

Scheduling of Tribes: Maleru (ಮಾಲೇರು ಮಾಲೇರು) Mystery Resolved

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Abstract: The scheduling of tribes of Mysore state has been done in 1950 by evolving a list of names of communities from a combination of the 1901 Census list of Animist-Forest and Hill tribes and V.R.Thyagaraja Aiyar's Ethnographic glossary. However, the pooling of communities as Animist-Forest & Hill tribes in the Census had occurred due to the rather artificial classification of castes based on whether they were not the sub-caste of a main caste, their occupation, place of residence and the fictitious religion called 'Animists'. It is not a true reflection of the so called tribal characteristics such as exclusion of these communities from the mainstream habitation or rituals. Thus Lambáni, Hasalaru, Koracha, Maleru (Máleru ಮಾಲೇರು ಮಾಲೇರು/sic' Maaleru) etc have been categorized as forest and hill tribes solely due to the fact that they neither belonged to established castes such as Brahmins, Vokkaligas, Holayas etc nor to the occupation groups such as weavers, potters etc. The scheduling of tribes of Mysore state in the year 1950 was done by en-masse inclusion of some of those communities in the ST list rather than by the study of individual communities. This had led to the wrong distinction between Maleru and Maaleru whereas in reality both represent the same community viz. Máleru (ಮಾಲೇರು ಮಾಲೇರು) which is now incorrectly written as 'sic' Maaleru by authorities. The authorities have wrongly termed the so called 'sic' Maaleru as Brahmins. The hard fact is that it is none other than the so called 'Maaleru brahmins' indicated as Maleru who were alone included in the Constitution (Scheduled Tribes) Order, 1950 along with 5 other names. ಮಲೇರು (ಮಲೇರು) is an imaginary community.

Keywords : Maleru ('sic' Maaleru); Scheduled Tribes.

I. Introduction

In the forest regions of the then Mysore state, a community by name 'Maleru' has been living. The Maleru community has been writing its caste name as 'Maleru' and 'ಮಾಲೇರು' in English and Kannada respectively, since time immemorial. According to Constitution (Scheduled Tribes), Order 1950. 'Maleru' has been classified as a Scheduled Tribe (ST). This is the version reflected in the Mysore Census for 1881, 1891 and 1911. In these Censuses two communities of the same name are not mentioned. In the 1901 Mysore Census this has been mentioned as Máleru (with diacritic á) and ಮಾಲೇರು in English and Kannada respectively. In the Mysore Census of 1901, neither the Maleru i.e. without diacritic 'á' nor the Kannada version ಮಲೇರು are mentioned. Maleru has been translated as ಮಾಲೇರು (ಮಾಲೇರು) in Hindi and notified in the Central Govt. Gazette.

In the last few decades, an impression has occurred among officials that ಮಾಲೇರು (ಮಾಲೇರು) are not Scheduled Tribes. The reason may be due to the relatively speedy advancement of this community compared to other ST communities and due to certain practices acquired by some of them that are supposedly 'Brahminic'. This has led the authorities to speculate that there could be a different community whose name can be written as ಮಲೇರು (ಮಲೇರು) in Kannada (Hindi). Unfortunately, ಮಲೇರು (ಮಲೇರು) can also be written as Maleru in English. This has enabled officials to claim that the ಮಾಲೇರು (ಮಾಲೇರು) are falsely claiming as ST, supposedly due to the same spelling in English viz. Maleru. At the same time, Karnataka Govt has also admitted in writing that the Kannada translation of SC/ST names is unofficial and not authoritative. This amounts to Govt admitting that the translation of Maleru as ಮಲೇರು (ಮಲೇರು) to Kannada is unauthoritative and unofficial. Yet they refuse to withdraw the Kannada translation of Maleru as ಮಲೇರು (ಮಲೇರು) from revenue and other departments. The complete nature of this problem has been elaborately discussed in the research paper titled: The Caste-Tribe Conundrum: Ivory Tower Bureaucracy and the Manufactured Controversies [1].

As a result of this unfortunate controversy, the officials have unofficially transliterated the name ಮಾಲೇರು (ಮಾಲೇರು) as 'Maaleru'. In the GO of 23-1-1986 the Karnataka Govt has used this version. But when the Gazette notified Hindi translation of Maleru is ಮಾಲೇರು (ಮಾಲೇರು), transliterating the later as Maaleru can only be termed as a totally improper and redundant transliteration. Also in no Census document before 1950, the existence of the so called Malaikudi/Maleru (ಮಲೇರು ಮಲೇರು) is established. Therefore, unofficial and unauthoritative transliteration of Maleru as ಮಲೇರು (ಮಲೇರು) is also completely wrong. The new transliterations such as 'Maaleru and ಮಲೇರು (ಮಲೇರು)' have given birth to this unfortunate controversy and the wrong distinction as Maleru and Maaleru. Construction of spellings such as Maaleru and ಮಲೇರು (ಮಲೇರು) are thus unconstitutional.

Of course, the 23-1-1986 order of the Govt is a demonstration of the sympathy of the highest level of the then Government towards Maleru (ಮಾಲೇರು ಮಾಲೇರು) community. This was also due to the fact that both the highest level of the Karnataka Govt and the Maleru (ಮಾಲೇರು ಮಾಲೇರು) community were unaware of the Gazette notified Hindi translation of Maleru as ಮಾಲೇರು (ಮಾಲೇರು). Besides, if there were to be two communities whose names are written similarly in English, then the authorities has to furnish the reason for not inserting an exclusion class in the 1950 ST list for the Maleru ('sic' Maaleru Máleru ಮಾಲೇರು).

A deeply disgusting aspect of this problem is that the controversy remains unsettled even after 3 decades. National Commission for Scheduled Tribes (NCST) [2] report is like a time bomb on ಮಾಲೇರು (ಮಾಲೇರು) community because of its false suggestion that Maleru stands for ಮಲೇರು (ಮಲೇರು). Therefore, the most fundamental and yet the most simple question to be resolved is whether ಮಾಲೇರು (ಮಾಲೇರು) was included in the ST list or ಮಲೇರು (ಮಲೇರು). NCST report on Maleru community is a very valuable document for this community in terms of recording Govt's failed efforts (see Sections 2.6, 2.13,2.14 and Sec.III) to 'discover' a different primitive Maleru (ಮಲೇರು ಮಲೇರು) who are supposedly the true inclusion in the ST list. This failure has resulted in falsely concluding that Malaikudi are also known as Maleru (ಮಲೇರು ಮಲೇರು). Therefore, a solution to this problem lies in answering the fundamental question of scheduling of tribes in India in the year 1950.

II. Proof For Inclusion Of ಮಾಲೇರು ('Sic' Maaleru Máleru ಮಾಲೇರು) In The Scheduled Tribes List In 1950 – A Discovery.

2.1 Government of India documents [3].

The following are the excerpts from the two documents in the year 1950 that clearly illustrates the procedure for the scheduling of tribes.

2.11 Ministry of Home Affairs, Summary for Cabinet, Sub: Specification of Scheduled Tribes, signed by R. A. Gopaldaswami, Registrar General, India.

'The Constituent Assembly Secretariat compiled a preliminary list of tribes by correspondence with all State Governments as well as with non-official agencies interested in the welfare of the tribes. The list thus prepared contained many additions to the list of 'backward tribes' of 1936. It also included many tribes which had been excluded from the category of 'primitive tribes' in the special investigations which were made during the 1931 census.'

2.12 Letter by the Ministry of Home Affairs, Office of the Registrar General, India Dt.23-5-1950 signed by: R.A.Gopaldaswami, RGI.

'I have endeavoured to secure that there are tribes in the 13th schedule to Govt of India (Provincial Legislative Assemblies) Order, 1936 or included in the list of tribes prepared in the 1931 census and not included in the non-primitive tribes. It is not worthwhile pursuing Orissa and Mysore and lists as they now stand may be approved'. The Govt documents do not provide the reason for the special comment about Mysore and Orissa which may help resolve the Maleru controversy.

2.2 Scheduling of Tribes using 1901 Census list and VRT's Glossary.

From the aforesaid documents, it is clear that the scheduling of tribes in India in the year 1950 has been done by securing names of tribes from the state Governments, provinces etc. In other words, no commission of enquiry was specifically appointed to study all the communities in the state so as to decide the fitness of certain communities to be classified as scheduled tribes. The consequence is that the then Mysore state arrived at a list by a combination of the 1901 Census list of 'Animist-Forest & Hill Tribes' and the Glossary of castes by V.R.Thyagaraja Aiyar (VRT)[4]. We have narrated this discovery in Sections 2.3 to 2.8 of this article. Thus, in the case of the then Mysore state, the state Govt. recommended 6 names for inclusion in ST list which was issued as Constitution (Scheduled Tribes) Order, 1950 by the central Govt, otherwise known as the Presidential Notification. These names are: (1) Hasalaru, (2) Iruliga, (3) Jenu Kuruba, (4) Kadu-Kuruba, (5) Maleru and (6) Soligaru. Thus, the basic source of SC/ST names is the 1901 Census list.

Mr.Gautam Basu [2], Social Welfare Secretary (SWS) Govt. of Karnataka (GOK) has come closest to this conclusion but he has written the community name in English alone as Maleru and concealed the diacritic 'á' and Kannada version ಮಾಲೇರು (ಮಾಲೇರು). He has mentioned that the Maleru in the 1950 ST list is from the 1901 Census list at Sl.99. The fact is that at Sl.99, Máleru (ಮಾಲೇರು ಮಾಲೇರು) alone is mentioned and not the so called Maleru (ಮಲೇರು ಮಲೇರು). The Sahitya Academy too has endorsed his view that the Maleru in the ST list is from the 1901 Census list [2]. This amounts to unintentionally supporting Maleru ('sic' Maaleru) as ST.

The 1956 ST list indicates that the source of ST names is 1951 Census for 1956 ST list. But the 1956 ST list of Mysore state was an expansion of the 1950 ST list with the addition of 3 names (Gowdalu, Hakkipikki and Malaikudi). The 1956 ST list of Mysore has been translated to Hindi and notified in the Central Govt.

Gazette in 1974 where 'Maleru' has been translated as ಮಾಲೇರು (ಮಾಲೇರು). Thus we get the confirmation that Maleru in 1950 ST list is ಮಾಲೇರು (ಮಾಲೇರು) and not the fictitious ಮಲೇರು (ಮಲೇರು). Hence, it is a confirmation that from 1881 Census to 1951 Census, ಮಾಲೇರು (ಮಾಲೇರು) community alone had been in existence and not the ಮಲೇರು (ಮಲೇರು). Obvious conclusion is that ಮಲೇರು (ಮಲೇರು) is an imaginary community.

2.3 Definition of 'tribe' imposed a compulsion.

The genesis of the 'Maleru' controversy has its roots apparently in the way the 1901 Census classified some communities as 'tribes'. The definition of 'tribes' is more a nomenclature imposed from the top than a real description of a group of people. The term 'tribe' connotes a grand exclusion of those communities from the mainstream population and suggests their habitats as far removed from the so called towns and villages which is not true except in the case of Jarawas etc. in Andaman. The imposition of the term 'tribe' from the top has resulted in forced interpretation of communities based more on the so called physical features etc. instead of a physical exclusion of communities from the mainstream population. This has resulted in artificial classifications leading to controversies that are unresolvable at the hands of the official machinery that is ill-equipped to shake off the baggage of hard and fast definitions imposed from the top coupled with an unwillingness to see SCs and STs differently. Besides, the constitution of India has not defined the term 'tribe'. In spite of the passage of 65 years and innumerable controversies, the Indian Parliament too have not fulfilled this requirement. The authorities put forward quite a few 'yardsticks' to classify a community as tribe. However, in practice the reporting officers are at the lowest rung of the official machinery who expect that a tribe must keep a filthy ambience around their habitat to certify them as a tribe.

2.4 Religion, Main caste, Sub-caste, Occupation, Place of residence constraints.

The Census enumeration sheet is a revelation in itself. While the effort of designing such a tabular representation of peoples attributes is highly laudable and acutely desirable, any exercise is limited by its own flaws. The census enumeration sheet provides for recording peoples religion, caste, sub-caste, place of residence, the traditional or hereditary occupation etc. This resulted in classifying different communities as sub-castes of different main castes in addition to being classed as belonging to different religions and occupations. Thus, the mainstream Hindu communities are classified as Agasa, Brahmin, Lingayet, Madiga, Vokkaliga, Kshatriya, Jain, Kuruba, Madiga, Holaya and so on as Main castes and each Main caste is shown as comprising of several sub-castes. However, there are communities which do not fit the bill in terms of such a classification. Several communities were not the sub-castes of communities such as Brahmin, Madiga, Holaya etc or as part of Traders, Potters, Smiths, Weavers etc. In the absence of such mainstreaming, the place of residence such as the temples, 'Forests and Hills' etc. becomes a decisive indicator. These compulsions result in inventing a category named as 'Forest and Hill Tribes' and the same being packaged under the overall class as Animists as though Animists are absolutely distinct from Hindus which is far from true [see Section 2.5]. The fact is that the classification of many communities as 'tribes' was by no means a reflection of their never having come into contact with the so called mainstream communities. The practices are overlapping.

