnam Singh commission had granted the status of OBC to them in the year 1990.

Goswami/Gosai

PWK-55 Naresh Goswami stated that he belonged to Goswami/ Gosain community and their population was about 40,000 in Haryana State and people of their community earned livelihood mainly by doing manual labour work and some of them were living below poverty line, so, they may be included in the Backward Class category as they were landless people.

Punjabi

PWK-40 Kashmiri Lal Chawla R/O Rohtak, PWK-41 Dr. Shashi Bhushan Madan, General Secretary of Punjabi Mahasabha Karnal Branch. Headquarter at Yamunagar, and PWK-42 Rakesh Johli, Advisor of Punjabi Mahasabha Panipat, stated that 98% people of their community were economically weak and their political and social status was also not very good; that lots of them had migrated from Pakistan and for the last 60 years, they have not progressed in the absence of financial resources; that the land allotted to them after migration from Pakistan was also of not good quality and the same had been sold to impart education to their children.

PW-41 Dr. Shashi Bhushan Madan stated that some people of their community have progressed well but a large majority of about 80% were in a pitiable condition; that Khattris and Punjabis were residing in 20/30 sq. Meter houses in colonies where there were no proper toilet and

drinking water facilities. He further stated that percentage of people of their community in Govt. jobs was very less and they were doing labor work, running fruit rehries, juice rehries and their females were also working in houses as maid servants. Thus, they prayed that OBC status should be granted to them.

Panchal

PWK-7 Bhoop Singh, Junior Engineer, Thermal Plant Panipat, PWK-13 Ranbir Singh General Secretary, Sain Ekta Munch Haryana, PWK-14 Ramesh Swami R/O Swami Colony, Mehlana Road, Sonipat, PWK-16 Ram Dia, Vice President, National Prajapati Mahasabha, Sonipat, PWK-51 Dr. Ram Parkash, Member of Parliament, Rajya Sabha, r/o 1634 Sec-13 Kurukeshtra, PWK-37 Devi Shanker Jangra R/O 159/34, Vishav Karma Nagar, Rohtak, PWK-38 Pawan Saini, belonging to Saini community, Block President, Saini Ekta Manch, Karnal, PWK-39 Ishwar Singh Kamboj belonging to Kamboj Sabha R/O village Hassanpur, PO Gharaunda, District Karnal, and PW-K-56 Prof. Ramesh Tiger, r/o village Kanheli, Distt. Rohtak, stated that reservation, quota 16% in Category -A and 11% in category B granted to Backward Classes should not be tampered with. They further stated that 10% reservation in Class-I and Class-II Services in Haryana to the OBC be enhanced to 27%. They also stated that reservation should not be granted to Jat, Jat Sikh, Ror, Bishnoi and Tyagis.

Brahmans

PWK-17A Surender Sharma stated that he belonged to Brahman community, which was socially, educationally, economically and politically backward and it should be included in 27% Backward Classes reservation in Haryana and the reservation criteria to declare a community Backward Class should be on economic basis.

Rajput

PWK-58 Ram Singh, District President of Rajput Partinidhi Sabha, Yamunanagar, stated that he belonged to Rajput community and their community should be included in Backward Classes and further the creamy layer of their community and that of other communities should be excluded from reservation.

Statements of eminent persons recorded at Panchkula on 13-2-2012 by the Commission

Jat

PWP-2 Amardeep Hooda Advocate, Punjab and Haryana High Court, Chandigarh, PWP-3 Kapil Dhillon owner Petrol Pump at Pinjore Baddi Road, PWP-5 Rajinder Singh r/o Village Tota, Distt. Panchkula, PWP-6 r/o Village Marapur, Tehsil Naraingarh, PWP-15 Umit Singh, PWP-16 Jarnail Singh r/o Village Jharmaila, Tehsil Naraingarh, PWP-17 Karan Singh, PWP-18 Rajbir Singh r/o Vill.Balu, Tehsil Naraingarh, PWP-18 Rajbir Singh, PWP-24 Duni Chand r/o Ambala, PWP-25 Kuldip Singh Sangwan r/o Adho Majri P.O. Nangal, Distt. Ambala, PWP-26 Amrik Singh r/o Village Kardhana, Distt. Ambala, stated that they belonged to Jat caste and Jat community was socially, educationally and economically backward and about 70% people of their community were having less than 2.00 acres of land and their social status was inferior than Ahir, Saini, Gujjar etc; that their children hardly could study upto 5th standard or 10th class and 90% people lived in villages and depended on agriculture for their livelihood. They also stated that 40% people of their community were backward and burnt wood etc in *chullahas* for cooking food; that they shared *Hooka-pani* with Ahir, Saini, Brahman, Tyagi, Gujjar and some of them had already been declared as Backward. They further prayed that they be included in the Backward Classes list.

Brahmans

PWP-11J.P.Sharma, PWP-13 Achru Ram Sharma, President of Brahman Sangharsh Samiti, Panchkula, along with K.D.Parbhakar and PWP-27 Rajinder Kumar Sharma stated that they belonged to Brahman caste and they were socially, educationally and economically backward; that their total population was about 25%; that their representation in Government administrative Services was only 2% while 5% people of their community were in Government jobs in subordinate positions. They next stated that if Jat, Jat Sikh, Bishnoi, Ror and Tyagi were to be included in the OBC class, then they should be on social and educational basis. They further stated that 50% people of their community

were living in Kacha houses in which there was no arrangement for kitchen and toilet; that they had been doing small odd jobs for their livelihood and most of them did not own any land; that many people belonging to their community were employed in Delhi and Noida as Sweepers for cleaning the toilets and there were only 2% people of their community who were prosperous. Thus, they pleaded that they be included in the Backward Classes.

Bishnoi

PWP-7 Hanuman Jani, r/o Tehsil Ratia, Distt. Fatehabad, PWP-12 Jagdish Chander, r/o Sector 17, Panchkula, PWP-14 Darshan Singh Bishnoi r/o H.No.130, Sector 17, Panchkula, stated that they belonged to Bishnoi caste and their community was socially, educationally and economically backward and mostly Bishnois resided in villages and the level of education among their women folk was very low; that they were dependant on agriculture for their livelihood but were having less land; that they had no representation in Central as well as State Services; that their women folk observed Parda from other women and even from their mother-in-law; that child marriage was very rampant and 99% people worked as labourers in fields; that Rajasthan Government had already included Bishnoi in the OBC category; that since 1966 no one from Bishnoi caste had been recruited directly in IAS, IPC and other Services; that there was an evil custom of Kharcha/Bhoj after death of a person; that 99% people of their community lived in Dhans and cattle are tethered in the same compound where they lived and there was system of Atta-Satta in marriage in the villages and as such they pleaded that they be included in the OBC category.

Kushwaha/Maurya

PWP-1 Ramdass, Retired from Haryana Small Scale Industries Deptt, belonging to Maurya/Kushwaha community stated that their community was socially, educationally and economically backward and their population was about 15000 to 20000; that they had already been declared backward in Bihar, Uttar Pradesh, Punjab, Madhya Pradesh and Jharkhand States; that they were landless and were doing manual work in factories for earning their livelihood and as such they be included in the Backward Classes category.

Jat Sikh

PWP-10 Jaspal Singh r/o Village Sundar, P.O Bulana, Distt. Ambala and PWP-21 Amarjit Singh, R/o H.No.7A, Mahesh Nagar, Ambala Cantt stated that they belonged to Jat Sikh community and their population in India was 1% while their population in Haryana was negligible; that most of land belonging to his community had been acquired or their people had sold the land and left Haryana; that most of the people had taken loans from the Commission Agents/money-lenders; that land was not viable for cultivation and as such they be included in the Backward Classes category.

Statements of persons who opposed grant of OBC status to Jats

PW-P-9 Chander Bhan Saini, PWP-P-23 Suresh Kumar Verma (belonging to Kumhar caste), PW-30 R.K.Saini, Sarpanch r/o Ramgarh, Distt. Panchkula, PWP-32 Mam Chand Chhokar (belonging to Gujajr caste), opposed the grant of OBC status to Jat, Jat Sikh, Ror, Bishnoi, and Tyagi and stated that they were socially, educationally and economically prosperous and forward and did not deserve OBC status in any manner. They further stated that in fact they were dabang caste and if OBC status was granted to them, then communities who were already declared as OBC would be deprived of the little bit benefit which they were getting at present.

Aggarwal

PWP-33 Kul Bhushan Goel has come forward to support the case of Aggarwal community for inclusion in the Backward Classes category. He stated that he belonged to Aggarwal caste and their population in Haryana was 30.00 lacs i.e. 15% of the total population of Haryana; that only 50% people of their community were educated and rest were semi-uneducated, read upto primary or under-matric; that 80% people of their community were doing odd jobs in the villages and towns and were below poverty line. He further stated that about 50% people of their community were working as servants or salesmen and their salary was not more than Rs.5000/6000 P.M; that they were socially, educationally and economically backward and some of the persons were unable to give fees of their children. He further pleaded that reservation should be given to their community on economic basis i.e. on the criteria; where a person who does not pay any income tax; or a widow who does not pay any income tax or any invalid person.

Kalal/Ahluwalia

PW-P-34 Col. Inderjit Singh Ahluwalia r/o M.D.C Panchkula and PW-P-35 Ashok Mehta r/o Naraingarh Distt. Ambala have come forward to support the grant of OBC status to Kalal community. They stated that they belonged to Kalal community; that about 1000 families of their community were settled in Panchkula, Karnal, Gurgaon, Ambala; that Jaswals also belonged to their community; that prior to Independence, they used to sell opium, liquor, Bhang etc but after Independence, the government started auctioning these commodities and people of their community became unemployed and became economically backward; that they were unable to get education to their children due to financial constraints and as such their children were unable to get government jobs, that Rajasthan and U.P had already declared their community as backward and as such Kalal community be also included in the Backward Classes category.

The views of a few prominent persons like Dr. Ram Prakash, Member of Parliament (Rajya Sabha), Shri Mehender Partap Singh, Revenue Minister, Haryana and Shri Sampat Singh, MLA, Chairman, PAC, Haryana Vidhan Sabha, Chandigarh, were received which are as under :-

Dr. Ram Prakash in his representation stated that prior to enforcement of Mandal Commission; the socially and educationally backward communities were termed as 'Backward Classes'. Prajapat, Kashyap, Pal-Gadariya, Nai, Dhobi, Vairagi, Tarkhan, Lohar, Dhiman, Jangar, Panchal, Suthar, Ramgarhiya, Bhatt, Jogi, Sunar, Chhimba, Nath, Kuchbandh, Teli, Raibari, Dakaut, Shorgir, Natt etc. who were landless were included in it. The population of these communities in Haryana was 16% which had been termed as 'extreme backward classes' and they had been given reservation in the admission in educational institutes and services. After the findings of the Mandal Commission, some more communities were included in the backward classes and branded as Other Backward Classes but both these classes are separate and hence they should be given separate reservation. The Haryana Government had given reservation by classifying as BC-A and B.C-B but Punjab & Haryana High Court had set aside the categorization of the the Backward Classes in Category A and Category B as it was stated to be reservation within reservation. Thus, he prayed that Other Backward Classes be categorized separate from the Backward Classes in the same manner as Scheduled Castes and Scheduled Tribes had been declared to be separate classes; that on the basis of population, the percentage of reservation should be declared separately which should be given on State as well as Central level. The castes/communities which were to be declared backward should be kept in Other Backward Classes and no other community should be included in the Backward Classes list.

Shri Mahender Partap Singh stated in his representation that the basic purpose of the reservation had always been to provide equal opportunities to the weaker sections of the society for getting higher position in the society. He next stated that reservation of 27% had been provided to the Other Backward Classes while 22% had been provided to Scheduled Castes and Scheduled Tribes and thus total quantum of reservation was 49%; that even after 60 years of reservation, voices had been coming in from various strata of the society for their inclusion into the reservation which did not appear to be a good sign for the social structure of the country. In this context, the upper castes like Brahmans, banyas and Punjabis etc had also raised voices for their inclusion in the reservation; that though they had not made any protest and carried out any agitation for this purpose, yet their feelings were reflectory of their wishes for getting the benefits of reservation like other castes of the society; that it was a bitter truth that the benefit of reservation was not provided to the most weaker and deserving people of the society being belonging to upper castes of the society and at the same time even very well to do and very highly placed people in the society reap the benefits of reservation because of being their pertaining to certain castes. Such an ambiguity was very fatal and dangerous, therefore, it was the need of the day that concrete and timely steps should be taken at once for improving the over-all scenario in national interest otherwise such a kind of possibility could not be ruled out that voice of discontentment from the deprived and weaker persons from all sections of society irrespective of their caste started raising. He further pleaded that to begin with a provision of 10% reservation should be made for economically weaker sections of the society, irrespective of their caste and creed and if fruitful results were seen, then a reservation of 30% should be considered to such kind of category of people, who were socially and economically weaker and down-trodden and deserved reservation with a view of bringing them at par with other categories of people. He suggested that benefit of reservation should be provided to a family only once or twice and not repeatedly, so, that more and more families should be benefited. As and when the benefit of

reservation to a certain family comes at par with other people of the society, then the basic concept of reservation ends there; that with the reaping of benefits of reservation repeatedly, certain people get very high and most influential positions in the society, whereas maximum number of people of even that category were deprived of such benefits and all this situation is perhaps against the basic concept of reservation provided in the Constitution. He next suggested that for the purpose of description of economic backwardness, financial position, educational qualification, service, or kacha house could be the accurate measurement.

Shri Sampat Singh, MLA in his representation stated that reservation for the under-privileged is held out as a mandatory requirement of the Constitution contained in Articles 15(4), 16(4) and 46. Therefore, he requested to include the Jat, Jat Sikh, Rod, Tyagi, Bishnoi and Rajput purely on caste basis and other castes on the economic basis in Haryana irrespective of religion or sect. He further stated in the representation as under which is reproduced in extensor :—

“Jat and Jat Sikh:

Both these castes fulfill the criteria of social backwardness and educational backwardness.

Social backwardness:

For determining the social backwardness of a community its parameter can include the social practice like HUKAPANI, sharing on one platform and preference and informal social interaction. When members of those communities eat and drink water out of their utensils without any hitch and sit together with those of the other community on the same cot, the social status of communities so mixing and interacting are regarded as enjoying equal social status.

With regard to Sikh religion, all the Sikhs are equal before the Gurus as well as in Gurdwaras but socially they are divided into castes. Moreover caste cannot divide religion.

To give more facts to prove that the Jat community is socially backward is that Hon'ble Lahore High Court in its judgment AIR 1936 Lahore 551 Jaginder Vs. Kartara had declared the Jat community as Sudras.

Moreover as per the version of Swami Dayananda in his book Satyarth Prakash, while explaining widow marriage, the Jat community was considered as Sudra Varna.

While determining social status of Jats, they were found not only backward but Sudra also. Reference is made to the Hindu Literature such as Padam Purana, Bhavishay Purana and Chachnama etc.

The noted historian Prof. Kalika Ranjan Qanungo stated in his 1925 Book 'The History of Jats' that according to Al Bruni and other historians the Jats belonged to 'Shudra caste which is the lowest caste in the four 'Varnas'.

The whole family including the ladies live in one small room which is also shared by the cattles of the household in very unhygienic conditions. They were also victims of urbanization and their land is being acquired for setting up of housing colonies. Jats are considered as a low community and backward by other high classes in the society and were considered illiterate and unwise. Even a small Brahmin boy is addressed by the Jats as Dada or grandfather.

In a case Justice Sir Shadi Lal of Lahore High Court has categorized, Jats as Shudra, Hence undoubtedly Jats belong to Backward Class.

The Manda Commission has also mentioned in its report at page 44 that there are a number of caste-groups which neither belonged to the three Varnas, nor they have been included in the list of Scheduled Castes & Tribes or Other Backward Classes. For instance, Ligayats of Karnataka; Lohals, Kdias, Suthars, Kumhars and Darjis of Gujarat;

Ahirs and Jats of Haryana. Out these caste groups, all castes excluding Jat of Haryana have been included either in SC or ST or BC classes.

The Mandal Commission has included 76 castes of Haryana in its list of backward classes on page 311. However, on this page at Sr. No.40, 43, 62 and 73 the commission has also included Gutka Jat, Chillon Jat, Tanwar, Toor, Sihag, Lamba and Panwar in the backward classes list. But there are no such caste and they are only sub-caste (Gotre) in Jat caste and in some other caste also. Even in list of Haryana Backward Classes Block 'A' at serial No.61 the caste is mentioned as Bhattu/Chattu. But there is no such caste in Haryana. It is only a sub caste of Jats near Bhattu Kalan village in Fatehabad Distt.

The Mandal Commission has also admitted that the Jat is backward caste in its report in page No.40 and has also mentioned that Ch. Charan Singh from Backward caste became Minister for the 1st time in 1952. In Backward Classes Commission (Mandal Report) para 8.41 is at page 40. The composition of the various Ministers since 1937 demonstrated the weakness of the backward castes movement. In the year 1937-39 in the Cabinet the Brahmins held three out of six posts and OBCs none. This pattern continued till 1952, when Charan Singh, a Jat was taken in the cabinet of Sampurananand, C.B.Gupta and Sucheta Kripalani also continued this pattern. It was only in the S.V.D Ministry headed by charan Singh in 1967 that three minister ships were given to the peaseant backward castes, by including Yadavas and Kurmis.

Historians have considered Jats as a socially depressed class. The Jats are illiterate. Jats dwellings are Kachha. According to 1980 survey, Jats mostly lived in villages and their ladies have to carry water on their heads not less than one kilometer from their houses.

The women of this community are still living in earlier centuries and perform 'Parda' system.

They cook their food on traditionally Chullha with Gobar. Their food habits and dress reflect their backwardness. They are treated as a Gawaru Tribe.

They depend on manual labour for their livelihood and its quantum is more than 15% of the State average.

Child marriages are common. In Jats at least 25% females and 10% males above the state average get married at an age below 17 years in rural areas and at least 10% females and 5% males do so in urban areas.

Widow Remarriages like Karewa/Chaddarandazi/Reet are common.

Labouring for their livelihood under the sun and in open air.

Female child is considered as Inferior to that of the male child and there is a lot discrimination between the two in terms of necessary investment like food, clothing, education etc.

When Jats are engaged in tilling the fields, the women are doing all agricultural and household chores like feeding cows and buffalos, milking them, cooking food for the family, carrying it to the fields on foot, coming back for collecting cow dung and making its cakes, carrying drinking water from village pond or wells etc. **Children also used to accompany their parents.**

Educational Backwardness.

In Jats, female literacy rate is 15% below the State average;

the percentage of students studying in ordinary Government School is 15% above the State average;

the percentage of illiterate parents-mother and father of the children in a household is 15% above the State average;

the percentage of people educated up to postgraduate level or degree level in professional courses like MBBS. BE etc. is 15% below the State average;

the percentage of students studying in vocational courses like ITIs is 15% below the State average;

unemployment per household is 20% above the State average.

Only privileged among Jats are admitted in the School. Hardly 40 to 50 children out of 100 families join the School. They continue to work with their parents while studying and they live a very hard life.

Agricultural operations are not very profitable and they were always in loss and under heavy debts. He further stated that the children and especially the girls mostly remain illiterate because they are required to help their parents in agriculture work and there were no good schools in the villages. They can not compete with the city people in open competition for Government jobs and they are not adequately represented in the services of the Govt.

The Mandal Commission also recommended in its report at page No.28 that a person owing four acre land or less than four acre living in village was also backward. Further the commission also recommended that all the castes living in villages were educationally backward.

How can the educationally and socially backward groups of citizens compete with stronger castes or classes for entry into educational institutions and government services with the social discriminations and disabilities of various kinds which have traditionally devolved on them through the stratified caste based Indian Society which is centuries old? Should not this wrong be set right because the sizeable chunks of society are grossly under-represented in educational institutions and government services even after 64 years of independence?

To determine the educational status of a community, the **Mandal Commission** asked each and every state of India to provide its community wise education data. But since no such data was even collected by any state of the Union, the states expressed their helplessness in the matter. Thus having been left with no alternative to determine the education status of communities, the commission, using its own discretion, then deemed all the rural communities as educationally backward. To make its criteria look plausible it cited the comparative example of the son of a rural as educationally backward. Going by this logic of Commission the whole Jat Community is educationally backward as 95% of Jats still live in villages even after 64 years of Indian Independence. So, it is clear that the Jat Community fulfill the second condition also.

The eleven social educational and economic criteria adopted by **Mandal Commission**, if correctly applied to the Jats they will score 18 points out of 22 points while only 11 points were sufficient to include them in the category of OBCs and, therefore, the Hon'ble Mandal Commission has erred in not including the Jats in the list of OBCs.

Officers belonging to class I & II Gazetted Officers in Haryana, Officers belonging to All India Services like IAS and IPS of Haryana Cadres, students in the course of BE, MBA, MBBS, BAMS, B.V.Sc & AH, belonging the above said caste are not in adequate strength seeing to their population in the State. On the above said two basis, the Mandal Commission recommended that Ahir, Gujjar, Saini, Meo and Lodha etc. in Haryana were all backward classes and they should be included in 27% reservation. I failed to understand that how only the Jats were left out of SC/ST/BC classes list. It is totally unjustified. The Jat, Jat Sikh, Ror, Tyagi and Bishnoi, have the same social and education status that of community was found eligible by the Mandal Commission for grant of backward status to them."

He further made an appeal as under:-

"I would request the backward classes commission to revive the earlier order of Haryana Government dated 5/7 February 1991, where in Ahir, Bishnoi, Meo, Gujjar, Jat, Jat Sikh, Ror, Saini, Tyagi and Rajput have been declared as other backward classes. Ahir, Meo, Gujjar Saini have already been declared as other backward classes. To conclude my suggestions I would request to Hon'ble Commission to include Jat, Jat Sikh, Bishnoi, Ror,

Tyagi and Rajput in backward classes purely on caste basis for all purposes of reservation.

With the passage of time of report given by the Commission I would add some thing more :—

While granting these job reservations, it may be ensured that these benefits percolate down below to the really deserving members of these backward classes. This can be done best by adopting the criteria set by Mr. justice O. Chinappa Reddy by putting a ceiling based on the status of the parents of the candidates with some amendments, either of his parents is MP/MLA/Ex MP/Ex MLA or Class-I Officer in the service of the Government or holds an equivalent post in Public Sector Undertaking or is employed under a private employer and draws a salary which is not less than that of a Class-I Officer.

Secondly the persons migrated from Pakistan, J&K and Bhakra ousted may also be included exclusively in the economically backward classes list and additional reservation may be provided. Though the total reservation can not go beyond 50% but there are so many examples of reservation exceeding more than 60% also in Southern States of India. The commission may decide the quantum of reservation and the income limit.

The State Government may also recommend to the Government of India that as the representation of these backward classes in All India Services etc is even lower than that in the State services and is quite inadequate, the Government of India may also include them in the list of National Backward Classes commission relating to the Haryana so that they can also get the benefit of reservations etc in the Government of India jobs also."

Capt. Ajay Singh Yadav, Power, Forests & Environment Minister, Haryana, Chandigarh, and Gopal Kanda, Minister of State for Urban Local Bodies, Home & Industries, Haryana, Chandigarh, (now former Minister), have also sent their views in writing.

Capt. Ajay Singh in his letter dated 30.3.2012 stated that most of the families in the castes belonging to Jat, Jat Sikh, Ror, Bishnoi and Tyagi have become affluent over a period of time. It is feared that benefits of caste based reservation would be reaped by the aforesaid affluent families at the cost of the families in their own caste that are economically backward. He, therefore, requested that reservation for the people belonging to those castes should be granted on economic basis. He further stated that people in any other castes that are not covered under any reservation, should also be considered for reservation on economic basis.

In his letter dated 14.5.2012 Gopal Kanda also stated that reservation should not be granted on caste basis but it should be granted on economic basis or it should be totally abolished. He also expressed the apprehension that looking into the struggle for reservation issue, there was every chance of different castes fighting among themselves leading to domestic war in the country. He next stated that individually he was not in favour of granting reservation to any caste.

