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सदस्य-सचिव
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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 - 110 066

NCBC Advice No. Maharashtra 24/99

29.06.1999

Dear Smt. Das,

I am sending herewith the Advice of the National Commission for Backward Classes under Section 9(1) of the NCBC Act for the Inclusion of "Kohli" caste/community in the Central List of Backward Classes for Maharashtra, duly authenticated, for necessary action by the Central Government under Section 9(2) of the NCBC Act.

Yours sincerely

(P.S. KRISHNAN)

Encl: As stated.

Smt. Asha Das
Secretary to Govt. of India
Ministry of Social Justice & Empowerment
Shastri Bhavan
NEW DELHI

O/c

29/6/99

NATIONAL COMMISSION FOR BACKWARD CLASSES

MAHARASHTRA BENCH

FINDINGS

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of "Kohli" caste/community in the Central List of Backward Classes for Maharashtra

I. Request

This case arises from the Request received in this Commission from Kohli Samaj Vikas Mandal, Nagpur (c/o Shri Ramkrishna Pustode, Plot No. 24, Sanket Nagar, Post Bhagwannagar, Nagpur) for the Inclusion of "Kohli" caste/community in the Central List of Backward Classes for Maharashtra.

II. Public Hearing

2. The two-Member Maharashtra Bench of this Commission, consisting of Shri P.S.Krishnan, Member-Secretary, NCBC and Shri Sahu Akshaya Bhai, Member, NCBC held Public Hearing in respect of this Request at Mumbai on 16.1.98. At the Public Hearing, the State Government was represented by Shri B.M.Tayade, Member-Secretary, State Backward Classes Commission, Shri A.V.Nawale, Divisional Social Welfare Officer, Mumbai Division, and Shri C.R.Gosavi, Under-Secretary, Social Welfare Deptt. Dr.M.D.Nalwade, Member, Maharashtra State Backward Classes Commission was also present and provided valuable information. The caste/community was represented by Dr. H.S. Kapgote and S/Shri D.M. Kapgote, G.M. Borkar and R.R. Borkar.

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III. Facts

3. The "Kohli" caste/community under consideration is not included in the first-phase Central (Common) List prepared by the Expert Committee and notified by the Govt. of India in 1993 on the basis of the principle of "commonality" (i.e., inclusion in the Central List of castes/communities which were commonly found included in both the Mandal Commission's List for the State and the State Government's List of BCs that existed at that time) because it was not included in both the State Government's List of BCs that existed at that time and the Mandal Commission's List for Maharashtra and therefore did not satisfy the principle of "commonality".

4. The Maharashtra State Backward Classes Commission has since advised the State Government for inclusion of "Kohli" caste/community in the State List. From a copy of the State Commission's Report, furnished to the State Government on 31.01.1997, copies of which were furnished to this Bench during an earlier Public Hearing on 23.4.97, it is seen that the State Commission after making a sample survey of 50 families has found that while 90% possess their own houses, 58% of the houses are of mud-construction. 38% of their members are labourers. 64% families earn a monthly income of less than Rs. 500/- and 25% families earn a monthly income of about Rs.1000/-. Literacy rate among males is 24% and among women it is 22.84%. On these main grounds, the State Commission unanimously recommended the inclusion of "Kohli" in State List of Backward Classes. It is further mentioned that earlier the Mutatkar Committee has also recommended the inclusion of "Kohli" in the BC List of the State.

5. In the NCBC's Questionnaire filled up and furnished by the Kohli Samaj Vikas Mandal, Nagpur, it is stated that "Kohli" community is also known by the names of "Koyari, Koiri, Kohulee, Kohiri". The total population of the caste/community is given as 4

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lakhs and is stated to be concentrated only in the Bhandara, Chandrapur and Gadchiroli districts. The occupation on which the members of the caste/community mainly depend for their livelihood is given in the Questionnaire as "cultivators and labourers". Their women and children, as a general practice, are stated to be engaged in agricultural labour. 70% of the members of the community are stated to be landless agricultural manual labourers. It is also admitted in the Questionnaire that there were 20 cases (12 in Bhandara district, 6 in Chandrapur and 2 in Gadchiroli) of surrender of agricultural land under the land ceiling Act of the State involving a total of 50 Hectares belonging to the members of Kohli caste/community. The literacy rate of the caste/community is given as 12.5% as against the State average of 63.1% as per 1991 census. 90% of the families are stated to be residing in Kacchha houses. With regard to their representation in the services of the State Government, the following figures are given:

Class I	4
Class II	30
Class III	60
Class Iv	150

It is also stated that there are 15 members in the State level public undertakings/autonomous/semi-autonomous establishments and that there are 8 teachers in colleges and universities, 75 doctors, 30 engineers/architects. The percentage of members of the caste/community who are income tax assesseees is mentioned as "negligible".

6. In the Questionnaire, it has also been stated that their caste/community has already been included in the Madhya Pradesh State Government's List as "Koyari". It is further mentioned that Kohlis caste has the same status as Mali caste and that Kohlis are below Kunbis in status. It has also been specifically mentioned that the Govt. of Maharashtra had given assurance in 1968 to consider the inclusion of Kohli caste in the OBC List, but the

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community refused and demanded inclusion in the ST category.