2.5 The term 'Animism' is a misnomer and a compulsion.

As clearly explained in the description of Koracha caste (Scheduled Caste) by H.V.Nanjundayya [5], the term Animism in the context of the then Mysore state was more an anomaly than a true reflection of people's ritualistic practices and beliefs. For example, in the case of Koracha Caste, Nanjundayya writes that "in the 1901 Census the Korachas are classified as animists. Animism has been defined as 'the belief which traces everything in the world, from the greater natural phenomena to the various diseases and misfortunes which afflict mankind, to the action of numberless indeterminate, powers or influences, among which, on the theory which gives rise to the name, the souls of departed chiefs and ancestors are supposed to occupy a prominent place'. **These distinctions are not, at any rate so far as the population of this state is concerned exclusively applicable to any class or caste.** The performance of Sradhas and other similar ceremonies shows that the highest classes are not free from this belief. But as we go down in the scale, the belief in spirits and the practice of offering worship to them is found to assume more and more importance. **Koracha class can hardly be regarded as pure animists as their principal God is Venkataramana of Tirupati, commonly known as Tirupati Thimmappa.** They go on pilgrimage to this shrine periodically and any informal union of an unmarried girl with a man must be confirmed by the performance of the marriage rite there".

However, Koracha have been listed as Animists in the Census list in spite of they being the ardent devotees of Tirupati Venkataramana. Further, VRT writes in his glossary that the chief God of Soligaru (ST & Animists) is Biligiri Rangaswami. Biligiri Rangaswami is the Kannada version of Lord Maha Vishnu. The description of Hasalaru by LKA Iyer doesn't lead one to think that the Hasalaru were animists in the strictest sense of not worshipping any deities associated with majority Hindu castes. This holds well to Maleru too. NCST

has recorded that Maleru ('sic' Maaleru) are people whose family deity is Panjrully (human body and face resembling either that of hen or the pig). **Obviously that should render Maleru ('sic' Maaleru) as hard core Animists.** While the society still abhors 'sic' Maaleru, authorities have upgraded them as Maaleru Brahmins.

Hinduism is essentially an umbrella term and the people belong to different castes. The caste customs being customs, are susceptible to be broken and there arise a group of persons who are virtually casteless for a certain passage of time when afterwards they either return to their caste by fulfilling certain 'purificatory' ceremonies and fines or merge with some other caste or as a last resort form a new caste. While travelling through transient 'casteless or outcaste existence', it is quite expected that atleast a small minority among them would even abhor to mention their religion as Hindu. The people are 'religiously' wedded to their castes while Hinduism receives all the drubbing. In such a fluid state, it is natural that such a person would state as belonging to no religion which is when he could be enumerated as an 'Animist'. Abbe Dubois [1] has aptly described such a state as worse than animals. While Máleru which is supposedly an outcaste community, has always abhorred the caste name given to it, the ire was against the Hindu religion and hence the same was expressed as not belonging to any religion which was 'Animism' for an ordinary enumerator (also see Sec.2.10).

It is also a fact that quite a few Maleru ('sic' Maaleru) persons were living a life that would satisfy an enumerator to enter 'Animist' as their religion. Thurston [1] has mentioned that Maleru too were confined to the wild regions of western Malnad. Several studies point out that majority of Maleru (ಮಾಲೇರು ಮಾಲೇರು 'sic' Maaleru) have been living in the forest and hills called Malnad (see Sec.2.17). **Also a person who claims his family deity as Panjrully could also be enumerated as an Animist [2].**

With regard to the term 'Animist', 1901 Census states that "there is no name for these beliefs in any Indian Vernacular and the enumeration of their adherents was effected by directing the Census officials to enter the name of the tribe in the column for religion in the case of those persons who did not describe themselves as Hindus, Musalmans, or Christians." Clearly, 'Animists' is a 'Title' handed down by the Imperial officers. Besides, Hinduism is a term with infinite width that covers different castes and 'tribes' too. The practices of different castes and 'tribes' are overlapping (see Sec.2.12).

2.6 The 1901 Census list has only one entry- Máleru (ಮಾಲೇರು ಮಾಲೇರು) under both Hindus and Animists. ಮಲೇರು (ಮಲೇರು) does not exist in any Census list.

In the Census of 1881, 1891 and 1911, the name of the community has been written as 'Maleru' (i.e. without diacritic á) in English and traditional occupation is shown as temple servants. Hence, this version has to be ಮಾಲೇರು (ಮಾಲೇರು) and it cannot be the so called primitive Maleru (ಮಲೇರು ಮಲೇರು) who are supposedly 'traditional occupation hunters'. In the 1891 list, Maleru (without diacritic 'á') has been shown as the main caste with Máleru (with diacritic 'á') as its sub-division. Also the 'hunting' Maleru (ಮಲೇರು ಮಲೇರು) does not exist in any Census list. In the 1901 Census, the entry Maleru (ಮಲೇರು ಮಲೇರು) itself does not exist but only Máleru (ಮಾಲೇರು) exists under both Hindus and Animists. The 1901 Census classified the communities based on whether they belonged to any mainstream caste or occupation and place of residence in addition to religion.

The 1881 Census lists 158 persons as total actual temple servants which means 1598 Maleru ('sic' Maaleru) persons were inhabiting forests and hills as labourers and cultivators assuming that population has not varied widely between 1881 and 1901. In the 1891 Census Maléru has also been shown as Forest & Hill tribes with Hindu as the religion. In fact, for all the Forest & Hill tribes, the religion has been mentioned as Hindu in the 1891 Census. This group has been repackaged as Animists in the 1901 Census. This also emphasizes the spuriousness of division as Animists and Hindus in the case of Mysore. Obviously, the 1756 (VRT) Hindu Maleru ('sic' Maaleru) comprised of an overwhelming portion of Forest & Hill Maleru ('sic' Maaleru). Thurston has written temple servant Maleru as Maléru.

The temple servants as traditional/hereditary occupation is essentially confined to this small section of Máleru ('sic' Maaleru). It is completely unrealistic to expect that the rest of the Máleru ('sic' Maaleru) in the forest and hill Malnad would pronounce their traditional/hereditary occupation as the same. More realistically, if the enumerator asks for the same, then the person would certainly pronounce his/her traditional/hereditary occupation as labour/cultivation (VRT) with residence obviously in forests and hills Malnad. Hence, the Forest & Hill Maléru of 1891 Census which was carried over to 1901 Census, was this group of Máleru ('sic' Maaleru).

The Maleru (ಮಾಲೇರು ಮಾಲೇರು Máleru 'sic' Maaleru) community is neither a sub-caste of any of the established main castes such as Brahmin, Lingayet, Vokkaliga, Holaya etc nor do they have occupations such as priest, pottery, weaving etc. Most of the persons of this community reside in the forests and hills called Malnad. The total population of this community was 1757 (VRT) in 1901 Census. A small section of this community could have been subsisting as temple servants in the temples of Sringeri etc. in a bygone era but the rest were eking out a miserable living in the forest and hill single house [hut] villages of Malnad (Malnad literally means region of hills in Kannada). Thus the Máleru (ಮಾಲೇರು ಮಾಲೇರು) are basically 'Forest and Hill residents'. In

addition, the 1901 Census adopted the diacritic to represent the long vowel wherever a given community's name required the same to convey the long vowel in the vernacular. Thus, in the case of Maleru community, the name was written as Máleru and ಮಾಲೇರು in English and Kannada, respectively in 1901 Census under both the heads viz. Hindu-Temple servants and Animists-Forest & Hill tribes. Illustration I clearly establishes this fact.

MYSORE CENSUS OF 1901.

Alphabetical Index of Castes, Tribes and Races Returned in the Province of Mysore.

Note—(1) The Castes and Sub-castes marked with an Asterisk in this Index are new Castes and Sub-castes returned for the first time in the Census of 1901.
(2) Main castes are printed in Antiqua Type, thus (Agasa).

Names of Religions, Castes, Tribes and Races. ಪುರಾಣ ಪುತ್ರ, ಅಪುರಾಣ ಪುತ್ರ ಜಾತಿಯ ಹೆಸರು.	Traditional or Hereditary Occupation.	† Classification.			Remarks.
		Class.	Order.	Sub-Order.	
HINDUS.					
39 Maleru— *1 Bandi ... ಬಂದಿ ... 2 Máleru ... ಮಾಲೇರು ... *3 Gaudi ... ಗೌಡಿ ...	Temple Servants.	I*	XX	63	447
ANIMISTS.					
99 Íraliga— 1 Hasalaru ... ಹಸಲರು ... *2 Illigaru ... ಇಲ್ಲಿಗರು ... 3 Íraliga ... ಇರಲಿಗ ... 4 Máleru ... ಮಾಲೇರು ... 5 Sóluga ... ಸೋಲಿಗ ...	Forest and Hill tribes.				
103 Kuruba— 1 A'no ... ಆನಿ ... 2 Bévina ... ಬೇವಿನಾ ... 3 Kádu ... ಕಾಡು ... 4 Kádu-pújári ... ಕಾಡುಪುಜಾರಿ ... 5 Kolji ... ಕೊಜಿ ...	Forest and Hill tribes.				

Illustration 1. The portions of 1901 Mysore Census list of 'tribes' relevant to scheduling of tribes in 1950. The Maleru (without diacritic á) and Kannada version ಮಾಲೇರು (ಮಾಲೇರು) does not exist even under the Animist-Forest & Hill tribes. Instead, Máleru (ಮಾಲೇರು ಮಾಲೇರು) exists under Animist-Forest & Hill Tribes and Hindu-Temple Servants, both. Obviously, these are just two entries for the same community as a consequence of Census enumeration and collation of data (see the next section for the description on Maleru from VRT's glossary).

2.7 Animist Máleru (ಮಾಲೇರು) and Hindu Máleru (ಮಾಲೇರು) are the same community.

The Animist-Forest & Hill tribe Máleru (ಮಾಲೇರು) and Hindu temple servant Máleru (ಮಾಲೇರು) in 1901 Census list are one and the same community. This conclusion is based on the hard fact. The clinching evidence is available in the glossary of castes written by V. R. Thyagaraja Aiyar [4]. VRT has indicated that the Maleru are comprising of both Hindus and Animists with traditional occupation as temple servants for both. The fact is that VRT has arrived at this conclusion based on the 1901 Census. This is clear from the Illustration 2.

Hence, the 1901 Mysore Census Animist Máleru (ಮಾಲೇರು) were also really the 'misnomer' traditional occupation Temple Servants while being enumerated as animists too (see Section 2.11). With one or more enumeration of Máleru (ಮಾಲೇರು) as animists, the census collators must have sensed an apparent dilemma in showing them under Animists list with other communities because they were 'advised' by higher authorities to show traditional occupation as Forest & Hill tribes for other communities. Therefore, they avoided tinkering with that issue and simply entered Máleru (ಮಾಲೇರು) under the 'misnomer' Íraliga group under Animists because Hasalaru and Soliga too are not 'sub-tribes' of Íraliga (Sec.2.8). Ofcourse, the reality is that the 'misnomer' Temple Servant Máleru (ಮಾಲೇರು) were also real 'Forest & Hill community' as is clear from the statement that 'the chief occupation is returned as cultivation and labour'. Labour and cultivation is carried out in Forests & hills Malnad where the distinction as towns, villages and hills is spurious.

While the above interpretation explains VRT's single person entry as animist, the fact is that the 1891 Census Forest & Hill tribes have been re-packaged as 1901 Census Animist-Forest & Hill tribes. Obviously, in the 1891 Census too, enumerators must have used their own judgement and entered traditional/hereditary occupation for a large number of Maleru ('sic' Maaleru) as Forest & Hill tribes due to the fact of their residence in Forests & Hills and also because they were not the sub-caste of any main caste nor did they have any standard occupation nor a lifestyle anything comparable to civilized life which needs to be appreciated by the present day authorities by studying the past predicament of Maleru ('sic' Maaleru).

'Maleru (Hindus-1756, Animists-1). – These are found mostly in the Malnad districts of Kadur and Shimoga. The chief occupations are returned as cultivation and labour. The traditional occupation is that of temple servants. In some temples of Malnad there exists a set of females who though not belonging to the Natuva class are yet temple servants like them and these are known by the name of Maleru. Any woman who eats the sacrificial rice strewn on the Balipitam, at once loses caste and becomes a member of this caste. The children of Malerus by Brahmans are termed Golakas(C.R., 1901; C.T.S.I).'

Illustration 2.V.R.Thyagaraja Aiyar's Glossary. Maleru (Máleru ಮಾಲೇರು ಮಾಲೇರು) has been shown as comprising of both Animists and Hindus. The traditional occupation is common for both viz. Temple Servants. VRT has not used diacritic for any community.

C.R.1901 and C.T.S.I., stands for 'Mysore Census Report of 1901' and the book 'Castes and Tribes of Southern India' by Edgar Thurston, respectively.

