



पी० एस० कृष्णन्
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सदस्य-सचिव
राष्ट्रीय पिछड़ा वर्ग आयोग
भारत सरकार
त्रिकुट-१, भीकाजी कामा प्लेस, नई दिल्ली-११००६६

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

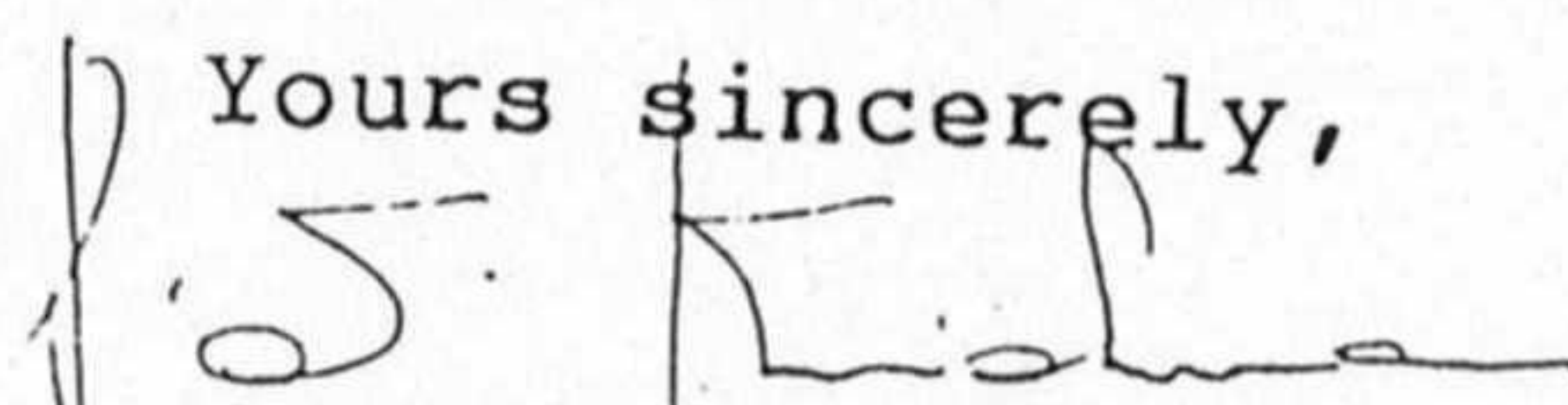
NCBC/Advice No. 1-3/UP/97/
May 8, 1997

Dear Shri Bakshi,

I am sending herewith the unanimous Advices of the National Commission for Backward Classes under Section 9(1) of the NCBC Act, 1993 in respect of three communities, viz; "Mewati, Meo", "Bhisti(Abbasi)" and "Koshta/Koshti" of Uttar Pradesh to include in the Central List of Backward Classes for Uttar Pradesh, for necessary action under Section 9(2) of the Act by the Central Government.

With Best Wishes.

Yours sincerely,


(P.S. KRISHNAN)

Shri K.K. Bakshi
Secretary
Ministry of Welfare
Shastri Bhavan
New Delhi-110001

Encl: As Stated

NATIONAL COMMISSION FOR BACKWARD CLASSES

UTTAR PRADESH BENCH

Findings

Prepared by Shri P.S.Krishnan

Case: Request for Inclusion of "Mewati, Meo" in the Central List of Backward Classes for Uttar Pradesh.

I. Request

The All India Muslim Backward Classes Federation vide their letter dated 1.7.94 made a Request to this Commission for the inclusion inter alia of "Mewati" caste/community in the Central List of Backward Classes for Uttar Pradesh. Subsequently, the following individuals/organisations have made Requests for inclusion of "Mewati, Meo" in the Central List of Backward Classes for Uttar Pradesh:

1. Mev Mahasabha
178 Karim Shah Shopping Complex
Fatehabad Road
Agra-282 001, Uttar Pradesh
2. All India Mev Sabha
1 A, Kankar Tola, Sahdana Chowk
Bareilly, Uttar Pradesh
3. Dr. Abdul Haque Khan
All India Meo Sabha
61/79, Rasool Pur
Agra Cantt., Uttar Pradesh
4. Choudhry Haji Babu Khan
All India Vive-President
All India Meo Sabha
Vill. Rasoolpur
PO Amir Nagar
Mohmadi Khiri, Uttar Pradesh