O.P.Nagpal s/o Bhagwan Dass Nagpal, caste Arora, Senior Journalist, r/o Model Town, Yamunanagar, appeared on 4.4.2012 before the Commission and made statement that he retired as Deputy Director, Department of Employment, Haryana, and belonged to Arora Khatri caste. He vehemently opposed the grant of reservation to Jats, Sikh, Ror, Bishnoi and Tyagi but on the other hand stated, it should be granted to Punjabi Khatri whose population in Haryana was 35% and mostly they were economically, socially and educationally backward as they had migrated from West Pakistan. He further stated that if at all reservation was to be granted to the aforesaid communities or any other communities, then it should be based on economic, social and educational backwardness and in every caste the people who are economically backward should get reservation.

Daya Ram s/o Laldev Singh, Vivekanand s/o Parveen Singh and Rajinder Singh Prajapati s/o Ghasita Singh, all residents of District Bijnaur, UP, appeared before the Commission on 4.4.2012 and stated that reservation should not be granted to the Jats as had been granted by the Uttar Pradesh Government as most of the benefits available to the Backward Classes had been pocketed by them. If reservation is granted to the Jats in Haryana, the same thing will happen.

The Commission received 340 applications in all from various organisations and individuals for inclusion or exclusion of castes/communities namely, Ahir/Yadav, Arkwanshi, Bhargva, Bishnoi, Brahman, Gaur, Goswami/Gosai, Gujjar, Jat, Jat Sikh, Kalal, Kushwaha, Lodha/Lodhi, Meo, Punjabi, Quarashi, Rajput, Rod, Saini, Tyagi, Vaish and others. Out of 340 applications, 169 were received for inclusion of the above said castes while 171 were received against the inclusion of aforesaid castes. The aforesaid 171 applications were mostly against the proposed castes/communities namely, Jat, Jat Sikh, Bishnoi, Ror and Tyagi. The statement showing caste-wise and district-wised detail of the representations/applications for and against inclusion of other castes in the list of Other Backward Classes is mentioned as Annexure X-1.

The Following is the list of Backward Classes in Haryana State:-

BLOCK 'A'

1. Aheria, Aheri, Heri, Nail. Thori or Turi, Hari	36. Khanghera
2. Hara	37. Kuchband
3. Beta, Hensi or Hesi	38. Labana
4. Bagria	39. Lakhera, Manihar, Kachera
5. Barwar	40. Lohar, Panchal
6. Barai, Tamboli	41. Madari
7. Baragi, Bairagi, Swami Sadh	42. Mochi
8. Battera	43. Mirasi
9. Bharbhunja, Bharbhuja	44. Nar
10. Bhat, Bhatra, Darpi, Ramiya	45. Noongar
11. Bhhalia, Lohar	46. Nalband
12. Changar	47. Pinja, Penja
13. Chirimar	48. Rehar, Rehara or Re
14. Chang	49. Raigar
15. Chimba, Chhipi, Chimpa, Darzi, Rohilla	50. Rai Sikhs
16. Daiya	51. Rechband
17. Dhobis	52. Shorgir, Shergir
18. Dakaut	53. Soi
19. Dhimar, Mallah, Kashyap-Rajpoot, Kahar, Jhiwar, Dhinwar, Khewat, Mehra, Nishad, Sakka, Bhisti,	54. Singhirkant, Singiwala
20. Dhosali, Dosali	55. Sunar, Zargar, Soni
21. Faquir	56. Thathera, Tamera
22. Gwaria, Gauria or Gwar	57. Teli
23. Ghirath	58. Banzara, Banjara
24. Ghasi, Ghasiara or Ghosi	59. Weaver (Jullaha)
25. Gorkhas	60. Badi/Baddon
26. Gwawala, Gowala	61. Bhattu/Chattu
27. Gadaria, Pal, Baghel	62. Mina
28. Garhi, Lohar	63. Rahbari
29. Hajjam, Nai, Nais, Sain	64. Charan
30. Jhangra-Brahman, Khati, Suthar, Dhiman, Tarkhan, Barhai, Badi	65. Chaaraj (Mahabrahman)
31. Joginath, Jogi, Nath, Jangam-Jogi, Yogi	66. Udasin
32. Kanjar or Kanchan	67. Ramgarhia
33. Kurmi	68. Rangrez, Lilgar, Nilgar, Lallari
34. Kumhars, Prajapati	69. Dawala, Soni-Diwala, Nyaaaria
35. Kamboj	70. Bhar, Rajbhar
	71. Nat (Muslim)

BLOCK 'B'

- | | | |
|------------------|-----------|---------------------|
| 1. Ahir/Yadav | 2. Gujjar | 3. Lodh/Lodha/Lodhi |
| 4. Saini, Shakya | 5. Meo | |

Caste-wise brake-up of Haryana MLAs and MPS of the present Legislative Assembly and Parialament, name-wise are as under :—

The following is the list of Haryana MLAs elected in 2009 Constituency-wise

<u>Name</u>	<u>Jats</u>	<u>Constituency</u>
1. Kiran Chaudhari		- Tosham
2. Dharampal Obera		- Loharu
3. Satpal Sangwan		- Dadri
4. Raghbir Tewatia		- Prithla
5. Col.Raghbir Singh		- Badhra
6. Prahlad Singh Gillankhera		- Fatehabad
7. Dharambir Singh		- Sohana
8. Sukhbir Katia		- Gurgaon
9. Prof. Sampat Singh		- Nalwa
10. Rajinder Singh Joon		- Bahadurgarh
11. Saroj Mor		- Narnaud
12. Dr. Raghvir Singh		- Beri
13. Parminder Dhul		- Julana
14. Om Parkash Chautala		- Uchana Kalan
15. Rampal Majra		- Kalayat
16. Randeep Singh Surewala		-Kaithal
17. Mrs. Sumita Singh		- Karnal
18. Narinder Sangwan		- Gharaunda
19. Sher Singh Badshami		- Ladwa
20. Bhupinder Singh Hooda		- Kiloj
21. Anand Singh Dangi		- Meham
22. Ajai Singh Chautala		- Dabwali
23. Abhai Singh Chautala		-Ellnabad
24. Jai Tirath Dahiya		- Rai
25. Sri Krishan Hooda		- Baroda
26. Jagbir Singh Malik		- Gohana

Brahmans

1. Venod Sharma	- Ambala City
2. Shiv Charan Lal Sharma	- Faridabad
3. Anand Kaushik	- Faridabad
4. Naresh Kumar Sharma	- Badli
5. Zile Ram Sharma	- Asandh
6. Kuldeep Sharma	- Ganaur

Aggarwals

- | | | |
|----|-----------------------|-----------------|
| 1. | Ghanshyam Dass Garg | - Bhiwani |
| 2. | Mrs. Savitri Jindal | - Hisar |
| 3. | Davinder Kumar Bansal | -Panchkula |
| 4. | Gopal Kanda | - Sirsa |
| 5. | Mrs. Kavita Jain | - Sonepat |
| 6. | Om Parkash Jain | - Rural Panipat |

Punjabis (Arora/Khatri)

- | | | |
|----|----------------------|----------------|
| 1. | Anil Vij | - Ambala Cantt |
| 2. | Ashok Arora | - Thanesar |
| 3. | Subhash Chaudhri | - Palwal |
| 4. | Vind Bhayana | - Hansi |
| 5. | Bharat Bhushan Batra | - Rohtak |
| 6. | Balbirpal Shah | - Panipat City |
| 7. | Hari Chand Midha | - Jind |

Scheduled Castes

- | | | |
|-----|-------------------------|-------------------|
| 1. | Rajbir Singh Barara | - Mulana |
| 2. | Ram Kishan Fauji | -Bawani Khera |
| 3. | Jarnail Singh | - Ratia |
| 4. | Ganga Ram | - Pataudi |
| 5. | Naresh Selwal | - Uklana |
| 6. | Pirithi Singh | - Narwana |
| 7. | Mamu Ram | -Nilokheri |
| 8. | Phool Singh Kheri | - Gulha |
| 9. | Anil Dhantori | - Shahbad |
| 10. | Rameshwar Dayal Rajoria | - Bawal |
| 11. | Krishan Lal Panwar | - Israna |
| 12. | Mrs. Shakuntla Khatak | - Kalanaur |
| 13. | Charanjit Singh | - Kalanwali |
| 14. | Jaivir Singh | - Kharkhoda |
| 15. | Rajpal | Bhukhri- Sidhaura |
| 16. | Mrs. Geeta Bhukal | -Jhajjar |
| 17. | Jagdish Nayar | - Hodal |

Sainis

- | | | |
|----|-----------|----------|
| 1. | B.L.Saini | - Radaur |
|----|-----------|----------|

Jat Sikhs

- | | | |
|----|---------------------------|---------------|
| 1. | Dilbagh Singh | - Yamunanagar |
| 2. | Harmohinder Singh Chattha | - Pehowa |
| 3. | Paramvir Singh | - Tohana |

Gujjars

- | | | |
|----|---------------------|--------------|
| 1. | Ram Kishan Gujjar | - Naraingarh |
| 2. | Krishan Pal Gujjar | - Tigaon |
| 3. | Mahendra Partap | - Badkhal |
| 4. | Pardeep Chaudhary | - Kalka |
| 5. | Dharm Singh Chhoker | - Samalkha |

Rajputs

- | | | |
|----|-----------------------|--------------|
| 1. | Kumari Sharda Rathore | - Ballabgarh |
|----|-----------------------|--------------|

Bishnois

- | | | |
|----|---------------------|-----------|
| 1. | Smt. Renuka Bishnoi | - Adampur |
|----|---------------------|-----------|

Rors

- | | | |
|----|------------------|-----------|
| 1. | Kali Ram Patwari | - Safidon |
| 2. | Sultan Singh | - Pundri |

Backward Classes

- | | | |
|----|------------------------|---------|
| 1. | Ashok Kashyap (Jhiwar) | - Indri |
| 2. | Krishan Lal Kamboj | - Rania |

Meos

- | | | |
|----|--------------|-------------------|
| 1. | Naseem Ahmad | - Firozpur Jhirka |
| 2. | Aftab Ahmad | - Nuh |
| 3. | Mohd. Ilyas | - Punhana |
| 4. | Jaleb Khan | - Hathin |

Muslims

- | | | |
|----|------------|------------|
| 1. | Akram Khan | - Jagadhri |
|----|------------|------------|

Yadav/Ahirs

- | | | |
|----|---------------------|-------------------|
| 1. | Rao Dharampal | - Badshapur |
| 2. | Narinder Singh | - Narnaul |
| 3. | Bahadur Singh | - Nangal Chaudhri |
| 4. | Rao Dan Singh | - Mohindergarh |
| 5. | Rao Yadvinder Singh | - Kosli |
| 6. | Mrs. Anita Yadav | - Ateli |
| 7. | Capt. Ajai Singh | - Rewari |

Kumhars

- | | | |
|----|-------------------|-----------|
| 1. | Ram Niwas Ghorela | - Barwala |
|----|-------------------|-----------|

Break-up of M.Ps of Lok Sabha from Haryana

1.	Jats	-	3
2.	Scheduled Castes	-	2
3.	Ahir Yadav	-	1
4.	Gujjar	-	1
5.	Brahman	-	1
6.	Baniya/Aggarwal	-	1
7.	Bishnoi	-	1
	Total	=	10

Break-up of M.Ps in Rajya Sabha from Haryana

1.	Jat	-	1
2.	Punjabi	-	1
3.	Scheduled Caste	-	1
4.	Jangra B.C	-	1
5.	Prajapati (Potter)	-	1
	Total	=	5

SURVEY REPORT OF MAHARISHI DAYANAND UNIVERSITY, ROHTAK

The Commission had appointed Maharishi Dayanand University, Rohtak, to conduct the survey about social, education and economic conditions of various castes as mentioned in the list provided. The format containing the questions as well as the table indicating the scores of various indicators and the weightage to be given to each of the indicator was also provided. Even the list of villages and the towns which were to be surveyed was also provided. Maharishi Dayanand University, Rohtak, after conducting detailed survey prepared various tables containing data analysis as contained in Chapter-3 of the Report. The summary of the indicators was also prepared which is mentioned in Chapter-4 of the Report. The tables prepared in Chapter-3 and Chapter-4 are as under:-

Deliveries at home during the last five years						
Code	Castes	Total HHs	Children born in household	Deliveries at home	Institutional deliveries	Deliveries at Home %
1	Jat	10000	2048	1266	782	61.62
2	Jat Sikh	4000	783	452	331	57.73
3	Ror	4000	500	296	204	59.20
4	Tyagi	4000	607	341	266	56.18
5	Bishnoi	4000	465	272	193	58.49
6	Rajput	4000	672	269	403	40.03
7	Brahmin	2000	297	100	197	33.67
8	Maithili	1100	120	36	84	30.00
9	Goswami/Gosain	1250	251	147	104	58.57
10	Gaur	1250	220	107	113	48.64
11	Punjabi (Arora/Khatri)	6250	799	189	610	23.65
12	Vaish (Bania/Aggarwal)	4000	381	71	310	18.64
13	Kushwaha	1095	228	105	123	46.05
14	Kalal	1450	197	47	150	23.86
15	Arakwanshi	225	6	2	4	33.33
16	Adi Gaur Brahmin	1250	856	264	592	30.84
	TOTAL	49870	8430	3964	4466	47.02

Delivery at home (Max = 4)			
Range	Score	From	To
Above 25%	B 4	58.775	100
Above 15-25%	3	54.073	58.775
Above 10-15%	2	51.722	54.073
Above 5-10%	1	49.371	51.722
Up to 5%	F 0	47.02	49.371
State Average/Base			47.02

Maternal Mortality Rate (MMR) during the last five years					
Code	Castes	Total HHS	Children born in household	Women died at the time of delivery	MMR %
1	Jat	10000	2048	44	2.15
2	Jat Sikh	4000	783	21	2.68
3	Ror	4000	500	11	2.20
4	Tyagi	4000	607	22	3.62
5	Bishnoi	4000	465	12	2.58
6	Rajput	4000	672	4	0.60
7	Brahmin	2000	297	11	3.70
8	Maithili	1100	120	2	1.67
9	Goswami/Gosain	1250	251	2	0.80
10	Gaur	1250	220	5	2.27
11	Punjabi (Arora/Khatri)	6250	799	24	3.00
12	Vaish (Bania/Aggarwal)	4000	381	14	3.67
13	Kushwaha	1095	228	0	0.00
14	Kalal	1450	197	6	3.05
15	Arakwanshi	225	6	1	16.67
16	Adi Gaur Brahmin	1250	856	1	0.12
	TOTAL	49870	8430	180	2.14

Maternal Mortality Rate (MMR)			
Range	Score	From	To
Above 15%	B 2	2.354	100
Above .5-15%	1	2.247	2.354
Up to 5%	F 0	2.14	2.247
State Average/Base			2.14

Infant Mortality Rate (IMR) during the last five years

Code	Castes	Total HHs	Children born in household	No. of children who died (below one year) of age in household	IMR %
1	Jat	10000	2048	276	13.48
2	Jat Sikh	4000	783	91	11.62
3	Ror	4000	500	58	11.60
4	Tyagi	4000	607	51	8.40
5	Bishnoi	4000	465	20	4.30
6	Rajput	4000	672	20	2.98
7	Brahmin	2000	297	16	5.39
8	Maithili	1100	120	6	5.00
9	Goswami/Gosain	1250	251	2	0.80
10	Gaur	1250	220	8	3.64
11	Punjabi (Arora/Khatri)	6250	799	51	6.38
12	Vaish (Bania/Aggarwal)	4000	381	13	3.41
13	Kushwaha	1095	228	4	1.75
14	Kalal	1450	197	33	16.75
15	Arakwanshi	225	6	1	16.67
16	Adi Gaur Brahmin	1250	856	1	0.12
	TOTAL	49870	8430	651	7.72

Infant Mortality Rate (IMR)			
Range	Score	From	To
Above 15%	B 2	8.492	100
Above .5-15%	1	8.106	8.492
Up to 5%	F 0	7.72	8.106
State Average/Base			7.72

Manual Work/Labour

Code	Castes	Total HHs	Total Workers	Manual Workers	% of Manual Workers
1	Jat	10000	45863	21511	46.9
2	Jat Sikh	4000	18803	8001	42.55
3	Ror	4000	15495	6804	43.91
4	Tyagi	4000	14967	6821	45.57
5	Bishnoi	4000	21282	9674	45.46
6	Rajput	4000	15406	4798	31.14
7	Brahmin	2000	7945	2234	28.12
8	Maithili	1100	3046	1063	34.9
9	Goswami/Gosain	1250	4899	2064	42.13
10	Gaur	1250	5936	1757	29.6
11	Punjabi (Arora/Khatri)	6250	25979	7762	29.88
12	Vaish (Bania/Aggarwal)	4000	18984	4402	23.19
13	Kushwaha	1095	5966	1571	26.33
14	Kalal	1450	3833	1089	28.41
15	Arakwanshi	225	622	139	22.35
16	Adi Gaur Brahmin	1250	4911	1505	30.65
	TOTAL	49870	213937	81195	37.95

Manual Work/Labour			
Range	Score	From	To
Above 40%	B 4	53.074	100
Above 30-40%	3	49.283	53.074
Above 20-30%	2	45	49.284
Above 10-20%	1	41.701	45
Up to 10%	F 0	37.91	41.721
State Average/Base %			37.95

Marriage Age of Male: Below 21 years						
Code	Castes	Total HHs	Total	Married	Below 21 years	Below 21 Male %
1	Jat	10000	46178	13442	8061	59.97
2	Jat Sikh	4000	19440	5804	3858	66.47
3	Ror	4000	15330	4325	2656	61.41
4	Tyagi	4000	14482	3953	2507	53.42
5	Bishnoi	4000	21278	5983	3951	66.04
6	Rajput	4000	18543	5135	2245	43.72
7	Brahmin	2000	9111	2576	1139	44.22
8	Maithili	1100	4187	1117	627	56.13
9	Goswami/Gosain	1250	5120	1464	624	42.62
10	Gaur	1250	6008	1705	839	49.21
11	Punjabi (Arora/Khatri)	6250	25718	7148	3996	55.90
12	Vaish (Bania/Aggarwal)	4000	20808	5942	2993	50.37
13	Kushwaha	1095	7019	2009	1366	67.99
14	Kalal	1450	3878	1135	647	57.00
15	Arakwanshi	225	679	215	166	77.21
16	Adi Gaur Brahmin	1250	5661	1353	690	51.00
	TOTAL	49870	223440	63306	36365	57.44

Marriage age below 21 years			
Range	Score	From	To
Above 20%	B 2	68.926	100
Above 10-20%	1	63.184	68.928
Up to 10%	F 0	0.00	63.184
State Average/Base			57.44

Marriage Age of Female: Below 18 years						
Code	Castes	Total HHs	Total	Married	Below 18 years	Below 17 Female %
1	Jat	10000	46178	14178	7406	52.24
2	Jat Sikh	4000	19440	6102	3161	51.80
3	Ror	4000	15330	4496	2041	45.40
4	Tyagi	4000	14482	4163	1870	44.92
5	Bishnoi	4000	21278	6311	2936	46.52
6	Rajput	4000	18543	5450	2551	46.81
7	Brahmin	2000	9111	2588	1086	41.96
8	Maithili	1100	4187	1136	488	42.96
9	Goswami/Gosain	1250	5120	1527	564	36.94
10	Gaur	1250	6008	1802	550	30.52
11	Punjabi (Arora/Khatri)	6250	25718	7739	2059	26.61
12	Vaish (Bania/Aggarwal)	4000	20808	6235	2217	35.56
13	Kushwaha	1095	7019	2062	1129	54.75
14	Kalal	1450	3878	1186	577	48.65
15	Arakwanshi	225	679	243	139	57.20
16	Adi Gaur Brahmin	1250	5661	1400	252	18.00
	TOTAL	49870	223440	66618	29026	43.57

Marriage Age Female below 18 years			
Range	Score	From	To
Above 20%	B 2	53.184	100
Above 10-20%	1	48.752	53.184
Up to 10%	F 0	0.00	48.752
State Average/Base			43.57

Female Work Participation					
Code	Castes	Total HHs	Female in Manual Work	Worker Female	% Manual Work
1	Jat	10000	12055	21876	55.11
2	Jat Sikh	4000	5125	9107	56.28
3	Ror	4000	3880	7319	53.01
4	Tyagi	4000	4003	6800	58.87
5	Bishnoi	4000	5853	10048	58.25
6	Rajput	4000	3188	8865	35.96
7	Brahmin	2000	1196	4396	27.21
8	Maithili	1100	702	2031	34.56
9	Goswami/Gosain	1250	1244	2367	52.56
10	Gaur	1250	1027	2914	35.24
11	Punjabi (Arora/Khatri)	6250	5989	12580	47.61
12	Vaish (Bania/Aggarwal)	4000	4101	9978	41.1
13	Kushwaha	1095	1050	3344	31.4
14	Kalal	1450	872	1810	48.18
15	Arakwanshi	225	123	336	36.61
16	Adi Gaur Brahmin	1250	1272	2517	50.54
	TOTAL	49870	51680	106288	48.62

Female Work Participation (Max=5)				
Range	Score		From	To
Above 50%	B	5	77.792	100
Above 40-50%		4	68.068	77.792
Above 30-40%		3	63.206	68.068
Above 20-30%		2	58.344	63.206
Above 10-20%		1	53.482	58.344
Up to 10%	F	0	0.00	53.482
State Average/Base %				48.62

Do you support the idea of widow re-marriage? Within family					8 (A)
Code	Castes	Total HHs	Respondents	Yes	Within family % Yes
1	Jat	10000	10000	8759	87.59
2	Jat Sikh	4000	4000	2904	72.6
3	Ror	4000	3781	3078	81.41
4	Tyagi	4000	3470	2747	79.16
5	Bishnoi	4000	4000	3670	91.75
6	Rajput	4000	3702	1986	53.65
7	Brahmin	2000	2000	1158	57.9
8	Maithili	1100	1000	699	69.9
9	Goswami/Gosain	1250	1104	813	73.64
10	Gaur	1250	1250	796	63.68
11	Punjabi (Arora/Khatri)	6250	6246	3132	50.14
12	Vaish (Bania/Aggarwal)	4000	4000	2585	64.63
13	Kushwaha	1095	1095	609	55.62
14	Kalal	1450	1167	821	70.35
15	Arakwanshi	225	220	125	56.82
16	Adi Gaur Brahmin	1250	1250	767	61.36
	TOTAL	49870	48285	34649	71.76

Do you support the idea of widow re-marriage? Within family (Max=2)			
Range	Score	From	To
Above 20%	B 2	86.112	100
Above 10-20%	1	78.936	86.112
Up to 10%	F 0	0.00	78.936
State Average/Base %			71.76

Do you support inter-caste marriage of your son/daughter?						
Code	Castes	Total HHs	Respondents	Yes	No	Yes %age
1	Jat	10000	10000	1580	8420	15.8
2	Jat Sikh	4000	4000	738	3262	18.45
3	Ror	4000	3781	432	3349	11.43
4	Tyagi	4000	3482	599	2883	17.2
5	Bishnoi	4000	4000	783	3217	19.58
6	Rajput	4000	3702	772	2930	20.85
7	Brahmin	2000	2000	406	1594	20.3
8	Maithili	1100	916	251	665	27.4
9	Goswami/Gosain	1250	1104	86	1018	7.79
10	Gaur	1250	1250	272	978	21.76
11	Punjabi (Arora/Khatri)	6250	6246	2576	3670	41.24
12	Vaish (Bania/Aggarwal)	4000	4000	1429	2571	35.73
13	Kushwaha	1095	1067	817	250	76.57
14	Kalal	1450	1147	448	699	39.06
15	Arakwanshi	225	225	76	149	33.78
16	Adi Gaur Brahmin	1250	1250	953	297	76.24
	TOTAL	49870	48170	12218	35952	25.36

Do you support inter-caste marriage of your son/daughter?(Max=3)			
Range	Score	From	To
Above 30%	0	32.968	100
Above 20-30%	1	30.432	32.968
Up to 10%	2	27.896	30.432
Upto 10%	3	0	27.896
State Average/Base %			25.36