In other words, the Hindu temple servant Maleru (ಮಾಲೇರು ಮಾಲೇರು Máleru 'sic' Maaleru) and Animist-Forest & Hill tribe Maleru (ಮಾಲೇರು ಮಾಲೇರು Máleru 'sic' Maaleru) are just two entries for one and the same community artificially shown as two groups as a consequence of Census enumeration and collation of data. It is irrelevant that the population of Animist Máleru (ಮಾಲೇರು) has been shown as just one person (VRT). The point is that it is sufficient for the Census staff collating the data to enter the name Máleru (ಮಾಲೇರು) under the 'Animist-Forest and Hill tribe'. Ofcourse, an overwhelming majority of Máleru (ಮಾಲೇರು) were pursuing labour, cultivation and collection of forest produce in the 'Forests and Hills called Malnad', Máleru were not the sub-caste of any main caste, they did not belong to any standard occupation group and hence the natural consequence is that the place of residence as 'Forest and Hills' provided sufficient justification for the Census staff to enter the name Máleru (ಮಾಲೇರು) under the 'Animists-Forests & Hill tribe'. Hence, the entry of this name under the 'Animist-Forest and Hill tribe' is no trivial matter because of just one entry but substantiated by the huge number of 'Forest and Hill residence' entries. We must commend and empathize with the Census enumeration and collation staff for complying with the classification handed down by the 'higher authorities' while justifying the same with substance. While the entry as 'Animists' of even a single enumeration provided the direct 'raison d'être' for this entry in the 1901 Census list of 'Animist-Forest & Hill tribe', an overwhelming number of enumerations with residence as 'Forests & Hills' compelled the collators to comfortably include Máleru (ಮಾಲೇರು 'sic' Maaleru) in the 'Animist-Forests & Hill tribe'.

Further, no sensible conclusion would be possible that 1756 Máleru persons were subsisting as temple servants in the year 1901 when the total population of Sringeri town was 2430. Also such a conclusion is against the **Natural Law Of Probability** not only because temples in Malnad could not have supported such a huge number especially in those days but also because over 90 % of Máleru (ಮಾಲೇರು) are still subsisting in the Forests and Hills even to this day and not in the temples or towns or the so called villages. Obviously, in the century that has passed by, there has been a one way movement of people from forests and villages to towns. Hence, this number obviously included an overwhelming portion of 'Hindu-temple servant Máleru (ಮಾಲೇರು)' pursuing 'labour and cultivation' in the forest and hill called Malnad who were naturally enumerated as 'Forest & Hill residents'. The Maleru (ಮಾಲೇರು ಮಾಲೇರು Máleru 'sic' Maaleru) are predominantly inhabiting the jungle Taluks of Mudigere, Sringeri, Koppa, N.R.Pura, Thirthahalli, Sagara and Hosanagara.

It may be noted that 'Any woman who eats the sacrificial rice strewn on the Balipitam, at once loses caste and becomes a member of Máleru caste (VRT).' In otherwords, it is not that Brahman woman alone loses caste and become Máleru. We must also note that even Konkani women used to swell the ranks of Máleru. Excommunication has been in vogue in all communities. Abbe Dubois [1] has clearly stated that the 'excommunicated group' had to contend being relegated to the lowest or doubtful caste which was worse than existence as animals. Hence, it is factually incorrect to castigate Máleru (ಮಾಲೇರು) as Maaleru Brahmin.

2.8 The process of drawing the schedule of tribes in 1950.

Thus, the names of so called 'tribes' relevant to scheduling of tribes with complete diacritic details and their Kannada versions as given in the 1901 Mysore Census are (see Illustration 1):

1. Íraliga- (i)Hasalaru (ಹಸಲರು), (ii) Illigaru (ಇಲ್ಲಿಗರು), (iii) Íraliga (ಈರಲಿಗ), (iv)Máleru (ಮಾಲೇರು), (v) Sóluga (ಸೋಲಿಗ).
2. Kuruba- (i)Áne (ಆನೆ), (ii)Bévina (ಬೇವಿನ), (iii)Kádu (ಕಾಡು), (iv)Kádupújári (ಕಾಡುಪೂಜಾರಿ), (v)Kolli (ಕೊಳ್ಳಿ).

In the 1901 Mysore Census the following so called Main tribes have been listed under the ‘Animists’ with the respective number of so called ‘sub-tribes’:

Main Tribe	Íraliga	Koracha	Korama	Korava	Kuruba	Lambani	Uriya
Sub Tribes	5	11	18	3	5	40	1

Illustration 3. So called main tribes and numbers of their so called sub tribes.

In the case of Koracha, Korama Korava and Lambani in the Animists, VRT has given distinct descriptions about the ‘main’ tribes alone (Koracha Korama and Lambani) and not about their ‘sub-tribes’. Hence, these ‘main’ tribe names alone (Koracha, Korama and Lambani) have been mentioned in Scheduled Castes. **In contrast, in the case of the so called Íraliga ‘Main tribe’, VRT has given distinct descriptions about Hasalaru, Maleru (ಮಾಲೇರು) and Soligaru.** Hence, in this case, the so called individual ‘tribes’ are mentioned in the 1950 ST list. This proves the fact that, the then authorities have consulted VRT’s glossary and clearly realized that Hasalaru, Maleru and Soligaru are not really sub-tribes of Íraliga. Hence, these three so called sub-tribe names have been mentioned in the ST list distinctly. In contrast, they have clearly subsumed Illigaru and Íraliga in Iruliga because a single description under Iruliga has been given by VRT (see Sec.2.13).

The case of Animist Kuruba is a further substantiation of this method. V.R.Thyagaraja Aiyar (Glossary of 1911 Census, page 178) writes that ‘The Kadukurubas of Mysore are divided into Betta or Hill Kurubas (with sub-divisions Ane, Bevina and Kolli) and Jenu or Honey Kurubas.’ Hence, it is clear that the Ane, Bevina, Kolli, Kádu and Kádupújári are subsumed under the common name Kadu-Kuruba in the ST list. Hence, we can understand the method of deciding the names of the 1950 ST list as follows:

(1) Hasalaru, (2) Iruliga (This represents both Illigaru and Íraliga, VRT has given a single description under Iruliga), (3) Jenu Kuruba (From VRT’s glossary alone. Not mentioned in the 1901 Census list.), (4) Kadu-Kuruba (This represents Áne, Bévina, Kolli, Kádu & Kádupújári), (5) Maleru (This is really Máleru (ಮಾಲೇರು ಮಾಲೇರು) or sic Maaleru, VRT has written it as Maleru. Neither VRT nor Thurston have described another so called primitive Maleru (ಮಲೇರು ಮಲೇರು) nor it is not mentioned in the Census) and (6) Soligaru (VRT has written it as Soliga as well as Soligaru). Thurston has also described only one Maléru viz.temple servants.

We have presented below the result of these aspects in a tabular format for easy comprehension. **This is the process of scheduling of tribes of Mysore in the year 1950 which proves that ಮಾಲೇರು (ಮಾಲೇರು Máleru ‘sic’ Maaleru) was only included in ST list in 1950 and not the fictitious primitive ಮಲೇರು (ಮಲೇರು).**

Mysore Census of 1901		Name in the ST list in the year 1950 [Constitution (Scheduled Tribe) Order, 1950]
The so called group name.	Name of the so called Tribe.	
Íraliga *	Hasalaru (ಹಸಲರು)	Hasalaru
	Illigaru (ಇಲ್ಲಿಗರು), Íraliga (ಈರಲಿಗ)	Iruliga
	Máleru (ಮಾಲೇರು)	Maleru [ಮಾಲೇರು ****]
	Sóluga (ಸೋಲಿಗ)	Soligaru
Kuruba***	Jenu Kuruba **	Jenu Kuruba
	Áne (ಆನೆ), Bévina(ಬೇವಿನ), Kolli (ಕೊಳ್ಳಿ),Kádu(ಕಾಡು), Kádupújári(ಕಾಡುಪೂಜಾರಿ)	Kadu-Kuruba

Illustration 4. Scheduling of tribes of Mysore state in 1950.

The 4 names under Íraliga * are not its sub-tribes but a clerical assortment of diverse communities. Jenu Kuruba from VRT’s glossary alone**. So called Animist Kuruba***. Gazette notified Hindi translation****.

Thus, by combining the 1901 Census list and VRT's glossary, the authorities evolved 6 names for the 1950 ST list from out of the 10 names from the so called 2 main tribes. Thus, ಮಾಲೇರು flowed to the ST list.

The NCST have strained every bit of their nerve to argue that “it is against natural law of probability to suggest that temple servant Maleru would have been included in the ST list [2]”. However, the very process of drawing the ST list in 1950 unambiguously establishes the fact that the then authorities have clearly consulted VRT's glossary which describes only one Maleru viz. so called traditional occupation temple servants. Thurston too describes only one Maleru (temple servants). Since VRT has mentioned both Animists and Hindus and provided a common description with temple servants as the traditional occupation for both, the obvious conclusion is that the then authorities have knowingly allowed the inclusion of temple servant ‘Maleru (‘sic’ Maaleru ಮಾಲೇರು ಮಾಲೇರು)’ in the ST list. This is appropriate because distinction as animists and Hindus is spurious atleast in the case of Mysore state (vide Sec.2.5). Although the occupation as Forest & Hill tribe helped Maleru (Máleru ಮಾಲೇರು ಮಾಲೇರು) flow into ST list, it is essentially a flower bracket phenomena and a misnomer too because Forest & Hill tribe is not an occupation for any community. Proper traditional/hereditary occupation should have been provided to each community. But the absence of the same in the case of many communities and also the compulsion to show some names under ‘Animists’ resulted in blindly assigning the ‘Forests & Hill Tribe’ as a misnomer traditional/hereditary occupation.

Further, the ethnographic note that has been sent to Maleru association by the Central Govt. in 1984 is exactly the same as VRT's description of Maleru (Hindus & Animists). This is an indication that VRT's description of Maleru has been part of the 1950 ST file. This is a direct corroboration of the fact that the description of Maleru (ST) is that of the temple servants which is further corroborated by the fact that Maleru (ST) has been translated and notified in the Central Govt. Gazette as ಮಾಲೇರು (ಮಾಲೇರು ‘sic’ Maaleru).

We do not have the benefit of knowing whether a benign officer in the then Mysore Govt. knowingly but meaningfully retained Maleru (Máleru ಮಾಲೇರು ಮಾಲೇರು ‘sic’ Maaleru) in the ST list. We also do not know whether this is indicated in the sentence ‘It is not worthwhile pursuing Orissa and Mysore, and lists as they now stand may be approved [3]’. These aspects will be resolved if Govt puts in public domain the 1950 file.

Further corroborative support is available in the fact that in the Mysore Census of 1901, Beda community is mentioned with traditional/hereditary occupation as hunters and fowlers. If ‘hunting’ was to be considered by the then authorities as the primary qualification for inclusion in ST, they would have included Beda community in the 1950 ST list and most probably avoided including the Animist-Forest & Hill tribes. However, the authorities needed some names under the title ‘Tribes’. Hence, the names under the ‘Animist-Forest & Hill tribes’ came in handy for the same. This proves the fact that the 6 names have been picked up from the 1901 Census list of Animist-Forest & Hill tribes and VRT's glossary. This also proves the fact that, ‘hunting’ is a later day ‘discovery’ and not the criteria adopted in 1950 for scheduling of tribes.

While Gautam Basu and Sahitya Academy have taken recourse to the existence of the name Máleru in the Census document at Sl.99, albeit concealing the diacritic ‘á’ (Máleru) and Kannada version as ಮಾಲೇರು (ಮಾಲೇರು), Member-NCST has laid down new ground rules that SC/ST communities can be ‘discovered’ post-inclusion and even without their name existing in Census document. In other words, it amounts to concluding that authorities have included a community in ST list whose existence was not even known to the authorities. Hon’ble Supreme Court has done a monumental job in not approving such a post-mortem.

2.9 Onus on the Govt.

The process described so far uncovers the method of scheduling of tribes of Mysore state in 1950 which proves that ಮಾಲೇರು (ಮಾಲೇರು Máleru ‘sic’ Maaleru) was alone declared as ST and not the so called ಮಲೇರು (ಮಲೇರು). Hence the Govt needs to put in public domain, the original file of 1950 in this regard containing the source documents from which the list of 6 names has been drawn. This also applies to the source document used to arrive at the Gazette notified Hindi transliteration of Maleru as ಮಾಲೇರು (ಮಾಲೇರು) in 1974. This will put to rest the entire controversy because the source document (1901 Census list plus VRT's glossary) has Máleru (ಮಾಲೇರು ಮಾಲೇರು) alone and not the other so called imaginary ಮಲೇರು (ಮಲೇರು). Authorities must realize that the replies such as “Gazette notified Hindi translation of SC/ST names has been done using common sense” robs the very ‘authority’ of the GOVT. because it thoroughly de-sanctifies the whole exercise carried out using precious public money in terms of salary and perks to relevant authorities.