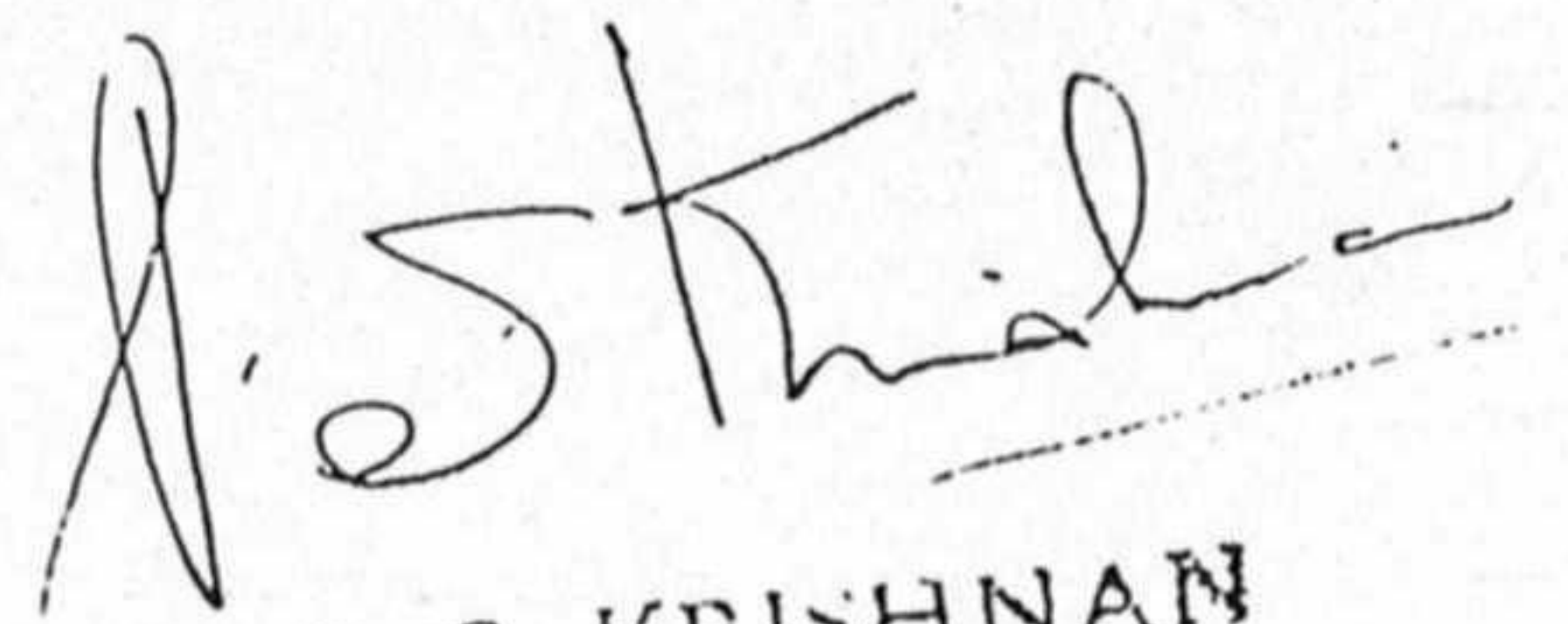
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P. S. KRISHNAN
Member Secretary
National Commission
for Backward Classes

5. Kaleem Khan Meo
401 Mewati Tola
Itawa 206001, Uttar Pradesh

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Member Secretary
National Commission
for Backward Classes

II. Public Hearing

2. The two-Member U.P. Bench of the Commission consisting of Shri P.S.Krishnan and Dr. Dinesh Singh Yadav (who has subsequently ceased to be Member of the Commission) held Public Hearings in respect of this Request at Lucknow on 6.9.1995 and 28.11.1995. At the Public Hearing held on 6.9.1995 the State Government was represented by Shri S.K. Agarwal, Secretary and Shri M.P.Mishra, Special Secretary, National Integration Deptt, Shri S.K.Srivastava, Statistical Officer, Social Welfare Directorate, and Shri M.A.Siddiqui, Secretary, State Backward Classes Commission, Uttar Pradesh. At the Public Hearing held on 28.11.1995 the State Government was represented by Shri Ram Kumar, Secretary and Shri Hans Raj, Joint-Secretary, Backward Classes Welfare Deptt., Shri Siddiqui, Secretary, State Backward Classes Commission, Uttar Pradesh and other officers. The community was represented by Shri Shamsuddin Khan, General Secretary, Mev Mahasabha, Agra, Uttar Pradesh and others.

III. Facts

3. In the Mandal list for Uttar Pradesh "Mewati" has been included at entry No. 87. But it does not find place in the State List that existed at the time of the preparation, on the basis of the principle of commonality, of the first phase Central List of Backward Classes for Uttar Pradesh and, therefore, it has also not been included in the first phase Central List of Backward Classes for Uttar Pradesh. "Mewati" is also not included in the latest State List issued with the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes) Act,

1994 vide Notification No. 488(2)/XVII-V-I(KA)6-1994 dated 23.3.1994. None of the above lists contains the entry "Meo".

4. During the Public Hearing on 28.11.1995 the State Government representatives told the Bench that UP State Backward Classes Commission was enquiring into similar Requests of "Mewati, Meo" caste/community for inclusion in the State List and a Public Hearing by the State Commission in this respect was being held on the same day and the Advice of the State Commission was expected soon. It was considered desirable to wait for some time for the completion of the process in the State Commission so that the NCBC could have the benefit of the data gathered by the State Backward Classes Commission before formulation of the Findings of the UP Bench of the NCBC. The Bench has since been informed that the State Commission has advised the State Government inter alia to include "Mewati/Meo" in the State List vide letter No.938/64-1-96/97 TC dated 19.9.96 of Shri B.P.Verma, Special Secretary, Deptt. of Backward Classes Welfare, Uttar Pradesh with which a copy of the Advice of the State Commisison to the State Govt. is also furnished.

5. The State Commission's Advice to the State Government contains the following facts:-

(i) The traditional occupation of this caste is agricultural labour and it is mainly rural-resident.

(ii) The people of this community are very backward educationally. Their social status is low.

(iii) 90% of the community are uneducated.

(iv) The representation of people of this community in governmental and non-governmental jobs is virtually nil.

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Backward Classes Commission

- (v) They have a population of about 25 lakh and they reside mainly in Western Uttar Pradesh and they have no participation in politics.
- (vi) The people of the Mewati, Meo community are socially, economically and educationally backward.
- (vii) There was no objection to the inclusion of this community in the list of Backward Classes in response to public notice.

6. The community had been notified as a "criminal tribe". This fact has been attested to by the Report of the Criminal Tribes Act Enquiry (Ananthasayanam Ayyangar) Committee (1949-50).

7. The existence of "Mewati, Meo" in Uttar Pradesh is attested to by W. Crooke in his book "The Tribes and Castes of the North Western India" (Cosmo Publications, Delhi, 1975; originally published under the title 'The Tribes & Castes of the North Western Province & Oudh', Calcutta, 1896). Under the head "Meo, Mewati, Mina, Mina Meo" he writes: "The last Census classes them under the Mewati, who are all Muhammadans... The Muhammadan branch... were converted to Islam by Ala-ud-din Ghorī. They are said to be immigrants from Alwar, Bharatpur, and Gurgaon. Their settlement in Mathura is dated, in the reign of Rao Sindhia of Gwalior, about a hundred years ago".

