



श्री. एस. कृष्णन्
S. KRISHNAN
TEL. : 6183190

सदस्य-सचिव
राष्ट्रीय पिछड़ा वर्ग आयोग
भारत सरकार

त्रिकूट-१, भीकाएजी कामा प्लेस, नई दिल्ली - ११००६६

Member - Secretary
National Commission for Backward Classes
Government of India
Trikoot-1, Bhikaiji Cama Place, New Delhi - 110066

DO NCBC Advice No. West Bengal 28, 30-33/98

12. 3. 1998

Dear Shri Manavalan,

I am sending herewith the Advices of the National Commission for Backward Classes, under Section 9(1) of the National Commission for Backward Classes Act, 1993, for inclusion of

- (1) Bhujel
- (2) Jogi
- (3) Dhunia
- (4) Nembang
- (5) Churihar

in the Central List of Backward Classes for West Bengal, for necessary action by the Central Government under Section 9(2) of the Act.

Best wishes,

[Signature]
12/3/98

Yours sincerely

[Signature]
(P.S. KRISHNAN)

Encl: As stated.

Shri D.K. Manavalan
Secretary to Govt. of India
Ministry of Welfare
Shastri Bhavan
NEW DELHI 110 001

O.I.G.S.

NATIONAL COMMISSION FOR BACKWARD CLASSES

WEST BENGAL

F I N D I N G S

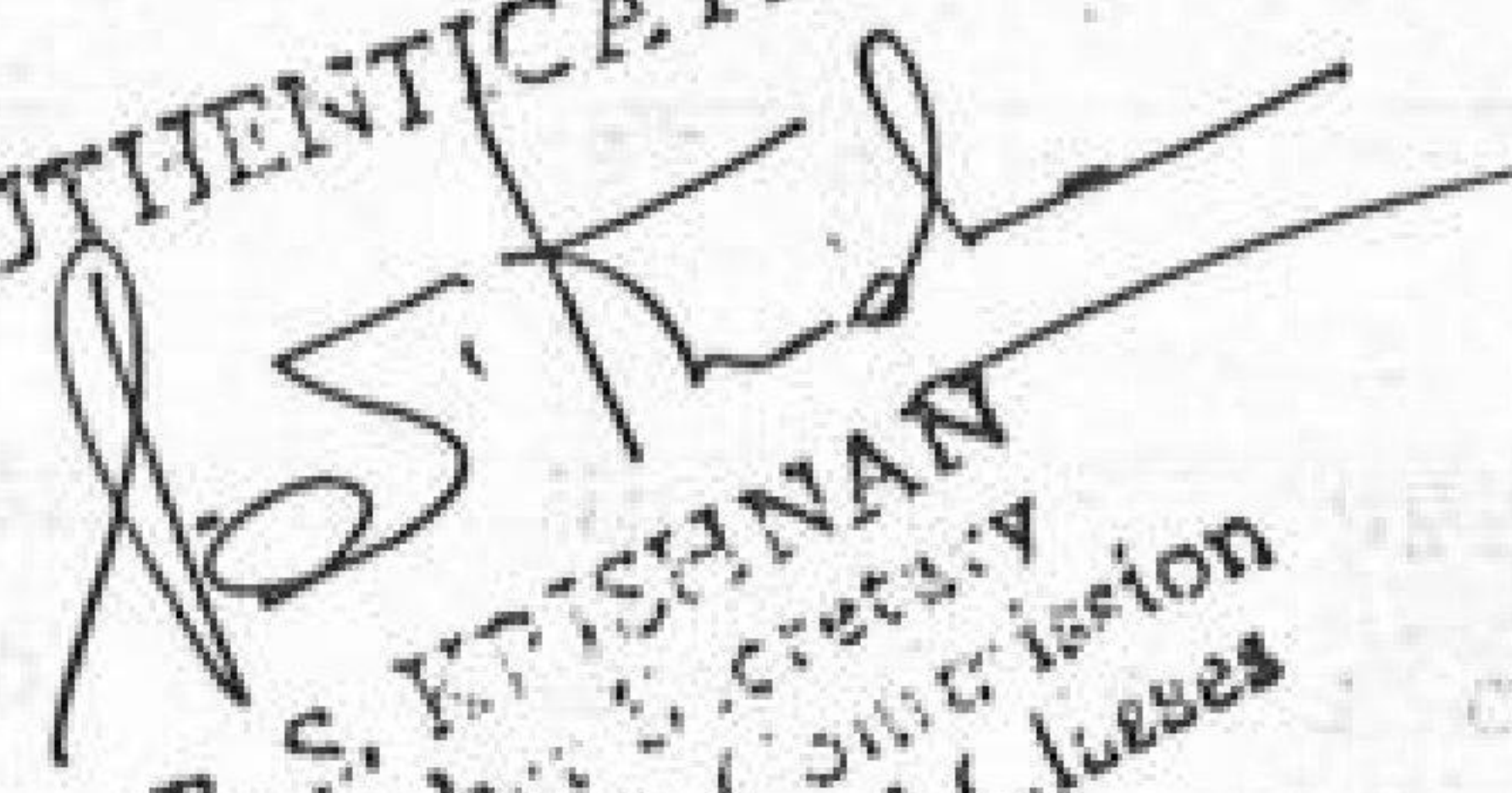
CASE: Request for inclusion of "JOGI" caste/community in the Central List of Backward Classes for West Bengal.

PER SHRI U.P. SINGH, MEMBER

1. REQUEST

This case arises from the Request received in this Commission from the Government of West Bengal, Scheduled Caste & Tribes Welfare Department, Calcutta vide letter No. 63-TW/EC/M-6/82 (I) dated 18th January, 1996 for inclusion of "JOGI" caste/community in the Central List of Backward Classes for West Bengal.

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F. S. KRISHNAN
Member Secretary
National Commission
for Backward Classes