The various authorities (SWS-GOK, NCST, RGI, ASI, Ministry of tribal affairs-GOI etc.) have not made public the source document from which 6 names have been chosen to draw the ST list in 1950. In page 15 of the NCST report it has been written that despite best efforts, the Commission could not obtain Hindi version of the Gazette Notification of the 1950 presidential Order. But the Ministry of Tribal Affairs, Govt of India, has given to petitioners, the 1974 Gazette notification of Hindi translation. Therefore, the original file sent by the

state Govt. in 1950 recommending 6 names to be declared as STs must be available with the authorities but they might be preventing its publicization because it proves that Máleru (ಮಾಲೇರು (ಮಾಲೇರು 'sic' Maaleru) was part of the 6 names recommended for inclusion in ST list and not the so called ಮಲೇರು (ಮಲೇರು).

2.10 Census enumeration and collation of data: Unexpected consequence of forced classifications.

In the 1901 Census, almost all castes have been shown as the sub-caste of one or the other Main caste.

The names of some of the Main castes and the numbers of their sub-castes are:

Main Caste	Agasa	Beda	Brahmin	Holaya	Madiga	Vakkaliga
Sub-castes	28	47	101	79	48	181

Illustration 5. A few main castes and their sub-castes in 1901 Mysore Census.

What is conspicuous is that in the 1901 Census, Maleru (ಮಾಲೇರು ಮಾಲೇರು Máleru 'sic' Maaleru) has not been mentioned as a sub-caste of any of the main castes leave alone as a sub-caste in the 101 sub-castes of Brahmins.

The Census enumeration process presents peculiar difficulties to the staff. The following is an important point noted in the 'Census of India, 1921 VOL-23 Mysore Part-1.' "In the cases in which the persons enumerated lived in the jungles and lived a more or less wild life, the enumerator is likely to have entered the persons as Animists. In those cases in which persons of 'these tribes lived in villages and led the life that their neighbours led, the question should have presented some difficulty to the enumerator. No small numbers of Lambanis in Kadur District live in villages, own land, and can hardly be distinguished from their neighbours. If the enumerator chose to enter such persons as Hindus' there was nothing to prevent him. If, on the other hand, having been told that Lambanis might be put either under Hindu or Animist according to their return he wished to be accurate he should have often depended on his own resources and the entry should have varied with the enumerator's whim. Cases cannot have been rare of two groups, in all respects the same but living in different blocks or circles and therefore enumerated by different men, being shown one as Hindu and the other as Animist" [6]. Obviously, depending upon the whim, some enumerators must have enumerated several forest and hill Máleru ('sic' Maaleru) as Forest & Hill tribes in 1891 and as Animist-Forest & Hill tribes in 1901.

Further difficulty arises when the staff collates the Census data probably in the Census office at Bengaluru/Mysuru. We can visualize the following scenario as a natural course of events. The staff first looks at whether the person enumerated belongs to any of the established caste such as Brahman, Vakkaliga, Holeya, Madiga etc. If the person's caste has not been indicated as any of the established main caste, the staff will further look at the occupation. Thus the categories such as Priests, Temple servants, Weavers, Smiths, Potters, Leather workers etc. appear. Hence, in those cases where the person has not indicated his caste as any of the main caste, the occupation has not been indicated as any standard occupation and the place of residence is shown as 'forest and hill' which is what most of the Malnad is, the consequence is that such communities are placed in the category of 'forest & hill tribe'.

The 'temple servants' tag got affixed to Maleru (Máleru ಮಾಲೇರು ಮಾಲೇರು 'sic' Maaleru) probably due to a small section of this community who would have been subsisting in temples long ago temporarily but majority Maleru (Máleru ಮಾಲೇರು ಮಾಲೇರು 'sic' Maaleru) were living in the 'forest and hill' Malnad which has been used as substantive data to enter this community in the Animist-Forest & Hill tribes in the 1901 Census. This is also the story of categorization of Hasalaru of Malnad as 'forest and hill tribe'. Hasalaru and Maleru (Máleru ಮಾಲೇರು ಮಾಲೇರು 'sic' Maaleru) are living in the same area within Malnad. If Hasalaru were a sub-caste of any other community, say, Holeya, then they would have been included in the SC list (and not in the ST list) either subsumed in the name Holeya or distinctly as Hasalaru. The fact is that Hasalaru is not a sub-caste of any such Main caste and does not have any standard occupation but living in Malnad and hence they are termed as a 'Forest and Hill tribe' which got subsumed under 'Animists'.

A section of 'authorities' who are responsible for the controversy, which has been repeated by the NCST, argue that the so called temple servant Maleru are a sect of degraded Brahmins and hence they are not scheduled tribes. But the fact is that the so called temple servant Máleru and the Animist Máleru are just two entries for the same community and there exist no evidence whatsoever to even remotely suggest leave alone to prove that they were distinct communities. On the other hand incontrovertible evidence exists in the form of VRT's glossary and the 1901 Census to prove that they are just two entries for the same community. Actually it was an artifact of Census enumeration and collation of data. Besides, the authorities are ascribing false characteristics such as 'hunting' to the so called 'Animist-Forest & Hill tribe' Maleru ಮಾಲೇರು (ಮಾಲೇರು) but a

community by name Maleru with hunting as occupation is not indicated in the Census document. Avoiding the diacritic 'á' in Máleru and Kannada version ಮಾಲೇರು (ಮಾಲೇರು) are clear attempts to disprove the facts and obfuscate the truth. This also clearly demonstrates that authorities themselves believe that the so called Animist-Forest & Hill tribe Máleru ಮಾಲೇರು (ಮಾಲೇರು) and the misnomer temple servant Máleru ಮಾಲೇರು (ಮಾಲೇರು) are one and the same community. Hence the reason is clear that Member-NCST has avoided mentioning the Census list.

Ethnographic note on Maleru community also reiterates the aspect that the so called traditional occupation temple servant Maleru were really engaged in labour and agriculture [1]. By no stretch of imagination can one suggest that the population of 1756 persons were surviving as temple servants. An overwhelming component of this number were labourers and cultivators in the 'Forests & Hills'. Obviously labour and cultivation is an activity carried out in the 'Forests and hills' Malnad and not in the temples. This completely thrashes the theory that Maleru ('sic' Maaleru) are 'village and town' dwelling forward community. In Malnad, most villages are isolated single house/hut 'villages' etched within the deep forests unlike the villages of the plains where a village consists of a large number of houses as a cluster which is a proto-town and clearly separated from the fields. A Malnad village is seldom a proto-town. Besides, Forests, 'villages', towns and temples run concurrently in Malnad.

The fact is that even in 2015 one can find quite a few Maleru ('sic' Maaleru) families in the far flung isolated houses amidst the jungle living a life virtually that of Animists. This being the case, it is nothing but blind affixing as 'Temple servants' to 1756 persons. Not even a tenth of that population could have been living a life justifying the false designation as 'Temple servants' in 1901. Hence, it was clearly an 'office job'. Thus, the population figure of Animist Máleru as one person has to be taken as the representative figure and not necessarily exhaustive. It is very much likely that at least a few hundreds of Máleru (ಮಾಲೇರು ಮಾಲೇರು) persons must have been enumerated as Animists but missed out in the collation of data.

H.H.Risley (Census of India, 1901, Vol.IA, India, Census Commissioner in 1901) [He introduced the term 'Animists'] mentions the population of Hindu Maleru as 1501 persons. So there is a difference of 256 persons. Whether this translates to 256 persons being enumerated as Animists? The Govt must contradict this possibility by providing all the enumeration sheets of Máleru (ಮಾಲೇರು ಮಾಲೇರು) for 1901 Census.

2.11 Traditional or Hereditary occupation: misleading fixation.

The 1901 Census list of castes and tribes has a column by name 'Traditional or Hereditary occupation'. Unfortunately, the authorities read excessive meaning to the same and arrive at wrong conclusions. Máleru (ಮಾಲೇರು ಮಾಲೇರು) community has been listed under two occupations that seemingly represent two ends of the caste spectrum. However, as explained in the Sections 2.3-2.7, it is a case of religion, main caste-sub caste, occupation, place of residence confusion. The present authorities immediately jump to the interpretation that all the communities indicated as having the occupation as 'Forest & Hill tribe' are by default, 'hunters' completely oblivious to the fact that even agricultural castes were denoted as 'Animists-Forest & Hill tribes'. In this sense, the Census authorities in 1901 should have introduced another column as 'Current occupation'. That would have shown the correct occupation of Máleru (ಮಾಲೇರು ಮಾಲೇರು) as cultivation and labour as indicated in VRT's glossary. The 'Temple servants' as traditional occupation is a grim reminder of abject humiliation suffered by this community and not an indicator of their supposed high social status. The authorities would do well in understanding the real import of this humiliating tag.

It is inappropriate to indicate 'Forest & Hill tribe' as an occupation because it denotes the place of residence. Also, there is no rule that all forest dwellers are hunters. Like in Malnad several communities reside in Forests but subsist with labour/agriculture. Hunting can be said to be the traditional/hereditary occupation of all the people of the world because before a millennia all the people were supposed to be leading such a life. Hence the emphasis that the so called primitive Maleru are people whose occupation was hunting is not only false because in no Census before 1950 Maleru is mentioned under any 'hunting' category but also because hunting need not have to be the occupation of all the forest dwellers.

The 'Traditional or Hereditary occupation' is something that has been affixed to a given community in a very blind manner. VRT writes in his glossary about the Brahmins that 'The traditional occupation of priest is followed by a very small minority of actual workers. Income from rent of land, public administration and the learned professions are the chief occupation that support the majority'.

But in the 1901 Census list, the traditional occupation has been mentioned as 'Priests' for most of Brahmin sub-castes. This indicates a rather blind 'affixing' employed by enumerators/collators due to the compulsion of the higher authorities for such classifications. On hindsight one may conclude that it is a redundant column considering its potential to cause havoc.

Similarly, Máleru ('sic' Maaleru ಮಾಲೇರು ಮಾಲೇರು) who have been enumerated as 'Hindus' have been assigned the traditional or hereditary occupation as 'temple servants' rather blindly even if they were pursuing

labour and cultivation since time immemorial whereas those Maleru ('sic' Maaleru) enumerated as 'Animists' were grouped in the 'Forests & Hills' traditional occupation class since 'Forest & Hill tribe' is mechanically shown as the traditional/hereditary occupation of Animists. This is the direct consequence of Maleru ('sic' Maaleru) not being a sub-caste of any main caste or following any standard occupation and residing in the forest called Malnad. Also Animists need not have to be Forest & Hill tribes. The fact that the eating of sacrificial rice on the balipitam in the temple has been provided in the descriptions by VRT and Thurston is sufficient indication that the authorities have decided beforehand that the temple servants is the traditional/hereditary occupation to all the Máleru (ಮಾಲೇರು ಮಾಲೇರು) who have been enumerated as Hindus. However, it is completely false that all the Máleru (ಮಾಲೇರು ಮಾಲೇರು) have become Máleru (ಮಾಲೇರು ಮಾಲೇರು) by this route. Not even a tenth of the total Máleru (ಮಾಲೇರು ಮಾಲೇರು) population would have taken that route. Excommunication had varied hues [1] and occurred in the entire forest and hill Malnad more extensively whereas the incidence connecting the temples have been blown out of proportion even if they were acutely small in numbers. In other words, 'temple servants' was a pre-filled traditional/hereditary occupation and does not appear to be a recording of actual enquiry.

Hence, it is abundantly clear from V.R.Thyagaraja Aiyar's glossary that the real traditional/hereditary occupation was 'labour and cultivation' for both the Animist Máleru and the Hindu Máleru. The 'Temple Servants' is an irrational suffix as though all the Máleru have been 'temple servants', whatever it might imply. Similarly, the 1901 Census 'Forest and Hill tribe' was a mechanical fixation that went as a common suffix within flower brackets. **As described in Sec.2.5, the traditional/hereditary occupation should have been mentioned appropriately for each community under the Animists.**

Hence, to completely lay to rest all sorts of wrong interpretations by some authorities, the Govt. must put in public domain the 1901 Mysore Census enumeration sheets for all the 1757 persons that will undoubtedly reveal the fact that an overwhelming majority were living in forests as 'tribes' who would have visited Sringeri temple once in a lifetime or never.

In 1901 Mysore Census, Miscellaneous and disreputable livers, Asiatic races of reputed foreign origin, Mixed Asiatic races and Christian converts too have been shown as traditional/hereditary occupation. Obviously, these are apologetic affixations for want of specific occupation for these communities, whether traditional or current.

2.12 Astrology/Ayurveda can be traditional/hereditary occupation.

The news item in Vijayavani (Kannada Daily) dated 15 April, 2015 exhorts the members of Kaniyan (ST) community to enter their traditional/hereditary occupation as Astrology or Ayurveda for the caste Census. Therefore, it is a bogus emphasis that STs have to be hunters. Hence the Govt. must publish the traditional occupation of all the 50 communities in the Karnataka ST list because the authorities falsely tout hunting as the fundamental occupation of ST communities. Edgar Thurston (Castes and Tribes of Southern India, Vol.III, P.196) writes that Kaniyans undergo Upanayana (thread wearing) ceremony.

