

## Agenda Note

**Sub** : Views of NCST requested by National Economically Backward Classes Commission on the issue of providing reservation to Economically Backward Classes of General Category (Unreserved Category).

### **I Proposal in brief**

A letter dated 15.01.2009 was received from National Economically Backward Classes Commission under the Ministry of Social Justice and Empowerment regarding obtaining of the views of the Commissions on providing reservation to Economically Backward Classes of General Category (Unreserved Category). Views of the National Commission for Scheduled tribes were requested on the Terms of Reference of the NEBCC, which is as follows:

- i) To elicit the views of the State Governments/Union Territories and other Commissions on the subject;
- ii) To suggest criteria for identification of economically backward classes;
- iii) To recommend the welfare measures and quantum of reservation in education and Government employment to the extent as appropriate; and
- iv) To suggest the necessary constitutional, legal and administrative modalities as required for the implementation of their recommendations.

### **II Implications**

Economical backwardness of any individual or class of Unreserved Category is a temporary feature and status may change any time. In case reservation is provided to economically backward class, they will continue to enjoy even after the change in their economical condition.

### **III Background**

The reservation is provided to the backward community or classes based on the social or regional deprivation. As a result these community / classes are mostly not in the main stream of the society and hence economically backward also. Reservation and special economic packages were started after Independence for the social and economic upliftment of these community/classes.

A major part of the economically backward class in the country is either SC/ST or OBC for whom reservation provision is already there. Economic backwardness of the unreserved category may be due to any reason but not due to their social or regional deprivation.

As per Backward Class Commission which submitted its report in March, 1955, employed following criteria for identifying socially and educationally backward classes:-

- i) Low social position in the traditional caste hierarchy of Hindu society.
- ii) Lack of general educational advancement among the major section of a caste or community
- iii) Inadequate or no representation in government service.
- iv) Inadequate representation in the field of trade, commerce and industry.

In August, 1967 a Joint Parliamentary Committee under the Chairmanship of Sh. Anil K. Chanda was constituted. The Committee adopted following criteria for judging the status of a community as a tribe: indication of primitive traits, distinctive culture, geographical isolation, shyness of contact with the community at large and backwardness.

The Chopra Committee Report on Gujars' demand submitted in December, 2007 recommended that Government of Rajasthan is advised to take the matter to the Government of India to abrogate the criteria used so far to include any class of people in the fold of Scheduled Tribes, as these have become obsolete and outdated. These should be replaced by quantifiable criteria that are relevant in the present context. The criteria should be such that they could stand judicial scrutiny and enable future Commissions or Committees appointed by the Government to examine the issue with exactitude and reliability.

#### **IV Proposed Recommendations of the Commission on the matter.**

In view of the above, Commission may consider to recommend no reservation to Economically Backward Classes of Unreserved category. Special packages like free education, free books, special pre – recruitment training, etc. may be given for the economic upliftment of these classes. Identification of the economically backward classes can be done in the same way, for example as being done to issue BPL ration cards.