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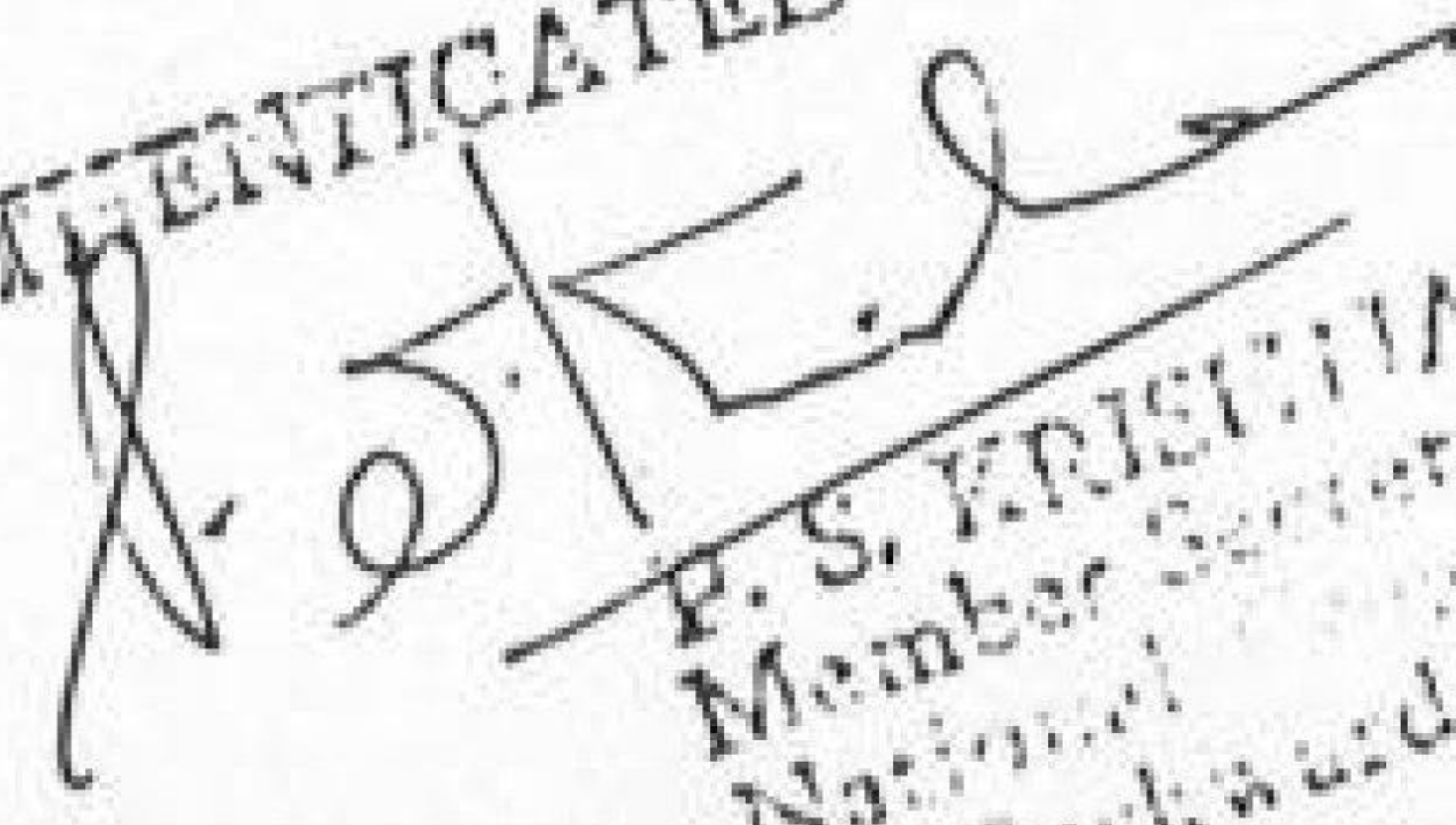
II. PUBLIC HEARING

2. The two-Member West Bengal Bench of the Commission consisting of Hon'ble Members, Shri U.P. Singh and Shri Sahu Akshaya Bhai, held a Public Hearing at Calcutta on 22.9.1997 in respect of this Request. Though the caste/community was scheduled for hearing at Calcutta on 22.9.1997, nobody appeared to represent the caste/community. Shri K.B. Jogi and Shri Prakash Yogi, both from P.O. & Distt. Darjeeling, West Bengal appeared before the Bench at Darjeeling on 25.9.1997 during the Public Hearing of other cases. It was pleaded by them that they did not receive intimation in time and so could not appear before the Bench at Calcutta on 22.9.1997. However, the Bench acceded to their Request and heard their case at Darjeeling on 25.9.1997. The State Govt. was represented by Shri M.K. Chaudhary, Director, Cultural Research Institute, Calcutta, Shri S.D. Sherpa, Project Officer & District Welfare Officer, Scheduled Castes & Tribes Welfare Department, Siliguri, West Bengal and other officials.

III FACTS

3. The Mandal List did not include the "JOGI" caste/community in their List of Backward Classes and the State Govt. of West Bengal had no list of Backward Classes till after the Supreme Court Judgement in the Mandal case delivered on 16th November, 1992. For this reason, the Expert Committee on Backward Classes could not, on the basis of the principle of commonality, recommend a Central List of Backward Classes for West Bengal as it could do for 14 other States, which already had their respective lists of Backward Classes, and therefore the Central Government also could not issue a Central List of Backward Classes for West Bengal.

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Member Secretary
National Commission
Backward Classes

in 1993. The Govt. of West Bengal issued its first list of Backward Classes by its Notification No. 346-TW/EC/M-6/82(I) dated 13th July, 1994 in the Calcutta Gazette of the same date, which included 14 entries. The Government of India, Ministry of Welfare, by its Notification No. 163 dated 19/10/1994, published in the Gazetted of India of 20/10/1994, issued a common list of OBCs for West Bengal which consisted of the same 14 castes/communities.

4. The Government of West Bengal issued its second instalment of Backward Classes consisting of 12 castes/communities by its Notification No. 705-TW/EC/M-6/82 (I) dated 13th December, 1994 in the Calcutta Gazette of the same date and its third instalment of 3 castes/communities was issued by its Notification No. 370-TW/EC/M-6/82 (I) dated 12th May, 1995, published in Calcutta Gazette of the same date. The State Government has also issued a fourth instalment of 9 Backward Classes by its Notification No. 1179-TW/EC/M-6/82 (I) dated 1st December, 1995 published in the Calcutta Gazette of the same date and included "JOGI" at Entry No. 8.

5. The State Govt. has also given Note on the "Jogi" caste community alongwith the filled up NCBC Questionnaire which was obtained from Shri K.B. Jogi and others from the caste/community. According to the NCBC Questionnaire the local name of the "Jogi" community is "Phenriwal" and are distributed in the Sadar, Kalimpong and Kurseong subdivisions of Darjeeling district and Sadar and Alipurduar sub-division of Jalpaigudi district. The caste/community migrated from Eastern Nepal during the 19th century and settled in Sikkim, Darjeeling, Dooars and Assam. Their traditional occupation is begging or alms by visiting the houses at midnight and chanting mantras. Presently they are engaged in tea garden

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Backward Classes

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labourers, share croppers and agricultural farmers. It has been mentioned that the Nepali "Jogis" class exists as a separate entity, having no connection with the Bengali speaking 'Yogi', 'Nath' which has been included in the list of Backward Classes in the State of West Bengal and generally looked down upon by most of the castes of the locality.

6. The Questionnaire filled up by Shri K.B. Jogi and others mentions that "Jogi" is a main caste largely concentrated in Darjeeling and Jalpaigudi divisions of the State and mainly depend on agricultural labour which mainly involve manual labour. It has also been reported that as per 1995 survey there were 0.20 per cent matriculates and insignificant proportion of the graduates from the caste/community which reveals low educational standard of the caste/community. 90 per cent families of the caste/community live in Kachha houses as against 10 per cent who live in pucca houses. The information regarding employment in Govt. and other establishments and professions is shown 'nil' which shows poor employment representation of the caste/community. Only one per cent of the members of the caste/community is shown as income-tax assessee on account of trade/business.

Shri K.B. Jogi from Darjeeling who appeared before the Bench on behalf of the caste/community submitted that "Jogi" whose population is 1200 approximately and concentrated in Darjeeling and Jalpaigudi areas blow horn and go to door to door for begging. Their social status is equal to Thami and Bhujel (whose cases also have been heard by the Bench for inclusion in the Central List). They worship Lord Shiva and Baba Gorakh Nath. There was only one Class I officer who was SDO Jalpaigudi and now is Secretary, Hill Council and there was not a single Post-

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Member Secretary
National Commission
for Backward Classes

