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भारत सरकार
त्रिकूट-१, भीकाजी कामा प्लेस, नई दिल्ली - ११००६६

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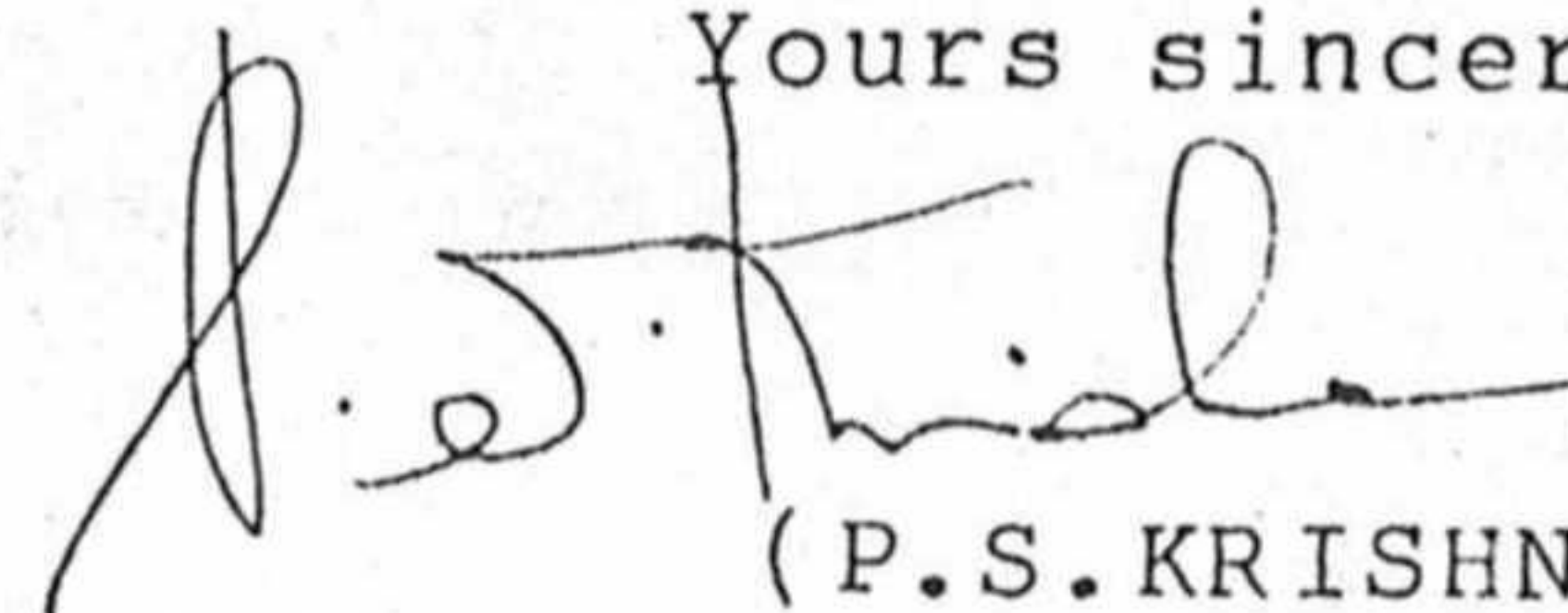
NCBC Advice No .. Bihar 30/99

17.05.1999

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 Rejection of the Request for Inclusion of "Tili" caste/community in the Central List of Backward Classes for Bihar, 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

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17/5
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NATIONAL COMMISSION FOR BACKWARD CLASSES

BIHAR BENCH

FINDINGS

Per Shri P.S.Krishnan, Member-Secretary

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

I. Request

This case arises from the Request received in this Commission from Shri Krishna Prasad Mandal, Secretary, Tili Samaj, Bharti Pustak Bhandar, Rajoun, District Banka, Bihar 813107 for the Inclusion of "Tili" caste/community in the Central List of Backward Classes for Bihar.

II. Public Hearing

2. The two-Member Bihar Bench of this Commission consisting of Shri P.S.Krishnan, Hon'ble Member-Secretary and Prof. Uday Pratap Singh, Hon'ble Member, NCBC held a Public Hearing in respect of this Request at Patna on 09. 01. 1998. At the Public Hearing the State Government was represented by Shri Harun Rashid, Deputy-Secretary, Deptt. of Personnel & Administrative Reforms and other officers. Prof. Rameshwar Prasad Singh, Hon'ble Member, Bihar State Commission for Backward Classes was also present during the Hearing and provided valuable information. The caste/community was represented by the Request-maker Shri Krishna Prasad Mandal, Shri Prahlad Prasad Mandal and others.