2.13 The logical sequence: Maleru and Maaleru are the same.

Maleru has been transliterated to Hindi as **मालेरु** and notified in the Central Govt Gazette. The **मालेरु** has been written in 1901 Census as **ಮಾಲೇರು** in Kannada, and the same has been transliterated as 'sic' Maaleru by the State Govt. and the NCST. **Hence, the correct conclusion is that Maleru and Maaleru are the same.** The English language is no exception in terms of its inadequacy to correctly transliterate a word from another language. But nobody has written the caste name राजपूत as Raajpuut. It's always written as Rajput. This is a perfect instance that should spur the issuance of Presidential Notification of SC/ST names in vernacular alone and the English notification should be completely withdrawn. In fact, if the complete adhocism in drawing up the ST list is taken into account, the proper course is to dissolve the ST list altogether and merge in SC list.

2.14 Maleru is neither a sub-tribe of Íraliga nor that of Malaikudi.

V.R.Thyagaraja Aiyar's glossary too does not support the view that Maleru and Hasalaru are sub-tribes of Íraliga. A book titled 'Iruligaru' has been written by Dr.M.Byre Gowda [7] as part of his PhD thesis. The following aspects are based on his book. He describes Iruligaru community which is variously written as Íraliga, Illigaru, Iruligaru etc. The Íraliga community is found in the region of Bangalore and Mysore but not in Malnad. They do not eat beef. What is conspicuous is that in his book, he nowhere mentions the name Hasalaru and Maleru. His work being a PhD thesis, he has adhered to the truth. Thus the Maleru are not a sub-tribe of Íraliga.

The truth is that Hasalaru and Maleru are confined to the Malnad region. Therefore, it is clear that the five names mentioned under the Íraliga group are not 'some sub castes' of Íraliga as implied by the authorities but only a grouping done for want of better definition for Hasalaru and Maleru as they could not be included in

any other group such Agasa, Brahman, Vokkaliga, Koracha, Korama, Lambani etc in the 1901 Census. Except under Sl.No.65-[Unspecified or Unclassed] where each caste has been shown as an individual entry, everywhere else, the castes have been grouped as a sub-caste of one or the other Main Caste. Thus, Máleru has been shown as a sub-caste of Máleru Main Caste at Sl.No.39 and again as a sub-caste of the misnomer Íraliga group at Sl.No.99, since Máleru (ಮಾಲೇರು ಮಾಲೇರು) has also been enumerated as Animists. This reason and also the 'temple servants' tag for the misnomer Hindu Máleru (ಮಾಲೇರು ಮಾಲೇರು) prevented its inclusion in unspecified class. In the case of Hasalaru also the compulsion of having to show them as a sub-caste has resulted in being shown under Íraliga. Hence, the 5 tribes mentioned under the title Íraliga are not sub-tribes of Íraliga but a clerical assortment of diverse communities under an available head after allocating different other communities under relevant heads such as Koracha, Korama etc.

If Malekudiya are also known as Maleru, then the conclusion is that Malekudiya are a sub-tribe of Íraliga. This is because a section of authorities have made an inference that the so called primitive Maleru is a sub-tribe of Íraliga. Kudiya/Malekudiya/Malekudi/Malaikudi have not even been mentioned in the 1901 Mysore Census. Obvious reason is that they were not living within the geographical limits of the then Mysore state. In spite of Thurston writing in detail about Kudiya/Malekudiya community (in the coastal districts), he has not written that Malekudiya are a sub-tribe of Íraliga. Even the 1901 Census list does not indicate Malekudiya as a sub-tribe of Íraliga. Hence, Maleru cannot be a sub-tribe of Íraliga group. In other words, Íraliga is not a group at all with any sub-tribes but a distinct community with only name variations as Íraliga, Illigaru and Iruliga.

The summary is that, one section of the authorities (Member-NCST) implies that Maleru are a 'sub-tribe' of Malaikudi and the other section (Gautam Basu) expresses an opinion that Maleru are a sub-tribe of Íraliga. The fact is that both have interpreted wrongly even when the evidence pointed out that Maleru is none other than 'sic' Maaleru. Hence, the authorities are again contradicting themselves.

Some 'researchers' have described so called primitive Maleru as if they are another version of Malaikudi tribe [1]. Actually, such pedestrian 'research' exists in abundance. One such 'paper' casually writes that Gowdalu (Goudlu) community (ST) is known as Malekudiyas [8]. This is a new 'invention'. At this rate we may end up with some 'super pedestrian research' that will suggest that all the names in the Karnataka ST list are different names of a single tribe. Lokur committee has shown Gowdalu as having no synonym or sub-tribe. Specifically, Lokur committee has not shown Gowdalu as a synonym or sub-tribe of Malaikudi.

Unfortunately, 'authorities' lend wrong credence for such bogus literature that results in wrongly fixing the issue in favour of a never-existed imaginary primitive Maleru. In this context, we may note that even the Lokur committee report cited at Section (3.3) proves that Maleru is neither a sub-tribe of Íraliga nor that of Malaikudi. Even the RGI has declared that 'identity of tribal Maleru with Iruliga has not been substantiated'.

The fact is that Íraliga and Malaikudi are not only distinct communities but also they inhabit distinct geographical regions. Íraliga are found in the Bangalore and Mysore region whereas Malaikudi are predominantly in South Canara, Coorg and lately (after 1960s) a splinter group in Malnad.

An interesting fact is also that Gaudalu (ಗೌಡಲು) has been shown as a sub-caste of Vakkaliga in the 1901 Mysore Census, but later Gowdalu has been included in ST list. **So authorities have no qualms about a 'Vakkaliga' sub-caste being declared as a scheduled tribe.**

2.15 Several SC/ST communities comprised of both Hindus and Animists.

We note that several SC/ST communities such as Iruliga(ST), Koracha & Korama(SC), Kudiya(ST), Lambani(SC), Malasar(ST), Maleru (ಮಾಲೇರು ಮಾಲೇರು Máleru 'sic' Maaleru)(ST), Soligaru(ST), Toda(ST) etc. are comprising of both Hindus and Animists. It is easy to understand that in the case of other communities, a sizable population of each community has been enumerated as Animists and the rest as Hindus. Hence, the collation staff mentioned those communities under Animists list alone. But in the case of Máleru (ಮಾಲೇರು ಮಾಲೇರು), an insignificantly small number being enumerated as Animists and rest as Hindus resulted in showing them under two heads viz. Animists and Hindus.

With Panjrully (Section 2.5) as family deity and most people inhabiting the hard reaches of Malnad, Maleru ('sic' Maaleru) abundantly qualify to be classified as Animists. Hence, the statement that "Animist Maleru alone is scheduled tribe" is an armchair conclusion that creates an artificial distinction which is nothing but a post-mortem. **Just as other communities enumerated as Animists have been included in the SC or ST list, Maleru (ಮಾಲೇರು ಮಾಲೇರು Máleru 'sic' Maaleru) also got included in the ST list by virtue of this community being enumerated and collated as Animists as well as Forest & Hill tribes.**

2.16 No separate survey in 1950 but tribe names sourced from Census list.

As elaborated earlier, the government in the year 1950 has not carried out any study of different communities before scheduling them as tribes. Instead they sourced the names of communities from 1901

census list alongwith VRT's glossary and evolved the ST list. Obviously, the name Maleru ('sic' Maaleru ಮಾಲೇರು ಮಾಲೇರು) got into the ST list as a consequence of such en-masse transfer of names into the ST list. Since, communities such as Hasalaru and Maleru are not the sub-castes of any main caste such as Brahmin, Vokkaliga, Holeya etc, and they did not belong to occupations such as priests, weavers, potters etc., their living habitat was Malnad (forest and hills), they were shown as 'Forest and Hill tribes' or 'temple servants', depending upon whether they were enumerated as Animists or Hindus.

Thus the temple servant/Hindu Máleru (ಮಾಲೇರು ಮಾಲೇರು 'sic' Maaleru) and the Animist Máleru (ಮಾಲೇರು ಮಾಲೇರು 'sic' Maaleru) being the same community, a suggested distinction by Gautam Basu [2] between the two groups and the conclusion that temple servant Maleru are not ST is a patently spurious conclusion which results in contradicting valid documents including the ethnographic note which is a Govt document. Further, the presidential order has not made such a distinction. Besides, the present day Maleru (ಮಾಲೇರು ಮಾಲೇರು 'sic' Maaleru) are mostly the descendants of Forest & Hill Máleru (ಮಾಲೇರು ಮಾಲೇರು 'sic' Maaleru) since most of the Maleru are still living in remote forest and hill single house villages of Malnad still pursuing labour, cultivation and collection of forest produce. Besides, in the absence of a contradictory description such as hunting for the forest and hill Máleru (ಮಾಲೇರು ಮಾಲೇರು 'sic' Maaleru) from the 1901 Census than that of temple servant Máleru (ಮಾಲೇರು ಮಾಲೇರು 'sic' Maaleru), it becomes prejudicial to conclude to the contrary. It is necessary to dispel the wrong notion that all ST communities are Animists or Forest & Hill tribes. Besides, as shown in section 2.14, several SC/ST communities are comprising of both Hindus and Animists.

2.17 Agricultural groups were classified as Animists and Tribes.

In his glossary V.R.Thyagaraja Aiyar writes that "In 1881 Census only Iruliga, Soliga and Bettada Kuruba were classified as Non-Hindu aboriginal caste and tribe. In 1891 Census, Forest and Hill tribes were shown under Animists which were under the Agricultural group." Obviously the term 'tribe' was often a misnomer for the Agricultural group and those communities who were not a sub caste of any main caste and did not belong to any mainstream occupation and living in the Malnad (i.e. Forest & Hill) were catalogued as a 'tribe'. Thus Hasalaru and Maleru (ಮಾಲೇರು ಮಾಲೇರು Máleru 'sic' Maaleru) were classified as 'Forest & Hill tribes' in the Census.

2.18 The misnomer 'Maaleru Brahmin' were only included in ST.

From the foregoing, it is clear that the 1950 ST list of the then Mysore state has been drawn by combining names from the 1901 census list with VRT's glossary. In the 1901 Census list, the name Máleru (ಮಾಲೇರು ಮಾಲೇರು) alone exists which is falsely interpreted as 'sic' Maaleru by officials. Thus, the authorities are wrongly arguing that Máleru (ಮಾಲೇರು ಮಾಲೇರು 'sic' Maaleru) are Maaleru Brahmins. **Hence, the natural conclusion is that the authorities included the so called misnomer 'Maaleru Brahmin' alone in Scheduled Tribes list either by design or by default.** Actually it was an artifact of the Census enumeration, collation of data in 1901 and the scheduling of tribes in 1950 which is true for the entire ST list of the then Mysore state.

But this conclusion in no way negates the justification of Maleru (ಮಾಲೇರು ಮಾಲೇರು Máleru 'sic' Maaleru) in ST list. The Maleru ('sic' Maaleru) people have had truly 'tribal' existence especially being confined to the most backward region called Malnad. **The issue is that one has to transcend oneself to a pre-independence period to know the then status of this community.** Not every tribe can be expected to remain 'tribal' for all time to come. Ofcourse, Maleru ('sic' Maaleru) can only fulfill the real tribal characteristics [2] and not the bogus tribal characteristics expected by a few prejudiced authorities.

Officials use the term 'Tribal Origin' as if the term is fully understood especially by those who use it to certify communities as springing from the dubious 'tribal origin'. Like the term 'tribe', the term 'tribal origin' too has not been defined. Ultimately officials expect 'tribes' to keep a generally filthy environment around their habitat. Ofcourse, the hidden agenda is to exclude all communities who are even remotely 'Brahminic' in practices. This is against the real meaning of the term 'tribal origin'.

The term 'Tribal Origin' is a relic of imperial mindset of divide and rule. The intention was to break the Hindu concept and destroy the supposed Brahmin 'superiority' by branding them as 'invaders' to justify British imperialism. While this has led to some positive results in terms of achieving a reasonably egalitarian society largely aided by the English education and modern science, it has also led to bogus terms such as 'tribal origin' resulting in wrong interpretations. Maleru controversy is a symptom of this disease.

A detailed study of this community by Dr.Kushal Bargur [9] has recorded the existence of this community in the far-interior single house (hut) villages amidst the forests and hills called Malnad. A study by Dalita Sangarsha Samiti, an organization of Karnataka Dalits too affirms this fact [1].

It is gross misrepresentation to project Malnad (i.e. Forest & Hill) as a region with only plantation owners. Also the little towns such as Sringeri are contiguous with the forests and hills. Further, most people in Malnad are poor. They have to struggle a lot to get educated and seek employment much more than an average person in the plains. If the caste related debilitations are added to this nature-made difficulties, the communities are at acute handicap. As such the Govt must consider extending positive discrimination benefits to all the people of Malnad except the rich. **Malnad deserves a separate quota.**

2.19 Elsewhere Brahmins and Rajputs have been included in ST.

Further, there is no need for a big hue and cry in this regard. It is a fact that Brahmins and Rajputs have been included in the ST list in various states in India. Jaunsaries [10, 11] of Uttar Pradesh, Gaddi and Phangwal [1] communities of Himachal Pradesh have been declared as ST. The fact is that these communities comprise of Brahmins and Rajputs too. A recent NCST study notes that the Scheduled Tribes of Himachal Pradesh are VEDIC/HINDU castes. Recently, a proposal is being processed by the Ministry of tribal Affairs, Govt of India for inclusion of Bhotia Brahmin and Bhotia Rajput in the ST list as can be verified from the 23rd report of that ministry. These have become possible when real tribal characteristics were taken into account.