Do you support the idea of widow re- marriage? Out of the family					8 (B)
Code	Castes	Total HHS	Respondents	Yes	Outside family % Yes
1	Jat	10000	10000	2095	20.95
2	Jat Sikh	4000	4000	770	19.25
3	Ror	4000	3781	819	21.66
4	Tyagi	4000	3482	863	24.78
5	Bishnoi	4000	4000	768	19.2
6	Rajput	4000	3702	1639	44.27
7	Brahmin	2000	2000	779	38.95
8	Maithili	1100	916	397	43.34
9	Goswami/Gosain	1250	1104	402	36.41
10	Gaur	1250	1250	404	32.32
11	Punjabi (Arora/Khatri)	6250	6246	1690	27.06
12	Vaish (Bania/Aggarwal)	4000	4000	963	24.08
13	Kushwaha	1095	1073	589	54.89
14	Kalal	1450	1167	476	40.79
15	Arakwanshi	225	224	78	34.82
16	Adi Gaur Brahmin	1250	1250	457	36,56
	TOTAL	49870	48195	13189	27.37

Do you support the idea of widow re-marriage? Out of family (Max=2)			
Range	Score	From	To
Upto 1to5%	2	0	28.7385
Above 5-10%	1	28.7385	30.11
Above 10%	0 F	30.11	100
State Average/Base %			27.37

Do you Give Preference to Khap/Panchyat or Court?						
Code	Castes	Total HHs	Respondents	KHAP	COURT	KHAP %age
1	Jat	10000	10000	7315	2685	73.15
2	Jat Sikh	4000	4000	3529	471	88.23
3	Ror	4000	4000	2812	1188	70.3
4	Tyagi	4000	4000	2777	1223	69.43
5	Bishnoi	4000	4000	3803	197	95.08
6	Rajput	4000	4000	2651	1349	66.28
7	Brahmin	2000	2000	1449	551	72.45
8	Maithili	1100	1100	345	755	31.36
9	Goswami/Gosain	1250	1250	724	526	57.92
10	Gaur	1250	1250	869	381	69.52
11	Punjabi (Arora/Khatri)	6250	6250	3857	2393	61.71
12	Vaish (Bania/Aggarwal)	4000	4000	1265	2735	31.63
13	Kushwaha	1095	1095	470	625	42.92
14	Kalal	1450	1450	732	718	50.48
15	Arakwanshi	225	225	192	33	85.33
16	Adi Gaur Brahmin	1250	1250	423	827	33.84
	TOTAL	49870	49870	33213	16657	66.6

Do you Give Preference to Khap/Panchyat or Court?	
Range	Score
Above 66.6%	1
Upto 66.6%	0
State Average/Base	66.66

Traditional Work				
Code	Castes	Total Workers	Traditional Worker	Traditional % Age
1	Jat	47943	21511	44.87
2	Jat Sikh	19890	8001	40.23
3	Ror	16095	6804	42.27
4	Tyagi	14967	6786	45.34
5	Bishnoi	21905	9674	44.16
6	Rajput	19136	4812	25.15
7	Brahmin	9822	2254	22.95
8	Maithili	4402	1063	24.15
9	Goswami/Gosain	5216	1882	36.08
10	Gaur	6331	1760	27.8
11	Punjabi (Arora/Khatri)	26674	7710	28.9
12	Vaish (Bania/Aggarwal)	21541	4403	20.44
13	Kushwaha	7321	1609	21.98
14	Kalal	3948	1105	27.99
15	Arakwanshi	742	139	18.73
16	Adi Gaur Brahmin	5709	1452	25.43
	TOTAL	231642	80965	34.95

Traditional Work	
Range	Score
Above 34.95%	1
Below 34.95%	0

Discrimination against daughter/s visa-viz son/s regarding treatment, behaviour, food, clothing, education and inheritance of property						
Code	Castes	Total HHs	Respondents	Agree	Disagree	Disagree %age
1	Jat	10000	10000	3665	6335	63.35
2	Jat Sikh	4000	4000	1398	2602	65.05
3	Ror	4000	3781	1390	2391	63.24
4	Tyagi	4000	3482	1145	2337	67.12
5	Bishnoi	4000	4000	1459	2541	63.53
6	Rajput	4000	3702	2202	1500	40.52
7	Brahmin	2000	2000	1235	765	38.25
8	Maithili	1100	916	765	151	16.48
9	Goswami/Gosain	1250	1104	311	793	71.83
10	Gaur	1250	1250	823	427	34.16
11	Punjabi (Arora/Khatri)	6250	6246	4534	1712	27.41
12	Vaish (Bania/Aggarwal)	4000	4000	3165	835	20.88
13	Kushwaha	1095	1073	803	270	25.16
14	Kalal	1450	1167	659	508	43.53
15	Arakwanshi	225	224	147	77	34.38
16	Adi Gaur Brahmin	1250	1250	950	300	24
	TOTAL	49870	48195	24651	23544	48.85

Discrimination against daughter/s visa-viz son/s regarding treatment, behaviour, food, clothing, education and inheritance of property(Max=5)			
Range	Score	From	To
Above 35%	B 5	70.8325	100
Above 30-35%	4	63.505	70.8325
Above 25-30%	3	61.0625	63.505
Above-20-35%	2	58.62	61.0625
Above 10-20%	1	53.735	58.62
Upto 10%	F 0	0.00	53.735
State Average/Base %			48.85

Direct Civil & Allied Services						
Code	Castes	Total HHs	Respondents	Direct Class-I	Promoted Class-I	Direct Class-I % Respondent
1	Jat	10000	10000	143	82	1.43
2	Jat Sikh	4000	4000	26	13	.65
3	Ror	4000	3781	38	22	1.01
4	Tyagi	4000	3482	8	20	0.23
5	Bishnoi	4000	4000	14	7	0.35
6	Rajput	4000	3702	51	24	1.38
7	Brahmin	2000	2000	60	22	3
8	Maithili	1100	916	10	3	1.09
9	Goswami/Gosain	1250	1104	15	4	1.36
10	Gaur	1250	1250	61	29	4.88
11	Punjabi (Arora/Khatri)	6250	6246	167	58	2.67
12	Vaish (Bania/Aggarwal)	4000	4000	40	18	1
13	Kushwaha	1095	1073	12	9	1.12
14	Kalal	1450	1167	19	18	1.63
15	Arakwanshi	225	224	1	5	0.45
16	Adi Gaur Brahmin	1250	1250	30	3	2.4
	TOTAL	49870	48195	695	337	1.44

Direct Civil & Allied Services (From Primary Data) (Max=3)			
Range	Score	From	To
Upto 10%	B 3	0.00	1.584
Above 10-20%	2	1.584	1.728
Above-20-30%	1	1.728	1.872
Above 10-20%	F 0	1.872	100
State Average/Base %			1.44

Govt. Services Class 1 & II (11-a)

Code	Castes	Total HHs	I	II	Total Service Class	Class 1 & 2 %age
1	Jat	10000	100	315	415	4.15
2	Jat Sikh	4000	11	42	53	1.32
3	Ror	4000	22	120	142	3.55
4	Tyagi	4000	40	101	141	3.52
5	Bishnoi	4000	39	48	87	2.17
6	Rajput	4000	68	130	198	4.95
7	Brahmin	2000	29	95	124	6.2
8	Maithili	1100	4	12	16	1.45
9	Goswami/Gosain	1250	13	9	22	1.76
10	Gaur	1250	33	59	92	7.36
11	Punjabi (Arora/Khatri)	6250	68	108	176	2.81
12	Vaish (Bania/Aggarwal)	4000	66	123	189	4.72
13	Kushwaha	1095	4	51	55	5.02
14	Kalal	1450	4	11	15	1.03
15	Arakwanshi	225	3	12	15	6.66
16	Adi Gaur Brahmin	1250	2	93	95	7.6
	TOTAL	49870	506	1329	1835	3.67

Govt. Services Class 1 & II (11-a)			
Range	Score	From	To
Upto 10%	B 3	0.00	4.037
Above 10-20%	2	4.037	4.404
Above-20-30%	1	4.404	4.771
Above 30%	F 0	4.771	100
State Average/Base %			3.67

Govt. Service Class 3 & Class-4

Code	Castes	Total HHs	Class 3 rd	Class IV	Total Govt. Service	%age 3 rd & 4 th class
1	Jat	10000	301	93	394	3.94
2	Jat Sikh	4000	71	31	102	2.55
3	Ror	4000	360	72	432	10.85
4	Tyagi	4000	86	43	128	3.2
5	Bishnoi	4000	249	32	281	7.02
6	Rajput	4000	128	36	164	4.1
7	Brahmin	2000	144	26	170	8.5
8	Maithili	1100	77	10	87	7.9
9	Goswami/Gosain	1250	27	2	29	2.32
10	Gaur	1250	151	49	200	16
11	Punjabi (Arora/Khatri)	6250	480	45	525	8.4
12	Vaish (Bania/Aggarwal)	4000	98	21	319	7.97
13	Kushwaha	1095	29	8	37	3.37
14	Kalal	1450	42	12	54	3.72
15	Arakwanshi	225	11	4	15	6.66
16	Adi Gaur Brahmin	1250	81	7	88	7.04
	TOTAL	49870	2535	490	3025	6.47

Govt. Service Class 3 & Class-4	
Above 6.47%	F 0
Below 6.47%	B 1

Never Attended School (age group 6-14)					
Code	Castes	Total HHs	Never Attended School (age group 6-14)	Total Child(age group 6-14)	% of Never Attended
1	Jat	10000	778	6331	12.29
2	Jat Sikh	4000	283	2416	11.71
3	Ror	4000	99	2100	4.71
4	Tyagi	4000	286	2270	12.6
5	Bishnoi	4000	335	3103	10.8
6	Rajput	4000	222	3162	7.02
7	Brahmin	2000	111	1532	7.25
8	Maithili	1100	11	579	1.9
9	Goswami/Gosain	1250	40	754	55.31
10	Gaur	1250	120	964	12.45
11	Punjabi (Arora/Khatri)	6250	341	3489	9.77
12	Vaish (Bania/Aggarwal)	4000	148	2722	55.44
13	Kushwaha	1095	85	1025	8.29
14	Kalal	1450	8	512	1.556
15	Arakwanshi	225	2	83	22.41
16	Adi Gaur Brahmin	1250	314	961	32.67
	TOTAL	49870	3183	32003	9.95

Never Attended School(age 6-14)	
Upto (9.95)%	F 0
Above(10)%	B 1

Dropout (age group 6-14)					
Cod e	Castes	Total HHs	Dropout (age group 6-14)	Total Child (age group 6-14)	% of DropOut
1	Jat	10000	190	6331	3.001
2	Jat Sikh	4000	70	2416	2.897
3	Ror	4000	64	2100	3.048
4	Tyagi	4000	67	2270	2.952
5	Bishnoi	4000	95	3103	3.062
6	Rajput	4000	92	3162	2.91
7	Brahmin	2000	47	1532	3.068
8	Maithili	1100	17	579	2.936
9	Goswami/Gosain	1250	23	754	3.05
10	Gaur	1250	26	964	2.697
11	Punjabi (Arora/Khatri)	6250	101	3489	2.895
12	Vaish (Bania/Aggarwal)	4000	83	2722	3.049
13	Kushwaha	1095	31	1025	3.024
14	Kalal	1450	17	512	3.32
15	Arakwanshi	225	2	83	2.41
16	Adi Gaur Brahmin	1250	28	961	2.914
	TOTAL	49870	953	32003	3
	Drop- Out (age group 6-14)				
	Upto (3 .00) %	F 0			
	Above (3 .00) %	B 1			

Matriculation				
Code	Castes	Total	No. of Matric	Matric %
1	Jat	45485	9117	20.04
2	Jat Sikh	18846	3556	18.87
3	Ror	15126	2641	17.46
4	Tyagi	14218	2538	17.85
5	Bishnoi	20904	3058	14.63
6	Rajput	17781	3207	18.04
7	Brahmin	8980	2054	22.87
8	Maithili	3845	960	24.97
9	Goswami/Gosain	4856	779	16.04
10	Gaur	6069	1288	21.22
11	Punjabi (Arora/Khatri)	26013	6103	23.46
12	Vaish (Bania/Aggarwal)	20582	4584	22.27
13	Kushwaha	6782	1752	25.83
14	Kalal	3567	864	24.22
15	Arakwanshi	667	166	24.89
16	Adi Gaur Brahmin	5267	1129	21.44
	TOTAL	218988	43796	20
	% Matriculation Pass			
	Range	Score	From	To
	Upto 10%	B 2	0	22
	Above 10-20%	1	22	24
	Above 20%	F 0	24	100
	State Average/Base %			20

10+2 /Sr. Secondary				
Code	Castes	Total	No. of 10+2	10+2 %
1	Jat	45485	6965	15.31
2	Jat Sikh	18846	2133	11.32
3	Ror	15126	2205	14.58
4	Tyagi	14218	2090	14.7
5	Bishnoi	20904	2420	11.58
6	Rajput	17781	2373	13.35
7	Brahmin	8980	1454	16.19
8	Maithili	3845	742	19.3
9	Goswami/Gosain	4856	658	13.55
10	Gaur	6069	1006	16.58
11	Punjabi (Arora/Khatri)	26013	4606	17.71
12	Vaish (Bania/Aggarwal)	20582	3861	18.76
13	Kushwaha	6782	1073	15.82
14	Kalal	3567	632	17.72
15	Arakwanshi	667	87	13.04
16	Adi Gaur Brahmin	5267	694	13.18
	TOTAL	218988	32999	15.07
% 10+2 / Sr. Secondary Pass				
	Range	Score	From	To
	Upto 10%	B 2	0	16.577
	Above 10-20%	1	16.577	18.084
	Above 20%	F 0	18.084	100
			State Average/Base %	15.07

	Graduates		B-4a	
Code	Castes	Total	B.A. (Graduates)	B.A. % (Graduates)
1	Jat	45485	2937	6.46
2	Jat Sikh	18846	1019	5.41
3	Ror	15126	1054	6.97
4	Tyagi	14218	1215	8.55
5	Bishnoi	20904	1457	6.97
6	Rajput	17781	1186	6.67
7	Brahmin	8980	799	8.9
8	Maithili	3845	360	9.36
9	Goswami/Gosain	4856	265	5.46
10	Gaur	6069	615	10.13
11	Punjabi (Arora/Khatri)	26013	2973	11.43
12	Vaish (Bania/Aggarwal)	20582	2881	14
13	Kushwaha	6782	406	5.99
14	Kalal	3567	418	11.72
15	Arakwanshi	667	101	15.14
16	Adi Gaur Brahmin	5267	370	7.02
	TOTAL	218988	18056	8.25
	% Graduates			
	Range	Score	From	To
	Upto 20%	3	0	9.9
	Above 20-25%	2	9.9	10.3125
	Above 25 -30%	1	10.3125	10.725
	Above 30%	F 0	10.725	100
	State Average/Base %			8.25

Post Graduate				
Code	Castes	Total	M.A.	M.A. %
1	Jat	45485	779	1.71
2	Jat Sikh	18846	220	1.17
3	Ror	15126	303	2
4	Tyagi	14218	291	2.05
5	Bishnoi	20904	405	1.94
6	Rajput	17781	326	1.83
7	Brahmin	8980	263	2.93
8	Maithili	3845	56	1.46
9	Goswami/Gosain	4856	70	1.44
10	Gaur	6069	220	3.62
11	Punjabi (Arora/Khatri)	26013	844	3.24
12	Vaish (Bania/Aggarwal)	20582	947	4.6
13	Kushwaha	6782	79	1.16
14	Kalal	3567	74	2.07
15	Arakwanshi	667	23	3.45
16	Adi Gaur Brahmin	5267	50	0.95
	TOTAL	218988	4950	2.26
	% Post Graduate			
	Range	Score	From	To
	Upto 20%	3	0	2.712
	Above 20-25%	2	2.712	2.825
	Above 25 -30%	1	2.825	2.938
	Above 30%	F 0	2.938	100
	State Average/Base %			2.26

Technical skill/ Ed.(ITI/ Polytechnic, etc.				
Code	Castes	Total	Technical skill/ Ed.(ITI/ Polytechnic, etc.	Technical skill/ Ed.(ITI/ Polytechnic, etc. %
1	Jat	45485	148	0.33
2	Jat Sikh	18846	107	0.57
3	Ror	15126	63	0.42
4	Tyagi	14218	47	0.33
5	Bishnoi	20904	117	0.56
6	Rajput	17781	72	0.4
7	Brahmin	8980	46	0.51
8	Maithili	3845	37	0.96
9	Goswami/Gosain	4856	12	0.25
10	Gaur	6069	32	0.53
11	Punjabi (Arora/Khatri)	26013	159	0.61
12	Vaish (Bania/Aggarwal)	20582	125	0.61
13	Kushwaha	6782	27	0.4
14	Kalal	3567	5	0.14
15	Arakwanshi	667	5	0.75
16	Adi Gaur Brahmin	5267	42	0.8
	TOTAL	218988	1044	0.48
	Technical skill/ Ed.(ITI/ Polytechnic, etc.			
	Range	Score	From	To
	Upto 20%	3	0	0.576
	Above 20-25%	2	0.576	0.6
	Above 25 -30%	1	0.6	0.624
	Above 30%	F 0	0.624	100
	State Average/Base %			0.48

%age of B.Tech/M.Tech, BE/ME, MBA,MBBS and Other Professional Degrees.				
Code	Castes	Total	B.Tech/M.Tech, BE/ME, MBA,MBBS and Other Professional Degrees	B.Tech/M.Tech, BE/ME, MBA,MBBS and Other Professional Degrees %
1	Jat	45485	193	0.42
2	Jat Sikh	18846	62	0.33
3	Ror	15126	114	0.75
4	Tyagi	14218	90	0.63
5	Bishnoi	20904	118	0.56
6	Rajput	17781	80	0.45
7	Brahmin	8980	113	1.26
8	Maithili	3845	24	0.62
9	Goswami/Gosain	4856	8	0.16
10	Gaur	6069	65	1.07
11	Punjabi (Arora/Khatri)	26013	229	0.88
12	Vaish (Bania/Aggarwal)	20582	400	1.94
13	Kushwaha	6782	12	0.18
14	Kalal	3567	37	1.04
15	Arakwanshi	667	3	0.45
16	Adi Gaur Brahmin	5267	3	0.06
	TOTAL	218988	1551	0.71
%age of B.Tech/M.Tech, BE/ME, MBA,MBBS and Other Professional Degrees.				
	Range	Score	From	To
	Upto 20%	4	0	0.852
	Above 20-25%	3	0.852	0.8875
	Above 25 -30%	2	0.8875	0.923
	Above 30-35%	1	0.923	0.9585
	Above 35%	F 0	0.9585	100
			State Average/Base %	0.71

Male Literacy Rate of Survey				B-6	
Code	Castes	Total HHs	Male	Male Literacy	% Male Literacy
1	Jat	10000	25950	21609	83.27
2	Jat Sikh	4000	10811	8388	77.59
3	Ror	4000	8696	6947	79.89
4	Tyagi	4000	8095	7107	87.79
5	Bishnoi	4000	11821	8795	74.4
6	Rajput	4000	10519	8465	80.47
7	Brahmin	2000	5360	4557	85.02
8	Maithili	1100	2463	2037	82.7
9	Goswami/Gosain	1250	2839	2105	74.15
10	Gaur	1250	3427	2992	87.31
11	Punjabi (Arora/Khatri)	6250	14263	12819	89.88
12	Vaish (Bania/Aggarwal)	4000	11431	10544	92.24
13	Kushwaha	1095	4019	3360	83.6
14	Kalal	1450	2122	1866	87.94
15	Arakwanshi	225	378	338	89.42
16	Adi Gaur Brahmin	1250	3182	2380	74.8
	TOTAL	49870	125376	104309	83.2
	% Male Literacy Rate of Survey				
	Range	Score	From	To	
	Upto 10%	2	0	66.56	
	Below 10-20%	1	66.56	74.88	
	below 20%	F 0	74.88	100	
	State Average/Base %				83.2

Female Literacy Rate of Survey				B-6	
Code	Castes	Total HHs	Total Female	Female Literate	% Female Literacy
1	Jat	10000	21876	15263	69.77
2	Jat Sikh	4000	9107	6344	69.66
3	Ror	4000	7319	4984	68.1
4	Tyagi	4000	6800	5350	78.68
5	Bishnoi	4000	10048	6389	63.58
6	Rajput	4000	8865	6042	68.16
7	Brahmin	2000	4396	3293	74.91
8	Maithili	1100	2031	1398	68.83
9	Goswami/Gosain	1250	2367	1534	64.81
10	Gaur	1250	2914	2170	74.47
11	Punjabi (Arora/Khatri)	6250	12580	10780	85.69
12	Vaish (Bania/Aggarwal)	4000	9978	8708	87.27
13	Kushwaha	1095	3344	2526	75.54
14	Kalal	1450	1810	1459	80.61
15	Arakwanshi	225	336	276	82.14
16	Adi Gaur Brahmin	1250	2517	1459	57.97
	TOTAL	49870	106288	77975	73.36
	% Female Literacy Rate of Survey				
	Range	Score	From	To	
	Upto 10%	2	0	58.688	
	Below 10-20%	1	58.688	66.024	
	below 20%	F 0	66.024	100	
	State Average/Base %				73.36

Govt. Schooling					B-7
Code	Castes	Total HHs	Total Schooling	Govt Schooling	% of Govt. Schooling
1	Jat	10000	20653	13427	65.01
2	Jat Sikh	4000	7448	4589	61.61
3	Ror	4000	6997	5189	74.16
4	Tyagi	4000	6412	3941	61.46
5	Bishnoi	4000	7824	5046	64.49
6	Rajput	4000	9310	5356	57.53
7	Brahmin	2000	4192	2520	60.11
8	Maithili	1100	2723	1070	39.29
9	Goswami/Gosain	1250	1739	1205	69.29
10	Gaur	1250	4579	2974	64.95
11	Punjabi (Arora/Khatri)	6250	16927	9522	56.25
12	Vaish (Bania/Aggarwal)	4000	10534	3790	35.98
13	Kushwaha	1095	4000	1706	42.65
14	Kalal	1450	1595	857	53.73
15	Arakwanshi	225	291	160	54.98
16	Adi Gaur Brahmin	1250	2734	2013	73.63
	TOTAL	49870	107958	63365	58.69
GOVT. SCHOOLING					
	Above 30%	B 3	76.297	100	
	Above 20-30%	2	70.428	76.297	
	Above 10-20%	1	64.559	70.428	
	Upto 10%	F 0	58.69	64.559	
	State Average/Base %			58.69	

Private/ Convent Schooling					B-7a
Code	Castes	Total HHs	Total Schooling	Pvt./Convent	% of Pvt. Schooling
1	Jat	10000	20653	7226	34.99
2	Jat Sikh	4000	7448	2859	38.39
3	Ror	4000	6997	1808	25.84
4	Tyagi	4000	6412	2471	38.54
5	Bishnoi	4000	7824	2778	35.51
6	Rajput	4000	9310	3954	42.47
7	Brahmin	2000	4192	1672	39.89
8	Maithili	1100	2723	1653	60.71
9	Goswami/Gosain	1250	1739	534	30.71
10	Gaur	1250	4579	1605	35.05
11	Punjabi (Arora/Khatri)	6250	16927	7405	43.75
12	Vaish (Bania/Aggarwal)	4000	10534	6744	64.02
13	Kushwaha	1095	4000	2294	57.35
14	Kalal	1450	1595	798	50.03
15	Arakwanshi	225	291	131	45.02
16	Adi Gaur Brahmin	1250	2734	721	26.37
	TOTAL	49870	107958	44653	41.36
	Private/Convent Schooling				
	Above 30%	0	53.768	100	
	Above 20-30%	1	49.632	53.768	
	Above 10- 20%	2	45.496	49.632	
	Upto 10%	3	0	45.496	
	State Average/Base			41.36	

Income of HouseHolds							
Sr. No.	Castes	Total HHs	Respondents HHs	Up to 50000		50001 to 4,50,000	
1	Jat	10000	10000	1512	15.12	8210	82.1
2	Jat Sikh	4000	4000	301	7.53	3595	89.88
3	Ror	4000	4000	638	15.95	2975	74.38
4	Tyagi	4000	4000	494	12.35	2981	74.53
5	Bishnoi	4000	4000	270	6.75	3650	91.25
6	Rajput	4000	4000	803	20.08	2864	71.6
7	Brahmin	2000	2000	213	10.65	1771	88.55
8	Maithili	1100	1100	138	12.55	787	71.55
9	Goswami/Gosain	1250	1250	435	34.8	672	53.76
10	Gaur	1250	1250	185	14.8	1062	84.96
11	Punjabi (Arora/Khatri)	6250	6250	1343	21.49	4755	76.08
12	Vaish (Bania/Aggarwal)	4000	4000	327	8.18	3535	88.38
13	Kushwaha	1095	1095	336	30.68	759	69.32
14	Kalal	1450	1450	70	4.83	1085	74.83
15	Arakwanshi	225	225	0	0	223	99.11
16	Adi Gaur Brahmin	1250	1250	323	25.84	926	74.08
	TOTAL	49870	49870	7388	14.81	39850	79.91