8. Regarding their occupation Crooke writes as follows:-

At present nearly all of them are cultivators and day-labourers". According to Sir J. Malcom (cited in Crooke), "it is hard to say whether the Meos of Central India are Hindus or Muhammadans. They partake of both religions.... Though they are stigmatised as robbers and assassins, they are admitted to be faithful and courageous guards and

servants."

9. The Questionnaire filled up by the All India Mev Sabha states that this community was categorised as De-notified or Vimukta Jati in terms of Criminal Tribes (Repeal) Act, 1952. The Questionnaire gives agriculture involving manual labour both on own land and for wage as the main occupation of the community. It also states that 98% of the families of the community live in Kaccha houses.

10. During the Public Hearing the State Government representatives as well as those present who were from different sections of society not only not objected to the Request, but supported it.

IV. Findings

11. From the above evidence the following Findings emerge:-

(i) "Mewat, Meo" comes under the Fast-Track, as it was declared as a Criminal Tribe earlier, and later, consequent on the enactment of the Criminal Tribes (Repeal) Act 1952, as a Denotified or Vimukta Jati caste/community/tribe. This community fulfills the criterion 2(h) of "A. Social" of the Commission's Guidelines. Wherever a caste/community fulfils this guideline, the Bench may take it as adequate evidence of backwardness, as per Para 6 of the Procedural Clarifications on the Guidelines of the Commission.

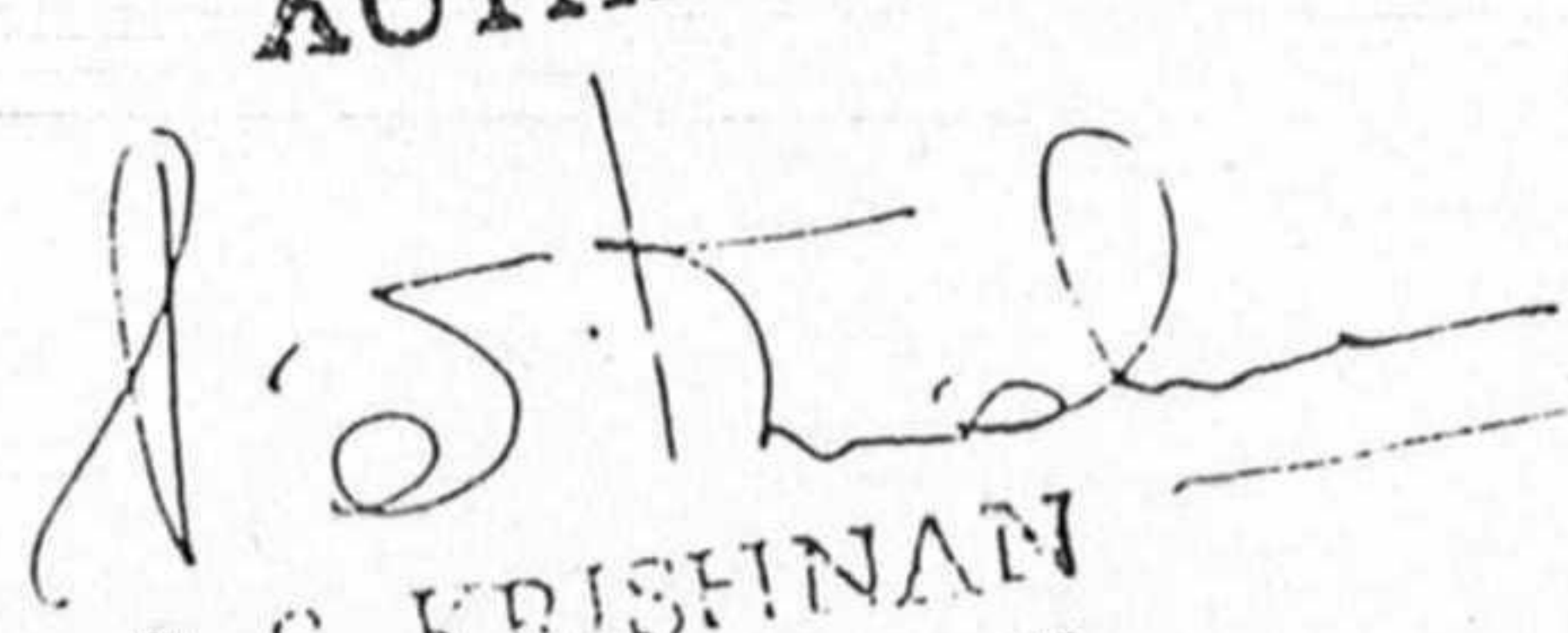
(ii) Mewati, Meo is a Socially and Educationally Backward Class

(iii) Mewati, Meo should therefore be included in the Central List of Backward Classes for Uttar Pradesh at entry No. 56 as follows:

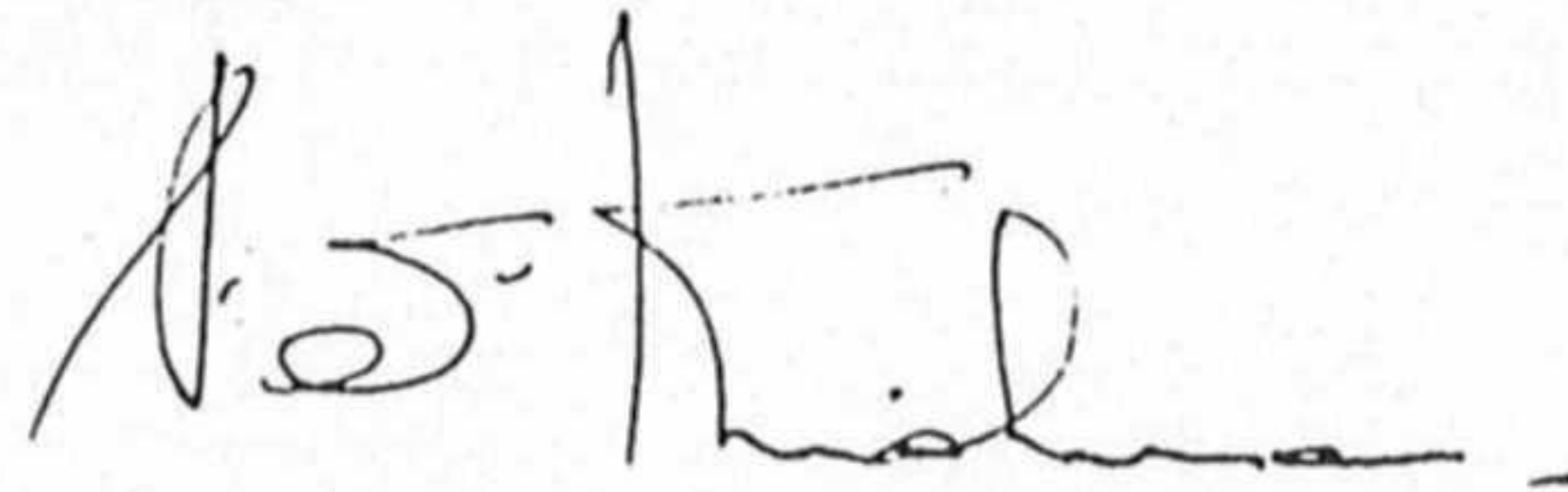
"56. Mewati, Meo"

मेवाती, मेव

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P. S. KRISHNAN
Member Secretary
Commission

12. It is also observed that in a number of cases certificate issuing authorities do not issue Backward Class certificates in respect of the period prior to the Central Government's Notification. The process by which a caste/community became backward is centuries old. Its backwardness did not come suddenly on the date of the notification. The relevance of the date of the Findings or the Advice or the Government's notification is only that the backwardness of the caste/community which was already a social reality was, after enquiry, officially noted and recognised on that particular date. But the benefit of this recognition should be available from the date from which the reservation for Backward Classes came into effect, i.e., 8.9.1993. Therefore, in this, as well as in all other cases, it is necessary to specify that the notification takes effect from the date from which reservation for Backward Classes came into effect and the members of the caste/community are eligible for reservation from that date.



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V. Advice of the Commission

13. The Commission considered and agreed in full with the above Findings (though one of the Members of the Bench has ceased to be a Member of the Commission in the meanwhile) and decided to tender the following Advice to the Central Government as per section 9(1) of the NCBC Act, 1993:-

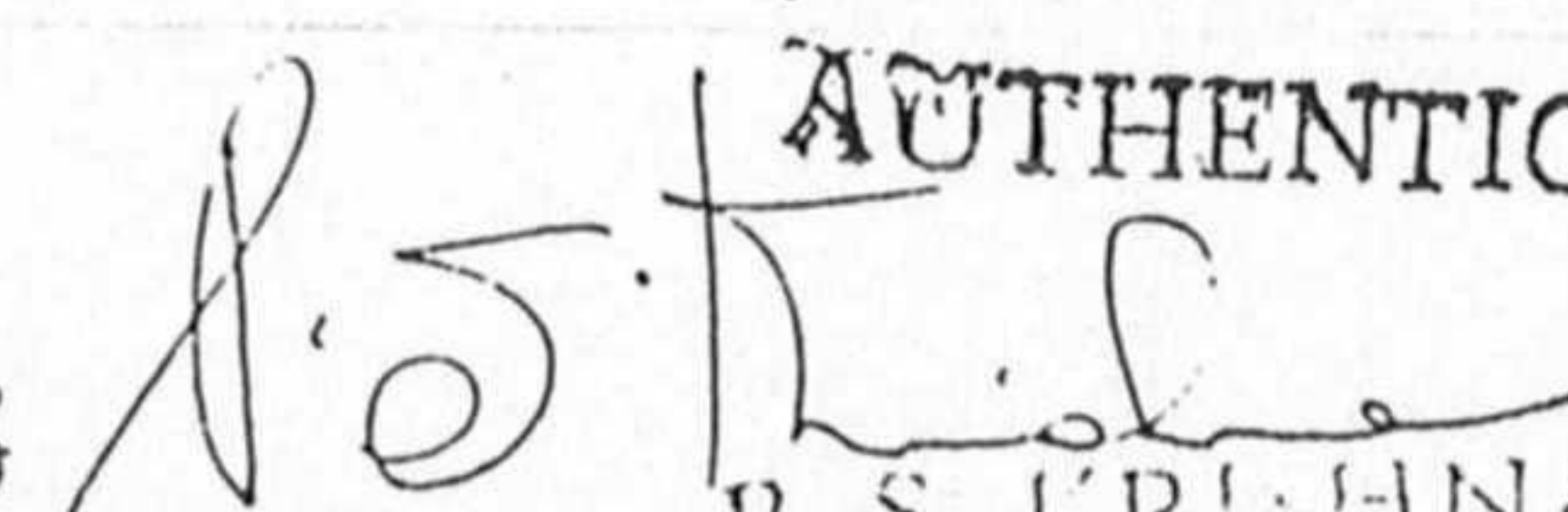
Mewati, Meo should be included in the Central List of Backward Classes for Uttar Pradesh at entry No. 56 as follows:-

'56. Mewati, Meo'

मेवाती, मेव

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Member Secretary
National Commission

14. In view of the difficulties faced by the members of Backward Classes in getting Backward Class certificates, a proviso should be included in the notification to be issued that the "notification will take effect from 8.9.1993", the date from which the reservation for Backward Classes in the services of the Central Government came into effect.