The following information is available in the internet. "An Order was issued during Indira Gandhi's reign: The Constitution (Scheduled Tribes) (Uttar Pradesh) Order, 1967. It notified five sub-Himalayan communities as Scheduled Tribes. They were: 1. Bhotia, 2. Buksa, 3. Jaunsari, 4. Raji and 5. Tharu. The 'Jaunsaris' claim descent from Aryan heroes of Mahabharata. They represent the three main classes, the Khasas as Rajput and Brahmin as high caste, the Luhar, Badai, Bajgi the artisan as the middle class and Harijan Dom, Koli, Kolta, Koi, Auj as the low caste."

2.20 Communities adopt practices such as wearing sacred thread - Effort of the communities to upgrade as higher caste.

Amma Kodavas have been included in backward list. The following information is also available in the internet. "Amma Kodavas, were believed to be the original priests' at all important temples in Coorg including temples of Talakaveri, Igguthappa and Irupu. However, with the coming of the Brahmins into Coorg, it appears that the priestly functions gradually slipped out of the Amma Kodavas and fell into the hands of the Brahmins. The religious customs and practices of the hill people of Coorg gradually and subtly began to be influenced by the Brahmin practises and rituals. The role of the Coorg priest, viz: Amma Kodavas declined and that of the Brahmin priest increased. In due course, the Amma Kodavas had no role to play in the religious aspects of the people of Coorg. The loss of this important role earned some powerful Brahmin sympathisers, one of whom was a Havyaka Brahmin Thimmapayya, who had a large following of Amma Kodavas. During the latter part of the 19th century, it appears that an attempt was made for assimilating the Amma Kodavas into the Brahmin fold. One batch of Amma Kodavas performed the rites to wear the sacred thread. Another batch is reported to have done so early in the 20th Century. Both these batches were assigned the Gotra names of their Brahmin patrons. They are vegetarians and endogamous."

Consequence is that the adoption of such practices by a few has earned Maleru (ಮಾಲೇರು ಮಾಲೇರು Málēru 'sic' Maaleru) (ST) community, the false designation as Maaleru Brahmins and the consequent harassment.

We may note that the Census of India 1931 report states that "even castes of Chamars in the United Provinces have dropped their characteristic nomenclature at this Census and returned themselves as Sun or Moon descendant Rajputs (Pages 430, 441)".

2.21 Obfuscation of the fact by NCST but A Splendid Job by CRED of Belgaum in reporting the truth - Maleru ('sic' Maaleru) have been enumerated separately and not as Brahmins.

In order to 'explain' the absence of an exclusion class for the so called Maaleru in the ST list, authorities have 'invented' an argument that Maleru ('sic' Maaleru) are Brahmins and hence they have not been separately enumerated. On this basis they concluded that the population figure of 'sic' Maaleru' is not available. Firstly, in all the Censuses, the Maleru ('sic' Maaleru) have been enumerated. In the 1901 census, their number has been recorded as 1757 (VRT) and shown as comprising of both Hindus and Animists but not as a sub-caste of Brahmins. In the 1901 Census, Brahmins have been shown as comprising of 101 sub-castes but Maleru or Maaleru or ಮಾಲೇರು (ಮಾಲೇರು) is not one among them. **The fact is that no Brahmin with even an iota of caste pride will miss mentioning his caste as Brahmin.** In spite of this glaring evidence, it is unfortunate that 'authorities' have artificially upgraded Maleru ('sic' Maaleru) as Brahmins.

Further, whenever the officials have conducted impartial enquiries, they have reported the fact that Maleru ('sic' Maaleru) are not Brahmins. Recently the Civic Rights Enforcement Directorate (CRED) of Belgaum have conducted a detailed enquiry and reported that Maleru ('sic' Maaleru) are recorded as a distinct community and not as a sub-caste of Brahmins. Of course this refers to the so called temple servant traditional

occupation Maleru and not the other so called fictitious primitive Maleru. Even the 1951, 1961 and 1971 Census enumerator's lists provided by the Govt. have shown Maleru (ST) as ಮಾಲೇರು (ಮಾಲೇರು) (ST) in Kannada.

It must be noted that the CRED have clearly recorded that the so called primitive Maleru (ಮಲೇರು ಮಲೇರು) have never been found. Obviously, it is an outlandish argument that any Govt would include a community in ST list which has never been found.

2.22 How to distinguish true Maleru ('sic' Maaleru) from false claims?

Some Maleru ('sic' Maaleru) persons may have entered their caste name lately as Brahmin due to false prestige. Also, school/college authorities may have sometimes entered the caste of Maleru ('sic' Maaleru) persons as Brahmin or some other caste out of lack of knowledge or wrong impression. The school, college authorities may have also sometimes avoided the mentioning of Maleru caste name for one or the other reason and left that column blank. Similarly, quite often, school/college authorities also do not mention the category as ST. These are natural consequences when a community is making efforts to upgrade themselves to acceptable social levels. Such difficulties should not come in the way of utilizing the constitutional benefits. In this connection, we may note that quite often, persons from SC/ST communities declare as belonging to some higher caste while seeking a house for rent when they move to urban areas after getting the employment. Further, a recent newspaper report exhorts the persons belonging to SC/ST communities to accurately document their community details in the forthcoming caste Census of 2015 in Karnataka. This clearly highlights the fact that people often suppress their true social status for fear of foul treatment by their neighbours'. Hence, a remedy to this conundrum is suggested below.

A Brahmin will never write his/her caste or sub-caste as Maleru. That is the ultimate humiliation to them. Besides, the sub-caste names of Brahmins have been well documented as 101 sub-castes in the 1901 Census list in which Maleru or Maaleru is not mentioned. Therefore, even if in some documents, the caste is mentioned as Brahmin, the true identity of a Maleru (ST) person can be established by cross verification of age-old documents such as land records, transfer certificates, cumulative records of present/previous generations/other family members, letters by public functionaries such as Taluk board members, MLA/MPs or other elected representatives, caste association etc.

Further, the false claim of a Brahmin as Maleru can be easily nailed by securing information about his/her sub-caste since the Brahmin sub-caste names are available in the 1901 Census list. This also applies to other castes falsely claiming as Maleru (ST).

III. Evidence For Non-Existence Of Another Primitive Maleru (ಮಲೇರು ಮಲೇರು).

3.1 Damning proof that ಮಲೇರು (ಮಲೇರು) is an imaginary community.

The authorities have spared no effort to prove that there exist another so called primitive Maleru (ಮಲೇರು ಮಲೇರು) who were supposedly included in the ST list in 1950. Ofcourse they have miserably failed in their mission. In this connection, it may not be far off if one draws an inference that the Supreme Court's decision to give liberty to assail the NCST report is a reflection of the same. At the same time, the Maleru (ಮಾಲೇರು ಮಾಲೇರು 'sic' Maaleru) community is extremely fortunate to obtain an important document that thrashes the claim that there exist such a different primitive Maleru (ಮಲೇರು ಮಲೇರು) community. The letter by Smt.Nagarathamma, Coordinator, Integrated tribal development programme, Chikmagalur District dated 5-1-2005 has categorically mentioned that the so called primitive Maleru (ಮಲೇರು ಮಲೇರು) have never been found. Thus, an admission by the local official is an important evidence to prove that a different primitive Maleru have never existed.

However, the Member-NCST in his report has mentioned that Smt.Nagarathamma informed them that the so called primitive Maleru are living in Alekhan Horatti of Chikkamagaluru District. But the Member-NCST has not presented any written submission by her for the same. The important point to be noted is that both the events have happened almost on the same date in January 2005. Hence, it amounts to gross injustice to consider the supposed oral statement of the same officer (Smt.Nagarathamma) as true which is different from her written submission.

The highlight of Smt.Nagarathamma's letter is that she reproduces N&I's plagiarized description of the bogus Maleru and concludes that such a community has never been found. This amounts to Smt.Nagarathamma comprehensively concluding that Malaikudi are not primitive Maleru and also that primitive Maleru is an imaginary community. This also amounts to Smt.Nagarathamma independently confirming that N&I's description of the so called wild primitive Maleru is nothing but plagiarism.

3.2 Bogus literature paraded as proof for the existence of so called primitive Maleru (ಮಲೇರು ಮಲೇರು).

H.V.Nanjundayya and L.K.Anantha Krishna Iyer (N&I) [1] have presented a version of the so called primitive Maleru which is nothing but plagiarism and hence bogus. They have copied the description of Hasala (i.e. Hasalaru) by Thurston and pasted it under the title 'Maleru' with a few cosmetic changes.

In this description of Hasala, Thurston has written that 'Hasalaru and Maleru are confined to the wild regions of western Malnad'. If this Maleru were to be the so called primitive Maleru ಮಲೇರು (ಮಲೇರು), then they would have been enumerated as such in the 1901 Census since the similarly confined to wild region Hasalaru has been enumerated. The fact that they have not been enumerated as ಮಲೇರು (ಮಲೇರು) is clear evidence that they were none other than Maleru ('sic' Maaleru). This also establishes the fact that only that sentence alone pertains to Maleru too and the rest of the description pertains to Hasalaru alone. Besides, the title is only Hasala and not Hasala & Maleru. Ofcourse, it establishes that Maleru ('sic' Maaleru) were predominantly inhabiting the wild regions of Malnad and it is a bogus theory that 'sic' Maaleru are a town dwelling forward community. Consequently, the "inaccessible area theory" and "Maaleru Brahmin theory" are also false.

Thurston [1] has described Kudiya community. He writes that those Kudiyas living on the hills are called as Malekudiyas. He has not written that they are also known as Maleru or Malayekandi or Male Maleru. Sthanikaru is a community of Mangaluru region. This region was not part of Mysore in 1901. Yet Sthanikaru has been mentioned as a sub-caste of Brahmins in the Mysore Census of 1901. Obviously, a few migrant Sthanikaru must have been living in the Mysore territory. By the same logic, if Malekudiyas had migrated to Mysore territory by then, that would have been mentioned in the Census.

If Maleru mentioned by Thurston in the description of Hasala [1] were the so called primitive Malaikudi/Maleru, then he would not have inserted Maleru in the description of Hasala but he would have mentioned the same in the description of Kudiya/Malekudiya. Alternatively, he would have indicated that there were Malaikudi/Maleru. Hence, this Maleru were certainly not the Malaikudi/Maleru. In other words, they were Maleru ('sic' Maaleru). Authorities must make efforts to know the remote habitation of 'sic' Maaleru.

A.A.D.Luiz [1] has given a description of the so called primitive Maleru and writes that they are also known as Male Maleru. But he has not written that they are Kudiyas or Malekudiyas. Hence, Luiz's version of the so called primitive Maleru are not Kudiyas or Male Kudiyas or Malaikudi.

Strangely, in the book 'People of India [1]', Malaikudi description has been virtually copied and pasted to the so called primitive Maleru. This version too does not mention that they are known as Male Maleru. Also it bears absolutely no relation to the description of the so called primitive Maleru described either by N&I or Luiz. Hence, no sane conclusion can be drawn that Malaikudi are also known as Maleru (ಮಲೇರು ಮಲೇರು). **Besides, in all these versions, the name Íraliga never appears.**

Effectively, the authorities are desperately searching to 'associate' the so called imaginary primitive Maleru with one or the other tribe. Hence, so far, three different communities, Hasala, Íraliga and Malaikudi have been tried. From the 'research' cited at [8], Gowdalu as the fourth community can be 'pushed' as primitive Maleru. **In summary, no credible, consistent and unique description of the so called primitive Maleru (ಮಲೇರು ಮಲೇರು) exists.** Obviously it cannot exist because it is an imaginary community.

Hence, the so called 'moorings of Maleru tribals' described in the so called 'authoritative texts' are nothing but tales of misrepresentation.

3.3 Lokur committee have not indicated Maleru as a sub-tribe of either Íraliga or Melakudi/Malaikudi.

We may note an important point here. The Lokur committee appointed to revise the Schedules of Castes and Tribes (ST/ST list) has listed tribes of the then Mysore state (page 108, Appendix.VII). Maleru has been shown as having no synonym or sub-tribes. The tribe Kudiya has also been shown as having no synonym but Malaikudi and Melakudi as sub-tribes. Their report was submitted on 25th August, 1965. It is also important to note that Maleru have neither been declared as a synonym nor as a sub-tribe of Kudia/Melakudi/Malaikudi. This completely thrashes the rather loose inference to this effect by some writers which are unfortunately touted as authoritative literature of an imaginary tribe. This unequivocally nullifies the conclusion of the NCST that the Malaikudi people of Alekhan Horatti are the so called Malaikudi/Maleru. Also, Lokur committee has not indicated Maleru as a sub-group of Íraliga.