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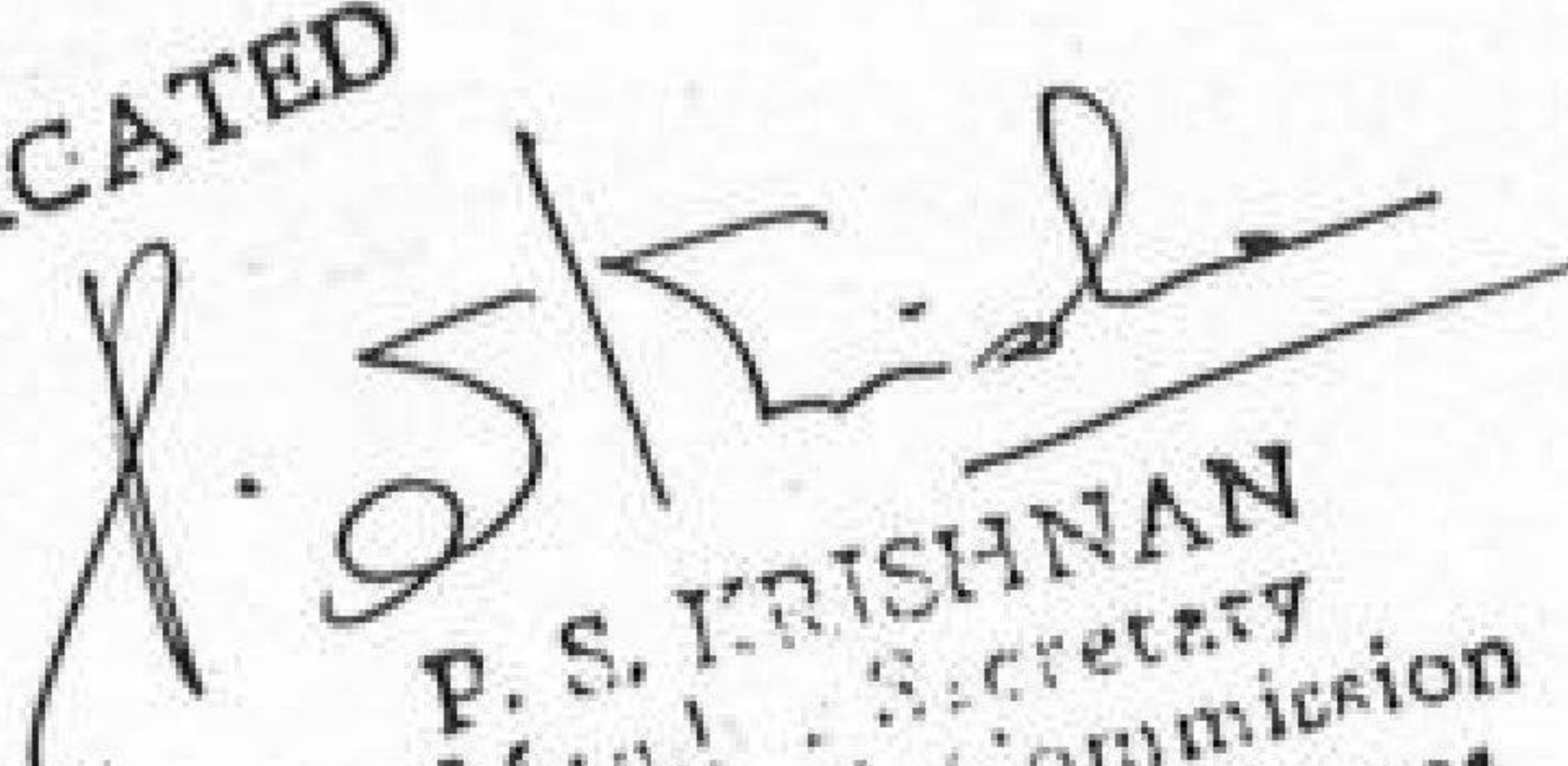
graduate from amongst the caste/community. He further stated that representation in Group 'B' services is 'nil', only one High School Teacher and one Primary School Teacher were employed besides one Class IV in the Health Department. They had no representation even in Gram Panehayat which speaks about their low educational and social standard.

8. H.H. Risley in his book " The Tribes and Castes of Bengal" - Ethnographic Glossary (Firma Mukhopadhyaya, Calcutta: India 1981, Reprint, First edition, 1891, Bengal Secretariat Press) described Jogi, Jugi, Yogi, Nath under separate titles. In Appendix I List of Castes and Tribes with their titles, sub-castes, sub-tribes sections and septs, vol.II, p.62, Risley placed all these castes/sub-castes into one group. The description of each caste/sub-caste in this ethonographic account state the following salients:-

Jogi - " a section of Rautias; a sub-sept of the Saren Sept of Santals, a Synonym for Bairagi (Vol. I p. 348).

Rautias; Military Service... Original Occupation " Socially the Caste ranks fairly high... (Vol II, p.207)
-Bairagi; ".....A Class of Hindu religious mendicants...." (Vol.I p.51)

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Member Secretary
National Commission
for Backward Classes

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9. The relevant entries in respect of the "Jogi" Caste/Community as reflected in the Central List of Back-ward Classes for following States are as follows:

Sl.No.	Name of State	Entry NO.	Name of the Caste Community
1.	Andhra Pradesh	10	Jogi (Group A)
2.	Bihar	44	Jogi (Jugi)
3.	Karnataka	29	Jogi, Joger, Sanjogi, Jogar
4.	Kerala	22	Jogi
5.	Maharashtra	47	Jogi
6.	Orissa	53	Jogi or Yogi
7.	Rajasthan	22	Jogi, Nath
8.	Uttar Pradesh	19	Jogi
9.	Daman & Diu	16	Nath, Jogi
10.	Delhi	25	Jogi, Goswami
11.	Pondichary	83	Jogi

10. Those present during Public Hearing who were from different sections of society, not only did not object to the inclusion of "Jogi" caste/community in the Central List of Backward Classes for West Bengal, but also supported it.

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IV. FINDINGS

11. From the above evidence it is the Findings of the Bench that "Jogi" caste/community is a Socially and Educationally Backward Class and it should therefore be included in the Central List of Backward Classes for West Bengal at entry No.28 as follows:-

" 28. JOGI"

Ashayan
02-03-98
(SAHU AKSHAY BHAI)

Udai Pratap Singh
13.2.98
(UDAI PRATAP SINGH)

AUTHENTICATED

P. S. S. S. S.

P. S. S. S. S.
Member Secretary
National Commission
for Backward Classes

V. Advice of the Commission

12. The Commission considered and agreed in full with the above findings of the West Bengal Bench and decided to tender the following Advice to the Central Government under Section 9(i) of the NCBC Act., 1993 for action by the Central Government under Section 9(2) of the Act.:

"Jogi" should be included in the Central List of Backward Classes for West Bengal as follows:

" 28. JOGI "

P. S. Krishna
9.3.98

Latika Devi
19.2.98

Uday Chandra
13.2.98

Bishayen
02.03.98

P. S. Krishna
2/3/

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P. S. Krishna

P. S. KRISHNAN
Member Secretary
National Commission
for Backward Classes

NATIONAL COMMISSION FOR BACKWARD CLASSES

WEST BENGAL

FINDINGS

Case:- Request for inclusion of "Nadap/Dhunia" caste/community in the Central List of Backward Classes for West Bengal.

Per Shri U.P. Singh, Member.