Income Up to 50000 & 50001 to 4,50,000	
Above 30% HHs 50000 Base (Above 19.25)%	2
Above 30% HHs Rs.50,000/-to 4.50 lacs Base/(79.91)%	1
Above 4.50 lac	0

No of Kutcha/Semi Kutcha HHs					
Code	Castes	Total HHs	Respondents	No of Kutcha/Semi HHs	% of Kutcha/Semi HHs
1	Jat	10000	10000	4433	44.33
2	Jat Sikh	4000	4000	1421	35.53
3	Ror	4000	3781	2338	61.84
4	Tyagi	4000	3482	1706	48.99
5	Bishnoi	4000	4000	866	21.65
6	Rajput	4000	3702	1246	33.66
7	Brahmin	2000	2000	1081	54.05
8	Maithili	1100	916	221	24.13
9	Goswami/Gosain	1250	1104	453	41.03
10	Gaur	1250	1250	330	26.4
11	Punjabi (Arora/Khatri)	6250	6246	1118	17.9
12	Vaish (Bania/Aggarwal)	4000	4000	321	8.03
13	Kushwaha	1095	1073	649	60.48
14	Kalal	1450	1167	686	58.78
15	Arakwanshi	225	224	3	1.34
16	Adi Gaur Brahmin	1250	1250	154	12.32
	TOTAL	49870	48195	17026	35.33
	NumberKutcha/Semi Kutcha HHs				
	Above 35.33 %	B	1		
	Upto 35.33 %	F	0		

Roofed Areas of HHs					
Code	Castes	Total HHs	Respondents	Roofed Area Below 200 Yards	% of Roofed Area
1	Jat	10000	10000	6742	67.42
2	Jat Sikh	4000	4000	2609	65.23
3	Ror	4000	3781	2118	56.02
4	Tyagi	4000	3482	2351	67.52
5	Bishnoi	4000	4000	2438	60.95
6	Rajput	4000	3702	2978	80.44
7	Brahmin	2000	2000	1195	59.75
8	Maithili	1100	916	792	86.46
9	Goswami/Gosain	1250	1104	817	74
10	Gaur	1250	1250	1170	93.6
11	Punjabi (Arora/Khatri)	6250	6246	4505	72.13
12	Vaish (Bania/Aggarwal)	4000	4000	3181	79.53
13	Kushwaha	1095	1073	731	68.13
14	Kalal	1450	1167	875	74.98
15	Arakwanshi	225	224	164	73.21
16	Adi Gaur Brahmin	1250	1250	891	71.28
	TOTAL	49870	48195	33557	69.63
	Roofed Area				
	Above 69.63	0			
	Below 69.63	1			

Source of drinking Water (other than Piped water source)					
Code	Castes	Total HHs	Respondents	Source of Water (other than Piped)	% Source of Water
1	Jat	10000	10000	6626	66.26
2	Jat Sikh	4000	4000	2478	61.95
3	Ror	4000	3781	2367	62.6
4	Tyagi	4000	3482	2320	66.63
5	Bishnoi	4000	4000	2694	67.35
6	Rajput	4000	3702	1755	47.41
7	Brahmin	2000	2000	1737	86.85
8	Maithili	1100	916	705	76.97
9	Goswami/Gosain	1250	1104	779	70.56
10	Gaur	1250	1250	715	57.2
11	Punjabi (Arora/Khatri)	6250	6246	2042	32.69
12	Vaish (Bania/Aggarwal)	4000	4000	1831	45.78
13	Kushwaha	1095	1073	902	84.06
14	Kalal	1450	1167	651	55.78
15	Arakwanshi	225	224	221	98.66
16	Adi Gaur Brahmin	1250	1250	801	64.08
	TOTAL	49870	48195	28624	59.39
	Source of drinking water (other than piped water)				
	Above 59.39 %	B	1		
	Upto 59.39 %	F	0		

Toilet Facility (other than Flush)					
Code	Castes	Total HHs	Respondents	Toilet Facility (other than Flush)	%
1	Jat	10000	10000	7591	75.91
2	Jat Sikh	4000	4000	3373	84.33
3	Ror	4000	3781	2781	73.55
4	Tyagi	4000	3482	2545	73.09
5	Bishnoi	4000	4000	2824	70.6
6	Rajput	4000	3702	2501	67.56
7	Brahmin	2000	2000	1807	90.35
8	Maithili	1100	916	769	83.95
9	Goswami/Gosain	1250	1104	811	73.46
10	Gaur	1250	1250	690	55.2
11	Punjabi (Arora/Khatri)	6250	6246	1938	31.03
12	Vaish (Bania/Aggarwal)	4000	4000	1065	26.63
13	Kushwaha	1095	1073	745	69.43
14	Kalal	1450	1167	679	58.18
15	Arakwanshi	225	224	114	50.89
16	Adi Gaur Brahmin	1250	1250	1007	80.56
	TOTAL	49870	48195	31240	64.82
	Toilet Facility(other than flush)				
	Above 64.82 %	1			
	Below 64.82%	0			

Fuel Used in Kitchen(other than Lpg/Microwave/Bio-gas)					
Code	Castes	Total HHs	Respondents	Fuel Used in Kitchen(other than Lpg/Microwave/Bio-gas)	% Fuel Used
1	Jat	10000	10000	7503	75.03
2	Jat Sikh	4000	4000	3119	77.98
3	Ror	4000	3781	2601	68.79
4	Tyagi	4000	3482	1904	54.68
5	Bishnoi	4000	4000	3086	77.15
6	Rajput	4000	3702	2095	56.59
7	Brahmin	2000	2000	1271	63.55
8	Maithili	1100	916	476	51.97
9	Goswami/Gosain	1250	1104	758	68.66
10	Gaur	1250	1250	535	42.8
11	Punjabi (Arora/Khatri)	6250	6246	1198	19.18
12	Vaish (Bania/Aggarwal)	4000	4000	611	15.28
13	Kushwaha	1095	1067	345	32.33
14	Kalal	1450	1167	386	33.08
15	Arakwanshi	225	224	197	87.95
16	Adi Gaur Brahmin	1250	1250	376	30.08
	TOTAL	49870	48189	26461	54.91
	Fuel Used in Kitchen				
	Above 54.91 %	B	1		
	Below 54.91%		0		

Loan Taken by HHs					
Code	Castes	Total HHs	Respondents	Loan Taken	%
1	Jat	10000	10000	1570	15.7
2	Jat Sikh	4000	4000	401	10.03
3	Ror	4000	3781	661	17.48
4	Tyagi	4000	3482	418	12
5	Bishnoi	4000	4000	667	16.68
6	Rajput	4000	3702	423	11.43
7	Brahmin	2000	2000	121	6.05
8	Maithili	1100	916	89	9.72
9	Goswami/Gosain	1250	1104	70	6.34
10	Gaur	1250	1250	177	14.16
11	Punjabi (Arora/Khatri)	6250	6246	393	6.29
12	Vaish (Bania/Aggarwal)	4000	4000	199	4.98
13	Kushwaha	1095	1073	43	4.01
14	Kalal	1450	1167	74	6.34
15	Arakwanshi	225	224	0	0
16	Adi Gaur Brahmin	1250	1250	29	2.32
	TOTAL	49870	48195	5335	11.07
	Loan Taken by HHs				
	Above 11.07%	B	1		
	Below 11.07%		0		

Code	Castes	Value of Family Assets		Value of Family assets From 50,000 upto 5.00 lac	% of HHs
		Total HHs	Respondents		
1	Jat	10000	10000	1928	19.28
2	Jat Sikh	4000	4000	944	23.6
3	Ror	4000	3781	928	24.54
4	Tyagi	4000	3482	1146	32.91
5	Bishnoi	4000	4000	773	19.33
6	Rajput	4000	3702	1047	28.28
7	Brahmin	2000	2000	424	21.2
8	Maithili	1100	916	367	40.07
9	Goswami/Gosain	1250	1104	302	27.36
10	Gaur	1250	1250	132	10.56
11	Punjabi (Arora/Khatri)	6250	6246	2136	34.2
12	Vaish (Bania/Aggarwal)	4000	4000	806	20.15
13	Kushwaha	1095	1073	460	42.87
14	Kalal	1450	1167	232	19.88
15	Arakwanshi	225	224	98	43.75
16	Adi Gaur Brahmin	1250	1250	952	76.16
	TOTAL	49870	48195	12675	26.3
	Value of Family Assets				
	Upto 30% HHs	B 2	0	34	
	Above 30-50%	1	34	39	
	Above 50%	F 0	39	100	
	State Average/Base %			26.3	

Persons Working Under Sun (3e)				
Code	Castes	Respondents	Working Underr Sun	%
1	Jat	47943	12633	26.35
2	Jat Sikh	19890	3194	16.06
3	Ror	16095	3399	21.12
4	Tyagi	14967	2829	18.9
5	Bishnoi	21905	5169	23.6
6	Rajput	19136	3218	16.82
7	Brahmin	9822	1380	14.05
8	Maithili	4402	403	9.15
9	Goswami/Gosain	5216	1021	19.57
10	Gaur	6331	934	14.75
11	Punjabi (Arora/Khatri)	26674	1394	5.23
12	Vaish (Bania/Aggarwal)	21541	422	1.96
13	Kushwaha	7321	1085	14.82
14	Kalal	3948	603	15.27
15	Arakwanshi	742	12	1.62
16	Adi Gaur Brahmin	5709	154	2.7
	TOTAL	231642	37850	16.34

Person Working Under Sun	
Above 16.34%	B 1
Below 16.334%	0

Social (Score Sheet)																																																										
		Delivery at home			Maternal Mortality (MMR)			Infant Mortality (IMR)			Manual Labour			Age at marriage, below 21 years (Male)			Age at marriage, below 18 years (Female)			Female Work Participation (Manual)			Remarriage of widow (Chadar Andazi/Reet) Within family			Remarriage of widow (Chadar Andazi/Reet) Outside family			Inter-caste marriage			Role of Khap Panchayats in the Social Sector in rural area			Still engaged in traditional occupation			Discrimination against daughter			Direct Civil & Allied Services			Govt. Class I & II			Elected Members of Parliament/ Assembly			Elected Members of ZP/ BS/ GP/ MC			Class III & IV Services					
Code	Castes	1	2	3	4	5	6	7	8a	8b	9	9a	9b	10	11	11a	12	12a	12b	Total																																						
1	Jat	4	0	2	2	0	1	1	2	2	3	1	1	3	3	2	2	0	1	30																																						
2	Jat Sikh	3	2	2	1	1	1	1	0	2	3	1	1	4	3	3	2	1	1	32																																						
3	Ror	4	0	2	1	0	0	0	1	2	3	1	1	3	3	3	2	1	0	27																																						
4	Tyagi	3	2	1	2	1	0	2	1	2	3	1	1	4	3	3	2	1	1	33																																						
5	Bishnoi	3	2	0	2	1	0	1	2	2	3	1	1	4	3	3	2	1	0	31																																						
6	Rajput	0	0	0	0	0	0	0	0	0	3	0	0	0	3	0	2	1	1	10																																						
7	Brahmin	0	2	0	0	0	0	0	0	0	3	1	0	0	0	0	2	1	0	9																																						
8	Maithli	0	0	0	0	0	0	0	0	0	3	0	0	0	3	3	2	1	0	12																																						
9	Goswami/ Gosain	3	0	0	1	0	0	0	0	0	3	0	1	5	3	3	2	1	1	23																																						
10	Gaur	0	1	0	0	0	0	0	0	0	3	1	0	0	0	0	2	1	0	8																																						
11	Punjabi (Arora/ Khatri)	0	2	0	0	0	0	0	0	2	0	0	0	0	0	3	2	1	0	10																																						
12	Vaish (Bania/ Aggarwal)	0	2	0	0	0	0	0	0	2	0	0	0	0	3	1	2	1	0	11																																						
13	Kushwaha	0	0	0	0	1	2	0	0	0	0	0	0	0	3	0	2	1	1	10																																						
14	Kalal	0	2	2	0	0	0	0	0	0	0	0	0	0	2	3	2	1	1	13																																						
15	Arakwanshi	0	2	2	0	2	2	0	0	0	0	1	0	0	3	0	2	1	0	15																																						
16	Adi Gaur Brahmin	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	1	0	3																																						

Educational (Score Sheet)		Never attended school (age group 6-14)	Dropout (age group 6-14)	% Matriculation Pass	%age of 10+2 pass	Graduates	Post Graduate	Technical skill/ Ed. (ITI/ Polytechnic, etc.	%age of B.Tech/ M.Tech, BE/ME, MBA, MBBS	Female Literacy	Male Literacy	Schooling (Government)	Schooling (Public/ Convent)	Total
Code	Castes	1	2	3	3a	4a	4b	4c	4d	5	6	7	7a	
1	Jat	1	0	2	2	3	3	3	4	0	0	1	3	22
2	Jat Sikh	1	0	2	2	3	3	3	4	0	0	0	3	21
3	Ror	0	1	2	2	3	3	3	4	0	0	2	3	23
4	Tyagi	1	0	2	2	3	3	3	4	0	0	0	3	21
5	Bishnoi	1	1	2	2	3	3	3	4	1	1	0	3	24
6	Rajput	0	0	2	2	3	3	3	4	0	0	0	3	20
7	Brahmin	0	1	1	2	3	1	3	0	0	0	0	3	14
8	Maithli	0	0	0	0	3	3	0	4	0	0	0	0	10
9	Goswami/Gosain	0	1	2	2	3	3	3	4	1	1	1	3	24
10	Gaur	1	0	2	1	2	0	3	0	0	0	1	3	13
11	Punjabi (Arora/Khatri)	0	0	1	1	0	0	1	2	0	0	0	3	8
12	Vaish (Bania/Aggarwal)	0	1	1	0	0	0	1	0	0	0	0	0	3
13	Kushwaha	0	1	0	2	3	3	3	4	0	0	0	0	16
14	Kalal	0	1	0	1	0	3	3	0	0	0	0	1	9
15	Arakwanshi	0	0	0	2	0	0	0	4	0	0	0	3	9
16	Adi Gaur Brahmin	1	0	2	2	3	3	0	4	2	1	2	3	23

Economic (Score Sheet)		Households Annual Income		Value of Family assets From 50,000 upto 5.00 lac		Kutcha House/Semi Pucca		Roofed area of the house upto 200 sq.Yards		Source of drinking water (all other sources other than piped water)		Toilet facility (all other than flush toilet)		%age of persons working under sun.		Fuel used in kitchen (other than LPC/Microwave plate/Bio-gas)		Size of the land holding less than 5 acres		Consumption of loan			
Code	Castes	1	2	3a	3b	3c	3d	3e	3f	4	5	Total											
1	Jat	1	2	1	1	1	1	1	1	0	1	10											
2	Jat Sikh	1	2	1	1	1	1	0	1	0	0	8											
3	Ror	0	2	1	1	1	1	1	1	0	1	9											
4	Tyagi	0	2	1	1	1	1	1	0	0	1	8											
5	Bishnoi	1	2	0	1	1	1	1	1	0	1	9											
6	Rajput	2	2	0	0	0	1	1	1	0	1	8											
7	Brahmin	1	2	1	1	1	1	0	1	2	0	10											
8	Maithli	0	0	0	0	1	1	0	0	0	0	2											
9	Goswami/Gosain	2	2	1	0	1	1	1	1	0	0	9											
10	Gaur	1	2	0	0	0	0	0	0	0	1	4											
11	Punjabi (Arora/Khatri)	2	1	0	0	0	0	0	0	0	0	3											
12	Vaish (Bania/Aggarwal)	1	2	0	0	0	0	0	0	0	0	3											
13	Kushwaha	2	0	1	1	1	1	0	0	0	0	6											
14	Kalal	0	2	1	0	0	0	0	0	0	0	3											
15	Arakwanshi	1	0	0	0	1	0	0	1	0	0	3											
16	Adi Gaur Brahmin	2	0	0	0	1	1	0	0	0	0	4											

Summary of (Social +Educational + Economical) Indicators Scores					
Code	Castes	Social	Educational	Economical	Total
1	Jat	30	22	10	62
2	Jat Sikh	32	21	8	61
3	Ror	27	23	9	59
4	Tyagi	33	21	8	62
5	Bishnoi	31	24	9	64
6	Rajput	10	20	8	38
7	Brahmin	9	14	10	33
8	Maithli	12	10	2	24
9	Goswami/Gosain	23	24	9	56
10	Gaur	8	13	4	25
11	Punjabi (Arora/Khatri)	10	8	3	21
12	Vaish (Bania/Aggarwal)	11	3	3	17
13	Kushwaha	10	16	6	32
14	Kalal	13	9	3	25
15	Arakwanshi	15	9	3	27
16	Adi Gaur Brahmin	3	23	4	30

CODE	Social Indicators >>>	1	2	3	4	5	6	7	8a	8b	9	9a	9b	10	11	11a	12	12a	12b
	Castes	Delivery at home	Maternal Mortality (MMR)	Infant Mortality (IMR)	Manual Labour	Age at marriage, below 21 years (Male)	Age at marriage, below 18 years (Female)	Female Work Participation (Manual)	Remarriage of widow (Chadar Andaz/Reet) Within family	Remarriage of widow (Chadar Andaz/Reet) Outside family	Inter-caste marriage	Role of Khap Panchayats in the Social Sector in rural area	Still engaged in traditional occupation	Discrimination against daughter	Direct Civil & Allied Services	Govt. Services Class I & II	Elected members of (M.P./M.L.A.)	Elected members of ZP/B/S/G/PMC	Class III & IV Services
1	Jat	61.82	2.15	13.48	46.9	59.97	52.24	55.11	87.59	20.95	15.8	73.15	44.87	63.35	1.43	4.15	0	2.24	3.94
2	Jat Sikh	57.73	2.68	11.62	42.55	66.47	51.8	56.28	72.6	19.25	18.45	88.23	40.23	65.05	0.65	1.32	0	1.1	2.55
3	Ror	59.2	2.2	11.6	43.91	61.41	45.4	53.01	81.41	21.66	11.43	70.3	42.27	63.24	1.01	3.55	0	1.13	10.85
4	Tyagi	56.18	3.62	8.4	45.57	63.42	44.92	58.87	79.16	24.78	17.2	69.43	45.34	67.12	0.23	3.52	0	1.18	3.2
5	Bishnoi	58.49	2.58	4.3	45.46	66.04	46.52	58.25	91.75	19.2	19.58	95.08	44.16	63.53	0.35	2.17	0	1.15	7.02
6	Rajput	40.03	0.6	2.98	31.14	43.72	46.81	35.96	53.65	44.27	20.85	66.28	25.15	40.52	1.38	4.95	0	0.93	4.1
7	Brahmin	33.67	3.7	5.39	28.12	44.22	41.96	27.21	57.9	38.95	20.3	72.45	22.95	38.25	3	6.2	0	0.9	8.5
8	Maithli	30	1.67	5	34.9	56.13	42.96	34.56	69.9	43.34	27.4	31.36	24.15	16.48	1.09	1.45	0	0	7.9
9	Goswami/ Gosain	58.57	0.8	0.8	42.13	42.62	36.94	52.56	73.64	36.41	7.79	57.92	36.08	71.83	1.36	1.76	0	0.4	2.32
10	Gaur	48.64	2.27	3.64	29.6	49.21	30.52	35.24	63.68	32.32	21.76	69.52	27.8	34.16	4.88	7.36	0	0.24	16
11	Punjabi (Arora/Khatri)	23.65	3	6.38	29.88	55.9	26.61	47.61	50.14	27.06	41.24	61.71	28.9	27.41	2.67	2.81	0	0.99	8.4
12	Vaish (Bania/ Aggarwal)	18.64	3.67	3.41	23.19	50.37	35.56	41.1	64.63	24.08	35.73	31.63	20.44	20.88	1	4.72	0	0.78	7.97
13	Kushwaha	46.05	0	1.75	26.33	67.99	54.75	31.4	55.62	54.89	76.57	42.92	21.98	25.16	1.12	5.02	0	0.82	3.37
14	Kalal	23.86	3.05	16.75	28.41	57	48.65	48.18	70.35	40.79	39.06	50.48	27.99	43.53	1.63	1.03	0	1.17	3.72
15	Arakwanshi	33.33	16.67	16.67	22.35	77.21	57.2	36.61	56.82	34.82	33.78	85.33	18.73	34.38	0.45	6.66	0	0.89	6.66
16	Adi Gaur Brahmin	30.84	0.12	0.12	30.65	51	18	50.54	61.36	36.56	76.24	33.84	25.43	24	2.4	7.6	0	0.64	7.04
	AVERAGE %	47.02	2.14	7.72	37.95	57.44	43.57	48.62	71.76	27.37	25.36	66.6	34.95	48.85	1.44	3.67	0	1.2	6.47

Code	Educational Indicators >>	1	2.00	3	3a	4a	4b	4c	4d	5	6	7	7a
		Castes	Never attended school (age group 6-14)	Dropout (age group 6-14)	Matriculation Pass	10+2 pass	Graduates	Post Graduate	Technical skill/ Ed.(ITI/ Polytechnic, etc.	B. Tech/M.Tech, BE/ME, MBA,MBBS	Female Literacy	Male Literacy	Type of Schooling (Government)	Type of Schooling (Public/ Convent)
1	Jat	12.29	3.00	20.04	15.31	6.46	1.71	0.33	0.42	69.77	83.27	65.01	34.99
2	Jat Sikh	11.71	2.90	18.87	11.32	5.41	1.17	0.57	0.33	69.66	77.59	61.61	38.39
3	Ror	4.71	3.05	17.46	14.58	6.97	2	0.42	0.75	68.1	79.89	74.16	25.84
4	Tyagi	12.6	2.95	17.85	14.7	8.55	2.05	0.33	0.63	78.68	87.79	61.46	38.54
5	Bishnoi	10.8	3.06	14.63	11.58	6.97	1.94	0.56	0.56	63.58	74.4	64.49	35.51
6	Rajput	7.02	2.91	18.04	13.35	6.67	1.83	0.4	0.45	68.16	80.47	57.53	42.47
7	Brahmin	7.25	3.07	22.87	16.19	8.9	2.93	0.51	1.26	74.91	85.02	60.11	39.89
8	Maithli	1.9	2.94	24.97	19.3	9.36	1.46	0.96	0.62	68.83	82.7	39.29	60.71
9	Goswami/Gosain	5.31	3.05	16.04	13.55	5.46	1.44	0.25	0.16	64.81	74.15	69.29	30.71
10	Gaur	12.45	2.70	21.22	16.58	10.13	3.62	0.53	1.07	74.47	87.31	64.95	35.05
11	Punjabi (Arora/Khatri)	9.77	2.90	23.46	17.71	11.43	3.24	0.61	0.88	85.69	89.88	56.25	43.75
12	Vaish (Bania/Aggarwal)	5.44	3.05	22.27	18.76	14	4.6	0.61	1.94	87.27	92.24	35.98	64.02
13	Kushwaha	8.29	3.02	25.83	15.82	5.99	1.16	0.4	0.18	75.54	83.6	42.65	57.35
14	Kalal	1.56	3.32	24.22	17.72	11.72	2.07	0.14	1.04	80.61	87.94	53.73	50.03
15	Arakwanshi	2.41	2.41	24.89	13.04	15.14	3.45	0.75	0.45	82.14	89.42	54.98	45.02
16	Adi Gaur Brahmin	32.67	2.91	21.44	13.18	7.02	0.95	0.8	0.06	57.97	74.8	73.63	26.37
	AVERAGE %	9.95	3.00	20	15.07	8.25	2.26	0.48	0.71	73.36	83.2	58.69	41.36