7. During the Public Hearing the representatives of the caste/community stated that 70% of the community do not have any land and they do agricultural labour on others' land. 30% has got land and they grow sugar-cane and rice. They stated that their ancestors came from Banaras. They speak Marathi.

8. Russell and Hiralal in 'The Tribes and Castes of the Central Provinces of India' (Asian Educational Services, New Delhi, Madras, 1993, first published London, 1916) writes about the "Kohlis" as follows:-

"A small caste of cultivators found in the Marathi-speaking tracts of the Wainganga Valley, comprised in the Bhandara and Chanda districts. They numbered about 26,000 in 1911. The Kohlis are a notable caste as being the builders of the great irrigation reservoirs or tanks, for which the Wainganga valley is celebrated. The water is used for irrigating rice and sugarcane, the latter being the favourite crop of the Kohlis. The origin of the caste is somewhat doubtful. The name closely resembles that of the Koiri caste of market-gardeners in northern India; and the terms Kohiri and Kohli are used there as variations of the caste name Koiri. The caste themselves have a tradition that they were brought to Bhandara from Benares by one of the Gond kings of Chanda on his return from a visit to that place;..... But on the other hand all that is known of their language, customs, and sept or family names points to a purely Maratha origin, the caste being in all these respects closely analogous to the Kunbis. The Settlement Officer of Chanda, Colonel Lucie Smith, stated that they thought their forefathers came from the south. They tie their head-cloths in a similar fashion to the Gandlis, who are oilmen from the Telugu country. If they belonged to the south of India they might be an offshoot from the well-known Koli tribe of Bombay, and this hypothesis appears the more probable....

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..... It has been mentioned above that the Kohlis have a legend of their ancestors having come from Benares, but this story appears to be not infrequently devised as a means of obtaining increased social estimation, Benares being the principal centre of orthodox Hinduism. Thus the Dangris, a small caste of vegetable- and melon-growers who are certainly an offshoot of the Kunbis, and therefore of Maratha extraction, have the same story....

.... Like other castes engaged in spade cultivation, the Kohlis marry two or more wives when they can afford it, a wife being a more willing servant than a hired labourer, apart from the other advantages.... The services of a Brahman are not indispensable (for marriages), and an elder of the caste may officiate as priest....

..... The women wear glass bangles only on the left hand and brass or silver ones on the right, no doubt because glass ornaments would interfere with their work and get broken... They are ignorant themselves and do not care that their children should be educated. Their customs of polygamy leads to family quarrels and excessive subdivision of property;..... Their countenances are of a somewhat inferior type and generally dark in colour.... They eat flesh and fowls, but abstain from liquor. In social status they are on a level with the Malis and a little below the regular cultivating castes."

IV. Findings

9. From the above material and evidence, the Bench comes to the Findings that the Kohli caste/community of Maharashtra is a caste/community of small peasants and that they constitute a socially and educationally backward class. Their low social status is very clear from their social customs and practices mentioned by Russell and Hiralal. This caste/community is apparently the same as the "Koyari" included in the Madhya Pradesh State List as a synonym of "Kachhi, Shakya, Kushwaha". Malis with whom the social status of Kohlis are comparable have been included

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in the list of Backward Classes in respect of almost all the north Indian States as well as in Maharashtra. There was no objection raised during the Public Hearing to the inclusion of "Kohli" in the List of Backward Classes from those present who were from different sections of society. In view of these, it is the conclusion of the Bench that "Kohli" should be included in the Central List of Backward Classes for Maharashtra. The Bench, however, notes that "Kohli" is also a title/surname used by members of the "Khatri" caste/community which is an advanced caste/community of the Punjab and since the possibility of their presence in Maharashtra is very strong, in order to preclude any scope for misuse of the entry by any of their members, while including "Kohli" the entry in the Central List should be as follows:-

"220. Kohli (this does not cover members of "Khatri" caste/community who originally belong to the Punjab and use "Kohli" as a title/surname)"

R. S. Krishnan
24.06.99

R. S. Krishnan
18.6.99

V. Advice of the Commission

10. The Commission considered and agreed in full with the above Findings of the Maharashtra Bench and decided to tender the following Advice to the Central Govt. under Section 9(1) of the NCBC Act, for necessary action by the Central Govt. under Section 9(2) of the Act:-

"Kohli" caste/commiunity be included in the Central List of Backward Classes for Maharashtra at a new entry no.220, as

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follows:-

"220. Kohli (this does not cover members of "Khatri" caste/community who originally belong to the Punjab and use "Kohli" as a title/surname)"

11. On account of the unfortunate demise of one of the Members Shri Navtej Paudhi on 16.8.1998, this unanimous Advice of the Commission does not bear the signature of that Member. The validity of the Advice, notwithstanding the vacancy caused by the demise of the aforesaid Member, is protected by Section of the NCBC Act, 1993.

Kshayam
24.06.99

P. S. Krishna
18.6.99

Navtej Paudhi
25.6.99

P. S. Krishna
2-6-99

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