I. Request

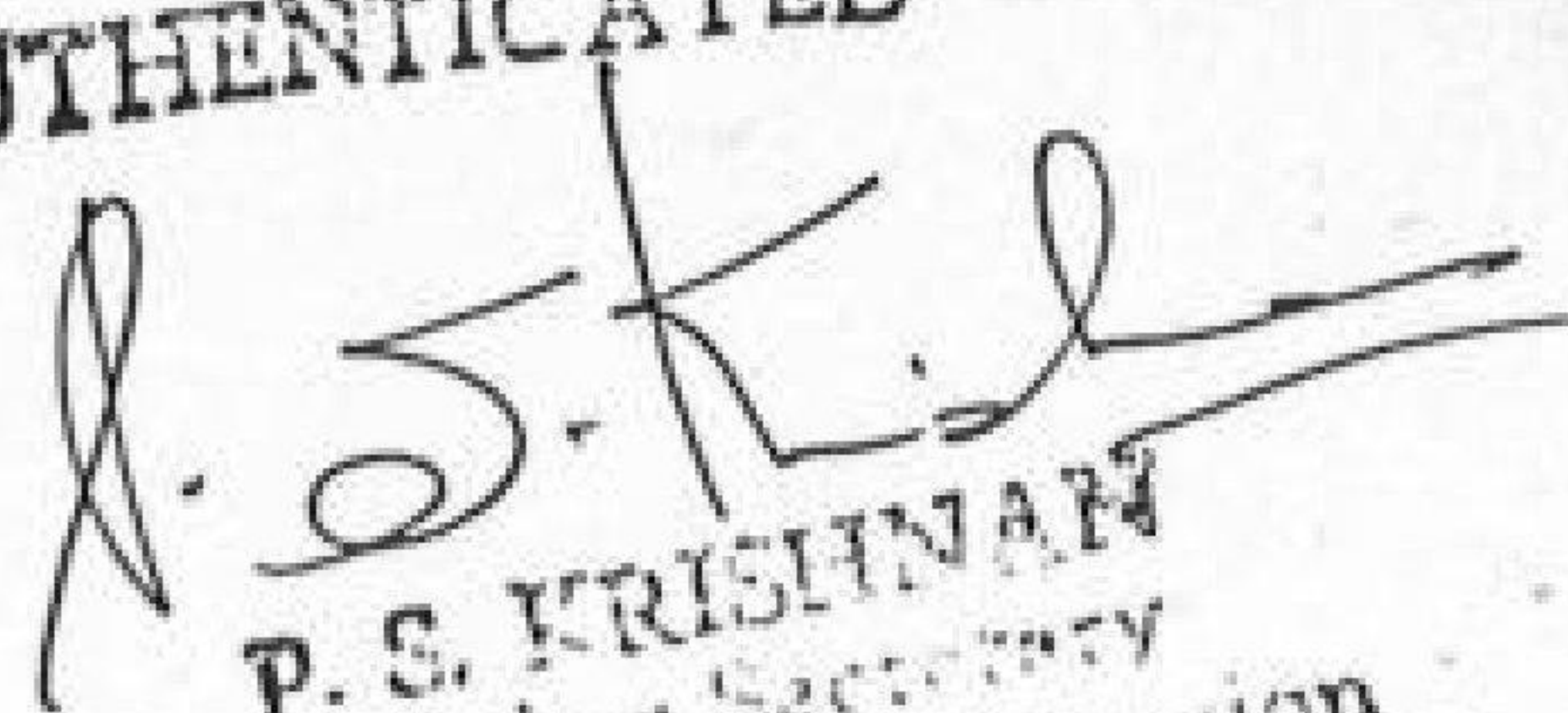
This case arises from the Request received in this Commission from Shri Md. Mosaraf Hossain, Secretary, Dhunia/Naddaf Ejme Committee, Vill. & P.O. Momrejpur, Distt. Murshidabad, West Bengal for inclusion of "Nadap/Dhunia" caste/community in the Central List of Backward Classes for West Bengal. The committee also submitted the filled in NCBC's Questionnaire during the Public Hearing in respect of their caste/community.

II. Public Hearing

2. The two-Member West Bengal Bench of the Commission Consisting of Hon'ble Members, Shri U.P. Singh and Shri Sahu Akshaya Bhai, held a Public Hearing at Calcutta on 22.9.1997 in respect of this Request. At the Public Hearing the State Govt. was represented by Shri S.B. Mondal, Special Secretary to the Govt. of West Bengal, Scheduled Castes & Tribes Welfare Deptt., Calcutta, Shri M.K. Chaudhary, Director, Cultural and Research Institute, Calcutta and Shri Amit Kumar Dutta, Dy. Director, Scheduled Castes & Tribes Welfare Department, Govt. of West Bengal, Calcutta.

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Member Secretary
National Commission
for Backward Classes

The caste/community was represented by the followings:-

1. Md. Mosaraf Hossain, Secretary, Dhunia/Naddaf Ejme Committee, Distt. Murshidabad, West Bengal.
2. Md. Wakef Ali, President, Dhunia/Naddaf Ejme Committee.
3. Md. Ataur Rahman, Member, Dhunia/Naddaf Ejme Committee.

III. Facts

3. The Mandal List included the "Dhunia (Naddaf)" caste/community as follows:-

"54. Dhunia, Mansoori"

The State Govt. of West Bengal had no list of Backward Classes till after the Supreme Court Judgement in the Mandal Case delivered on 16th November, 1992. For this reason, the Expert Committee on Backward Classes could not, on the basis of the principle of commonality, recommend a Central List of Backward Classes for West Bengal as it could do for 14 other States, which already had their respective lists of Backward Classes, and therefore the Central Govt. also could not issue a Central List of Backward Classes for West Bengal in 1993. The Govt. of West Bengal issued its first list of Backward Classes by its Notification No.346-TW/EC/M-6/82(I), dated 13th July, 1994 in the Calcutta Gazette of the same date, which included 14 entries. The Government of India, Ministry of Welfare, by its Notification No.163, dated 19.10.1994, published in the Gazette of India of 20.10.1994, issued a

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P. S. ...
Ministry of Welfare
New Delhi
for Backward Classes

Question ... 3/-

common list of OBCs for West Bengal, which consisted of the same 14 castes/communities. The Government of West Bengal issued its Second instalment of Backward Classes consisting of 12 castes/communities by its Notification No.705-TW/EC/M-6/82(I), dated 13th December, 1994 in the Calcutta Gazette of the same date, third instalment of 3 castes/communities was issued by its Notification No.370-TW/EC/M-6/82(I), dated 12th May, 1995, published in Calcutta Gazette of the same date and fourth installment of 9 Backward Classes by its Notification No.1179-TW/EC/M-6/82(I), dated 1st December, 1995, published in the Calcutta Gazette of the same date and the fifth instalment of 6 Backward Classes by its Notification No.183-TW/EC/M-6/82(I), dated 8th March, 1996, published in the Calcutta Gazette of the same date. The State Govt. has also issued its sixth instalment of 8 Backward Classes by its Notification No.93-TW/EC/M-6/82(I), dated 11th February, 1997, published in the Calcutta Gazette of the same date including "Dhunia" as follows:-

" 4. Dhunia" (List-6)

4. Md. Mosaraf Hossain, Secretary, Dhunia/Naddaf - Ejme Committee, who was also present during the Public Hearing stated that the profession of the caste/community is "cotton-carding" (making of quilts, pillows, etc.) and they are Muslims. He further submitted that "Dhunia" is a caste and 'Naddaf' is a title to it. Therefore, only 'Dhunia' should be included in the Central List of Backward Classes for West Bengal. A few of them also sell bangles and run stationery shops and a few are primary school teachers only.

5. Md. Mosaraf Hossain submitted the duly filled up NCBC's Questionnaire during the Public Hearing. The Questionnaire contains the following facts:-

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P. S. Hossain

Secretary
Backward Classes

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i) "Nadap"/Dhunia" is a main caste and Mansuri/Nadob/Nadaf are sub-castes. The population of the caste/community is stated to be 13,00,000 spread all over the State. They profess Islam (Muslim) religion.

ii) The caste/community is generally regarded as a socially backward caste. The main occupation of the caste/community on which members of the community depend for livelihood are "making of different kinds of things from the cotton, which involve manual labour."

iii) During the year 1995, the literacy rate of the caste/community in the State was 1 per cent only out of which there were 65 literate females. The percentage of matriculates of the caste/community in the State was 0.01 per cent.

iv) 99.9 percent families of the caste/community live in kachha houses.