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1. Facts & Findings

3. "Tili" caste/community is not included in the first-phase Central List of Backward Classes for Bihar prepared and notified by the Government of India in 1993 on the basis of the principle of Commonality (ie., by inclusion in the Central List for each State of castes/communities which were found commonly included in the respective State Government's List of BCs that existed at that time and the Mandal Commission's List for that State) because it was not included in both the Mandal Commission's List for Bihar and the State Government's List that existed at that time and, therefore, did not satisfy the criterion of commonality.

4. The Government of Bihar has, on the Advice of the Bihar State Commission for Backward Classes, since included "Tili" at S.No. 106 in the State Government's List of "Most Backward Classes" (Schedule I appended to the Bihar Act 3, 1992) vide Govt. of Bihar (Personnel & Administrative Reforms Deptt.)'s Notification No. 11/B.S.B.C.C-17/96 Pers.109 dated 24.7.97.

5. In his letter of Request the Request-maker has stated that "Tili" is a caste/community residing only in 14 villages of the Rajoun, Dhoraiya, Barahat Divisions of Banka district of the State, with a total population of about 15,000. In support of the claim of social backwardness, it is stated that their community is looked down upon as inferior because of child marriage prevalent among them and the limited-circle marriages (सीमित दायरे में शादी - ब्याह करना). In support of this point, the Request-maker has enclosed newspaper clippings of Times of India and Navbharat Times. It is further stated that in recent years "some other backward castes" like Bania, Kalwar, Sudi, Teli have started having marital relations with their community, but such marital relations are limited to the well-to-do families of the community and with the poorer families they do not want to have any marital connections. The Request-maker's reference to "Bania, Kalwar, Sudi, Teli" as "backward castes" is apparently

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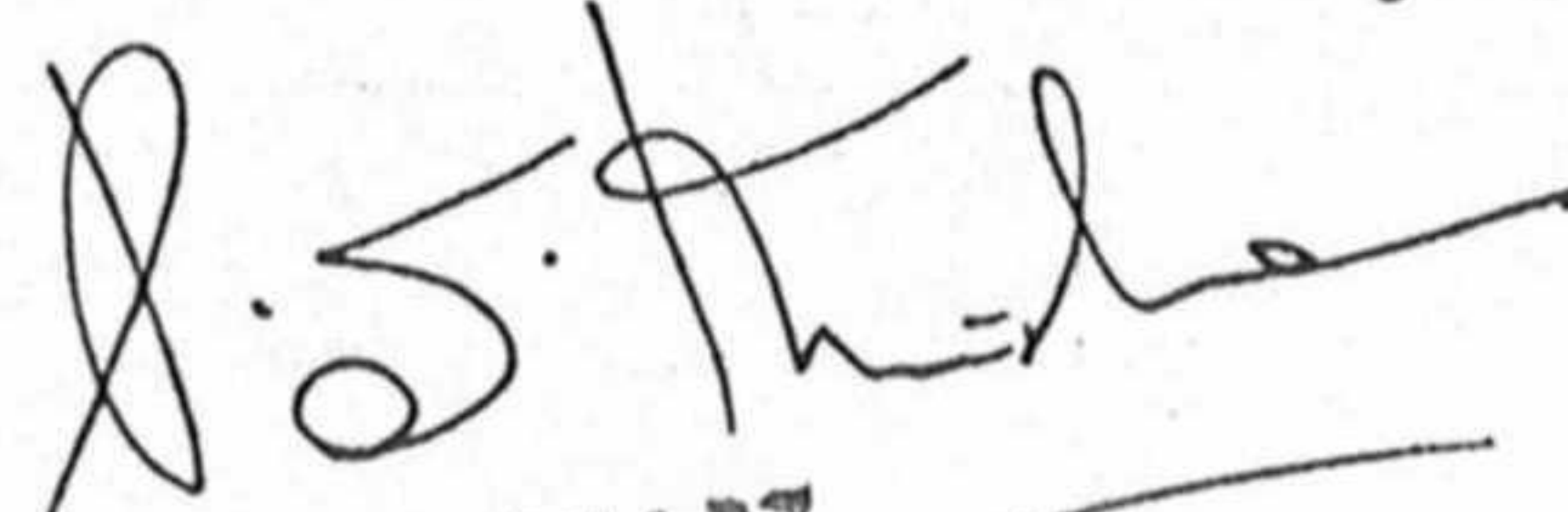
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tailored to the fact of their incursion in the State Government's List of Backward Classes. However, Bania and Sudi are not really Backward castes but are advanced castes belonging to the Vaisya or trader category as brought out by the NCBC in its Advice in respect of Requests for inclusion of 12 castes/communities of Bania/Vaishya category in the Central List of Backward Classes for Bihar tendered to the Government of India on 13.08.1998 vide NCBC Advice No. 7-18/98. As explained in the same Advice the inclusion of "Bania" and a number of Bania/Vaishya category castes in the Bihar State List is an aberration and was based on the recommendation of the Mungerilal Commission which has got serious deficiencies and internal contradictions in so far as Bania/Vaishya category castes are concerned. In view of this, the inclusion of "Bania" and "Sudi" in the Bihar State List does not mean that they are actually socially backward castes as has been presumed by the Request-maker.