Code	Economic Indicators>>	1		2	3a	3b	3c	3d	3e	3f	4	5
	Castes	Household Annual Income Up to 50000	Household Annual Income 50001 to 4,50,000	Value of Family assets From 50,000 upto 5.00 lac	Kutcha House/Semi Pucca	Roofed area of the house upto 200 sq.Yards	Source of drinking water (all other sources other than piped water)	Toilet facility (all other than flush toilet)	%age of persons working under sun.	Fuel used in kitchen (other than LPC/Microwave plate/Bio-gas)	Size of the land holding less than 5 acres	Consumption of loan
1	Jat	15.12	82.1	19.28	44.33	67.42	66.26	75.91	26.35	75.03	49.03	15.7
2	Jat Sikh	7.53	89.88	23.6	35.53	65.23	61.95	84.33	16.06	77.98	52.33	10.03
3	Ror	15.95	74.38	24.54	61.84	56.02	62.6	73.55	21.12	68.79	55.78	17.48
4	Tyagi	12.35	74.53	32.91	48.99	67.52	66.63	73.09	18.9	54.68	55.34	12
5	Bishnoi	6.75	91.25	19.33	21.65	60.95	67.35	70.6	23.6	77.15	54.13	16.68
6	Rajput	20.08	71.6	28.28	33.66	80.44	47.41	67.56	16.82	56.59	32.33	11.43
7	Brahmin	10.65	88.55	21.2	54.05	59.75	86.85	90.35	14.05	63.55	63.4	6.05
8	Maithli	12.55	71.55	40.07	24.13	86.46	76.97	83.95	9.15	51.97	56.88	9.72
9	Goswami/ Gosain	34.8	53.76	27.36	41.03	74	70.56	73.46	19.57	68.66	23.82	6.34
10	Gaur	14.8	84.96	10.56	26.4	93.6	57.2	55.2	14.75	42.8	49.36	14.16
11	Punjabi (Arora/Khatri)	21.49	76.08	34.2	17.9	72.13	32.69	31.03	5.23	19.18	42.72	6.29
12	Vaish (Bania/ Aggarwal)	8.18	88.38	20.15	8.03	79.53	45.78	26.63	1.96	15.28	48.78	4.98
13	Kushwaha	30.68	69.32	42.87	60.48	68.13	84.06	69.43	14.82	32.33	48.65	4.01
14	Kalal	4.83	74.83	19.88	58.78	74.98	55.78	58.18	15.27	33.08	48.07	6.34
15	Arakwanshi	0	99.11	43.75	1.34	73.21	98.66	50.89	1.62	87.95	14.29	0
16	Adi Gaur Brahmin	25.84	74.08	76.16	12.32	71.28	64.08	80.56	2.7	30.08	11.84	2.32
	AVERAGE %	14.81	79.91	26.3	35.33	69.63	59.39	64.82	16.34	54.91	47.61	11.07

CONSIDERATION FOR GRANT OF RESERVATION

The population of Haryana, according to 2011 Census, is 2,53,53,081, out of which 1,35,05,0130 are males, while 1,18,47,951 are females. It is 2.09% of the population of India. The rural population according to latest Census 2011 is stated to be 65.20% (1,65,38,000) while urban population is said to be 34.8% (88,33,000). Earlier, the rural population was 80% while urban population was 20% which shows that in about two decades sufficient population had migrated from the villages to the cities. However, the mindset of the people which have migrated from rural areas to cities remained the same. Since, no figure of different castes is available with the Census Department, so, the Commission constituted a Sub-committee in order to find out approximate percentage of population of various castes under survey in the State of Haryana as on 1.9.2012. The Sub-committee after deliberation submitted the amended table No. 10 (Annexure-P) dated 8.11.2012 of percentage of population of various Castes as under :—

Sr. No.	Castes	Percentage
1	Aggarwal/Vaish	4.00
2	Arora/Khatri	6.50
3	Bishnoi	1.21
4	Brahman	6.51
5	Jat	25.53
6	Jat Sikh	3.25
7	Ror	1.43
8	Tyagi	0.16
9	Gosain/Goswami	0.18
10	Rajput	2.03
11	Others	49.20
	TOTAL	100

Justice Gurnam Singh Commission was constituted earlier in the year 1990 and the said Commission had submitted its report on 30.12.1990. It had prepared Table No.37 which also contained estimate percentage of population of the State among others, the percentage of population of Mahajan/Bania 5%, Arora/Khatri 8%, Bishnoi 7%, Brahman 7.1%, Jat 25%, Jat Sikh 4%, Ror 1.7% and Rajput 3%.

However, the percentage of population of Goswami/Gosai and Tyagi was not estimated by saying that the said sub castes were included in Brahmans. There is no indication that members of any caste in large number had migrated to other States or had come to Haryana from any other State. There may be migration to other States to some extent of trading communities like Aggarwal and Arora/Khatri. If in the last two decades there is an increase in the overall population of the State, the population of the various castes had also increased proportionately. There is no indication that the population of any caste which is under survey had dramatically increased.

The Sub-committee had estimated the percentage of Ror caste to be 1.43%, while Gurnam Singh Commission had taken the estimate percentage of Rors to be 1%. Now the question to be seen is whether the Sub-committee had properly estimated the caste of Ror. PW1 Master Rati Ram, President, All India Ror Mahasabha, G.T.Road, Karnal, stated that their population in Haryana was about 2,53,000 i.e about 1% of the population of Haryana. Therefore, the population of Ror community as admitted is not more than 1%. In such circumstances, the estimated population of Ror is to be considered as 1% and not 1.43% as estimated by the Sub-committee. Even Justice Gurnam Singh Commission has estimated population percentage of Ror community to be 1%.

Now the next question to be seen is what is the estimated percentage of population of Bishnoi in the State of Haryana. The Sub-committee has estimated as 1.21% while Gurnam Singh Commission had estimated the percentage of population of Bishnoi to be 0.7%. Shri Kishan Dev Pawar, Navdeep Colony, Rajgarh Road, Hisar and Shri Sumit Bishnoi, Krishan Nagar, Hisar, had submitted a joint representation for grant of reservation to Bishnoi caste which was received on 7.9.2011. In this representation they have clearly stated that estimated population of Bishnoi caste in Haryana is 0.7%, while in India it was 0.12% and they were mainly settled in Haryana, Rajasthan, U.P, Delhi, M.P and Punjab. A representation was also submitted by Subhash Bishnoi, President Bishnoi Sabha Registered, Hisar, on behalf of all Bishnois in Haryana. It was stated in para 4 of the representation that Bishnoi caste was less populated mainly resided in 90 villages in Haryana and were settled mostly in the erstwhile Hisar district which was subsequently bifurcated in Hisar, Sirsa, Fatehabad and Bhiwani. The Commission made a telephonic call on 9.11.2012 to Sh.Subhash Bishnoi on his Mobile No. 0996001929 to enquire about the estimated population of Bishnoi. He stated that the population of their community was not more than 1%. Therefore, by no stretch of imagination it could be 1.21%. As per admission contained in the representation of Shri Krishan Dev Pawar and Sumit Bishnoi and further as estimated by Gurnam Singh Commission it has to be presumed that the estimated population of Bishnoi is 0.7% and not more than that.

The next question to be seen is that what is the estimated percentage of population of Jats in Haryana. The Sub-committee has held its population to be 25.53% while the Gurnam Singh Commission had held their population to be 25% in the year 1990. In a span of two decades there may be 0.53% increase in their population. Therefore, this figure of percentage of population of Jats is presumed to be correct.

The population of Tyagi is to be presumed to be 0.16% and that of Goswami/Gosai to be 0.18% as estimated by the Sub-committee because Gurnam Singh Commission has not estimated their population percentage saying that they were included in the percentage of Brahman caste. The Sub-committee has presumed the tentative percentage population of Rajput to be 2.03% while Gurnam Singh Commission has estimated it to be 3%. Therefore, it is presumed to be 3%. The estimated percentage of Brahman as estimated by the Sub-committee to be 6.5% (while Gurnam Singh Commission had estimated percentage of population of 7%) appears to be correct because 7% estimated by Gurnam Singh also included Tyagi and Goswami/Gosai which sub-castes have now been calculated separately. There is also some difference in percentage of population of Aggarwal/Vaish and Arora/Khatri but the difference/variation is not taken notice as both these communities are largely trading communities and some of them might have shifted to other States to seek greener pastures and for this reason there was minor variation.

The government did not maintain any data regarding the services castes-wise. A letter dated 23.10.2012 to this effect was received from the Chief Secretary, Haryana, that no caste base data was maintained and it was not possible to supply the same. Maharishi Dayanand University, Rohtak, was also asked to collect secondary data of employment in State services caste-wise but it also expressed its inability to collect/provide secondary data caste-wise in the State services.

As no official secondary data of State services (Class-I and Class-II) is available, so, the Commission thought it fit to appoint a Sub-committee consisting of Sarvshri Jai Singh Bishnoi, Som Dutt Ror, Arjun Dev Gulatii and Telu Ram Jangra to make an effort to collect secondary data of State services. The Sub-committee held various meetings and after due deliberations lastly submitted the amended data on 8.11.2012 containing Tables No.1 to 9, 11 to 13, as well as Tables 1-A, 3-CI and 3-C-II which are reproduced as under:-

Annexure 'A' - Table No. 1 (SC)

Estimated Details showing the caste wise representation of Haryana Domicile Officers in All India Services as on 01.09.2012

Sr. No.	Caste	Indian Administrative Service (IAS)		Indian Police Service (IPS)		Indian Forest Service (IFS)		Total	
		Nos.	%age	Nos.	%age	Nos.	%age	Nos.	%age
	Total Strength	4377		3325		2700		10402	
1	Aggarwal/Vaish	32	0.73	18	0.54	7	0.26	57	0.55
2	Arora/ Khatri	23	0.53	24	0.72	5	0.19	52	0.5
3	Bishnoi	1	0.02	2	0.06	0	0	3	0.03
4	Brahmin	38	0.87	15	0.45	10	0.37	63	0.61
5	Jat	16	0.37	12	0.36	4	0.15	32	0.31
6	Jat Sikh	6	0.14	3	0.09	3	0.11	12	0.12
7	Ror	1	0.02	1	0.03	1	0.04	3	0.03
8	Tyagi	0	0	0	0	1	0.04	1	0.01
9	Gosain/Goswami	0	0	0	0	0	0	0	0
10	Rajput	5	0.11	4	0.12	2	0.07	11	0.10
11	Others	44	1.00	50	1.50	20	0.74	114	1.09
	Total	166		129		53		348	3.35

Place : Chandigarh
Dated : 08.11.12

Telu Ram Jangra
Member

Arjun Dev Gulatii
Member

Som Dutt
Member

Jai Singh Bishnoi
Convener Member

Annexure 'B' – Table No. 2 (SC)

Estimated Details of Representation of Haryana Domicile Officers of Major Castes under Survey 2012, in All India Services of Haryana State as on 01.09.2012

Sr. No.	Caste	Indian Administrative Service (IAS)		Indian Police Service (IPS)		Indian Forest Service (IFS)		Total	
		Nos.	%age	Nos.	%age	Nos.	%age	Nos.	%age
1	Aggarwal/Vaish	32	19.28	18	13.95	7	13.21	57	16.38
2	Arora/ Khatri	23	13.86	24	18.6	5	9.43	52	14.94
3	Bishnoi	1	0.6	2	1.55	0	0	3	0.86
4	Brahmin	38	22.89	15	11.63	10	18.87	63	18.1
5	Jat	16	9.64	12	9.3	4	7.55	32	9.2
6	Jat Sikh	6	3.61	3	2.33	3	5.66	12	3.45
7	Ror	1	0.6	1	0.78	1	1.89	3	0.86
8	Tyagi	0	0	0	0	1	1.89	1	0.29
9	Gosain/Goswami	0	0	0	0	0	0	0	0
10	Rajput	5	3.01	4	3.10	2	3.77	11	3.16
11	Others	44	26.50	50	38.76	20	37.73	114	32.75
	Total	166		129		53		348	100

Place : Chandigarh
Dated : 08.11.12

Telu Ram Jangra
Member

Arjun Dev Gulatii
Member

Som Dutt
Member

Jai Singh Bishnoi
Convener Member

Annexure 'C' – Table No. 3 (SC)

Estimated Details of Representation of Major Castes under Survey (2012) in Haryana Civil Services (Executive and Judicial) Direct in the State as on 01.09.2012

Sr. No.	Caste	Nos.	%age
1	Aggarwal/Vaish	76	17.97
2	Arora/ Khatri	57	13.48
3	Bishnoi	1	0.24
4	Brahmin	54	12.77
5	Jat	50	11.82
6	Jat Sikh	6	1.42
7	Ror	3	0.71
8	Tyagi	2	0.47
9	Gosain/Goswami	2	0.47
10	Rajput	18	4.25
11	Others	154	36.40
	Total	423	100

Place : Chandigarh
Dated : 08.11.12

Telu Ram Jangra
Member

Arjun Dev Gulatii
Member

Som Dutt
Member

Jai Singh Bishnoi
Convener Member

Annexure 'D' – Table No. 4 (SC)

Estimated Details of Representation of Major Castes under Survey (2012) in Haryana Police Services (Direct) as on 01.09.2012

Sr. No.	Caste	Nos.	%age
1	Aggarwal/Vaish	2	5.71
2	Arora/ Khatri	2	5.71
3	Bishnoi	1	2.86
4	Brahmin	4	11.43
5	Jat	6	17.14
6	Jat Sikh	3	8.57
7	Ror	1	2.86
8	Tyagi	0	0
9	Gosain/Goswami	0	0
10	Rajput	3	8.57
11	Others	13	37.14
	Total	35	100

Place : Chandigarh
Dated : 08.11.12

Telu Ram Jangra
Member

Arjun Dev Gulati
Member

Som Dutt
Member

Jai Singh Bishnoi
Convener Member

Annexure 'E' – Table No. 5 (SC)

Estimated details of Representation of Major Castes under Survey (2012) as on 01.09.2012

Sr. No.	Caste	Revenue Services (District Revenue Officers) (Class-I)	
		Nos.	%age
1.	Aggarwal/Vaish	2	5.71
2.	Arora/ Khatri	2	5.71
3.	Bishnoi	2	5.71
4.	Brahmin	6	17.14
5.	Jat	6	17.14
6.	Jat Sikh	1	2.86
7.	Ror	0	0
8.	Tyagi	0	0
9.	Gosain/Goswami	0	0
10.	Rajput	2	5.71
11.	Others	14	40.00
	Total	35	100

Place : Chandigarh
Dated : 08.11.12

Telu Ram Jangra
Member

Arjun Dev Gulati
Member

Som Dutt
Member

Jai Singh Bishnoi
Convener Member

Annexure 'F' – Table No. 6 (SC)

Estimated Details of Representation of Major Castes under Survey (2012) in Food and Civil Supplies Department as on 01.09.2012

Sr. No.	Caste	District Food & Supply Controller (Class-I)	
		Nos.	%age
1.	Aggarwal/Vaish	2	13.33
2.	Arora/ Khatri	0	0
3.	Bishnoi	1	6.67
4.	Brahmin	2	13.33
5.	Jat	1	6.67
6.	Jat Sikh	0	0
7.	Ror	0	0
8.	Tyagi	0	0
9.	Gosain/Goswami	0	0
10.	Rajput	1	6.67
11.	Others	8	53.33
	Total	15	100

Place : Chandigarh
Dated : 08.11.12

Telu Ram Jangra
Member

Arjun Dev Gulati
Member

Som Dutt
Member

Jai Singh Bishnoi
Convener Member

Annexure 'G' – Table No. 7 (SC)

Estimated details of Representation of Major Castes under Survey (2012) as on 01.09.2012

Sr. No.	Caste	Medical Services (Class-I) Senior Medical Officer & above	
		Nos.	%age
1	Aggarwal/Vaish	81	19.42
2	Arora/ Khatri	59	14.15
3	Bishnoi	2	0.48
4	Brahmin	30	7.19
5	Jat	24	5.76
6	Jat Sikh	7	1.68
7	Ror	8	1.92
8	Tyagi	1	0.24
9	Gosain/Goswami	0	0
10	Rajput	17	4.07
11	Others	188	45.08
	Total	417	100

Place : Chandigarh
Dated : 08.11.12

Telu Ram Jangra
Member

Arjun Dev Gulati
Member

Som Dutt
Member

Jai Singh Bishnoi
Convener Member

Annexure 'H' – Table No. 8 (SC)

Estimated details of Representation of Major Castes under Survey (2012) in various Engineering Services of Irrigation, Public Health and PWD (B&R) Department as on 01.09.2012

Sr. No.	Caste	Engineering Services (Class-I) Superintending Engineers & above	
		Nos.	%age
1	Aggarwal/Vaish	32	29.63
2	Arora/ Khatri	25	23.15
3	Bishnoi	2	1.85
4	Brahmin	11	10.19
5	Jat	12	11.11
6	Jat Sikh	2	1.85
7	Ror	2	1.85
8	Tyagi	0	0
9	Gosain/Goswami	0	0
10	Rajput	5	4.63
11	Others	17	15.74
	Total	108	100

Place : Chandigarh
Dated : 08.11.12

Telu Ram Jangra
Member

Arjun Dev Gulati
Member

Som Dutt
Member

Jai Singh Bishnoi
Convener Member

Annexure 'I' – Table No. 9 (SC)
Estimated details of Representation of Officers of Major Castes under Survey (2012) in
Power Sector as on 01.09.2012

Sr. No.	Caste	Superintending Engineers and above Class I	
		Nos.	%age
1.	Aggarwal/Vaish	36	29.75
2.	Arora/ Khatri	35	28.93
3.	Bishnoi	0	0
4.	Brahmin	17	14.5
5.	Jat	8	6.61
6.	Jat Sikh	4	3.31
7.	Ror	0	0
8.	Tyagi	1	0.83
9.	Gosain/Goswami	0	0
10.	Rajput	8	6.61
11.	Others	12	9.91
	Total	121	100

Place : Chandigarh
Dated : 08.11.12

Telu Ram Jangra
Member

Arjun Dev Gulati
Member

Som Dutt
Member

Jai Singh Bishnoi
Convener Member

Annexure 'P' – Table 10 (SC)

Estimated Details of Percentage of population of various castes under Survey, 2012 in the State of Haryana as on 01.09.2012

Sr. No.	Caste	%age
1.	Aggarwal/Vaish	4.00
2.	Arora/Khatri	6.50
3.	Bishnoi	1.21
4.	Brahmin	6.51
5.	Jat	25.53
6.	Jat Sikh	3.25
7.	Ror	1.43
8.	Tyagi	0.16
9.	Gosain/Goswami	0.18
10.	Rajput	2.03
11.	Others	49.20
	Total	100

Place : Chandigarh
Dated : 08.11.12

Telu Ram Jangra
Member

Arjun Dev Gulati
Member

Som Dutt
Member

Jai Singh Bishnoi
Convener Member

Annexure 'J' – Table No. 11 (SC)**Estimated Details showing the representation of Major Castes under Survey 2012 in Public Services (Class I)**

Sr. No	Name of the Public Service Class I	Total Strength	Aggarwal/Vaish	Arora/Khatri	Bishnoi	Brahmin	Jat	Jat Sikh	Ror	Rajput	Tyagi	Gosain/Goswami	Others	Total
1.	Representation of Haryana Domicile Officers in All India Services													
	a.) IAS	4377	32	23	1	38	16	6	1	5	0	0	44	166
	b.) IPS	3325	18	24	2	15	12	3	1	4	0	0	50	129
	c.) IFS	2700	7	5	0	10	4	3	1	2	1	0	20	53
	Class I Total	10402	57	52	3	62	32	12	3	11	1	0	114	348
	Estimated Percentage		<i>0.55</i>	<i>0.5</i>	<i>0.03</i>	<i>0.61</i>	<i>0.31</i>	<i>0.12</i>	<i>0.03</i>	<i>0.10</i>	<i>0.01</i>	<i>0</i>	<i>1.09</i>	<i>3.35</i>

Place : Chandigarh
Dated : 08.11.12

Telu Ram Jangra
Member

Arjun Dev Gulati
Member

Som Dutt
Member

Jai Singh Bishnoi
Convener Member

Annexure 'K' – Table No. 12 (SC)

Estimated Details showing the representation of Major Castes under Survey in
Public Services (Class I)

Sr. No.	Name of the Public Service Class I	Total Strength	Aggarwal /Vaish	Arora/ Khatri	Bishnoi	Brahmin	Jat	Jat Sikh	Ror	Rajput	Tyagi	Gosain/ Goswami	Others	Total
1.	Representation of Haryana Domicile Officers in All India Service in Haryana State													
	a.)IAS	166	32	23	1	38	16	6	1	5	0	0	44	166
	b.)IPS	129	18	24	2	15	12	3	1	4	0	0	50	129
	c.)IFS	53	7	5	0	10	4	3	1	2	1	0	20	53
	Class I Total	348	57	52	3	63	32	12	3	11	1	0	114	348
	Estimated Percentage		16.38	14.94	0.86	18.1	9.2	3.45	0.86	3.16	0.29	0	32.75	100

Place : Chandigarh
Dated : 08.11.12

Telu Ram Jangra
Member

Arjun Dev Gulati
Member

Som Dutt
Member

Jai Singh Bishnoi
Convener Member

Annexure 'L' – Table No. 13 (SC)
Estimated Details showing the representation of Major Castes under Survey in
Public Services (Class I)

Sr. No	Name of the Public Service Class I	Total Strength	Aggarwal/Vaish	Arora/Khatri	Bishnoi	Brahmin	Jat	Jat Sikh	Ror	Rajput	Tyagi	Gosain/Goswami	Other	Total
1.	Representation of Haryana Domicile Officers in HCS (Executive & Judicial) - Direct	423	76	57	1	54	50	6	3	18	2	2	154	423
2.	Representation of Haryana Domicile Officers in HPS Direct	35	2	2	1	4	6	3	1	3	0	0	13	35
3.	Representation of Haryana Domicile Officers in Revenue Services (District Revenue Services)	35	2	2	2	6	6	1	0	2	0	0	14	35
4.	Representation of Haryana Domicile Officers in Food & Civil Supplies Department	15	2	0	1	2	1	0	0	1	0	0	8	15
5.	Representation of Haryana Domicile Officers in Health Sector-I, SMO & above	417	81	59	2	30	24	7	8	17	1	0	188	417
6.	Representation of Haryana Domicile Officers in Engineering Services of Irrigation, Public Health & PWD	108	32	25	2	11	12	2	2	5	0	0	17	108
7.	Representation of Haryana Domicile Officers in Power Sector Class I Superintending Engineers and above	121	36	35	0	17	8	4	0	8	1	0	12	121
	Class I Total	1154	231	180	9	124	107	23	14	54	4	2	406	1154
	Estimated %age		20.02	15.60	0.78	10.74	9.27	2.00	1.21	4.68	0.34	0.17	35.18	100

Place : Chandigarh
Dated : 08.11.12

Telu Ram Jangra
Member

Arjun Dev Gulati
Member

Som Dutt
Member

Jai Singh Bishnoi
Convener Member

Annexure 'A' –I- Table No. 1-A (SC)
Estimated Details of Representation of Major Castes under Survey 2012,
In All India Services based on sanctioned cadre strength of Haryana State as
on 01.09.2012 (Direct Recruitment i.e. R.R.)