6. H.H. Risley in his book "The Tribes and Castes of Bengal - Ethnographic glossary ", (Firma Mukhopadhyay, Calcutta, India, 1981, Reprint, Bengal Secretariat Press, Calcutta 1st Edition 1891, Vol. I, p.-237) describes Dhunia, a "cotton carder", an occupation followed by Mahomedans.

7. "People of India - Communities, Segments, Synonyms, Surnames and Titles", National Series Volume VIII, Published by Anthropological Survey of India, 1996, Oxford University Press, Appendix A - A Consolidated List of Communities from the Census and other Source and their Distribution, p.-343, mentions distribution of "Dhunias" throughout the West Bengal State as per 1881, 1931 census years.

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for Backward Classes

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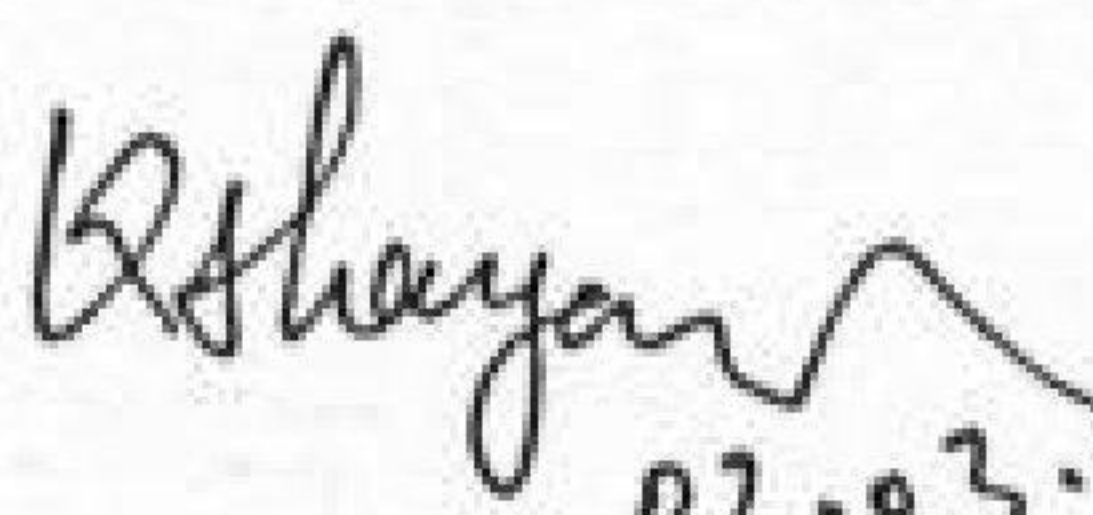
8. The Kaka Kalelkar Commission has also recommended the inclusion of "Dhunia, Mansoori" castes/communities in the list of Backward Classes for West Bengal at entry No.35 and their occupation as "cotton carders."

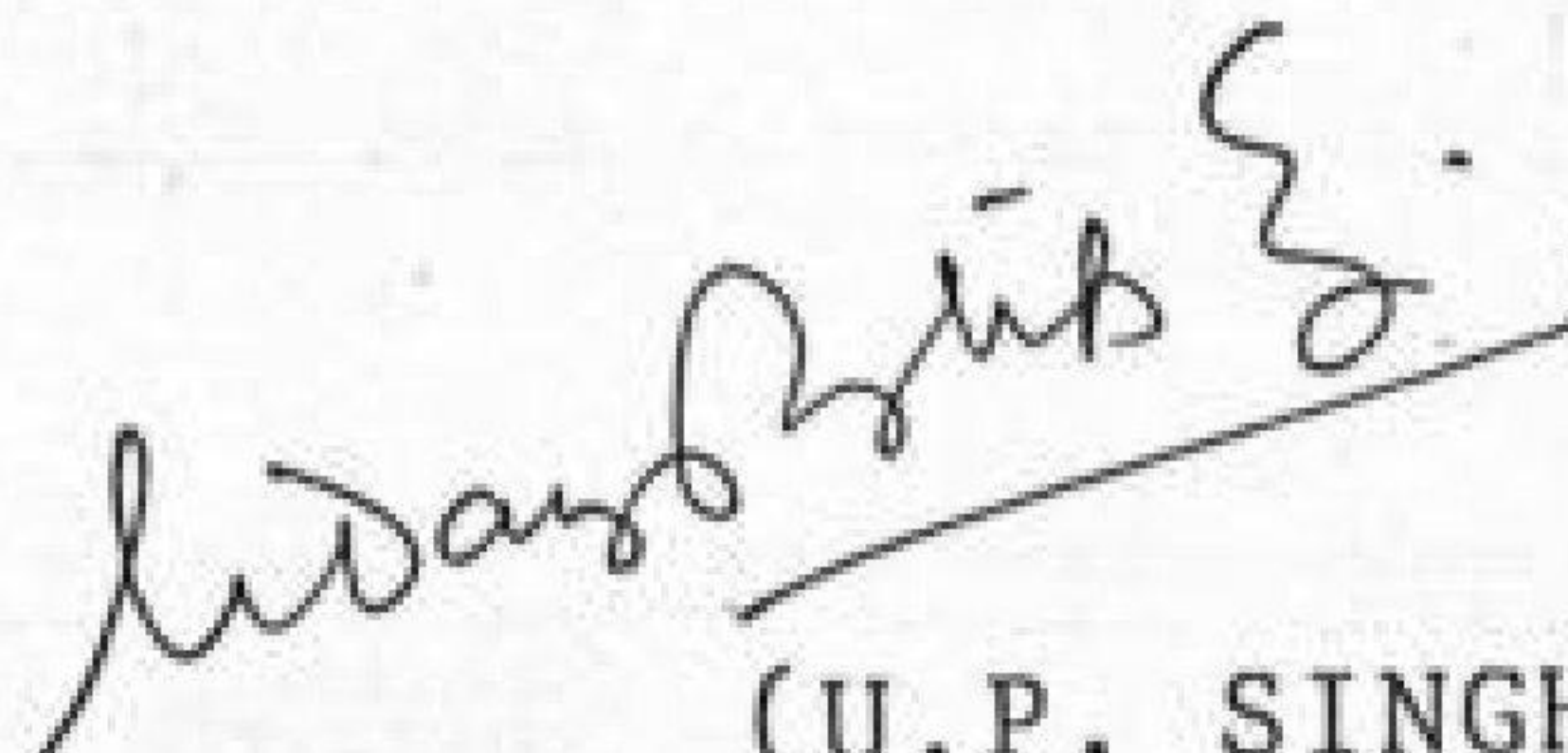
9. Those Present during the Public Hearing, who were from different sections of society, not only did not object to the proposed inclusion of the "Dhunia" caste/community in the Central List of Backward Classes for West Bengal, but also supported it.

IV. Findings

10. From the above evidence it is Finding of the Bench that the "Dhunia" caste/community is linked with traditional occupation of "cotton carding" which falls under the Fast-Track category according to para 2(e)-Social of the NCBC's Guidelines for Consideration of Requests for Inclusion and Complaints of Under-Inclusion in the Central list of Backward Classes. It should therefore be included in the Central List of Backward Classes for West Bengal at entry No.40 as follows:-

"40.Dhunia"


02.03.98
(SAHU AKSHAYA BHAI)


(U.P. SINGH)

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J.S. PRASAD
Inclusion
Classes

V. Advice of the Commission

11. The Commission considered and agreed in full with the above findings of the West Bengal Bench and decided to tender the following Advice to Central Government under Section 9(1) of the NCBC Act, 1993, for action by the Central Government under Sections 9(2) of the Act:-

"Dhunia" caste/community should be included in the Central List of Backward Classes for West Bengal at entry no. 40 as follows:-

" 40. Dhunia "

Leetepdhi
26.2.98

Madan Singh
R. Sheng
02.03.98

P. S. Thakur
9.3.98

P. S. Thakur
2/3/98

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P. S. Thakur
For Backward Classes

NATIONAL COMMISSION FOR BACKWARD CLASSES
WEST BENGAL BENCH

FINDINGS

Case: Request for inclusion of "NEMBANG" caste/community in the Central List of Backward Classes for West Bengal.