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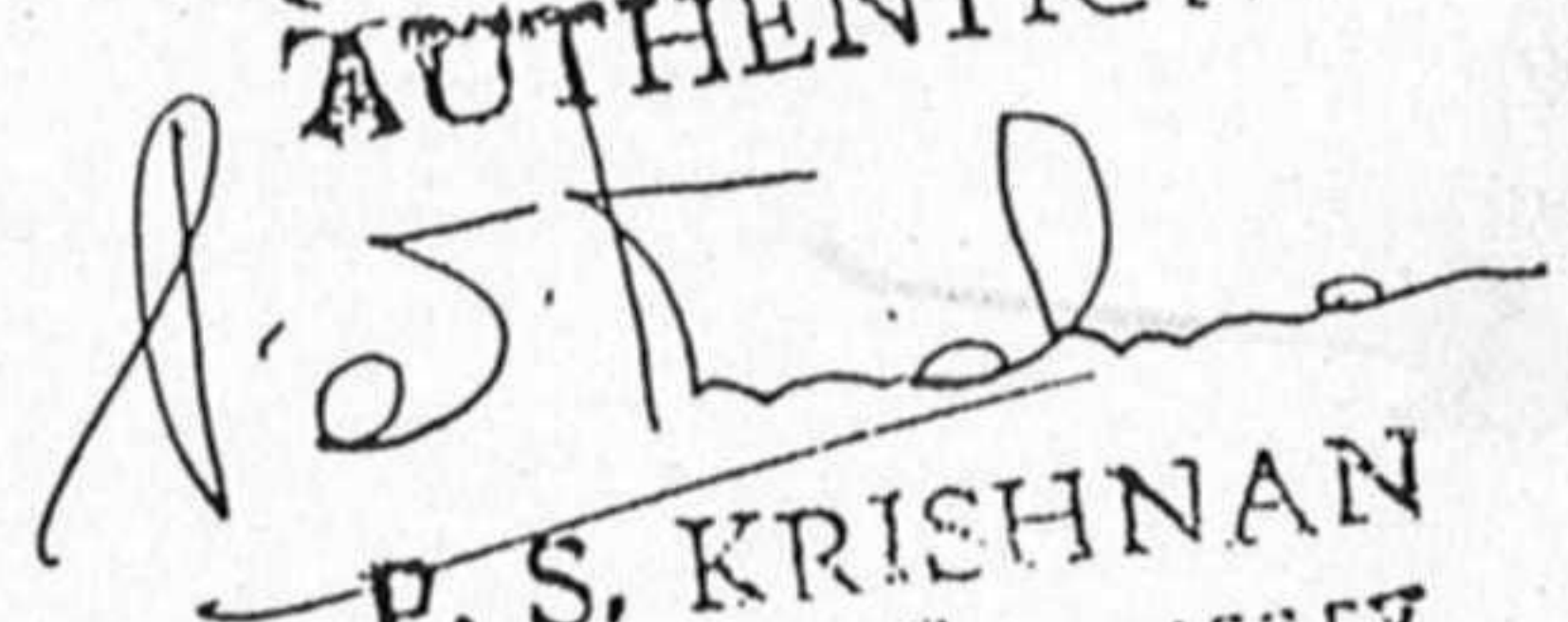
P. S. KRISHNAN
Member Secretary
National Commission
for Backward Classes

NATIONAL COMMISSION FOR BACKWARD CLASSES

Uttar Pradesh Bench

Findings

Prepared by Shri P.S.Krishnan

AUTHENTICATED

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

Case: Request for Inclusion of "Bhisti (Abbasi) in the Cental List of Backward Classes for Uttar Pradesh.

I. Request

This cases arises from the Request of the All India Muslim Backward Classes Federation vide their letter dated 1.7.94 for the inclusion inter alia of "Bhisti (Abbasi) in the Central List of Backward Classes for Uttar Pradesh. A similar Request has also been made by Shri Noor Ali Abbasi, Maulvi Ganj, Lucknow. Shri Noor Ali Abbasi has furnished the information in the NCBC's Questionniare.

II. Public Hearings

2. The two-Member UP Bench of the Commission consisting of Shri P.S.Krishnan and Dr. Dinesh Singh Yadav (who has subsequently ceased to be a Member of the Commission) held Public Hearings in respect of this caste at Lucknow on 6.9.1995 and 28.11.1995 At the Public Hearing held on 6.9.1995 the State Government was represented by Shri S.K.Agarwal, Secretary, Department of National Integration, Shri M.P.Mishra, Special Secretary, Deptt. of National Integration, Shri S.K. Srivastava, Statistical Officer, Directorate of Social Welfare and Shri M.A.Siddiqui, Secretary State Backward Classes Commission, Uttar Pradesh. At the Public Hearing held on 28.11.1995 the State Government was represented by Shri Ram Kumar, Secretary and Shri Hans Raj, Joint Secretary, Backward

Classes Welfare Deptt., Shri Siddiqui, Secretary, State Backward Classes Commission, Uttar Pradesh and other officers. The community was represented by Shri Noor Ali Abbasi, Maulvi, Lucknow.

III. Facts

Since the Bhisti (Abbasi) caste was not included in the Mandal List and the State List of Backward Classes that existed at the time of the preparation, on the basis of the principle of commonality, of the first phase Central List of Backward Classes for Uttar Pradesh in 1993, it has also not been included in the first phase Central List of Backward Classes for Uttar Pradesh. "Bhisti (Abbasi)" is also not included in the latest State list issued under the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes) Act, 1994 vide Notification No. 938(2)/XVII-V-I(KA)6-1994 dated 23.3.1994 and amended in September, 1995.

At the time of the Public Hearing held on 28.11.1995 the State Backward Classes Commission had also completed its Public Hearing in respect of this caste. It tendered its Advice to the State Government to include it in the State list of Backward Classes vide case No. 5/1995 dated 21 September, 1995 as follows:-

"Sagga-Bhisti" = सक्का-भिरती
"Bhisti-Abbasi" = भिरती-अबबासी

The Govt. of Uttar Pradesh vide their DO letter no. 938/64-1-1997 TC dated 19th September 1996 informed the Commission that Advice in respect of this caste tendered by the State Backward Classes Commission is pending with the State Government. A copy of the State Commission's Advice to the State Government has also been furnished with the above letter.