Sr. No.	Caste	Indian Administrative Services (IAS)		Indian Police Service (IPS)	
		Nos.	%age	Nos.	%age
	Total Strength	125		72	
1.	Aggarwal/Vaish	7	5.60	5	6.94
2.	Arora/ Khatri	7	5.60	5	6.94
3.	Bishnoi	0	0.00	1	1.39
4.	Brahmin	7	5.60	4	5.55
5.	Jat	5	4.00	4	5.55
6.	Jat Sikh	1	0.80	1	1.39
7.	Ror	1	0.80	0	0.00
8.	Tyagi	0	0.00	0	0.00
9.	Gosain/Goswami	0	0.00	0	0.00
10.	Rajput	5	4.00	4	5.55
11.	Others	92	73.60	48	66.67
	Total	125	100	72	100

Place : Chandigarh
Dated : 08.11.12

Telu Ram Jangra
Member

Arjun Dev Gulati
Member

Som Dutt
Member

Jai Singh Bishnoi
Convener Member

Annexure 'C'-I, Table No. 3 C-I (SC)

**Estimated Details of Representation of Major Castes under Survey (2012) in
Haryana Civil Services (Executive)(Direct Recruit) of Haryana Origin in the State of
Haryana as on 01.09.2012**

Sr. No.	Caste	Nos.	%age
1.	Aggarwal/Vaish	3	2.94
2.	Arora/ Khatri	7	6.86
3.	Bishnoi	2	1.96
4.	Brahmin	9	8.82
5.	Jat	46	45.10
6.	Jat Sikh	1	0.98
7.	Ror	1	0.98
8.	Tyagi	0	0
9.	Gosain/Goswami	1	0.98
10.	Rajput	2	1.96
11.	Others	30	29.41
	Total	102	100

Place : Chandigarh
Dated : 08.11.12

Telu Ram Jangra
Member

Arjun Dev Gulati
Member

Som Dutt
Member

Jai Singh Bishnoi
Convener Member

Annexure 'C'-II, Table No. 3 C-II (SC)

Estimated Details of Representation of Major Castes under Survey (2012) in Haryana Civil Services (Judicial) of Haryana Origin in the State of Haryana as on 01.09.2012

Sr. No.	Caste	Nos.	%age
1.	Aggarwal/Vaish	72	22.43
2.	Arora/ Khatri	38	11.84
3.	Bishnoi	2	0.62
4.	Brahmin	42	13.08
5.	Jat	17	5.30
6.	Jat Sikh	5	1.56
7.	Ror	2	0.62
8.	Tyagi	0	0
9.	Gosain/Goswami	1	0.31
10.	Rajput	16	4.98
11.	Others	126	39.25
	Total	321	100

Place : Chandigarh
Dated : 08.11.12

Telu Ram Jangra
Member

Arjun Dev Gulati
Member

Som Dutt
Member

Jai Singh Bishnoi
Convener Member

According to Table No.13, which is also mentioned as Annexure L, the estimated percentage of representation of major castes under survey in public services comes to 20.2 of Aggarwal/Vaish, 15.60 of Arora/Khatri, 0.78 of Bishnoi, 10.74 of Brahman, 9.27 of Jat, 2.00 of Jat Sikh, 1.21 of Ror, 4.68 of Rajput, 0.34 of Tyagi, 0.17 of Goswami/Gosai, while that of others 35.18.

According to Table A-1 (also marked as Annexure{ A-I}), the percentage of various castes in Haryana State of IAS and IPS comes to, Aggarwal/Vaish 5.60-6.94, of Arora/Khatri 5.60-6.94 respectively, of Bishnoi 0.00-1.39 respectively, of Brahman 5.60-5.55 respectively, of Jat 4.00-5.55 respectively, of Jat Sikh 0.80-1.39 respectively, of Ror 0.80-0.00 respectively, of Rajput 4.00-5.55 respectively, of Tyagi 0% in both the cases, of Goswami/Gosai 0% in both the cases and others 73.60-66.67 respectively.

Similarly, Table-3C-1 (Annexure C-1) shows the percentage of Haryana Civil Services (Executive), (Direct Recruit) of Aggarwal/Vaish 2.94, of Arora/Khatri 6, 86, of Bishnoi 1.96, of Brahman 8.82, of Jat 45.10, of Jat Sikh 0.98, of Ror 0.98, of Rajput 1.96, of Tyagi 0, of Goswami/Gosai 0.98, and others 29.41.

Table-3C-II (Annexure C-II) depicts the percentage of Haryana Civil Services (Judicial). According to it, the percentage of Aggarwal/Vaish 22.43, of Arora/Khatri 11.84, of Bishnoi 0.62, of

Brahman 13.08, of Jat 5.30, of Jat Sikh 1.56, of Ror 0.62, of Rajput 4.98, of Tyagi 0, of Goswami/Gosai 0.31, and others 39.25.

The Sub-committee could not find out the data regarding promoted Officers in IAS as well as HCS (Executive) and for this reason, their figures were not mentioned.

Kushwaha

First of all, the case of Kushwaha caste is taken. Maharishi Dayanand University, Rohtak, which conducted the survey, did not state about Kushwaha caste. The People of this caste are stated to have migrated from the neighboring States and their number is very less as compared to total population of Haryana and it was for this reason that the anthropological Survey of India's Book "People of India", Haryana, Vol-XXIII edited by K.S.Singh did not find any mention of the said caste in this book. In Block 'B' of List of Backward Classes in Haryana State at serial No.3 Saini caste along with Shakya is mentioned. There is a representation of Shri Om Parkash Kushwaha, C-171, Ferozgandhi Nagar (Dabua Colony), NIT Faridabad dated 22.8.2012, according to which, Kushwaha, (Koeri), Maurya etc. are one and the same caste. In fact, these are the other names of Saini/Shakya caste. It is further stated that Saini/Shakya had already been declared as Backward Class in Haryana and their other names, namely, Kushwah, (Koeri), Maurya may be added along with Saini/Shakya. There is another representation dated 27.7.2012 of Shri Brahamdev Singh, President, Kushwaha Samaj Haryana Pradesh (Regd.) for inclusion of Kushwaha,(Koeri), Maurya Castes in the list of Backward Classes in Haryana as they are the synonyms of Saini/Shakya. Along with it a list of Backward Classes declared by Madhya Pradesh Government has been attached. At serial No.33, it is mentioned that, Kachchi (Kushwaha, Shakya, Maurya), Koiri or Kauri or Kaoeri (Kushwaha), Panara, Murai, Sonkar and Kohri are the synonyms of Caste/Sub-caste/Community. Further in column No.3, it is mentioned that Kushwah, Kachchi, Koeri and Kauri are Sub-caste. Shakya and Maurya are also sub castes of Kachchi. In column No.2 it is stated that they grow vegetables and shaag and also do gardening of flowers besides doing cultivation and labour work. The Commission for Backward Classes of National Capital Territory of Delhi declared Katchhi, Koeri, Murai, Murao, Maurya, Kushwah, Shakya and Mahato as Other Backward Classes which have been mentioned at serial No.27. In the year 2007 the Haryana Bench of National Commission for Backward Classes had added in the Central List of Other Backward Classes for the State Haryana Shakya along with Saini. The request was that Keori, Kushwah,Katchhi,Maurya,Murai,Shakya are the synonyms of Saini and as such be included in Central List of Haryana State as the same had already been included in Andhra Pradesh, Uttar Pradesh,Bihar,Delhi and Punjab. The Commission had taken note of following Ethnographic account regarding Caste/Community "Keori, Kushwah, Katchhi, Maurya, Murai, Shakya".

"India's Communities by Shri K.S.Singh"

Kachchi They are distributed in the States of UP, MP, Maharashtra, Rajasthan and UT of Delhi. They are a tribe of opium growers and market gardeners. As per Russel and Hiralal, Kachchi are an important cultivating caste of the northern districts, who grow on vegetables and irrigated crops. In UP the Kachchi are known by different synonyms such as Shakya, Murao, Murai and Koeri. They have surnames like shakya and Kushwaha. According to the 1931 Census, the population of the Kachchi in United Provinces of Agra and Oudh was 7,01,335. The AIBAS data suggests that the average household size of the Kachchi of UP is four and the proportion of female is 53 percent of the total population. Majority of them are vegetarians. The Kachchi are primarily cultivators and wage labour is their secondary occupation. There are both Hindus and Buddhists among them. In Delhi the Kachchi are known by different names like Shakya, Marao and Murya or Moryan. Shakya, Veram and Sakesena are some of their surnames traditionally they are agriculturists and they generally cultivate vegetables, sugarcane, turmeric and waternuts. In MP the Kachchi are known as Kuahwaha or Bagwan. The community has various sub-groups namely Hadaha, Sahauva Baharha, Kushawaha, Kanaujja, Phulia Marai, Jiria, Sania and Alia and these terms have been derived from the names of various crops they grow. They have surnames like Patel, Mauriya and Kushwaha. The AIBAS data on the Kachchi/Kachchi of MP suggests that their average household size seems to be

relatively small (four persons). The proportion of males in their population is 55 percent. In Maharashtra the Kachchi are known as Kushwaha and are distributed in a number of subgroups like Kushwaha of Kushwah (from Jysg, the son of Rama) the Murai of Murao known after their radish cultivation the Moura of Mor who prepare marriage crowns, the Shakya named after the Shakya dynasty. In Rajasthan, they are known as Kachchwaya. They are mainly agriculturists but they are also in saleried Jobs.

Murao. They are also known as Mauriya. They are a community of UP . The subgroups among them are Thakuriha, Piyhaha, Kachi, Hardiha, Kannaujia, Bhagra and Manvar. They use Mauriya as surname. They are vegetarians. They consider themselves equal to the Thakur and subordinate to the Brahman. The Murao are mainly agriculturists. Some of them are employed in Government and private jobs while others work as unskilled labourers. The AIBS data reveals that the average household size of the Murao of UP is four and the proportion of male is 54 percent in the total population. Married females are more (74 percent) as compared to married males (52 percent)".

Ultimately the Commission added the caste/community/sub-caste/synonyms "Shakya in the Central List of Other Backward Classes for the State of Haryana at entry NO.69 alongwith the existing entry Saini. It further Stated that other synonyms would be examined further for inclusion after confirmation from the State Government whether these synonyms are found in the State of Haryana.

PW-19 Krishan Kumar, Cultivator, r/o Dharuhera, Distt-Rewari, stated that he belongs to Maurya caste, that there were about 750 families belonging to Maurya caste residing in Dharuhera and the total population of people of their caste in Haryana is 0.2% to 0.6%. He next stated that most of the people of their community were doing the work of selling vegetables and also cultivating land after taking on contract basis from Yadavs.

PW-15 Surjan Singh line man in BSNL, r/o Devi Lal Nagar, Gurgoan belonging to Kushwah caste stated that their population was about 1-1.5% of the total population of Haryana, that people of their community mostly do labour work of cultivation of land but most of them did not own any land and about 10 to 12% people of their community were read upto 10th to 12th class but were unable to get their children educated further due to financial constraints and further most of them were doing gardening.

PW-23 Ram Lakhan Singh Kushwaha Retired worker from Vointh Paper Fabrics India Limited, Faridabad, stated that he was founder member of Kushwaha Samaj Faridabad (Registered), Maurya and Koeri are also included in Kushawaha caste and they mostly do manual jobs and cultivation, that there were about 20000 people belonging to their community in district Faridabad. He further stated that their community had already been included in Backward Class in Panjab, Madhya Pardesh, Bihar, Rajasthan, Chatisgarh, Orissa, Assaam and Delhi and as such they be included in list of Backward Classes.

Therefore, from the above oral evidence coupled with documentary evidence, it is held that Kushawah, Morya and Koeri are the synonymous of Shakya already included in Backward Classes, so, the same be included in the list of Backward Classes in Block-B along with Saini/Shakya.

Arakwanshi

No person has come forward from Arakwanshi caste to make oral statement. The survey conducted by MDU does not throw any light on Arakwanshi caste. It simply stated that the people of Arakwanshi caste had migrated from neighbouring states and their number was very less, as compared to the total population of Haryana. This may be the reason that the anthropological survey of India's book people of India-Haryana Vol.XXIII, edited by K.S. Singh did not find any mention in the said book.

Ved Prakash S/o Phool Chand, etc, about 15 persons R/o Ambala Cantt. have made representation which was received in this commission on 30.11.2011, for inclusion of Arakwanshi

caste in Backward Classes of Haryana on the plea that their population was about 6000 to 7000 in Haryana and they were spread in Ambala, Kalka, Jind, Bahadurgarh and Narnaul; that after the battle for freedom of 1857 which was fought for independence, they had migrated to Haryana mainly from Uttar Pradesh and settled permanently in the State; that in Meerut, UP and Delhi they have been included in Backward Classes; that about 30-35% people of their caste were employed in Government services, while 20% work in private factory and about 50% do labour and agriculture work; that about 30% people worked as auto-rickshaw driver or rickshaw-pullars and do other odd jobs to earn their livelihood; they were unable to send their children to schools on account of financial constraints. It was, therefore, prayed that they be included in the Backward Classes of Haryana.

The Sub-committee in its report dated 8.11.2012 in Table-10 showed that it was unable to find any population percentage of Arakwanshi. However, the social, educational and economic survey conducted by MDU in its report at page 81 shows that Arakwanshi caste which is mentioned at serial No. 15 has secured only 27 points out of 90, 15 for social, 9 for educational and 3 for economical indicator i.e. less than 50% and as such is not socially, educationally and economically backward. Therefore, it is not recommended for inclusion in the list of backward classes in the Haryana.

Vaish(Bania/Aggarwal)

The survey report about this community had mentioned that there were six-sub-groups namely, Bisaor Vaish, Dasa or Gata Aggarwal, Saralia, Saraogi or Jain, Maheshwari or Shaiva and Oswal. Aggarwal (Bisa or Dasa) is the main group. About their origin, the legend goes that Bashak Nag had 17 daughters who were married to the 17 sons of King Ugar Sain. The Aggarwal claim to have originated from village Agroha (Hisar). They are spread in all the districts of Haryana. The script that they use is Devanagiri. Old men wear 'dhoti and kurta but the young people wear trousers and shirts.

The major economic resources of the Bania community are trade, business, money-lending, shop keeping agriculture and services. The community is a combination of both landless and landholders. The Bania community members are in favour of education for both boys and girls. Many boys and girls have studied up to the doctorate level and beyond. The community members are aware of savings and have accounts in banks. They also lend money at heavy rates of interest.

PW-P33 Kulbhushan Goyal, President, Akhil Bhartiya Aggarwal Samelan, Panchkula, has come forward to support the case of Aggarwal community for their inclusion in the Backward Class category. He Stated that he belonged to Aggarwal caste and their population in Haryana was about 30.0 Lacs i.e. 15% of the total population of Haryana; that only 50% people of their community were educated while rest were semi-educated, read upto primary or under matric; that 80% people their community were doing odd jobs in the villages and towns, who are below the poverty line. Further stated that 50% people of their community were working as servants or salesmen and they were socially, educationally and economically backward; that some of them were unable to pay school fee of their children. He next stated that reservation should be given to their community on economic basis i.e. on the criteria that if a person does not pay income tax or a widow who does not pay income tax or any invalid person.

The Table which is at page 81 regarding summary of (Social + Educational+ Economical) scores of the report of MDU, shows that Vaish (Bania/Aggarwal) at Serial No.12 had scored 17 points out of 90, 11 for social, 3 for educational and 3 for economical i.e. less than 50%. Hence, they are well off socially, educationally and economically.

The report of Sub-committee of this Commission contained in Annexure-P, Tabel-10 shows population percentage of Aggarwals to be 4% of the total population in Haryana, while Gurnam Singh Commission had shown their population in the year 1990 to be 5%. It is just possible that some of Aggarwals may have shifted to other States to seek greener pastures as essentially it is a business community. So, the Commission accepts the report of Sub-Committee that Aggarwals have got 4% population of the total population of Haryana.

Tables-3 C-II Annexure-3 'C-II' and 3-C1 (Annexure C-1) prepared by the Sub-committee on 8.11.2012 show that the representation of Aggarwal in Haryana Civil Services, (Judicial) on 1.9.2012 was 22.43% while in HCS (Executive), direct recruit, it was 2.94% and the total strength of Aggarwal/Vaish in Class-I services was to the extent of 76 out of 423 i.e. 20.02% according to Table No.13 (Annexure-L). According to Table No.1A – Annexure A-1 at Serial No.1 strength in IAS Direct recruit is 5.60% and in IPS is 6.94%. Hence they are adequately represented in services also. Gopal Kanda ex-Minister in his letter dated 14.5.2012 stated that reservation should not be granted on caste basis, rather it should be granted on economic basis. He also expressed apprehension that looking into the struggle for reservation, there was every possibility of different castes fighting among themselves leading to domestic war in the country. Therefore, he opined that reservation to Aggarwal community may not be granted on social and education basis but only on economic basis. Hence Aggarwal community is not to be included in the Backward Classes list.

Punjabi Arora/Khatra

The social, educational and economic survey of Punjabi, Arora/Khatra conducted by MDU has mentioned that Punjabi is not a caste group but is a linguistic group; that Punjabi consisted of various castes which are also hierarchically arranged, Arora Khatra, Bedi, Ahluwalia etc. are some of the important castes among Punjabi in Haryana. According to the report, during the period of Ramayana, some Kashtriya hid their caste and declared themselves non-Kashtriya to avoid persecution by Paras Ram. Such people later on came to be known as Aurs, Aror or Arora. They were divided in two main sub groups, namely Hindu Arora and Sikh Arora depending upon the religion pursued.

Punjabi community had played a very important and sacrificing role in the independence struggle of India and ultimately paid the price in partition of India and migrated to independent India leaving behind their worldly possessions and many of their kith and kin who sacrificed their life. About a million people sacrificed their life for sake of religion and country. The migrated population was forced to live in camps in various districts of Haryana under open sky for weeks suffering and mourning their family and friends.

Many years after partition tested the traditionally Punjabi tenacity and toughness. Despite migrating with no possession (only the wearing clothes) the people of Punjabi community, with their sheer hard work have attained a respectable position in every walk of life, not only in India but throughout the world. A very meager 5% of the population that migrated got some grossly undervalued claims against their properties in shape of very poorly cultivable land, while remaining 95% though entitled for compensation could not get any thing to sustain. Education of their children suffered due to non availability of resources. The community suffered socially and economically as finding livelihood was immediate priority. Punjabi Community despite of being uprooted from their home land played a very important role in the formation of Haryana State. The community feels that it is time to payback with measures to uplift and compensate the society.

The people of Punjabi community are spread in almost all districts of Haryana State but are mainly confined to urban areas, in the economic sphere; they are both in Government as well as private services. They are engaged as doctors, engineers, administrators and are represented in white-collar jobs. The education for both boys and girls is favoured and they have studied upto the college and post-graduation level. The community has high literacy rate. They are economically well off and are not dependent on money-lending or shopkeeping. They are both in business, services and other fields.

According to the report of Sub-committee dated 8.11.2012 contained in Table-10 Annexure-P, the population of Punjabi community is 6.50%. In the year 1990 Gurnam Singh Commission had estimated their population to be 8%. It just possible that their population in Haryana may have decreased as some of them may have shifted to other States to seek greener pasture. The report of MDU at page-81, containing Summary of (Social, Educational, Economical) Indicators/Scores shows that they have scored 21 point out of 90 i.e. 10 for social, 8 for educational and 3 on economic basis which is very less than 50%.

PW-27, Raghubir Singh Teacher belonging to Punjabi Community stated that he was President of Punjabi Sewa Samiti, Jind and their population in Haryana was more than 33%. He further stated that community earned their livelihood by doing small jobs and selling vegetables and do other menial jobs and only 2% people of their community were prosperous; that only 2 to 3% were in

Government Service; that about 50% of their community were well educated while other 50% were either matric or undermatric.

PW-12 A.C. Choudhary, ex-MLA stated that he was President of Haryana Punjabi Welfare Sabha (Registered) Haryana, Faridabad; that they had migrated from Pakistan after partition and settled in various parts of Haryana; that they had left every thing in Pakistan and came to India empty handed; that all these years they struggled very hard to earn livelihood; that the people of their community who were Crorepati in Pakistan became penniless and they were still penniless; that they earned their livelihood by pulling Rikshaw and by selling some articles on rehris etc. He further stated that about 30-40% people who had migrated from Pakistan could not even afford to get their houses white washed or repaired.

It is true that they have migrated from Pakistan after partition of the country in the 1947 and some of them had done odd jobs to earn their livelihood but they worked hard and earned name for themselves and their community in India and now almost all of them are prosperous and have earned name in every sphere.

The Report of Sub-committee in Table 2 (Annexure B) shows that their representation in IAS is 23 out of 166 i.e. 13.86% and in IPS it is 24 out of 129 i.e. 18.6%, while their representation in HCS Executive direct recruit, is 6.86% and HCS Judicial it is 11.84% according to Table No.3CI (Annexure C1) and in 3-CII (Annexure C2) respectively. According to Table No.1-A, Annexure A-I their representation in direct recruit IAS is 5.60% and in IPS is 6.94%.

According to Table at page-52 of the survey report of MDU the representation of people of Punjabi Caste in Class III and IV services is 18.4%, while at Page 50 in Class I & II Services, it is 2.8%. Further according to Table No.13 (Annexure L) their representation in Class I various State Services is 15.60%. Thus, their representation in State services is adequate i.e more than their percentage of population. Hence in view of discussion above, it is held that Punjabi/Arora/Khatri is not backward socially, educationally and economically and further it is adequately represented in State services and as such cannot be recommended to be included in the Backward Classes.

GOSWAMI/GOSAI

MDU Rohtak which had conducted social, educational and economical survey on various castes in Haryana, has written for Goswami/Gosai caste as under:-

“Regarding the origin of the Gusain, there is no unanimity but there are five different sources which talk about their origin :

- i) They are descendants of Guru Dattaterya, (II) they are born of ten ganas (dash gunas) of Lord Shiva, (III) they trace a descent from Jagatguru Shankaracharya (IV) they are descendants of ten different rishis and v). They found expression in the naad (sound) of Oam (Magan Giri Suwani, 1986). The community is known by different name in different regions, viz. Goswmi, Gosai Sant, Gosai Sanyasi and Gosai Sandhu.

With the passage of time and with the change in the attitude of people, the ascetic order has undergone a radical change. Many Dashnami Gosains have decided to give up their ascetic life and started leading a normal, married and family life like any other Hindu. Over the years, these Gosains have almost integrated with other non-ascetic sections of Hindu society. They now constitute the bulk of their total population. In Haryana, the community is widely spread and its members can be found almost in all the villages and towns, however, they are concentrated mainly in the district of Hisar, Sirsa, Jind and Sonapat. The community is engaged in agriculture. Rearing of milch cattle is quite common among them. In the Gosai community, women enjoy lower status than men and are discriminated vis-à-vis men in almost all walks of life.”

The Sub-committee in its report dated 8.11.2012 in Table-10 Annexure-P has mentioned the population of Goswami/Gosai caste as 0.18% i.e. about 4553 or less than 5000 of the total population of Haryana which is 2,53,53,081. The Sub-committee had found the representation of Goswami/Gosai caste in HCS (Judicial) 0.31%, while in HCS (Executive), 0.98%. It has shown their percentage in Class-I Officers in Government service as per Table 13 Annexure L, as 0.17%.

Report of MDU, at Page 81 contains summary of social, educational and economical survey. At serial No.9, Goswain caste had got score of 23 in social, 24 in education and 9 in economical

survey, i.e total of 56 out of 90 which is more than 50%. Therefore, socially, educationally and economically they are backward.

Table at page-52 at serial No.9 their representation in Class III and IV services is 2.32%, in Class I & II services at page 50 is 1.76%, while in Direct Civil and Allied Services at page 49 is 1.36% which percentage is more than their population. According to Article 16(4) of the Constitution of India, a caste can be declared backward if its socially and educationally backward and further it has been inadequately represented in government services. Since, it is adequately represented in government service, so, the Commission finds difficult to recommend the said caste for inclusion in the Backward Classes.

Kalal/Ahluwalia

Originally the Kalal belonged to Chittorgarh, district of Rajasthan. At a later period of history, they migrated to different parts of Rajasthan and in neighbouring state of Haryana. The Kalal are those who were engaged in occupation of liquor brewing and selling. They are also known as Paninda, i.e. those who are meant for arranging drinks to others. The Kalal were very close to the Rana family since, early times as they used to supply liquor to Royal families whenever some rituals and political occasions demanded. The Kalal speak in Mewari and use Devnagari Script for writing, they also understand Hindi. The Kalal perform child marriages. Divorce is permissible. Divorced female or widow can live with other person after entering in to nata. Inheritance of property by rule and succession goes to the eldest son. Women have no right to inherit the ancestral property she is not permitted to take part in any decision-making process. They have a low status in the family. They do all the household work and also work for earning a livelihood. Land has become the main source of income now. Besides agriculture, trading, money lending have also become new sources of earning.

PW-24 Mohinder Singh, R/o Talwandi Rana stated that there were about 60000 persons belonging to their community who were politically, socially, and economically weak and most of them were without land. PW-34 Col. Inderjit Singh Ahluwalia R/o House No 79, Sector-4, MDC Panchkula and PW-35 Ashok Mehta R/o Naraingarh, Ambala, stated that OBC status should be granted to Kalal community as about 1000 families of their community were settled in Faridabad, Mewat, Gurgaon, Kaithal, Hisar, Panchkula and Ambala etc. that Jaswals also belong to their community; that prior to independence, they used to sell opium, liquor, Bhang etc but after independence, they became unemployed as the government started auctioning the aforesaid commodities; that they were unable to get married their children due to financial constraints; that Rajasthan and U.P had already declared their community as backward.