Per Shri U.P. Singh, Member

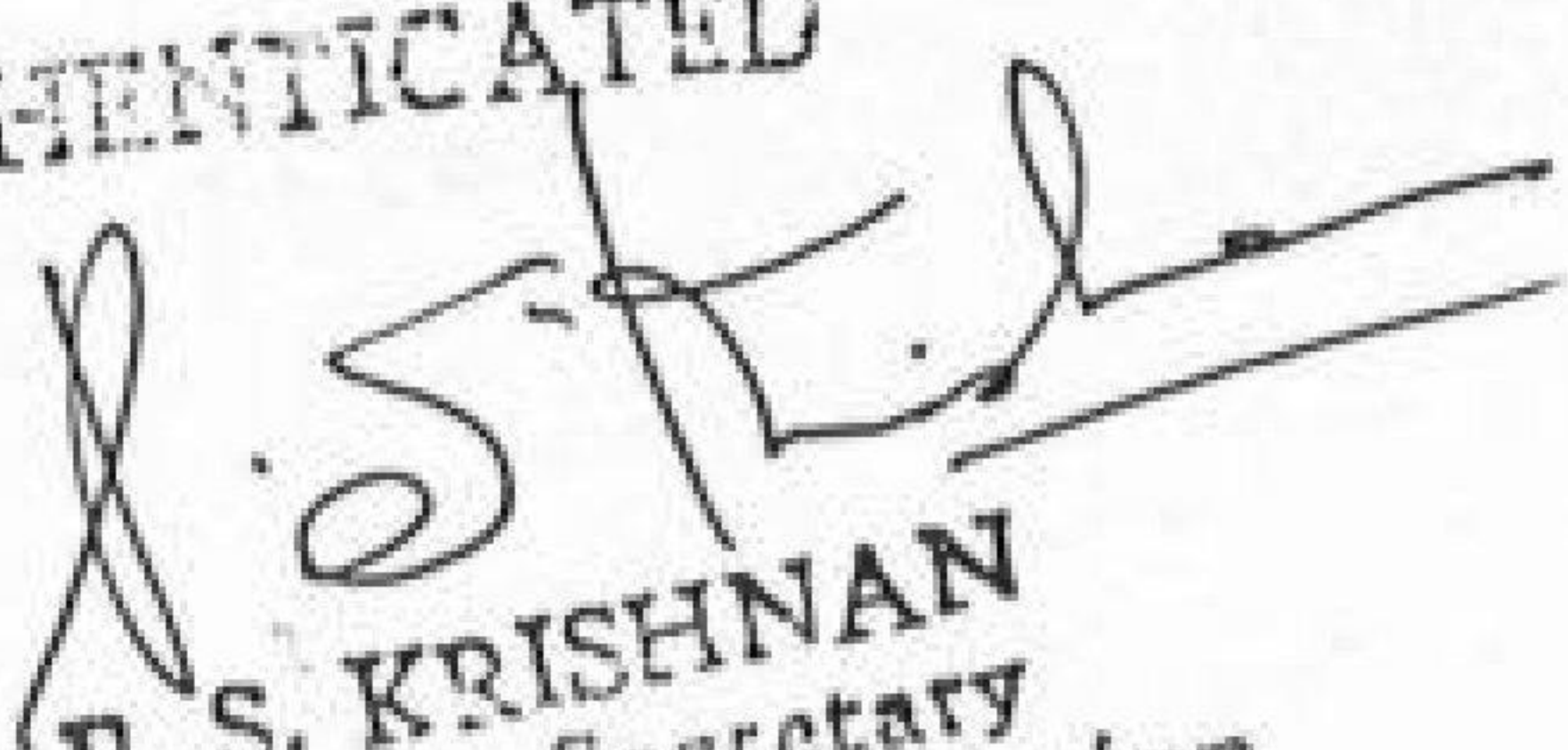
I. Request

This case arises from the Request received in this Commission from the Government of West Bengal, Scheduled Castes & Tribes Welfare Department, Calcutta vide letter No.63-TW/EC/M-6/82(I), dated 18th January, 1996 for inclusion of the "Nembang" caste/community in the Central List of Backward Classes for West Bengal.

II. Public Hearing

2. The two-Member West Bengal Bench of the Commission consisting of Hon'ble Members, Shri U.P. Singh and Shri Sahu Akshaya Bhai, held a Public Hearing at Darjeeling on 24.9.1997 in respect of this Request. Shri Prakash Rai, President, Backward Class Association (Nembang-Sampang-Bungchheng), Central Committee, Mirik, Darjeeling, West Bengal appeared before the Bench to represent the caste/community. The State Government was represented by Shri M.K. Chaudhary, Director, Cultural Research Institute, Calcutta, Shri S.D. Sherpa, Project officer & District Welfare Officer, Scheduled Castes & Tribes Welfare Department, Siliguri, West Bengal and other officials.

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Member Secretary
National Commission
for Backward Classes

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caste/community. The note contains that "Nembangs" are the original inhabitants of the district of Darjeeling and are distributed in the Mirik, Kurseong, Kalimpong, Siliguri and Naxalbari blocks. The "Nembang" was derived from a place known as Nembang. They reportedly affiliated themselves with the Limbu, Lepcha and Subba etc. and linguistically belong to Bodo group. It has been submitted by the representative of the caste/community before the West Bengal Commission for Backward Classes that they got almost the treatment of the Scheduled Tribes from the localities where they live as the social status of this class is considered very low. Traditionally they were "hunters and land holders", but at present they are engaged as "agricultural labourers, day-labourers" and some of them are skilled in "Bamboo Crafts". They mainly depend on manual labour for their livelihood. They work as tea garden labourers, as ordinary day labourers on other's field and are engaged in their traditional occupation of "bamboo work". They do not own much land. Their representation is almost negligible in jobs and independent professions (only 0.3 percent are employed in non-Government jobs), a few of them are engaged as Primary School Teachers (0.3 percent). The majority of them live below the poverty line. There is no doctor, engineer lawyer or qualified professional expert in their class. This is because of the fact that they are mostly illiterates. They have got no business of their own. They have got no surplus to invest in business. They have got no influential person, who would help them to secure a place or a shop for running a business. Besides, no bank would agree to grant loan to illiterate people, whose social status is too low. It has also been mentioned therein that the living condition of the caste/community members is not at all satisfactory and cent-percent of them live in mud wall

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P. S. Kishor
Joint Secretary
Backward Classes

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kachha houses without sanitary latrines and potable drinking water. They draw water from the hill streamed jhoras.

6. The Note further states about the educational conditions of the caste/community that about 1.4 percent of the male and 0.54 percent of the females attained education upto Primary level, 0.60 percent of males and 0.20 percent of the females upto Secondary level, 0.27 percent of the males and 0.18 percent of the females upto Higher Secondary level and 0.8 percent of the males and 0.4 percent of the females upto graduation level. The percentage of drop-outs at the Primary level itself was stated to be alarmingly high because of poverty. They live in the extreme cold regions, where it is not possible for the children to go to schools in the morning without sufficient warm clothes. But rarely any one can afford the basic amenities which are required for sending a child to the school in the biting cold of the morning. At times, the children are sent to schools with great enthusiasm but it dies down in no time on account of ill health caused by malnutrition and cold climate.