The State Commission's Advice brings out the following

facts:-

(i) The name of the community of Sagga-Bhisti is heard from the time Muslims have been in existence in India. Originally, the people of the Kahar caste of Hindu society were rendering the work of supplying potable water and virtually all work connected with water. The Bhistis were doing the work of supplying water to the armed forces and supplying water in the cities, towns and villages of Central and Western districts of Uttar Pradesh from tanks, wells, rivers and other available sources of water. Subsequently, when the era of tubewells started, their employment diminished. Until 15-20 years back, Bhistis were arranging for water for drinking in local bodies, pouring water from their leather bags for the cleaning of drainage channels by Safai Karmacharis/Halalkhors, sprinkling water on road and meeting the requirements of water for the purposes connected with road repairs and breaking of stones for road construction.

(ii) It is generally believed that Bhisti is a corrupt form of the word "Behisti" which name originated from the belief that providing potable water is a meritorious act under all religions and whoever does this work will have a place in heaven. In his book "Muslim castes in Uttar Pradesh", Dr. Gaus Ansari (p.43) considers the Muslim Bhisti to be equivalent to the Kahar. According to him whatever work the Kahars do in Hindu society with regard to providing potable water, the Bhistis do the same work in Muslim society. In North India the educated people of this community generally began to describe themselves as Abbasis since quite some time. Though the religious scriptures of Islam accord equal status to all, among those who follow Islam in India the stratification of high and low is more or less in the same form as it is among those who follow the Hindu religion. Among the Muslims of India that class is considered to be the highest which is directly related to prophet Hazrat Muhammed or any other prophet.

Muslims of high families generally add surnames connected with one or the other prophet in order to trace their descent from that prophet. From the same point of view, the Bhistis have also been adding the surname Abbasi to their name since a long time, but the surname Abbasi is also taken by some other Muslim sections of the forward Muslim castes (Sheikh, Syed). Another name by which this caste is called is Saqqa, which in Persian language has the same meaning as Bhisti. The name Saqqa-Bhisti is generally prevalent in all areas.

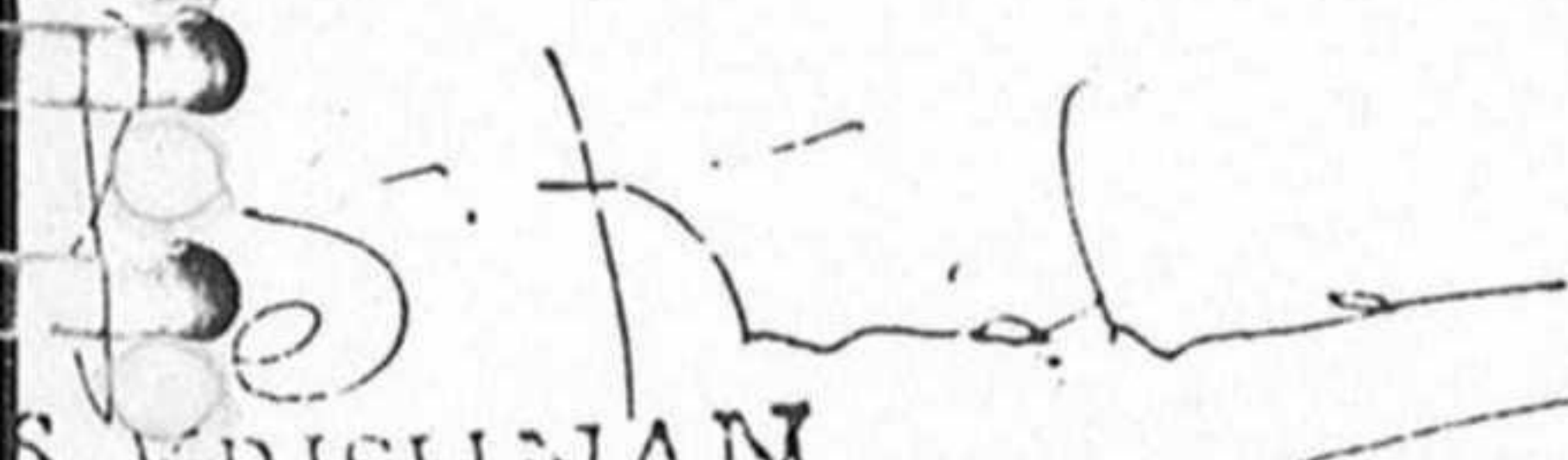
(iii) People of this community are very backward in education. Their social status is considered to be very inferior as they are occupational community. The representation of the people of this community in professions like law, medicine, engineering and higher posts in Government is nominal. Their representation in politics is insignificant. They are not only compared to the Kahar caste occupationally, but also are as backward as Kahars socially, educationally and politically.

(iv) From all evidence available to it the State Commission concludes that the Sakka-Bhisti community is backward socially and educationally and their representation in government services is negligible. In addition, this community is also economically in desperate straits. Accordingly, the State Commission advised the State Govt. to include this community in the State List as follows:-

1. "Saqqa-Bhisti, Bhisti-Abbasi"
2. "सक्का-भिस्ती, भिस्ती-अब्बासी"

6. The information furnished in the NCBC's Questionnaire by the party stated that their caste is generally regarded as socially backward. The occupation in which they mainly depend for livelihood is that of supplying water. They are also engaged in other forms of labour. Their main occupation certainly comes under the category of "manual labour for wage"

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Secretary
Commission

covered by the guideline 2(b) under "A Social" of the Commission's Guidelines for Consideration of Requests for Inclusion. According to their reply, their women and children also engage in manual labour for wage, which brings them under guidelines 2(c) and 2(d) also. Further, the traditional occupation of carrying water in leather bags with which this community is, in terms of the caste system, identified is "lowly and undignified", --- guideline 2(e) covers it. In the distorted value system of Caste, leather is considered to be unclean and those who handle it are also dubbed as unclean and stigmatised, vide guideline 2(f).