6. In the NCBC's Questionnaire filled up and furnished by the Request-maker, the occupation on which the members of the caste/community mainly depend for their livelihood is given as "Agriculture". 0.1 percent members of the community are stated to be land-holders with holdings more than 50% of the statutory ceiling limit for agricultural lands in the State. It is also stated that their agricultural activities involve both manual labour rendered for wage as well as manual labour on own land. During the Public Hearing, the representatives of the community said that 50% of their members are cultivators on bataidari lands in which they share the produce with the landowners on 50 : 50 basis, and the remaining 50% members are agricultural labourers. They have also stated in the NCBC's Questionnaire that their caste/community is, in terms of the caste system, is identified with the traditional occupation of "Cultivation of Til". It is clarified that this information is "according to myth".

7. H.H. Risley (The Tribes and Castes of Bengal) describes "Tili"

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as "a worker in til(sesamum orientale), a synonym for Telis". Under the head "Teli", Risley writes as follows:-

"Originally, it is said there were no divisions, and all oilmen belonged to one caste, but in course of time, as wealth accumulated in their hands, the richer families ashamed of ancestral occupation, have adopted a new name to conceal their parentage. Thus in the district of Central Bengal Telis who have grown rich call themselves Tilis, and affect to be of a higher lineage than the Telis, although they still retain the old family titles. Wealth and prosperity have made them give up the manufacture of oil, and led them to become Amdawalah, or traders buying goods wholesale and selling them by retail. Some go to the length of saying that Tili is a caste wholly distinct from Teli, but I doubt whether the process of separation has as yet gone so far."

8. A.E.Porter (Census of India, 1931 Bengal and Sikkim) writes under the head "Teli and Tili", as follows:-

"The term Teli is used in Bengal nowadays to denote two distinct classes of men, one whose profession is trade, and the other associated with oil-pressing. The former class is regarded as belonging to the Navasakha group, whose touch does not pollute a Brahmana's drinking water and whose priests are 'good' Brahmans, while the oilmen are treated as an unclean caste whom ordinary Brahmanas would not serve as priests. The latter are often called Kalus from the name of the oil-mill to mark the distinction between the two classes of Telis. This distinction has been in existence for several centuries as we find reference to two castes, Tailika and Tailakaraka, in the Brihaddarma Purana..., the Tailika being classed as a good mixed caste who lived by selling betel-nut, and the Tailakaraka or oil-extractor being called an unclean caste. The Brahmavaivarta Purana..., too, places the Tailakaraka in the group of unclean castes."

It is not an uncommon phenomenon in Hindu society for a section of a caste, generally of a lower order, to abandon their traditional

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te profession adopting one which is regarded as 'nobler' by Brahmana law-writers, and gradually form a caste of their own separate from the parent stock..... It seems that the Teli traders have originated by a similar process from the oilman caste, though this separation must have begun several centuries ago. The very name Teli as is used in Bengali or Tailika as written in the Brihaddharma Purana is suggestive of such an origin. The trading Telis have sought to distinguish themselves from the oil-pressing Telis by adopting a comparatively newly-coined word Tili, which, however, is not recognised by the other castes in general. The word was not known to the old lexicographers, Sanskrit or Bengali, and obviously cannot be derived from the word Tula or weighing scales. The weighing scales are not a monopoly of the betel-dealers in Bengal as the Tilis claim to be in their origin..... Nobody has yet suggested that Tili comes from the name of any aboriginal tribe or is a word borrowed from foreign vocabulary."