7. The filled in Questionnaire of NCBC received from the caste/community reveals that the 'Limbu' is the main caste and 'Nembang' is its sub-caste. The population of the caste/community is reported to be 6,000, which comes to 0.09 percent to the total OBC population in the State and largely concentrated in Darjeeling District. The occupation on which the members of the caste/community mainly depend for livelihood are "tea garden labour and day labour", which is non-agricultural involving manual labour for wage. The caste/community is identified/linked with the traditional craft of "bamboo work".

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

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8. 100 percent of the families of the caste/community is reportedly live in 'kachha houses'.

9. Shri Prakash Rai, President, (Nembang-Sampang-Bungchheng) Central Committee, Mirik, Darjeeling, who represented the caste/community stated that their population is concentrated in Darjeeling and had low educaion. He further stated that there was no member of the caste/community in government service, no Panchayat member and not to talk about the political field. However, there was only one Primary teacher. The upper caste people reportedly treat them as low caste persons.

10. H.H. Risley in his book "Tribes and Castes of Bengal", Ethnographic Glossary (Firma Mukhopadhyay, Reprint, Calcutta India, 1981, Bengal Secretariat Press, Calcutta, 1st Edition, 1891, Vol.II, p-132) writes that "Nembang" - the swollen one, a spet of the Charkhola sub-tribe of Limbus in Darjeeling.

11. Those present during the Public Hearing, who were from different sections of society, not only did not object to the inclusion of the "Nembang" caste/community in the Central List of Backward Classes for West Bengal, but also supported it.

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P. S. KRISHNAN
Member Secretary
National Commission
for Backward Classes

IV. Findings

12. From the above evidence, it is the Finding of the Bench that the "Nembang" caste/community is a Socially and Educationally Backward Class and therefore it should be included in the Central List of Backward Classes for West Bengal at entry No. 30 as follows:-

"30 NEMBANG"

Akshaya
02-03-98
(SAHU AKSHAYA BHAI)

U.P. Singh
26.2.98
(U.P. SINGH)

AUTHENTICATED

P. S. K...
P. S. K...
Member
National
for Backward Classes

....7/-

V. Advice of the Commission

13. The Commission considered and agreed in full with the above findings of the West Bengal Bench and decided to tender the following Advice to the Central Government under Section 9(i) of the NCBC Act, 1993, for action by the Central Government under Section 9(2) of the Act.

"Nembang" caste/community should be included in the Central List of Backward Classes for West Bengal at entry No.30 as follows:

"30 NEMBANG"

P. S. Krishnan
9.3.98

Sanjay Kumar
26.2.98

Sanjay Kumar
26.2.98

Rohayan
02.03.98

Meegajani
4/3/98

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

NATIONAL COMMISSION FOR BACKWARD CLASSES

WEST BENGAL BENCH

FINDINGS

Case: Request for inclusion of "Churiwalan" caste/community in the Central List of Backward Classes for West Bengal.

Per Shri U.P. Singh, Member

I. Request

This case arises from the Request received in this Commission from the Secretary, Calcutta Siddiqui Committee, Calcutta for inclusion of the "Churiwalan" caste/community in the Central List of Backward Classes for West Bengal.

II. Public Hearing

2. The Two-Member West Bengal Bench of the Commission consisting of Hon'ble Members Shri U.P. Singh and Shri Sahu Akshaya Bhai held a Public Hearing at Calcutta on 22.9.1997 in respect of this case. At the Public Hearing, the State Government was represented by Shri S.B. Mondal, Special Secretary to the Govt. of West Bengal, Scheduled Castes & Tribes Welfare Deptt., Calcutta, Shri M.K. Chaudhary, Director, Cultural and Research Institute, Calcutta and Shri Amit Kumar Dutta, Dy. Director, Scheduled Castes & Tribes Welfare Department, Govt. of West Bengal, Calcutta. The caste/community was represented by the following:-

1. Shri Jane Ahmed Siddiqui, Secretary.
2. Shri Mohd. Yaseen, Member.
3. Shri Jawaid Ahmed, Member.
4. Shri Ahmed Hussain, Member.

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P. S. KRISHNAN
Member Secretary
National Commission
for Backward Classes

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III. Facts

3. The Mandal List included "Churihara, Lakhera, Lahera" castes/communities at entry No. 47 and the State List-V included "Lakhera/Laahera" at entry No. 1.

4. Mr. J. Ahmed Siddiqui, Secretary, Calcutta Siddiqui Committee, Churipara, Calcutta made a Request to the NCBC as well as to the State Backward Classes Commission, a copy of which was handed over to the Bench during the Public Hearing.

In the Request addressed to the WBCC, it has been stated that "Siddiqui" (Churi-walan) community is a Muslim caste/community and popularly known as "Churiwalan". They are primarily engaged as "hawkers" and are economically destitutes and illiterates.

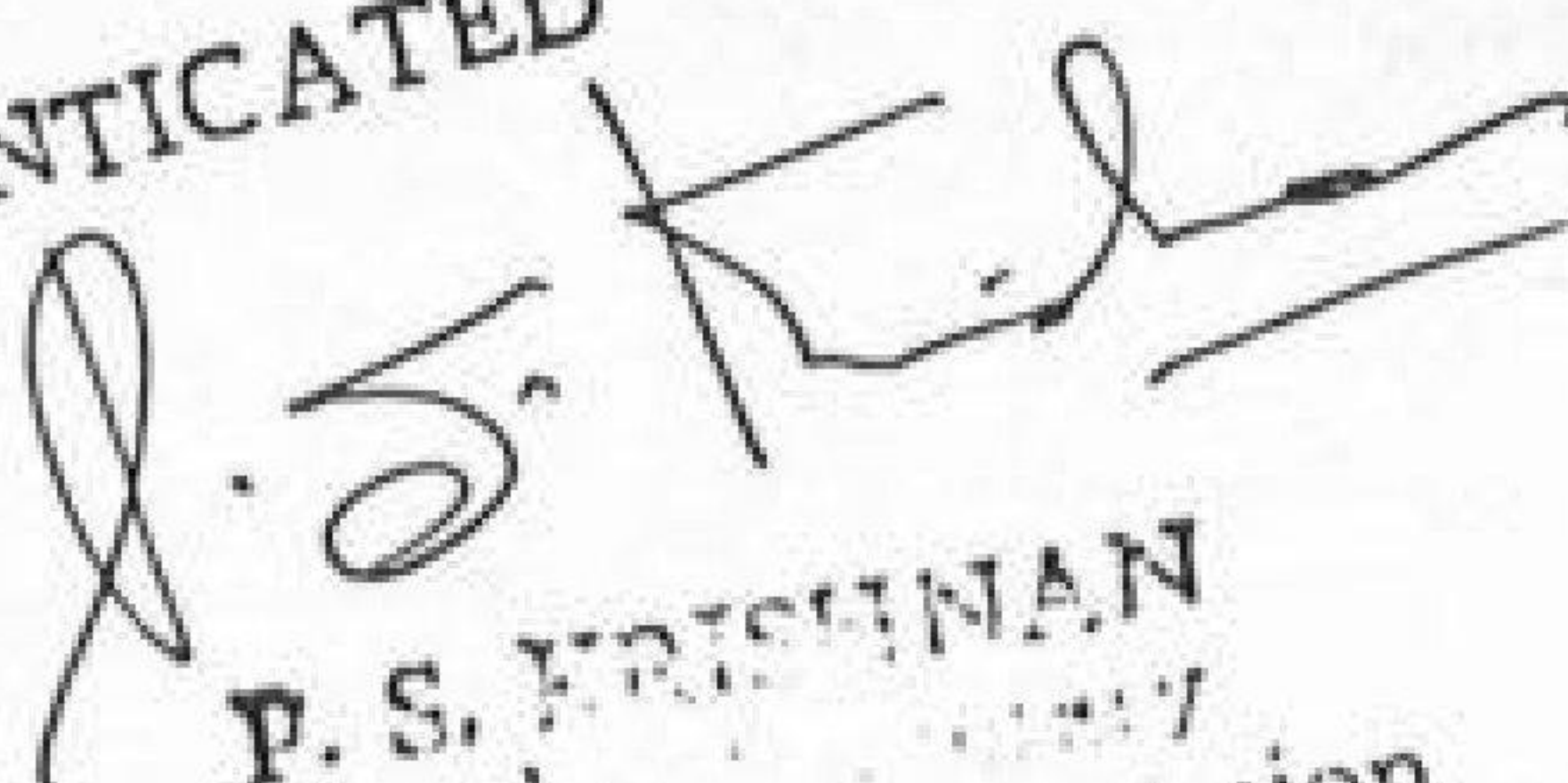
5. In the Request dated 28.8.1995, addressed to the NCBC, Shri Siddiqui has mentioned that the "Churiwalan" caste/community is socially, economically and educationally backward. They are engaged in "glass bangles" profession. The community has been included in the State Lists of Bihar, Rajasthan and Uttar Pradesh.