7. W. Crooke ("The Tribes and Castes of the North Western India", Cosmo Publications, Delhi, 1974, originally published under the title "The Tribes and Castes of the North Western Province & Oudh", Calcutta, 1896) refers to Bihishti as the Musalman water-carrier class, also known as Saqqa, from the Arabic saqqi, "to give to drink." "They worship their leathern water bag (mashk) as a sort of fetish, and burn incense (ubani) before it on Fridays.... Their occupation is acting as domestic servants and supplying water on payment to Muhammadans and Christians, -- a duty which for Hindus is performed by the Kahar...."

8. "People of India, National Series, Vol. IV, 1993 (under print) brought out by the Anthropological Survey of India confirms the occupation of the caste that Bhists are traditionally engaged as "water-carriers". It also notes that they are mainly landless. There is rise in the number of daily wage casual labourers and child labour does exist among them.

9. During the Public Hearings the State Government representatives as well as those present from different sections of society not only did not object their inclusion in the Central List but also supported it.

IV. Findings

10. From the above evidence the Findings clearly emerge that Bhisti-Abbasi is a socially and educationally backward class, coming under the Fast Track category, and should therefore be included in the Central List of Backward Classes for Uttar Pradesh at entry No. 57 as follows:-

"57. Sagga-Bhisti, Bhisti-Abbasi"

सक्का - भिस्ती, भिस्ती - अब्बासी

11. It is also observed that in a number of cases certificate issuing authorities do not issue Backward Class certificates in respect of the period prior to the Central Govt.'s Notification. The process by which a caste/community became backward is centuries old. Its backwardness did not arise suddenly on the date of the notification. The relevance of the date of the Findings or the Advice or the Government's notification is only that the backwardness of the caste/community, which was already a social reality, was, after enquiry, officially noted and recognised on that particular date. But the benefit of this recognition should be available from the date from which the reservation for Backward Classes in the Central services came into effect, i.e., 8.9.1993. Therefore, in this as well as in all other cases, it is necessary to specify that the notification takes effect from the date from which the reservation for Backward Classes came into effect and the member of the caste/community will be eligible for reservation from that date.

AUTHENTICATED

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

P. S. Krishnan

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V. Advice of the Commission

12. The Commission considered and agreed in full with the above Findings and decided to tender the following Advice to the Central Government as per section 9(1) of the NCBC Act, 1993:-

"Sagga-Bhisti, Bhisti-Abbasi" should be included in the Central List of Backward Classes for Uttar Pradesh at entry no. 57, as follows:-

"57. Sagga-Bhisti, Bhisti-Abbassi"

"सग्गा-भिस्ती", "भिस्ती-अब्बासी"

In view of the difficulties faced by the members of Backward Classes in getting Backward Class certificates for the period prior to the Notification, a proviso should be included in the notification to be issued that the "notification will take effect from 8.9.1993", the date from which the reservation for Backward Classes in the Central services came into effect.

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

NATIONAL COMMISSION FOR BACKWARD CLASSES

Uttar Pradesh Bench

Findings

Prepared by P.S.Krishnan

Case: Request for Inclusion of "Koshta/Koshti" caste in the Central List of Backward Classes for Uttar Pradesh

I. Request

Requests were received by the Commission from the following Associations/Organisations for Inclusion of "Kosta" caste in the Central List of Backward Classes for Uttar Pradesh:-

1. Koshta Samaj Mandal
111/478, Brahm Nagar
Kanpur Mahanagar
2. Koshta Samaj Samity
Unnao Gate
Jhansi
3. Shri Ram Prasad Koshta
Uttar Pradesh Koshta Samaj Mandal
116/208, Rawatpur Village
Ganesh Nagar
Kanpur
4. President
Kori Samaj
Urai, Jalaon

The Uttar Pradesh Koshta Samaj Mandal, 116/208, Rawatpur Village, Ganesh Nagar, Kanpur made its Request to the Commission in the NCBC's Questionnaire.

II. Public Hearing

The 2-Member Bench of the Commission for Uttar Pradesh

consisting of Shri P.S.Krishnan and Dr. Dinesh Singh Yadav (who has subsequently ceased to be Member of the Commission) held Public Hearings in respect of this caste/community on 6.9.1995 and 28.11. 1995. At the Public Hearing held on 6.9.1995 the State Government was represented by Shri S.K. Agarwal, Secretary and Shri M.P.Mishra, Special Secretary, National Integration Deptt., Shri S.K. Srivastava, Statistical Officer, Social Welfare Directorate and Shri M.A.Siddiqui, Secretary, State Backward Classes Commission, Uttar Pradesh. At the Public Hearing held on 28.11.1995 the State Government was represented by Shri Ram Kumar, Secretary and Shri Hans Raj, Joint Secretary, Backward Classes Welfare Deptt., Shri Siddiqui, Secretary, State Backward Classes Commission, Uttar Pradesh and other officers. The Community was represented by Shri Ram Prasad Koshta, General Secretary, Uttar Pradesh Koshta Samaj Mandal, Shri Arvind Kumar Koshta, Shri Hariram Koshta and others.

III. Facts

In the Mandal List for Uttar Pradesh "Koshta" has been at entry no. 74. But it does not find place in the State List that existed at the time of the preparation on the principle of commonality of the first phase Central List of Backward Classes for Uttar Pradesh and therefore it was not included in the first phase Central List of Backward Classes for Uttar Pradesh. "Koshta" is also not included in the latest State List issued with the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes) Act, 1994 vide Notification No. 488(2)/XVII-V-I(KA)6-1994 dated 23.3.1994 and amended in September, 1995.