Justice Gurnam Singh Commission in its report in the year 1990 has mentioned in Table 37, at serial No.9 of page 28 that Kalal caste was part and parcel of Khatri/Arora caste.

The Sub-committee in its report dated 8.11.2012 has not mentioned their population in Haryana for the reason best known to it. However, survey was got conducted from MDU and according to its report at page 81, which contained summary of social, educational and economical indicators, serial No.14 shows that they had got total 25 points i.e. 13 for social, 9 for education and 3 for economical status. Thus, the said caste had scored less than 50% marks out of total of 90 and as such socially, educationally and economically they are forward. The Table which is at page 52 of the report at serial no.14 shows that their representation in Class III and IV is 3.72% and in Class I & II services is 1.03% according to page 50 while in Direct Civil and Allied Services is 1.63% as depicted at page 49. Thus they are adequately represented in State services and cannot be recommended for inclusion in the Backward Classes.

Rajput

The report of the social, educational and economical survey of various castes conducted by MDU has mentioned the history of Rajput. "It is stated that Rajput originally belongs to Rajasthan but at present they are distributed throughout the state of Haryana and are widely found in Delhi and the neighbouring states of Punjab, Rajasthan and Uttar Pradesh. They speak Haryanvi dialect among themselves and speak Hindi with outsiders. Divorce is a very rare phenomenon in their caste; that land is the main source of income, which is controlled by individual ownership and some of them are in white-collar jobs and business; that the Rajputs have a positive attitude towards modern education facilities and their attitude towards family planning is favourable. They prefer one or two children."

PW-20 R.P.Singh, Retired IAS Officer of Haryana, PW-21 S.S. Advocate r/o Julana and PW22 S.S.Tanwar r/o Rohtak stated that their population in Haryana is about 29.00 lacs i.e roughly 10% of the total population of Haryana and most of the people of their community follow profession of agriculture and the percentage of their population in government service in Haryana is hardly about 2% and there are a very few people who were in business; that about 37% of their community are educated upto the level of matric and 2.2% are educated upto graduation and post-graduation level. They also stated that most of the Rajput live in villages and did odd jobs and follow old customs; that there was one MLA belonging to their community in Haryana; that only 6% people of their community had landholding to the extent of more than 6 acres while the average landholding was 1.5 acre; that people in the rural areas were reluctant to provide education to the girls and married women folk generally stayed within the four-walls of their houses.

The Sub-committee in its report dated 8.11.2012 has found their population to be 2.03% while Justice Gurnam Singh Commission had found it to be at 3%. The population of Rajput at present is also in the same proportion vis-à-vis the total population of Haryana. Certainly, the population of Rajput had not decreased as there is no evidence that they have shifted to other States to seek greener pastures. The oral evidence has suggested their population to the extent of 29 lacs which can not be believed in the absence of documentary evidence. Therefore, the Commission takes their population to be 3% i.e. about 7.5 lacs of the total population of Haryana.

Page 81 of the report of MDU contains summary of social, educational and economical status of various castes in Haryana, and in respect of Rajput caste at serial No.6 they have got 38 points out of 90 i.e. 10 about social indicator, 20 about educational indicator and 8 about economical indicator i.e. less than 50% and as such are socially, educationally and economically forward.

Table 13 Annexure L prepared by the Sub-committee dated 8.11.2012 regarding the representation of major castes in the government services, Class I at serial No.5 shows that their representation is 4.68%. Table A-1 Annexure A-1 at serial No.10 shows that their representation in All India Services direct recruit is 4%, while in Indian Police Services is 5.55%. Its representation in HCS (Executive) is 1.96%, while in HCS (Judicial) it is 4.98% (as depicted vide Tables 3CI Annexure 3C-I) and 3CII, Annexure CII respectively.

In Table at page 52, serial No.6 shows that their representation in Services Class III and IV is 4.1% while in Class I and II Services at page 50 is 4.95% while in Direct Civil and Allied Services at page 49, it is 1.38%. Thus, they are adequately represented in government services looking to their total population. Hence Rajput caste cannot be recommended to be declared in Backward Classes by any stretch of imagination.

Brahman/Gaur/Adi Gaur/Mathili

The MDU Rohtak on the report of the Socio-Economic and Educational Survey of various castes in Haryana -2012 in its revised Edition, dated 8.11.2012 has mentioned about the aforesaid castes as under :—

“People belonging to the Brahmin community are also called Baman, Pandit and Sharma. Their commonly known title is ‘Pandit’. This community is the priestly caste of Hindus. The word Brahman is derived from “religious devotion regarded as an impulse or feeling gradually going up and expanding, so, as to fill the soul”. The Brahmins living north of the Vindhya are further divided into sub- groups such as Gaur Brahmin, Saraswat Brahmin, Kanyakubja Brahmin, Sand Brahmin, Tyagi Brahmin, Charurasia Brahmin and Jangra Brahmin. In Haryana, Gaur and Saraswat Brahmin out number other subgroups. Gaur Brahmins mostly work as priests and consider themselves to be the highest among all. The important gotras among Brahmins are vashisth, Bhardwaj, Parashar, Kaushik, Bhargava, Jamdagni, Mudgal, Atri and Vats. Brahmin is a large group and includes many sub-groups, all are also endogamous. Marriages within the same vantage are not permitted. Marriages are negotiated by the parents. Levirate is not permitted, but junior sororate is allowed. Daughters do not take any share from the property of deceased father/parents. Women play active role in economic activities. They collect fire and fuel wood from the fields. Women have a low status in comparison to men. The community is a combination of both landholders and the landless. The traditional occupation of the community is priesthood. The Brahmins strongly favour children’s education and most of them go for higher education.”

Therefore, Gaur, Mathili and Adi Gaur are not separate from Brahmans but they are the sub-groups of Brahmans. Brahmans are respected and are considered at the highest pedestal order for the last many ages by Hindu community.

PW-4 Hari Ram Dixit, President. Haryana Brahman Samaj R/o Jind, stated that population of their community in Haryana is 15 to 15.5% of the total population i.e. their population is 39,50,189 and about 70% people of their community are educated; that about 45% are read upto matric, while about 50% are graduates; that the people of their community to the extent of 1 to 1.5% are in government service. He also stated that the status of Brahman has gone down and many people of their community were employed in Municipality as sweepers and 50% people own katcha houses and are engaged in labour in rural areas or on the shops in the cities; that about 2% people were having land to the extent of 4 to 5 acres; that they have got only six MLAs in the State Assembly but their status was comparable with Dalits.

Almost to the same effect is the statement of PW-33 Dharmapal Sharma, President of Zila Sarav Brahman Sabha R/o Kaithal.

PW-13 Beny Parshad Gaur, Advocate, r/o Gurgaon, President All India Brahman Welfare Trust, stated that earlier Brahmans used to work as Prohiths of the Jajmaans i.e. castes like Rajput, Jat, Jain, Gujjar, Bania and Yadavs etc but most of the Jajmaans have become financially poor and were unable to support them and as such they have become economically poor; that their children inspite of having good qualification and good marks could not be compete with the other communities who are in Backward Classes due to reservation; that many of their youths were working as rickshaw-puller; that in Patel Nagar, Delhi, about 10% people of their community were working as sweepers; and about 50% of them were having katcha houses and were landless. So reservation should be granted on economic basis.

To the same effect are the statements of some other persons. The oral evidence is not of much helpful in determining their population. No official data is available about their population.

The Sub-committee was appointed for this purpose. According to it, the population of Brahmin is 6.51%. Justice Gurnam Singh Commission in the year 1990 has estimated the percentage of population of Brahmin as 7%. It is almost the same because the said Commission did not determine independently the percentage of population of Goswami/Gosai and Tyagi which is determined by Sub-committee. So it is about 7% of total population of Haryana. Therefore, it is difficult to believe that population of Brahmin is 15 or 15.5%. In fact, the representatives of Brahmin Samaj have not claimed reservation on social and educational basis but they have claimed it solely on economic basis. The summary chart prepared by MDU as revised on 8.11.2012 page 81 at serial No.7 shows that Brahmans have got 33 points out of 90 i.e.9 on account of social, 14 on account of educational and 10 on account of economic basis. Mathili, sub-caste of Brahman at serial No.8 has scored 24 points i.e 12 on account of social, 10 on account of education and 2 on account of economical basis; while Adi Gaur Brahmin at serial No.16 has got 30 points i.e. 3 on account of social, 23 on account of education and 4 on account of economical basis. It shows that Brahmans and their sub-caste groups have scored less than 50% marks of the total score of 90. Therefore, they are not socially, educationally and economically backward.

Table 13 Annexure L of the Sub-committee dated 8.11.2012 shows under column Brahmin, their percentage in Class I Govt. services as 10.74%. Table 1A Annexure A1 shows their percentage at serial 4 to be 5.60% in All India Services direct recruit and in Indian Police Services as 5.55%, while in HCS (Judicial) their percentage is 13.08 and in HCS (Executive) is 8.82% according to Table No.3CII Annexure CII and Table No.3CI annexufe C1. Therefore, they are adequately represented in government services.

There are six MLAs belonging to Brahmans out of 90. Thus, they are politically active also. Sh. Kuldeep Sharma belonging to Brahmin community is the Speaker of Haryana Legislative Assembly. Of course, even if they are politically active, it does not mean that they are socially, educationally and economically well off. However, in the present case, the survey has shown them to be socially, educationally and economically well off and further they are adequately represented in services.

Mathili, Gaur/Adi Gaur are also gotras/sub gotras of Brahmins. They belong to sub-groups of Brahmins. They cannot be separated from Brahmans on the basis of religion. Otherwise also, the survey has found them to be well off socially, educationally and economically. Hence, the Commission did not recommend them to be included in the Backward Classes in Haryana.

Tyagi

The survey report prepared by MDU Rohtak at page 18 mentions about Tyagi as under:—

“The Tagas are better known as Tyagi and Tyagi Brahmin. The community calls itself Tyagi while others call them Taga. They have a Brahmanical origin, having left their traditional occupation of puja-path and taken to agriculture. It is said that when Parshuram killed the Kshatriya, the deserted land so begotten was given to the Brahmins who started cultivating it. Such Brahmins were called Tage or Tyagi as they had left their traditional pursuit of priesthood. They are mainly concentrated in Sonipat and Karnal districts. The marriages are endogamous at community level practising village and gotra exogamy. The marriages are negotiated by the elders. Divorce is traditionally not allowed in the community except under extreme conditions of maladjustment with social or judicial approval. Widow Remarriage is rarely allowed by the community and divorcee remarriage is permissible for willing and young individuals. Baithana or Chadar pana is permissible. Junior levirate and junior sororate may be allowed in such case. Property is divided equally between sons only. Succession is by the eldest son. Inter family links are cordial. Traditionally the women are confined to household activities looking after the family and its needs. The women did not have right in the property, they have a role in agriculture operations, animal husbandry, collection of fuel and bringing potable water. But they have a low status. The equal rights and adult franchise endowed on the women folk have not changed their outlook towards family and society. Agriculture is the main occupation of the Tyagi. Land resources are controlled by individual families. They are mainly landowning community.”

The Sub-committee in its report dated 8.11.2012 had found their population to be 0.16% i.e. about 4100 persons. It is a small population. However, it is a farming community. The summary of social, educational and economic indicators prepared by MDU at page 81, at serial 4 shows that they have scored 31, 21 and 8 points respectively totaling 62 points out of 90 i.e. more than 50%. Therefore, they are socially, educationally and economically backward.

Their representation in Haryana Civil Services both (Judicial) and (Executive) of Haryana origin has shown to be zero percent. Table 13 Annexure L under the heading Tyagi shows their representation in Class 1 government services only 0.34%. However, there is an error in this Table as two officers belonging to Tyagi caste have been shown in HCS (Executive) and (Judicial) while Tables 3C-1, 3CII concerning HCS (Executive) and (Judicial) show their representation to be zero percent. Therefore, there is an apparent error in showing as two officers belonging to their caste employed in the said Services. In fact, they have none. Hence it is inadequately represented in State services. It is essentially a farming community mostly residing in rural areas, so the Commission recommends their inclusion in Backward Classes in Haryana. It may be mentioned here that Justice Gurnam Singh Commission had also recommended their case for inclusion in Backward Classes.

Jat Sikh

There is no doubt about it that Sikh community has been declared to be a minority community and is to be governed by National Commission for Minority Act, 1992. Their percentage is to be considered only for Jat Sikh. Although Sikh had been declared as minority community, yet it does not mean that any class within a community cannot be backward. Thus Jat Sikhs are a peasant class within the Sikhs and there can be others like Mahjabi Sikh who are already in Scheduled Caste category, Labana who are in Backward Class, Rai Sikh, Keshdhari and non-Keshdhari Sikh etc. Under Article 16 of the Constitution of India, the reservation is not to be provided on the basis of religion but it is to be provided on the basis of social and educational backwardness. The Constitution provides certain linguistic and cultural rights to the minority communities and nothing more. Therefore, the declaration of Sikh community as minority community is not a bar for providing reservation under Article 16(4) of the Constitution of India. Reservation under Article 16(4) is not

made in favour of a class but a Backward Class. Now the question to be seen is whether Jat Sikhs are socially, educationally and economically backward.

The MDU Rohtak in its report for the survey of various castes in Haryana has mentioned as under :—

“Sikhism being religion open to all classes’, includes amongst its adherents members of many castes. The most important and numerous are the Jats. The Jats who had adopted Sikhism are Jat Sikhs. The Bhakti movement in the Punjab was led by Guru Nanak and his ideas were preached and followed by his nine successors. Whereas in other parts of India, this movement, in due course of time, was assimilated into Hinduism, it acquired a new shape in the Punjab and led to the foundation of Sikhism. During the period of Guru Gobind Singh, the tenth Sikh guru, the foundation of the Khalsa was laid, turning the Sikhs into a martial race. On Baisakhi day in 1699 A.D. the tenth guru convened an assembly of all Sikhs and asked the audience, if there was anybody ready to lay down his life for dharma (religion). Five persons emerged from the gathering and offered themselves to be sacrificed for dharma. These were called panjpyaras by the guru. Among these one was Dharam Das, a Jat of Delhi, who offered himself, from there, the community of Jat Sikhs’ started in Haryana.

Jat Sikhs are settled mainly along the Haryana- Punjab border in the districts of Hissar, Kurukshetra and Ambala. They are also found in high concentration in the other districts like Karnal, Panipat, Sonapat, Narnaul and Jind. The majority of them are migrants from Pakistan, mainly from Lahore, Multan, Layalpur, Shekhpur and Amirpur. After partition, they were allotted agricultural land in these areas and they settled down here. Some of those settled in Kurukshetra and Karnal districts are migrants from Amritsar district. They are mainly from sub-castes Virk, Barar, Dhaliwal, Sindhu and Sandhu. People migrating from particular areas of Pakistan settled groups and have more social interaction within these groups the majority of them are landowners. They are very hardworking and progressive farmers. After partition, they settled down in rural areas of Haryana, there are many sub-castes among the Jat Sikhs in Haryana: Virk, Brar, Dhaliwal, Sidhu, Sandhu, Toor, Bhatti, Gill, Saharan, Bains Cheema, Chahal and Dhillon. No marriage takes place within these sub-divisions. Jat Sikhs consider themselves at the top of the hierarchy. Marriage must take place outside the same sub-caste but within one own caste. The same sub-caste means that of the father. Matrimonial negotiations are generally made through a middle man called *bachola* or may be a friend or relative. Dowry is usually practised and is given in kind only. Today rituals and customs are being cut short. Child marriages are disappearing and the age at marriage is increasing both for boys and girls. Both sororate and levirate alliances are permissible. In case of a widow the ceremony is called *chadar pana* usually the remarriage takes place with the younger brother of the deceased, if the age difference is not large. Divorce is permitted in exceptional circumstances. Women play an important part in all sphere of life. Participation of women in agriculture activities outside the home is declining. Earlier, women used to go to their own farms in operations where female labour was employed. Women from families with good economic background are withdrawing themselves from fieldwork. Women also take an active part in animal husbandry. The purdha system is slowly vanishing but in some backward areas the Purdha is still observed from father in law and some other relatives. The birth of a son is an occasion of great joy and celebration while the birth of a daughter generally goes unnoticed. The name giving ceremony of the child can be performed any time after 40 days of delivery. In case of a girl this usually takes place in a very simple manner and in case of a boy this is usually a big religious function, where relatives and friends are invited and feasted. Mostly efforts are made to solve disputes through a meeting of the elderly people of the caste. If they are not solved, the village

panchayat is involved. Only in exceptional circumstances, people go to the courts'.

The Sub-committee in its report dated 8.11.2012 has determined their population to be 3.25% while Justice Gurnam Singh Commission in the year 1990 had estimated their population to be 4%.

PW-K9 Darshan Singh and PW-K53 Pardeep Singh r/o Karnal pleaded the case of Jat Sikh community. They stated that the population of Jat Sikh in Haryana is 5% and they are socially, educationally and economically backward; that their status is just like Jats, Rajput, Ror, and Bishnoi; that 92% people of their caste reside in villages where there is no facility of education; that Justice Gurnam Singh Commission had also recommended the status of OBC in the year 1990 to them. There is no evidence that some of their population had shifted to neighbouring States. So this commission is of the view that it would be appropriate to take their population to be 4% of the total population of Haryana.

The Sub-committee in its report 8.11.2012 in Table 13 Annexure-L, regarding Class I services had found their representation to be at 2%. Annexure-A-I Table 1-A, shows their representation in IAS in Haryana cadre as 0.080% of direct IAS recruit and 1.39% in IPS. In HCS (Executive) direct recruit is shown to be 0.98% while HCS (Judicial) to be 1.56% according to Table No.3C-I Annexure C-1 and Table No.3CII Annexure CII respectively.

The summary Table prepared by MDU regarding social, educational and economical scores shows at page 81 that Jat Sikhs have scored 61 out of 90 i.e. 32 on account of social, 21 on account of education and 8 on account of economic basis i.e. more than 50%. The survey conducted by MDU shows that there is Table at page 50 and at serial No.2 representation of Jat Sikhs in Class I & II Govt. services is 1.32% while in Class III and IV services at page 52 is 2.55% and in Direct Class I services at page 49 is 0.65%.

Therefore, there is no doubt that Jat Sikhs are socially, educationally and economically backward and have not been adequately represented in Government services. So, the Commission recommends their inclusion in the Backward Classes in Haryana.

Jat

The Jats constitute the most important element of rural population of northern India, concentrating mainly on fertile Indo-Gangetic plain, the modern states of Rajasthan and the upper Yamuna Valley. In all these areas they are tied to the land and are agriculturists.

The Jats transcend the barrier, of caste and religion and are divided into three communities, namely the Hindus, the Muslims and the Sikhs. About one third of them are Muslims, one fifth Sikhs and the rest are Hindu Jats. In India, the Jats are known by various names. In Delhi, Haryana and United Provinces they are known as Jats, in Punjab Jatts and in Rajasthan Jits, Jats are known for their valour, courage and honesty. They are true to their words and are always ready to fulfil their commitments. They are skilled farmers and stout soldiers.

Jats occupy prominent position in Haryana, western Uttar Pradesh, Punjab, Delhi and Eastern Rajasthan, being the largest group in North Western India. They are divided into twelve clans and about three hundred gotras. Though the origin of Jat is shrouded in mystery, they are believed to be an Indo-Aryan tribe, connected to the Vedic civilization (450 BC – 2500 BC) that existed along the Saraswati River. Even today the highest density of Jat population is along the dried beds of Saraswati, starting from Haryana, going on to Punjab and ending up in Rajasthan. They play a predominant role in this region. Agriculture, soldiering and cattle rearing have been the main occupation of Jats. Jat are brave and hardworking and independent minded people. The Jats led a fairly autonomous political life.

About the Jat, Crooke says: "The Jat take a high rank among the cultivating races of the province. He is simply a slave to his farm and his absorption in religious out-of-door work at all seasons has had its effect on his character and his physique. He never dreams of taking any service, except in the army, he is industrious beyond compare, if his crops fail it is sheer hard luck. When he is not busy in his field, he lets out his cart for hire or busies himself in collecting manure, which he manages with a great care and skill. His fault is quarrelsomeness, and in litigation, he never knows

when he is beaten. This is reflected in the proverbial wisdom of the countryside:- "Meddle not with the Jat in wilds, or the kirar at his mart, nor a hungry Turk; if you do so you will risk your life."

M.C.Pradhan in the book "The Political System of Jats of Northern India" looks at a different aspect that the Jats strictly practiced caste endogamy and clan exogamy. For purposes of marriage certain prohibited degrees of kinship have to be avoided. As a rule, four Gotra exogamy is followed. A gotra is an exogamous patrilineal clan whose members are bound to share patrilineal descent from a common ancestor. A person is not permitted to marry into his or her caste, Gotra, nor with the mother's, nor with the father's mother, nor usually with the mother's mother. The gotra rules in effect prohibit marriage with first cousins of either parallel or cross variety. Among the Jats, gotra is synonymous with clan. The gotra membership is ascriptive and all children belong to their father's gotra. The gotra affiliation remains unaffected by marriage.

Nonica Datta in another article "Jats: Trading caste Status for Empowerment" emphasizes that the Jats of North India, who through the Arya Samaj movement used to clamour for Kshatriya status, are now demanding to be included among the OBCs. The demand will not add up to much in terms of government jobs, but what is at stake for the Jat leadership is not the proportion of jobs but political and social empowerment.

Constitutional Aspects : Article 14 of the constitution requires the State not to deny any person equality before the law or the equal protection of the laws within the territory of India. Article 15 contains the rule of equal protection of the law in positive and affirmative terms. Clause (1) of Article 15 provides that the State shall not discriminate against any citizen on grounds of religion, race, caste, sex and place of birth or any of them. Clause (2) of Article 15 declares that no citizen shall on grounds only of religion, race, caste, sex, place of birth any of them be subject to any disability, liability, restriction or condition with regard to (a) the access to shops, public restaurants, hotels and place of public entertainment (b) the use of wells, tanks, bathing ghats, roads and place of public resort maintained whole or partly out of the State funds or dedicated to the use of general public. However, to ameliorate the condition of women and children a provision was made in clause (3) that nothing in this article shall prevent the State from making any special provision for women and children. Clause (4) of Article 15, which was inserted by the Constitution (First Amendment) Act, 1951, provides that nothing in this Article or Clause (2) of Article 29 shall prevent the State from making any special provision for the advancement of any specially or educationally backward classes of citizens or for the Scheduled Castes and Schedule tribes.

Article 16 contained in rule of equality of opportunity in matters of public employment, it reads as under :

The words "backward class of citizens" occurring in Article 16(4) are neither defined nor explained in the Constitution. The word "backward class" occurring in Article 15(4) is qualified by the words "socially and educationally" preceding the words "backward class of citizens". No qualifying words, however, have been used in Article 16(4). The expression "backward class of citizens" used in Article 16(4) therefore, is not be same as the expression "socially and educationally, backward classes" used in Article 15(4). The word "backward class" in clause (4) of Article 16 are very wide and take in its fold social backwardness, economic backwardness political backwardness and even physical backwardness. To fall within the definition of the terms "backwardness" used in Article 16(4), the class/community/caste must be a socially backward class, Education backwardness, however, cannot be altogether ignored.

"The employment whether private or public-thus, is a means of social leveling and when it is public, is also a means of directly participating in the running of the affairs of the society. A deliberate attempt to secure it to those who were denied the same in the past is an attempt to do social and economic justice to them as ordained by the Preamble of the Constitution".

(Justice Sawant in Indira Sawhney Para 384)

Two conditions are necessary to attract (4) of article 16: (1) a class of citizens who are backward; and (ii) the said class is not adequately represented in the services under the State.

It has already been stated that the population of Jats in Haryana is 25.53% as depicted by the Sub-committee in its report dated 8.11.2012. Justice Gurnam Singh Commission in Table No.37 has shown their estimated percentage of population in State as 25% in the year 1990.

The persons examined by Jat community like PW-4 Hawa Singh Sangwan, President All India Jat Reservation (Arakshan) Sangrash Samiti stated that the population of their community was 30%. However, this is not true. No reason has been assigned as to how the population of Jats has increased by 5% since 1990. It is true that total population of Haryana has increased but population of every caste has also increased proportionately and percentage of population in proportion remains the same.