6. The Secretary, Calcutta Siddiqui Committee, who appeared before the Bench stated that "Churihar" is a caste and "Siddiqui" is its title. "Churiwalan" is a plural form of "Churihar" and therefore, only "Churihar" should be included in the Central List of Backward Classes for West Bengal. During the Public Hearing he submitted a detailed note, vide No.WBC/BC/95/7, dated 22.9.1997, in respect of "churihar" caste/community, which mentions the following facts:

i) "Churiwalan" means persons dealing with "churi (Bangles)" in Desi Language (Local language) and is a plural form of "Churihar" and thus it is not a separate or any other community. It may be read correctly as "Churi-hars", instead of "Churihara".

ii) People who make bangles from glasses are called "Churihars" like the people who make bangles from 'laha' and are called 'Lakhera' or "Lahera".

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Member
National Commission
for Backward Classes

- iii) It was in the year 1937, when the preparation of Census was going on, there was a caste mobility movement, which was a universe phenomenon in India, many bratheris among the Muslims, who were wedded to their traditional occupations such as weaving, green-grocery, cotton-carding, catching and dealing with birds etc. started adopting the titles which did not exist before. The weavers adopted the title of 'Ansari', the green-grocers adopted the title of "Rai", etc. etc. It was during this phase that the caste Panchayat of "Chrihars" or "Sheshagars" adopted the title of "Siddiqui".
- iv) The caste/community is very much of Indian origin and have no status of "Shaikh/Siddiqui" who are of Arab origin. Normally they also do not marry with them.
- v) The groups have all the characteristics of closed groups where the Membership is determined by birth and the group boundaries are maintained through endogamy.
- vi) Sometimes, "Churihars" were not allowed to participate in other community's social, religious and ritual ceremonies due to their involvement in the inferior occupation. The illiteracy and poorness have driven the men and women of the caste/community to sell bangles door to door for their daily necessities and physical existence.
- vii) With the setting up of glass and ceramic industries having latest developed production technology, the "churihars/shishagars" have almost lost their traditional occupation. In Ferozabad (U.P.) and some other parts of the country number of Churihars/Shishgars bratheris are in the occupation of "bangles-making" only. In Calcutta and West Bengal districts many men and women of the caste are found "selling bangles from house to house".
- viii) It was further clarified in their note that the big bangle factories and shops are not all owned by Churihar community people. Rather they are engaged as petty shopkeepers and door to door bangle sellers.

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P. S. KISHANAN
Secretary
Mission
for backward Classes

7. H.H. Risley in his book "The Tribes and Castes of Bengal" - Ethnographic Glossary (Firma Mukhopadhyay, Calcutta, India, 1981. Reprint, (Bengal Secretariate Press) 1st Edition, 1891, Vol.I, p.-208) describes Churihar, Churiwala, a maker of the glass bracelets worn by "Mahomedan women". Churihars are invariably Mahomedans, and the person engaged in this occupation form an endogamous group. Risley's account confirms the facts stated by the Secretary, Calcutta Siddiqui Committee at para 4(v) above.

8. "People of India - Communities, Segments, Synonyms, Surnames and Titles", National Series volume VIII, published by Anthropological Survey of India, Oxford University Press, 1996, Appendix A - A consolidated List of Communities from the Census and other Sources and their Distribution, p-316, states that according to census year 1891 earlier distribution of the "Churihar" caste was in Bengal and in North - West Province.

9. Shri J. Ahmed Siddiqui in his letter quoted Dr. M.K.A. Siddiqui's book "The Muslims of Calcutta" published by the Anthropological Survey of India(n.d.). According to Dr. Siddiqui "Churihars (Shishgars)" are glass-bangle makers and mostly concentrated in North Calcutta at Ghosh Bagan near Cossipore and are also distributed in different parts of the city. They are facing a great decline in their trade due to mechanisation of glass industry yet quite a few among them still cling on to their traditional mode of production to serve the marginal sections, others have tried to adopt other occupations. The women of the group have, however, kept up the tradition of supplying glass-bangles to their customers from house to house. These are often purchased from market for re-sale. In recent years, they have adopted 'Siddiqui' as their surname (p.50).

AUTHENTICATED

[Signature]
F. S. SIDDIQUI
Secretary
Siddiqui Committee

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10. The Kaka Kalelkar Commission has also recommended the inclusion of "Churihara, Lahera" castes/communities in the list of Backward Classes for West Bengal at entry No.29 and their occupation "as glass bangle makers".

11. Those present during Public Hearing, who were from different sections of society, not only did not object to the proposed inclusion of "Churihar" caste/community in the Central List of Backward Classes for West Bengal, but also supported it.

IV. Findings

12. From the above evidence it is the Finding of the Bench that the "Churihar" caste/community is linked with traditional occupation of "glass bangle making" which falls under the Fast-Track Category according to para 2(e)-A. Social of the NCBC's Guidelines for "Consideration of Requests for Inclusion and Complaints of Under-Inclusion in the Central List of Backward Classes". Therefore, "Churihar" should be included in the Central List of Backward Classes for West Bengal at entry No. 38 as follows:-

"38. CHURIHAR"

Ashaya
02-03-98
(SAHU AKSHAYA BHAI)

U.P. Singh
26.2.98
(U.P. SINGH)

AUTHENTICATED
P. S. Krishnan
P. S. KRISHNAN
Member Secretary
National Commission
Backward Classes

V. Advice of the Commission

13. The Commission considered and agreed in full with the above findings of the West Bengal Bench and decided to tender the following Advice to Central Government under Section 9(1) of the NCBC Act, 1993 for action by the Central Government under Sections 9(2) of the Act:-

"Churihar" caste/community should be included in the Central List of Backward Classes for West Bengal at entry no. 38 as follows:-

"38. CHURIHAR"

P. S. Krishnan
10.3.98

K. S. G. S. S. S.
26.2.98

K. S. G. S. S. S.
26.2.98
K. S. G. S. S. S.
02.03.98

K. S. G. S. S. S.
4/3/98

AUTHENTICATED

P. S. Krishnan
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Member Secretary
National Commission
for Backward Classes