9. During the Public Hearing the representatives of the community stated in reply to a specific query from the Bench that their community does not have any relations with the "Telis". They also stated that their caste/community is not the same as the Tilis of West Bengal. They claimed that their caste, viz., "Tili" is an independent caste and not a sub-caste of any other caste. The Bench expressed the opinion that if the statement of the representatives of the community that they do not have any connection with Telis is correct, then it is unlike the situation in Bengal. But, the situation in Bengal and Bihar actually cannot be significantly different emerges from the fact that the Tilis of Bihar are actually the Tilis of West Bengal migrated long back from Murshidabad district as is attested to in the newspaper clipping from The Times of India furnished by the representatives of the caste/community themselves in support of their claim that the community practice child marriage. The same newspaper clipping while attesting to the the practice child marriage among them also inter alia thows light on the occupational profile of the community in the following

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words:-

"The Tilees caste people in Bhagalpur district have been living with child marriages now for about two and half centuries even since their migration from Murshidabad in West Bengal in the 18th century.

.....
The Tilees are spread over 14 villages in three blocks of the district --- Rajaun, Barahat and Dhoraiya.....

According to a survey conducted by a Chatra Yuva Sangharash Vahni(CYSV) activist, Mr. Prabhakar, that total population of the Tilee people is about 20,000. He said that the occupations pursued by them are cultivation, trade and partly government service, where they have been working as doctors, engineers and teachers.

.....
At present, two trends are reported to be discernible. The high-born Tilee people, who bear such titles as Choudhary and Mandal, wish to associate with the forward caste groups. The predominant inclination, however, is to be retained in the annexure one in the list of the castes in the state so that they would be able to make use of the reservation policy.....

According to the Jumdagni mythology, the Tilees belonged to the 'Kshatriya' category, but were later relegated to 'Vaishyas'.

The Tilees believe their migration from Bengal began after the Maratha incursions in 1740 during the reign of Alivardi Khan. The Tilee migrants were pursued by the Maratha marauders for 'taxes'. The Marathas also had to fight a battle on the other side of the Champanala bridge on the western fringe of Bhagalpur town around the same period."

10. The above account clearly indicates that like in West Bengal, in Bihar also Tilees are primarily a trader caste/community --- a trader caste/community which, as A.E.Porter's account quoted above suggest, separated from the Teli caste/community on account of their self-perception of high social status. This fact belies the claim of social backwardness of the representatives of the community. This is not a case where the whole Teli caste adopted a different name. Tili seems to have emerged from Teli and then cut

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itself off from Teli, the rest of the original "Teli" caste continuing as "Teli". Their present occupational profile as reported in the Times of India clipping is not of a socially backward community as their members are stated to be, apart from traders, also agriculturists and professionals like doctors, engineers and teachers. Even from the submission of the representatives of the community during the Public Hearing that 50% of the members of the community are cultivators either on their own land or on bataidari lands, it emerges that Tilees are a well-to-do cultivating caste/community. From the fact that the Maratha invaders pursued the migrant Tilees from Murshidabad district of West Bengal for "taxes" in 1740, it can be reasonably presumed that they were a wealthy and landed community even at that time, worthy of pursuit for taxes. The high social standing of the Tilis also emerges from their admitted marital relations with the traditional trader community of "Bania". On the whole, the profile that the available evidence clearly suggests is not that of a Socially Backward caste/community but is that of an advanced caste/community. The Bench feels that the representatives of the community are vainly disclaiming any connection with the Tilees of West Bengal. The practice of child marriage among them also goes against their claim of social backwardness because the custom of infant marriage, though contrary to the modern enlightened thoughts, is characteristic of the advanced or upper castes/communities, though some of the lower castes/communities have also in their tendency to imitate the upper caste practices adopted this custom. In view of these, it is the Finding of the Bench that the Request for Inclusion of "Tili" caste/community in the Central List of Backward Classes for Bihar should be rejected as it is not a socially backward but is a socially advanced caste/community of traders. "Tili" caste/community is not included in the list of BCs in West Bengal or for that matter in any of the States, though the Request for Inclusion of "Tili" in the Central List of Backward Classes for West Bengal is under the examination of the West Bengal Bench of this Commission.

ATTESTED

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Member Secretary
National Commission
Backward Classes

13.5.99

11.5.99

IV. Advice of the Commission

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

The Request for Inclusion of "Tili" caste/community in the Central List of Backward Classes for Bihar should be rejected as it is not a socially backward but is a socially advanced caste/community.

12. On account of the unfortunate demise of one of the Members, Shri Navtej Puadhi 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 7 of the NCBC Act, 1993.

Navtej Puadhi
13.8.99

P. S. Krishnan
11.5.99

K. S. S. S. S.
17.05.99

P. S. Krishnan
17.5.99

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