3.4 Maleyaru (ಮಲೇಯರು ಮಲೇಯರು) and not Maleru (ಮಲೇರು ಮಲೇರು).

While Malaikudi announces their community name as Malaikudi only, the inhabitants in that area address Malaikudi as Maleyaru (ಮಲೇಯರು ಮಲೇಯರು) which must have been mistakenly entered as Maleru (ಮಲೇರು ಮಲೇರು) in school records by teachers with poor language skills as well as by some writers [11]. This is like addressing Gaudas as Gaudru in a polite and respectful manner which is the hallmark of the Kannada people of this region. Hence wrongly writing the name of Malaikudi as Maleru (ಮಲೇರು ಮಲೇರು) and defending it as the

name of that community while the community itself is not claiming the same is wrong. Supreme Court has ruled that spellings of names in the SC/ST list are sacrosanct. School staff with poor English proficiency and half-baked writers commit sacrilegious horrors by recklessly using spellings such as Malleru, Maleraru, Maleur, Maleuru, Male Maleru etc. Government social scientists, who are 'social scientists' only because of some university degree use their own prejudices and put a stamp of approval for such non-sense and become surrogate mothers for false inventions of non-existing community names. A section of 'authorities' happily gulp such gaffe to harass helpless communities.

3.5 No pre-1950 document available with the Govt to prove that the so called Malaikudi/Maleru existed in Mysore state and recommended for inclusion in ST list.

The Maleru community was declared as a scheduled tribe along with 5 other names in the year 1950. Hence, it important to note that there is no document with the Govt to prove that the so called Malaikudi/Maleru (ಮಲೇರು ಮಲೇರು) were only included in the ST list in the year 1950. No document exists with the Govt to prove that either such a community existed in the then Mysore state or a study was conducted on the so called Malaikudi/Maleru (ಮಲೇರು ಮಲೇರು) in 1950 or the name (ಮಲೇರು ಮಲೇರು) was recommended for inclusion in the ST list. In fact no study was done on any community to draw the ST list. The Member-NCST in his report has written that school record for the period between 1962-63 and 1998-99 has entries of Malaikudi/Maleru as Maleru and Malaikudi. That means even the school entries are also not available for the period before 1962. In other words, this supposed school document is a full 12 years after the scheduling of tribes in 1950. The Govt must provide concrete proof prior to 1950 both for their existence and also for the study on the so called Malaikudi/Maleru to prove the claim that Malaikudi/Maleru are the true entry in the ST list. If the argument is that there was no school in Alekhan Horatti before 1962 but they were there before 1950 and they were also known as Maleru, then authorities must have sent a report to higher authorities in Bangalore/Mysore. Otherwise how authorities in Bangalore would have recommended them for inclusion in ST? Hence, the authorities must produce such a pre-1950 document without which their claim is hollow.

If they were known as Maleru before 1950 it would have appeared in the Census before that period because the existence of a school in 1962 or before ensures that teachers were available to enumerate them. The fact that no such pre-1950 Census document is available as Maleru proves that they were not known as Maleru and the name was 'provided to them' later for obvious reasons. Also if school existed in Horatti in 1962 or before, it is completely improper to consider such a community as primitive in the year 2005.

3.6 False classification as remoteness, shyness of contact etc.

As per the NCST report, the so called Malaikudi/Maleru are living along with Vokkaliga Gowda. There are 23 families of Vokkaliga Gowda and only 15 families of so called Malaikudi/Maleru. If this community were to experience untouchability they would not have been able to live there alongwith Vokkaliga Gowda, later being a very powerful community. That also negates the hinted geographical isolation, shyness of contact and even the primitive traits. Ofcourse the so called primitive Maleru are not wandering in woods with bows and arrows but working in coffee estates and some have their own plantations. In spite of all this Member-NCST has no difficulty in calling them as a primitive tribe who are supposedly on the verge of extinction. Actually they are thriving. Strangely, even the description in the book 'People of India' of this so called primitive Maleru describes them as Hindus following a rich tradition and clans.

If this fictitious primitive Maleru (ಮಲೇರು ಮಲೇರು) were nomads engaged in hunting in the past, then the miserable past existence of the Maleru ('sic' Maaleru) must also be taken into account before writing them off as a forward community. The reality is that the name Maleru (ಮಲೇರು ಮಲೇರು) has been given to Malaikudi by some vested interests lately to knock out the real Maleru ('sic' Maaleru) from reservation benefits. The fact is that they are known only as Kudiya/Malaikudi/Melakudi/Malekudiya and not ಮಲೇರು (ಮಲೇರು).

I. Availing The Liberty To Assail The NCST Report.

We note below many incongruous remarks made in the NCST report with a clear aim to demonize the Maleru ('sic' Maaleru) community. Hence, the liberty provided by the Hon'ble Supreme Court of India to assail the NCST report assumes great importance. The following is a utilization of the same.

The NCST report has overemphasized that Maleru ('sic' Maaleru) are vegetarians as if the Parliament approved it as a disqualification for being considered as ST. A group of Íraliga is known as Óbédagampañaru. Dr.Byre Gowda writes that this group is vegetarian and follows the lifestyle and rituals of Lingayats.

In page 57 it has been mentioned that "there is no reason to believe that the parliament would have approved the inclusion of this community (i.e. Maleru sic Maaleru) in ST." The tone and tenor of this statement by the NCST clearly indicates that it is just an observation and not a decision. Ofcourse, when all the evidence is

in support of Maleru (ಮಾಲೇರು ಮಾಲೇರು 'sic' Maaleru) community, they have no alternative but to make an observation. The Parliament has not even approved the so called tribal characteristics. Also whether the Parliament has approved the declaration of Gaddi, Phangwal, Jaunsari, Bhotia Brahmins as STs? But the moot point is whether the job of the parliament in 1950 was to discuss the conditions of all the communities in the country and then decide the fitness of some communities for inclusion in ST list? In this context, we may note that: "of all the castes or tribes of Malabar, the Nambudiris perhaps show the greatest number of resemblances to the customs of the Todas, it is not unlikely that they might have some connection with the Nambudiris"(Caste and Race In India by G.S.Ghurye, Popular Prakashan-Bombay).

Besides, if Maleru (ST) was a different community than Maleru (sic Maaleru), then the Maleru ('sic' Maaleru) community that has a history of acute suffering would have been atleast included in the backward classes list such as category 2A/OBC if not in the ST list. The absence of the same is a reflection of the fact that it is already declared as ST. Here we have to record that Stanika community which has been listed as a Brahmin sub-caste in 1901 Census, has been included in the Category 2A of the Karnataka backward classes. NCST itself has recorded that Maleru ('sic' Maaleru) deserves social justice (see Sec.2.21).

Registrar General, India (RGI) [2] has written that "from the available ethnographic information on the Maleru community it appears that there are possibly two distinct communities by the same name Maleru, one of the temple servants and the other of tribal origin."

The above observation by the RGI, clearly demonstrates that they have conveniently ignored the diacritic 'á', Kannada versions (ಮಾಲೇರು ಮಾಲೇರು) and VRT's glossary which are the same for both temple servants and Animist-Forest and Hill Maleru i.e. ಮಾಲೇರು (ಮಾಲೇರು 'sic' Maaleru). Also, so far the authorities have not furnished distinct ethnographic information for the so called two communities. Therefore, the observation 'that the temple servant and the so called tribal origin Maleru could be distinct' is an 'office' conclusion that has not even taken into account the available documents.

In their letter dated 10th January, 2005, The Anthropological Survey of India has written that "In view of the absence of any clear documents in this respect, this Survey is not in a position to confirm whether such claim of Maaleru as Maleru is justified." When Govt. translates Maleru as ಮಾಲೇರು to Hindi and notifies in the Central Govt Gazette, translating ಮಾಲೇರು as Maaleru cannot render it to become a different community. Hence, it is a mischievous question to ask as to "whether Maaleru is same as Maleru". In other words, Maaleru is a wrong transliteration of ಮಾಲೇರು (Maleru) by officials. **It could even be a typing error.**

NCST has termed the so called Karnataka Govt study report on Maleru community as not authentic. Hence its conclusion that "it does not describe Malerus as temples servants. It describes them as forest dwellers" is also untenable. Ofcourse, in that report it has been mentioned that the Malerus are temple servants as well as forest dwellers. Hence, the NCST's conclusion is patently false.

Sahitya academy has been given the role of a certifying authority in the matters of caste and category. They have been allowed to state that Maleru and Maaleru are two communities. The proper course would have been that if the Sahitya Academy were to have any doubt, their job is to ascertain the status about that person through appropriate authorities, i.e. revenue authorities. The passport authorities do not conduct the verification about the antecedents of an applicant and they get it done through police verification.

In page 15 of the NCST report it has been written that 'despite best efforts, the Commission could not obtain Hindi version of the Gazette Notification of the 1950 presidential Order.' This is a totally incorrect statement. In page 217 'Member-NCST' has written that 'Maleru 'sic' Maaleru have taken the advantage of wrongly interpreted words of Maleru in Hindi.' Obviously he is indirectly suggesting that the Gazette notified Hindi translation is wrong. Otherwise he would have happily mentioned that the Hindi translation is unofficial and hence unacceptable. Here we must note that the Karnataka Govt has admitted in writing that the Kannada translation of SC/ST names is unofficial and not authoritative. That renders the translation of Maleru as ಮಲೇರು (ಮಲೇರು) incorrect and hence unconstitutional.

Further, if the Hindi translation of Maleru as ಮಾಲೇರು (ಮಾಲೇರು) done in 1974 is wrong, why the Govt has not initiated steps to correct the same? The reason is obvious. Firstly they have to conclusively establish that the so called other primitive Malaikudi/Maleru (ಮಲೇರು) was only included in the ST list in 1950. This requires the pre-1950 proof for the physical existence of such a community within the geographic boundary of the then Mysore state and further, documents to prove that a study was conducted on them and their name was forwarded to Central Govt before scheduling the tribes in 1950. In the absence of any concrete evidence regarding the entire sequence, the Govt cannot effect a change in Hindi translation. Therefore, the opinion of the member is just an opinion born out of some pre-conceived notion and not on hard facts. Therefore, in "the view of the commission", the NCST has avoided the translation issue.

In page 31, Gautam Basu has argued that "Malerus who have been shown as forest and hill tribes in 1901 Census alone were scheduled tribes and who has rightly been included in the Constitution (Scheduled

Tribes) Order 1950'. His conclusion is that 'sic' Maaleru are Brahmins and hence they are not scheduled tribes. But the fact is that the name Maleru is written as Máleru (ಮಾಲೇರು ಮಾಲೇರು) under both the heads viz. Animists and Temple servants. Gautam Basu has avoided the use of diacritic as well as the Kannada version. He has not furnished any information as to whether there are any descendants of Animist Máleru (ಮಾಲೇರು ಮಾಲೇರು). He could not be expected to discharge this responsibility because he has not even mentioned the diacritic 'á' and Kannada version ಮಾಲೇರು (ಮಾಲೇರು). Also it is not clear whether Gautam Basu has deliberately avoided mentioning that Maleru are comprising of both Hindus and Animists as seen in the VRT's glossary. Ofcourse this entire exercise is to project the so called Forest & Hill tribe Máleru (ಮಾಲೇರು ಮಾಲೇರು) as ಮಲೇರು (ಮಲೇರು). The avoidance of diacritic 'á' and Kannada version as ಮಾಲೇರು (ಮಾಲೇರು) is clearly to suit this ulterior motive. Sahitya Akademy has only duplicated Gautam Basu's 'methodology'. Hence both have used this trick to wrongly conclude that temple servant Maleru is not ST. Besides, this action of Sahitya Akademy is an undue use of power. Further, in the 1901 Census, the entry is that of Máleru (ಮಾಲೇರು ಮಾಲೇರು) alone and not ಮಲೇರು (ಮಲೇರು). **Hence, their observation is at complete variance with the conclusion by the 'Member-NCST' that the so called Malaikudi/Maleru (ಮಲೇರು ಮಲೇರು) is the entry in the 1950 order.**

Member-NCST's line of argument is clearly a wishful thinking that the 1901 & 1950 entry should have been ಮಲೇರು (ಮಲೇರು) than a report of the fact. The fact is that the 1950 ST entry which flows from the 1901 Census entry is none other than Máleru (ಮಾಲೇರು ಮಾಲೇರು 'sic' Maaleru).

In the "view of the commission" too, the NCST has intentionally avoided mentioning the Kannada version and the diacritic. The obvious conclusion is that they wanted to avoid supporting a view that it is none other than ಮಾಲೇರು (ಮಾಲೇರು Máleru 'sic' Maaleru) that was only declared as ST. Further, they have avoided a direct mention of Basu's opinion. But they have written that "there is every reason to believe that only the Malerus living in forests and on hills with their occupation as hunting and gathering of forest produce alone would have been included in the Constitution (Scheduled Tribes) Order, 1950".

This has two ramifications. On the one hand the statement by the NCST makes it abundantly clear that they are not sure about their own conclusion. On the other hand, their statement is an indirect endorsement of Basu's conclusion. For the good measure, they have added 'with their occupation as hunting and gathering of forest produce'. However, they have not furnished any valid evidence to support their artificial view that the so called true Maleru (ST) had their occupation as 'hunting'. In this connection we must note that NCST has failed to furnish any evidence for even the existence of the so called primitive Maleru prior to the year 1950. Thus, the two segments of the 'authorities' have completely contradicted each other on the Maleru issue.