4. During the Public Hearing on 28.11.1995 the State Government representatives told the Bench that the UP State Backward Classes Commission was inquiring into the Request of "Koshta" caste for inclusion in the State List. The UP State

Backward Classes Commission vide Case No. 33/94 dated 13th August, 1996 has tendered its Advice to the State Government for inclusion of "Koshta/Koshti" in the State List of Backward Classes (vide its letter no. 758/SCBC/96 dated 1st Oct. 1996. A copy of the same was sent by the State Commission for Backward Classes to the NCBC vide DO letter No. 80/SCBC/9/96 dated 1.10.96.

5. The Findings of the UP State Backward Classes Commission in respect of "Koshta"/"Koshti" are as follows:-

(i) This caste/community is socially, educationally and economically backward.

(ii) In the field of education they are far behind.

(iii) In Govt./Private services, they are almost negligible.

(iv) In social and political field they are very far off.

(v) Their main occupation is weaving cloth.

(vi) On the basis of the evidence collected by the Commission and other historical records shown by the representatives of the community, it was recorded that:-

(a) This caste/community is concentrated largely in the Kanpur, Jhansi and Jalaun districts of Uttar Pradesh.

(b) Their main occupation is weaving silk cloth

(c) This caste by its name of "Koshta"/"Koshti" has been included in the list of Backward Classes for Karnataka, Bihar, Andhra Pradesh and Madhya Pradesh.

6. This caste/community has been included in the Central List of Backward Classes for the following States which supplements the Findings of the UP State Backward Classes Commission.

S.No.	Name of the State	Entry No. in the Central List	Name & Spelling in the Central List
1	2	3	4
1.	Andhra Pradesh	72 (Group D)	Koshti
2.	Bihar	21	Kosta Koshta
3.	Karnataka	158	Koshti
4.	Madhya Pradesh	23	Koshta/ Kosta Kosti/ Koshti
5.	Maharashtra	66	Koshti

Quoting "Bombay Gazetteer, XVII, 112" , W. Crooke ["The Tribes and Castes of the North-Western India" (Cosmo Publications, Delhi, Reprint 1975; Vol. III, p. 318, originally published under the title "The Tribes and Castes of the North-Western Province & Oudh", Calcutta, 1896)] under the head "Kori -- The Hindu weaver caste" refers to Kushta or

Koshta as one of the sub-castes of the Koris and states that "Kushta or Koshta... is the general name for a weaver in the Dakkhin." People of India, National Series, Vol. IV, 1993 (under print) brought out by the Anthropological Survey of India states that in Uttar Pradesh, Koshta, also called Kushta, Kusta or Kushti are a community of weavers of Bundelkhand region. They are distributed in Jhansi, Jalaun, Hamirpur, Kanpur, Etawah and Varanasi districts, but their concentration is in Jhansi.

8. The information furnished in the NCBC's "Questionnaire" by the Uttar Pradesh Koshta Samaj Mandal, Kanpur are:-

(i) In respect of U.P., this caste/community is largely concentrated in Jhansi, Jalaun, Kanpur, Etawah, Hamirpur, Varanasi, Allahabad, Banda, Agra and Pratapgarh districts

(ii) This caste/community is generally regarded as Socially Backward.

(iii) The members of the caste/community mainly depend for their livelihood on weaving, tailoring, Biri making and labour.

(iv) Both women and children of this community, for their own and their family's livelihood, are engaged in manual labour like Biri making and toys-making(with paper).

9. This caste/community falls under the Fast Track category as the occupation with which it, in terms of the caste system, is traditionally identified with, is "weaving", which has been covered by the guideline 2(e) of the NCBC's "Guidelines for Consideration of Requests for Inclusion and Complaints of under-inclusion in the Central List of Backward Classes" and by Para 6 of the Procedural Clarifications on the Guidelines.

11. During the Public Hearings, the representatives of the community stated before the Bench that they are socially and educationally very backward and that with the advent of power-loom a large majority of their members have been forced out of their traditional occupation of weaving into other occupations like tailoring, biri-making and general and miscellaneous labour. The State Government representatives as well as those present who were from different sections of society not only did not object to their Request but also supported it.

IV. Findings

12. From the above evidence the Findings clearly emerge that "Koshta"/"Koshti" is a socially backward class. This caste/community falls under the "Fast Track" category as it is, in terms of the caste system, identified/linked with the traditional occupation of weaving, which has been covered by the guideline 2(e) of the NCBC's "Guidelines for Consideration of Requests for Inclusion and Complaints of Under-inclusion in the Central List of Backward Classes". Therefore, this community should be included in the Central List of Backward Classes for Uttar Pradesh at entry no. 58 as follows:-

"58. Koshta/Koshti"

कोष्टा/कोष्टी

12. It is observed that in a number of cases certificate issuing authorities do not issue Backward Class certificates in respect of the period prior to the Central Government's Notification. The process by which a caste/community became backward is centuries old. Its backwardness did not emerge suddenly on the date of the notification. The relevance of the date of the Findings or the Advice or the Government's notification is only that the backwardness of the caste/community, which was already a social reality, was, after enquiry, officially noted and recognised on that

particular date. But the benefit of this recognition should be available from the date from which the reservation for Backward Classes came into effect, ie, 8.9.1993. Therefore, it is necessary to specify that the notification takes effect from the date from which reservation for Backward classes came into effect and the members of the caste/community are eligible for reservation from that date.

Kshay
 2.5.97

P. S. K. Sharma
 2.5.97

V. Advice of the Commission

13. The Commission considered and agreed in full with the above Findings and decided to tender the following Advice to the Central Government under Section 9(1) of the NCBC Act, 1993:-

"Koshta/Koshti" should be included in the Central List of Backward Classes for Uttar Pradesh at entry no. 58 as follows:-

"58. Koshta/Koshti"

कोष्टा/कोष्टी

In view of the difficulties faced by the members of Backward Classes in getting Backward Class Certificates for the period prior to the notification, a proviso should be included in the notification to be issued that the "notification will take effect from 8.9.1993", the date from which reservation for Backward Classes in the Central services came into effect.

Kshay
 02.05.97

P. S. K. Sharma
 2.5.97