The Jat community has examined a number of persons to prove that they were socially, educationally and economically backward and essentially the Jat community was a farming community and the average land holding per member was 2 to 3 acres and their average income was Rs.10000/- per annum. They further stated that their representation in Class I and II was hardly 10%, while in Class III & IV it was comfortable. They also stated that about 5 to 10% people did not own any land and the villagers cook their food on earthen *chulah*; there was no proper drinking water facility available to them; that about 35% people of their community depended on agriculture for their livelihood and women folk also helped them in cultivation; that there was no proper facility for education in villages and even in villages where there was, they were unable to study as the children remained busy in helping cultivation. They further stated that most of the people were under debt as they did not get sufficient income from cultivation of land; that most of their youth were in jail and indulged in crime because they were unable to get government jobs.

On the other hand, equal number of persons or more than that have made statements to oppose the grant of Backward Class status to Jat, Jat Sikh, Bishnoi, Ror and Tyagi. They stated that Jats were "Dabang" in nature and did not allow Dalit community to perform the ceremony of Ghurchari (where bridegroom rides a mare) and also prevented women folk of Backward Classes to take water from their well or to graze cattle in their fields. They also stated that Jat community was well educated and they had got IAS and IPS officers in a large numbers and they were in trade and owned petrol pumps, transport, business and private education institutions besides agricultural land. Therefore, the oral evidence recorded by the Commission is not of much help in determining the Backward Class status of the Jats because their evidence to the effect that they were socially, educationally and economically backward is vehemently opposed by the persons belonging to Backward Classes who have stated that they were socially, educationally and economically forward and were well represented in services.

There is no doubt about it that there are 26 MLAs belonging to Jats in Haryana Legislative Assembly out of 90. There are three Members of Parliament belonging to Jats out of 10 and one Member in Rajya-Sabha out of 5 Members. Thus, they are political active. The history of Haryana State on constitution of Legislative Assembly on 17.03.1967 shows that for about 31-32 years there has always been a Jat Chief Minister. The Chief Minister of other communities did not survive for long and remained only for a few years. The first Chief Minister Pt. Bhagwat Dayal Shama belonged to Brahmin community remained from 1.11.1966 to 3.3.1967. Therefore, Jat community is politically active but being politically active, it does not mean that they are socially, educationally and economically forward. The fact that there has always been Chief Minister belonging to Jat community, since the inception of Haryana except a few years and during the said period the other communities had also become prosperous and Haryana State has developed by leaps and bounds shows that Jat Chief Ministers have treated all the communities on equal footing and did not give any special favour to the Jats.

Mandal Commission in its report at page 44 para 9.25 has mentioned as under:—

"There are a number of caste groups which neither belongs to three varnas, nor they have been included in the list of Scheduled Castes and Tribes or Other Backward Classes. For instance, Lingayath of Karnatka, Lohal, Kadia, Suthar, Kumhars, Darji of Gujrat, Ahris and Jats of Haryana, denotified communities of Himachal Pradesh and Maharashtra; Karnikar, Kurup, Irulan, Nair, Nambiar etc of Pondichery are the cases in point".

The Haryana Government has included Ahirs of Haryana in Backward Classes in Category B. This means that Mandal Commission had in its mind to treat Jats in Backward Classes. Even Justice Sir Shadi Lal of Lahore High Court has categorized Jats as Shudras in a judgment, Joginder

versus Kartar AIR 1936 Lahore 551. Although the said judgment was for a limited purpose i.e. to give legitimacy to the relationship between father-in-law and the wife of his deceased son i.e. daughter-in-law by Karewa marriage by treating the Jats as Shudras. It incidentally shows that Jats were treated as Shudras even lower than Backward Classes.

The MDU, Rohtak, had conducted survey of various castes in Haryana at the instance of the Commission and submitted its revised report on 8.11.2012. According to summary of social, educational and economical survey, which is at page 81, the Jats have got 62/90, score i.e. 30/45 on account of social, 22/35 on account of education and 10/15 on account of economical basis. Thus, they have got more than 50% score and as such are socially, educationally and economically backward.

The Table at page 50 of survey report reveals that their representation in government Class-1 and Class-II services is 4.15%, while in Class-III and Class-IV services at page 52 is 3.94%. Table at page 49 of direct Civil and Allied Services shows at serial No. 1 that their representation is 1.43%.

The Sub-committee of this Commission was appointed to determine the representation of various castes in government services as authenticated secondary data was not available and the MDU had expressed its inability to make survey without availability of secondary data of services. According to Annexure-CII Table 3CII dated 8.11.2012 of the Sub-committee, the representation in HCS (Judicial) of Jat community has been shown to be 5.30% while in HCS (Executive) as per Table 3-CI Annexure CI is 45.10% and in All India Services, direct recruit is 5.55%. According to Table 13 (Annexure L) the representation of Jat in Class-I services is 9.27% of all categories. Therefore, taking over-all view, the Jat community is inadequately represented in the State services.

Moreover, the Jat community is a farming community residing mostly in rural areas. Since, the expenses of inputs on cultivation of land has increased manifolds, so most of the marginal farmers are under debt of Banks and moneylenders and they require immediate relief in the form of reservation in State services.

Otherwise also, Justice Gurnam Singh Commission had recommended the case of Jat community in the year 1990 for inclusion in the Backward Classes. Hence, in view of discussion above, the Commission recommends that Jats be included in the Backward Classes.

Ror

Ror are mainly settled in Karnal, Kurukshetra, Jind and Ambala districts of Haryana State. Some of their villages are found in Uttar Pradesh. Almost all the Rors trace their origin from Badli villalge near Jhajjar in Rohtak district. Their dress pattern is similar to Jats i.e. they wear *Dhoti* and *Kurta*. The Rors are mainly an agricultural community who own land and work in the fields. The majority of Rors possess medium size land. Their main source of income is agriculture. In addition to agriculture, animal husbandary is given importance. Their women folk sometimes work in the fields, but they mainly confine themselves to the domestic activities and caring of the domestic animals. In ancient age, the Rors had common practice of exchange of girls (known as Atta-Satta) but with the passage of time this practice has dwindled.

There is another theory about the origin of Rors as stated by PW-35 Prof. Ranbir Singh Yadav. It is stated that they belong to Maharashtra and were Marhatas. He next stated that there was battle known as Second Battle of Panipat which was fought between Marhatas and Moghul forces in the year 1761 near Panipat. In that battle, the Marhatas were defeated and some of the soldiers hide themselves in the nearby forest area of Panipat and settled there who later on came to be known as Rors.

Justice Gurnam Singh Commission in the year 1990 had estimated their percentage of population to be 1% but the Sub-committee in the report dated 8.11.2012 has estimated their population to be 1.43% which does not appear to be correct.

PW-1 Master Rati Ram, President, Ror Mahasabha Karnal Regd. All India Ror Sabha, Head Office –G.T. Road Karnal, stated that their population was 2, 53,000 i.e. 1% of the total population of Haryana. PW-2 Dile Ram, Joint Secretary, All India Ror Mahasabha, Karnal, has supported his

statement and stated that their population was 1% of the total population of Haryana. Therefore, the Commission presumes the population of Rors to be 1% and not more than that i.e. 2, 53,000 only.

MDU, Rohtak, in its revised summary report dated 8.11.2012 on social, educational and economical status has stated at serial No.3 of page 81 that Ror community had secured 59 points out of 90 i.e. 27/45 on account of social, 23/35 on account of education and 9/15 on account of economical basis. Thus according to survey, they are socially, educationally and economically backward as they have got more than 50% score.

Now, the question to be seen is whether they are inadequately represented in State services or not.

Since, secondary data was not available about their representation in government services, so a Sub-committee was appointed which gave its report dated 8.11.2012. According to it, the percentage of representation of Ror community in HCS (Judicial) is 0.62% vide Annexure CII Table No.C3-II, while in HCS (Executive), according to Annexure CI, Table No.3CI is 0.98% and in direct recruit of All India Services, according to Table 1A (Annexure A1), is 0.8% while in Indian Police Services it is at zero percent. Table-13 (Annexure L) shows their representation in Class-I services of all important categories as 1.21%.

Believing the figures of the Sub-committee to be true instead of figures of survey conducted by MDU Rohtak, which appear to be exaggerated and not properly calculated, it is held that the Ror community is inadequately represented in the State services.

Justice Gurnam Singh Commission had also recommended the case of Ror community to be included in the Backward Classes in the year 1990. It is a farming community. Hence the Commission recommends for the inclusion of Ror community in Backward Classes.

Bishnoi

The Bishnois came into existence in the form of religious sect composed of persons united by a common religious belief and ultimately they formed an endogamous group in the form of a caste. The Bishnois are connected with Lord Vishnu incarnated as their Guru jambeshwar Ji, whom the Bishnois give more prominence in their creed. They derive their name from *bees aur nao*, bishnoi (twenty-nine) principles of their faith inculcated by their founder Guru Jabeshwar ji. Mainly Bishnoi are inhabitants of Rajasthan located around Bikaner. In Haryana they are mainly concentrated in Hisar, Fatehabad Sirsa and Bhiwani Districts. Among the Bishnois Gotra exogamy (Blunt, 1969) and community endogamy are the norms. Child Marriages were a common feature of the Bishnoi Community in earlier period. Marriage by exchange of brother and sister is also in vogue. Widow marriage is only a via media to ease a highly intolerable situation Marriage with the husband's elder brother is known as '*Chadar Udhana*' and with younger brother is known as '*churee pahana*' is a common practice. In addition to house hold work, Bishnoi women work in their own fields. They also help in harvesting crops. The women from poor families collect fodder for their cattle. The women are not considered equal to men. Pardah is observed even among the elderly women. Initially, education was very less among Bishnoi but now with the passage of time, they are sending their children for getting education.

The Sub-committee had determined their population, which was presided over by Shri Jai Singh Bishnoi, Member of this Commission, to be at 1.21% vide Table-10 Annexure-P, in the State of Haryana. However, Justice Gurnam Singh Commission in the year 1990 had determined their percentage of population in Haryana to be 0.7% i.e. about 1, 77,471 persons.

Krishan Dev Pawar and Sumit Bishnoi R/o Hisar in their representation which was received on 3.9.2011 had mentioned the population of Bishnoi community to be 0.7% of the total population of Haryana. They further stated in it that the total population of Bishnoi in India was 0.12% and they were settled mostly in Haryana, Rajasthan, Uttar Pradesh, Delhi, Madhya Pradesh and Punjab. Shri Subhash Bishnoi, President, Bishnoi Sabha, Hissar on Mobile conversation bearing No.09996001929 stated that the population of Bishnoi to be 1%, while nothing is mentioned about their population in the representation received on 3.9.2011. Therefore, taking into consideration all the facts and circumstances, the estimated population of Bishnoi is taken to be 0.7% and not more than that, as estimated by Justice Gurnam Singh Commission in the year 1990.

The Bishnoi caste is purely vegetarian and highly eco-friendly and known for environmental protection. Further, the female observe Parda in the house and family. There is a bad practice of Kharch/Kaaj (a feast is given after death of a person in the family). Likewise other castes, much value is attached to its male child.

The MDU in Table at page 81 containing summary of social, educational and economical scores has shown Bishnoi at serial No.5 having obtained 31/45 points on account of social, 24/45 points on account of education and 9/15 points on account of economical basis i.e. 64/90. Thus they are stated to be socially, educationally and economically backward.

The next question to be seen is whether they are adequately represented in government services or not. The survey at page 50 regarding Class-I and Class-II services shows their representation at serial No.5, to be 2.17% i.e. according to it; they are having 39 Class-I and 48 Class-II officers in all 87 out of 1835. Their representation in Class-III and Class-IV services at serial No.5, Page 52 shows their estimated percentage to be 7.02. Table at page 49, serial No.5 regarding Bishnoi caste concerning direct Class-I services shows their representation to be 0.35%. Survey agency has made calculation as per number of houses surveyed which does not appear to be correct.

Since, secondary data was not available with the government so, the Commission appointed a Sub-committee headed by its Member Shri Jai Singh Boshnoi. According to Table-3CII (Annexures CII) at serial No.3 shows their representation in HCS (Judicial) to be 0.62% while in HCS (Executive) according to Table 3C-1 (Annexure C1), is 1.96% and in All India Services, direct recruit, at serial No.3 is zero percent, while in Indian Police Services it is 1.39%. In Class-I services of the State, according to Table-13 (Annexure L), their estimated representation of 0.78%.

Therefore, taking an overall view, Bishnois Community is inadequately represented in State Services. They are a farming community. Justice Gurnam Singh Commission had also recommended their case for inclusion in the backward classes. Hence, they are entitled to be recommended for being included in backward classes.

Gyana

Gyana are those persons who perform ceremonies at the time of marriages in Bishnoi Samaj i.e they are called Gyana Pandit. PW-10 Rajinder Parshad Bawara, stated that he was President of Gyana Samaj, Adampur Hisar, and their total population in Haryana was about 5000. He further stated that there was hardly one or two houses situated which are now in erstwhile in Hisar district. He further stated that they depends upon for their livelihood on *Doles/Daan* given by the people of Bishnoi Samaj at the time of ceremonies and some members of their community were living in tents and had no pucca houses.

The Gyana community was not surveyed by MDU, Rohtak. Much information is not available about the said community. In such circumstances, the Commission will give its recommendation in the next report after making survey.

In view of the above discussion and upon consideration of the data collected, the Commission is of the considered view that Jat, Jat Sikh, Bishnoi, Ror and Tyagi are socially, educationally and economically backward as they have secured more than 50% score and further they are inadequately represented in the State services. It may also be pointed out that Goswami/Gosain is also held to be socially, educationally and economically backward but they are adequately represented in the State services. Hence, are not recommended to be included in the Other Backward Classes. However, since Goswami/Gosai are found to be socially, educationally and economically backward by the survey agency, so, it is recommended that social welfare measures initiated by the Haryana Government for Backward Classes may also be granted to Goswami/Gosai.

In the case of State of Haryana, the peculiar characteristic and condition of social life is that the aforesaid communities are predominantly agriculturist and reside in rural areas. These still are cocooned in remote villages where the educational facilities are inadequate and of poor quality. Therefore, an overwhelming majority of these castes have not socially advanced and is in the shackles of superstitious, orthodoxy, centuries old ideas, biases, mores and manners. The social upward mobility among these castes is very slow. These communities have failed to diversify professionally and their mainstay till now is agriculture and animal husbandary. Therefore, these communities are unable to keep pace with the changing times.

No doubt there is a common perception in the State that Jats, Bishnois, Jat Sikhs, Rors etc are well to do and enjoy great social status due to their numerical strength and political dominance. But a deeper insight in the social conditions of these communities would reveal that the minuscule minority of these communities who have been well-to-do since beginning have progressed educationally and reaped the fruits of political and economic developments in the country but the vast majority has gone down in every aspect of social life. Let this dichotomous situation and social fact should not mislead us to wrong conclusions and deny these communities their due.

Therefore, the Commission is of the view that there is a strong and justified case for taking affirmative measures by the State to ameliorate the conditions of these castes.

RECOMMENDATIONS OF THE COMMISSION

Accordingly Jat, Jat Sikh, Bishnoi, Ror and Tyagi are recommended to be included in the list of Other Backward Classes (or may be termed as Special Backward Classes). These classes of citizens are being recommended to be treated as Other Backward Classes (Special Backward Classes) so, as to distinctively identify the said classes and not to merge them amongst the classes of citizens that have been held to be backward. Since, these classes cummulatevely constitute more than 30% of the total population of Haryana i.e 31.39%, as such they covered a large segment of population so, appropriate remedial measures for the advancement of the said classes of citizens can be effectively implemented if they do not get merged with the Backward Classes already identified by the State.

Now the question arises as to whether reservation can exceed 50% or not. Even though the Hon'ble Supreme Court had in the matter of Indira Sawhney and others versus Union of India and others, reported as AIR 1993 SC 457 held that reservation should ordinarily be restricted till 50 per cent, however, the Hon'ble Supreme Court observed in Para 94A that while 50% shall be the rule, it is necessary not to put out of consideration certain extraordinary situations inherent in the great diversity of this country and the people. It might happen that in far-flung and remote areas the population inhabiting those areas might, on account of their being out of the main stream of national life and in view of conditions peculiar to and characteristic to them, need to be treated in a different way, some relaxation in this strict rule may become imperative. In doing so, extreme caution is to be exercised and a special case made out.

The Hon'ble Supreme Court has thus kept the question open and the reservation can under circumstances be permitted to exceed 50% once a special case is made out. Since on the recommendation for the aforesaid classes as Other Backward Classes (Special backward Classes) the protection of reservation and advancement shall be extended to additional 31.39% of the population, exceptional circumstances are made out as the benefits have to be extended to a large segment of population. Already the reservation in the States of Karnataka and Andhra Pradesh is beyond 50%.

Since, the Commission would not like to crowd the existing backward classes by adding such sizable population which fall in the classes now being recommended for inclusion as Other Backward Classes (Special Backward Classes), as such the Commission is of the opinion that the aforesaid communities be granted reservation without touching the reservation granted to the communities which are already availing the protection of law. The other reason for arriving at the said conclusion also arises from the fact that the Commission has not recorded any finding as regards the over-inclusion of any community under the list of backward classes already notified by the Government of Haryana. No study has been carried out to denotify any of the communities from the already notified list of backward classes. It is thus correct to assume that the said communities shall retain the character of being socially and educationally backward and are entitled to continue to derive the benefit which has already been extended to them. The percentage of reservation recommended for the said communities was on the basis of the facts that still exist and as such the inclusion of additional communities in the said list would amount to denial of the benefits to the said communities. It is also worthwhile to point out that the communities now being recommended constitute 31.39% of the population of the State of Haryana. The inclusion of an additional nearly 1/3rd of the population in the already existing population within the quota of 27% would amount to denial of protection and there can be no justification for providing a meager 27% reservation to such a large segment of population. The objectivity behind providing reservation and the percentage of reservation cannot be made redundant and has to be meaningful and on the basis of objective assessment of the overall scenario. It is thus proposed that the aforesaid communities be notified as Other Backward Classes (Special Backward Classes) and 10% reservation be provided to the said communities without disturbing the existing scheme of reservation which provides 27% reservation for the Backward Classes. The reservation for the communities shall be mutually exclusive and the communities recommended now shall not claim benefit of reservation in the 27% reservation that has already been granted to the backward classes and vice versa. Hence there will not be any constitutional embargo if the reservation exceeds 50%.

Therefore, the Commission recommends that 10% reservation in the State services to the five castes namely Jat, Jat Sikh, Bishnoi, Ror and Tyagi known as Other Backward Classes (Special Backward Classes) beyond 27% be provided.

Since, words Kushwaha/Koeri and Maurya are synonymous with word Shakya, so, the Commission recommends that Kushwaha/Koeri and Maurya be also added along with Saini/Shakya in the Backward Classes List of Haryana at serial No.3 in category B.

The creamy layer i.e. socially advanced persons/sections are to be excluded from the purview of reservation for Other Backward Classes (Special Backward Classes) of the communities of Jat, Jat Sikh, Tyagi, Ror and Bishnoi as per letter of Haryana Government No.1170-SW(1)-95 dated 07.06.1995 read with letter No.213-SW(1)-2010 dated 31.8.2010. The exclusion must be strictly enforced as the persons belonging to the higher strata of Other Backward Classes may not be getting all the benefits denying the lower strata their due benefits.

The Commission further recommends as under:-

- (i) The State Government may notify the above communities of Jat, Jat Sikh, Bishnoi, Ror and Tyagi as Other Backward Classes (Special Backward Classes) and provide 10% reservation to the said communities in exclusion to the communities already notified as Backward Classes. The said communities shall not be included in the 27% reservation provided to the Backward Classes and shall not claim any share in the existing reservation for the Backward Classes. So, the reservation shall be mutually exclusive.
- (ii) The State Government is also to effect reservation in Government Undertakings and Local Bodies as well as educational institutions to the Other Backward Classes (Special Backward Classes).
- (iii) Efforts be made to rehabilitate village artisan belonging to Other Backward Classes by offering financial assistance for purchase of modern machinery to earn their livelihood.
- (iv) Special programme be initiated for upgrading the skills of village artisans.
- (v) The Other Backward Classes (Special Backward Classes) may be encouraged and helped to set up small scale industries in rural areas, so, that they could earn their livelihood and further there may not be pressure on the urban areas and also on getting government jobs.
- (vi) The State Government may recommend to the Government of India that as the representation of Backward Classes in All India Services etc is even lower than that in the State services and is quite inadequate, so, the Government of India may also include Jat, Jat Sikh, Bishnoi, Ror and Tyagi in the Central List of Haryana State maintained for this purpose, so that they can also get benefit of reservation etc. in the Central jobs of India.
- (vii) It must be ensured while granting reservations that the benefits percolate down below to the really deserving members of the Other Backward Classes. At present, the benefit of reservation does not percolate down to the needy persons of Backward Classes but the same are being pocketed by those persons of the backward classes who are prosperous even more than general classes people, it should be ensured that once a member of a family of Other Backward Classes (Special Backward Classes) gets benefit of job reservation and comes to a certain level then his descendants will not get benefit of reservation, so, as to make space for other needy persons of Other Backward Classes.
- (viii) There is a general impression that standard of education in the government schools in rural areas is much lower as compared to private/convent schools. Since, most of the populations of farming community reside in villages where there are only government schools, so the government should make special efforts by providing special budget to increase the efficiency of the government schools and recruit the teachers having good qualifications for imparting education.
- (ix) Special provision be made for study of bright Other Backward Classes students in Public or Convent Schools free of cost.

We hope that the suggestions/recommendations made by the Commission would be useful and willingly accepted by the Haryana Government.

Capt. Ajay Singh Yadav, Power, Forests & Environment minister, Haryana, Chandigarh, and Gopal Kanda, Former Minister of State for Urban Local Bodies, Home & Industries, Haryana, Chandigarh, in their representations have urged the Commission to grant reservation on economic basis that really deserve it. Shri Mohinder Partap Singh another Haryana Minister has also suggested economic backwardness among others for grant of reservation.

PW-33 Sh. Kul Bhushan Goel stated that he belonged to Aggarwal community; that reservation should be granted to their community on economic basis i.e where a person who does not pay any income tax; or a widow who does not pay any income tax or any invalid person.

PWK-17A Surinder Sharma on behalf of Brahman community pleaded that to declare a community backward criterion should be economic. PW-12 Sh. A.C.Chaudhary, President of Haryana Punjabi Welfare Sabha (Registered) Haryana, Faridabad, also suggested that reservation should be granted to their community i.e Punjabi community on economic basis.

The Commission visited various district Headquarters and came to know pathetic conditions of some of the persons of general category living in rural areas. The Commission was told that many persons of general categories were living below poverty line and were unable to get meal once a day.

Therefore, eminent persons belonging to various communities have urged that caste alone should not be the criteria for the determination of class of citizens who are backward and that reservation should be granted to the people on the basis of their backwardness on economic criteria. The Commission had already considered economic criteria besides social and education criteria for grading a community to be backward but as far as general categories are concerned, there may be persons who are economically backward and as such some suitable reservation should also be granted them so, that they are not deprived of the benefits available to the backward classes.

The Commission shall desist from specifying any community and instead shall submit supplementary report for the purpose of defining a criteria for specifying the class of citizens and the means to identify the same distinct from the manner of identification by Caste or community. The beneficiaries of reservation under the said class have to be identified on universally applicable criteria and after carrying out the extensive survey of the entire population. The Commission is conscious of the fact that merely being born in a high order of caste does not guarantee the protection against discrimination and people born even in the higher castes or communities may individually be socially, educationally and economically backward and urgent measures have to be extended to them as well so, as to prevent them from starvation and being unrepresented in the State services. Since, the social and educational status is related to the economic condition of a person, so, the economic condition becomes a safe barometer for identification of a class of persons, who but for being born in higher classes, are identifiable to the group and/or communities that have been identified as Backward Classes or are being recommended as Special Backward Classes. The detailed criteria and mechanism shall however be submitted by way of a detailed report in due course of time for grant of atleast 10% reservation to the general castes.

DATED 12.12.2012

(Justice K.C.Gupta)
Chairman

Jai Singh Bishnoi
(Member)

Som Dutt
(Member)

Arjun Dev Gulati
(Member)

Telu Ram Jangra
(Member)

Rao Ranpal Singh
(Member)