Much effort has been invested by the Advocate for Sahitya Akademi to argue that Maleru ('sic' Maaleru) are Brahmins because of their so called traditional occupation as temple servants and hence they are not scheduled tribes. On the one hand this reveals his ignorance about Brahmin communities in various states being included in the ST list and on the other his ignorance about his statement that traditional occupation as temple servants renders Maleru ('sic' Maaleru) as Brahmins. Besides, he has not accounted for VRT's glossary.

Several communities have been shown as traditional occupation Priests but not listed as Brahmins. For example, Dásari, Sátáni and a few sub-castes of Lingayets such as Árádhya are traditional occupation Priests but they are not Brahmins. In contrast, a small section of Máleru could have been temple servants and the rest were real 'Forest and Hill residents'. Hence, concluding Maleru ('sic' Maaleru) as Brahmins is nothing but prejudice. Whether the authorities argue that all temple servants are Brahmins? There is a world of difference between a temple servant and a Priest. A temple servant can be a lowly cleaner who could be from even the 'lowest caste' whereas a Priest has an exalted position of having the luxury of everybody touching his feet and also entry to the sanctum sanctorum. Maleru ('sic' Maaleru) have never been regarded as Priests.

It is mentioned that 'sic' Maaleru are touchable. Is there any document to prove that the so called primitive Maleru are untouchables? The so called Malaikudi/Maleru are also not untouchables. Whether untouchability is the corner stone for determining one's Scheduled Tribes status? What is the difference between Scheduled Castes and Scheduled Tribes? In the book 'People of India', it has been written that the so called primitive ಮಲೇರು (ಮಲೇರು) treats Adi Dravida (SC) and Adi Karnataka (SC) as low. Thurston writes that Kudiya/Malekudiya are not regarded as a polluting class, and can enter all parts of their landlords' houses, except the kitchen and dining-room.

Although the Constitution or the Parliament have not defined the term 'tribe', officials are never tired of mentioning the so called 'tribal characteristics' as though the definition has been handed down to them by God. The supposed definition of tribes are the shyness of contact, geographical isolation, distinctive culture, primitive traits and general backwardness. Whether wearing sacred thread and being vegetarian defeats these attributes? If so, it is better that, firstly the Parliament of India define 'tribal characteristics' and specifically

exclude these two aspects. Of course that will put them in a dilemma about Gaddi, Phangwal, Jaunsari, Bhotia etc. with Brahmins and Rajputs being part of those communities but being declared as STs.

Member-NCST has written in his report that Hasalaru are tribals. Ofcourse Hasalaru are mentioned in the ST list. But the point is that Hasalaru are living in the same area in Malnad where all other communities are living. Hence, there is no geographical isolation. They routinely interact with all other communities and no shyness of contact is even remotely evident. They observe the Hindu culture to the extent several other Hindu castes of comparable social level in that region observe. Otherwise, all the communities have to a smaller or greater extent some distinctive culture. This holds well for the primitive traits too. They were not even classified as the so called non-Hindu aboriginal tribe (Section 2.16 of this paper & 1881 Census vide VRT). Hence the inclusion of the name Hasalaru in the 1950 ST list is due its mention in the 1901 list of Animist-Forest & Hill tribe, which is similar to the mention of Maleru ('sic' Maaleru). On the other hand they experience social disability factors comparable to Holey/Madiga. Hence, they eminently deserve to utilize the SC benefits instead of ST benefits. The fact of the matter is that Hasalaru are not a sub-caste of Holey or any other main caste, they were not associated with any standard occupation and they were the residents of Malnad and hence in the Census enumeration and collation, they have been shown as a 'tribe' by virtue of their dwelling in Malnad. Ofcourse the Member-NCST was not really looking for the real tribal characteristics. In fact he has clearly looked for his own notion of a tribal. Therefore all the emphasis on the tribal characteristics is contrived.

The Member-NCST has proceeded along the lines of the wrong impression that an ST community has to live a narrowly defined lifestyle to be accepted as a 'tribe' and hence declared that ಮಾಲೇರು (ಮಾಲೇರು 'sic' Maaleru) are not tribes. This amounts to not taking into account a little development, this community has achieved in the decades gone by, which should be appreciated instead of punished. He has hinted in a roundabout way that the Hindi translation of Maleru as मालेरु (ಮಾಲೇರು) is wrong without mentioning its Gazette notification. The approach by the Hon'ble member is a wrong precedent to set as this will result in according zero sanctity to official documents. That should be avoided at all cost. He has arrived at the wrong conclusion that Malaikudi/Malekudi are Maleru on the basis of perceived notion of how a 'tribe is like', the unreliable and mutually contradictory set of literature and inaccurate entries in the school records but without any support from the Census documents. He has not contradicted the ethnographic note or Census enumerators' lists. He has also unambiguously recorded that ಮಾಲೇರು (ಮಾಲೇರು 'sic' Maaleru) have suffered historical injustice and needs to be accommodated in the Govt's positive discrimination regime.

The Malekudi tribe of Alekhan Horatti in Mudigere Taluk is being presented as primitive Maleru (ಮಲೇರು ಮಲೇರು). Further, it is stated that this Malaikudi/Maleru tribals of Alekhan Horatti are working as labourers in the Coffee estates. The report also states that Maleru tribals are leading a primitive existence. It is clear that the job of Coffee estate owners/labourers and the primitive tribe status do not go together. The report is suffering from acute inconsistency.

The Govt do not appear to have subjected the 6 communities in 1950 or the later additions to the test of the so called tribal characteristics when they were declared as STs. They continued to bloat the ST list with periodic additions so that the present Karnataka ST list consists of 50 names. Besides, the authorities themselves have never taken these tribal characteristics seriously. They have always looked for those characteristics in STs that supposedly represent the SCs as if there is no difference between SCs and STs.

The authorities must realize that answers such as "documents pertaining to scheduling of tribes in 1950 are not available" renders the Govt itself as illegitimate. Either, the Govt should produce that document or resolve the false controversy in a humane manner. That is the spirit of democracy.

Member-NCST has written that 'sic' Maaleru avoided accompanying them to Hasalaru colony. VRT writes in his ethnographic survey that "Tamil Holeyas take food in the houses of Kannada and Telugu sections, while the latter do not return the compliment, regarding the Tamil Holeyas as inferior in origin. The Gangadikar Holeyas, however, do not eat in the houses of even other Kannada Holeyas. Endogamy is strictly observed." The fact is that the SC/ST are groups consisting of castes of widely varied perceptions of social status. By giving liberty to assail such a report, the Hon'ble judges of the Supreme Court have saved the NCST from a huge disgrace.

Maleru ('sic' Maaleru) community has put in a commendable struggle to achieve progress which has contributed its tiny bit to the building of this nation called India. This should not translate to terming this community as 'imposters', persons possessing 'intellectual engineering brain' etc. amounting to terming this community as a bunch of criminals and thieves. The process of scheduling of tribes in 1950 was primarily an office job. If any mistake has been committed, the mistake was that of enumerating and collating this community under the Animist-Forest & Hill tribe in 1901 and the scheduling of tribes in 1950. The nation called India will gain much by accounting for its own administrative flaws in the years gone by and rectify the same in a manner that deem fit for a supposed democracy and a supposedly civilized country.

II. Composition Of SC/ST Done Rather Blindly

A reading of the descriptions about various communities leads one to think that when the officers allocated various communities to SC and ST lists, a gross misconstruing has occurred especially when communities were bunched under the ST. It appears that many communities who would have been appropriately placed in the SC have been put in the ST. As a result of this, the communities which would have represented the right flavor of the ST category have to bear the 'distinction' that there is no distinction between SC and ST. Therefore, while the NCST must vigorously prevent atrocities against the tribals and prevent misuse of ST facilities by non-STs, in the larger interest of really serving the ST communities and building a better India, it is abundantly necessary that the NCST should get into to the act of knowing and publishing the actual circumstances under which many communities were included in the ST category way back in 1950. A real service to the ST communities would be to at least now build a compendium of the REAL details of ST communities to prevent future misunderstanding and the ugly controversies. The Govt would also do well in re-organizing the SC/ST lists to correct this anomaly.

III. Committees Have Always Been The Same.

In 1918 the then Mysore Govt headed by the Maharaja appointed Miller commission to suggest ways to increase the representation of non-Brahmins in the Govt services. Maharaja was himself a non-Brahmin. The committee headed by Leslie Miller met twice and wrote a report to recommend job reservation to all communities except Brahmins. Apparently, even the Miller committee has not done any extensive study touring the whole state and hence their list was none other than the census list minus Brahmins. The scheduling of tribes in 1950 too is a different reflection of this methodology.

IV. Real Tribal Characters Are Obtainable And Bogus Tribal Characters Are Imposable.

It is also necessary to point out that tribal characteristics are obtainable. Even the Gaddi and Phangwal Brahmans of Himachal are said to be immigrants from Delhi and they obtained 'tribal' characteristics as a consequence of living in hills. In contrast, Maleru ('sic' Maaleru) have been the residents of forests and hills of Malnad since time immemorial. We may also note the judgment of B.A.Kagali and Anr. Vs. The Secretary, Department of Social Welfare and Ors. by the High Court of Karnataka. In this judgment decided on 20/06/2005, the point in question was that whether Smt.Ramani who is a Kuruba by caste born outside Coorg District could be considered as a Kuruba (Scheduled Tribe) by virtue of her marriage to a person of Kuruba caste of Coorg. The Kuruba caste has been declared as an ST community within Coorg District alone. The Court had ruled in her favour, acknowledging the fact that she lived for a reasonable length of time with her husband's family and people and acquired the customs and practices of that group qualifying her to claim ST status.

V. Government And Parliament Have A Duty To Clear The Mess.

Often reports appear in the newspapers that over half a million fake caste certificate holders are enjoying the Govt. jobs in the state of Karnataka. It is strange that inspite of huge Government machinery such as the Civic Rights Enforcement (CRE) cell, such a situation is allowed to exist. Undeniably, these reports contain a heavy dose of sensationalism because it is impossible to accept that ordinary people indulge in such a large scale fraud. Quite often these appear to be an effort to paint the entire population as thieves. Maleru controversy is a case in the point. Therefore the Govt. must put in place the following measures:

Place the entire 1950 ST file in the public domain. If the official machinery has so splendidly mismanaged the safe keeping of the file, then the Govt. should commit as to the exact process of scheduling of tribes in 1950 and the basic source document from which they have sourced 6 names to draw the ST list. If they cannot do both, then Govt. must admit that the ST list is drawn from a questionable source document and completely dissolve the ST list and absolve the beneficiaries from false allegations.

IV. Conclusion

We have proved that the **Maleru** in the Constitution (Scheduled Tribes) Order, 1950 is none other than ಮಾಲೇರು (ಮಾಲೇರು 'sic' Maaleru). This is a consequence of Census enumeration of Málēru (ಮಾಲೇರು ಮಾಲೇರು) as animists too, collation of Málēru (ಮಾಲೇರು ಮಾಲೇರು) as misnomer traditional/hereditary occupation of Forest & Hill Tribe and the scheduling of tribes using the names of communities under Animist-Forest & Hill tribes. The authorities have wrongly named this community as 'Maaleru Brahmin' out of non-appreciation of facts and wrong notions. The fact is that the so called 'Maaleru Brahmins' were alone included in the ST list in 1950 as a consequence of enumerating and collating this community as Animists and Forest & Hill tribes. On the other hand no real document, especially no real pre-1950 document exists to either prove the existence of the so called

primitive Maleru (ಮಾಲೇರು ಮಲೇರು) in the then Mysore state or a study on them to include them in the ST list in 1950. The later day literature and inaccurate entries in school documents that supposedly claim the existence of ಮಾಲೇರು (ಮಲೇರು) are all bogus. This hard fact calls for an extraordinary statesmanlike response from the authorities. Referring this issue to one more agency such as the Karnataka State Tribal Research Institute will only result in further expenditure to state exchequer. It is a futile exercise to examine whether a community is a 'tribe' or not in the year 2015 to decide whether that was the community that was included in the ST list in the year 1950. If at all any investigation needs to be conducted, it is to know the percentage of 'forest and hill' residents of Maleru ('sic' Maaleru) and their backwardness. The zero-cost, appropriate, permanent and an honourable solution to this problem is to put in public domain the 1950 file containing the basic document (and the related correspondence between the Mysore Govt and Central Govt) on the basis of which the then Mysore Govt recommended 6 names to Centre for declaration as STs. In addition, the Govt must also put in public domain the basic document used to transliterate Maleru as ಮಾಲೇರು (ಮಾಲೇರು) to Hindi in 1974. Thereupon, the just solution will be that the Govt must forthwith issue an order that 'Maaleru' is an unofficial transliteration of 'Maleru (ST)' community and bring the necessary amendment in the Parliament if required. Pursuant to this, the continuation of this community in the ST list will be as per the abundant wisdom of the Parliament of India. There lies the solution for this unfortunate controversy.

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