

National Commission for Backward Classes

Bihar Bench

Case: **Request for inclusion of the castes/sub-castes/communities/synonyms in the Central List of Other Backward Classes for the State of Bihar**

I. Request

This case arises from the requests received in the National Commission for Backward Classes from the State Government of Bihar for inclusion of the following castes/sub-castes/communities/synonyms in the Central List of Other Backward Classes for the State of Bihar.

Castes/Communities

1. Soyar
2. Ansari/Julaha
3. Badhai
4. Itfarosh/Itafarosh/Gadheri/Itpaj/Ibrahimi(Muslim)

II. Public Hearing

2. The Bihar Bench of the Commission consisting of Justice S. Ratnavel Pandian, Hon'ble Chairman, Dr. Subbha Somu, Hon'ble Member, Shri Ram Awadhesh Singh, Hon'ble Member and Shri Abdul Ali Azizi, Hon'ble Member held a Public Hearing at Patna on 16th April, 2008 in respect of the requests received by the Commission from Bihar Government. At the Public Hearing, the State Government of Bihar was represented by Shri Saryug Prasad, Dy Secy, Deptt of Personnel & Training, Government of Bihar. Shri

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Surya Narayan Mandal, Member Secretary and Shri Karan Pal, Member of Bihar State Backward Class Commission were also present during the Public Hearing.

III. Facts

3. Out of the 4 castes/communities, only 3 castes/communities appeared before the Commission's Bench:-

1. Soyar
2. Ansari/Julaha
3. Badhai

4. The following are the entries in respect of the castes/communities in various Lists and the submissions made by the representatives of the castes/communities who appeared before the Bench:

1. Soyar

Mandal List : 153. Soir, Soyer
State List : 99. Soyar (List of Most Backward Classes – Annexure-I)
Central List : No

On behalf of the caste/community 'Soyar', its representative Shri Rajendra Mandal, President, Bihar Rajya Soyar Jati Sangh, Saharsa, Bihar appeared before the Commission's Bench and stated that their main occupation is "Labour". They are engaged as bonded labourers and this practice still persist. The women and children of the caste/community are also engaged in agricultural as well as non-agricultural activities. The total population of the caste/community is approximately 35,000 to 45,000. The

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caste/community members mainly reside in the districts of Saharsa, Madhepura, Supaul and Khagaria. They are considered backward by other castes in the State. The caste/community members are engaged in low level profession like catching fish and killing rats. The literacy rate of the caste/community is very low. The academic qualification of the caste/community members are as under:-

	Male	Female
(a) Matriculate	25	5
(b) Graduate	5 to 7	1 to 2
(c) Post Graduate	0	0

95.0 percent of the caste/community members reside in kachha houses. Only 4 percent of the caste/community members have agricultural land. Representation of the caste/community members in State and Central Government Services are negligible.

The ethnographic account in respect of the caste/community "Soyar" is as under:-

(i) **W. Crooke, The Tribes And Castes of North Western India, Vol. II, p. 320-325**

Soeri, Soiri, Suiri – A small tribe found in parts of the Allahabad and Benaras Divisions. According to Mr. Risley they are known by the names of **Savar, Sabar, Saur, Sar, Sayar, Suir, Siwiri**
None of the higher castes will take food or water from their hands. They naturally hold a low social rank, and are not regarded with more respect than Koiris. They are, in the Mirzapur District, in poor circumstances. None of them are landlords; a few cultivate as tenants, but the most of them are landless daily labourers and serve as messengers or as stone cutters in the quarries about Chunar. In

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Mirzapur, at least, they appear to have abandoned their old criminal habits, and are now a quite, depressed race of people who very seldom come under the notice of the courts.

(ii) **H.H. Risley, The Tribes And Castes of Bengal, Vol. II, p. 241-246**

Sabar, Sabar, Saur, Sar, Sayar, Suir, Swiri, a Dravidian cultivating and servile tribe of Orissa, Chota Nagpur, Western Bengal, Madras and the Central Provinces.

The Savars of Bankura have become thoroughly Hinduised and Brahmans serve them as priests in the worship of the standard gods. These Brahmans are received on equal terms by the *purohits* of Bagdis, Koras, Kewats, and other low castes.

The Savars believe their original condition to have been that of a wandering tribe, roaming through the hills of Orissa and Chota Nagpur, living on the fruits of the forests and acknowledging the rule of no recognized chief. The memory of this primitive state is almost the only tradition which the tribe still preserve, and it can hardly be doubted that this primitive mode of life must have lasted, at any rate among some branches of the savars, down to comparatively recent times.

The bulk of the tribe have taken to plough cultivation and massed themselves in regular villages; but the Bandkara of Keunjhar still adhere in the main to the nomadic habits which their traditions describe.....

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2. Ansari/Julaha

Mandal List : No 66. Julaha, 122. Momin (Muslim).

State List : No.94 Ansari

Central List : No 103 Momin(Muslim).

On behalf of the caste/community 'Ansari/Julaha, its representatives Shri Abdul Karim Ahmad, National Working President and Shri Khalid Anwar Ansari, National President, All India Momin Conference appeared before the Commission's Bench and stated the following:-

The caste/community Momin (Muslim), Ansari and Julaha are one and the same and these all indicate, only one caste. Momin(Muslim) has already been included in the central list of OBCs and its two sub-castes, i.e; Ansari/Julaha are embodied in the main caste Momin(Muslim). As such it is not required to include Ansari/Julaha as a separate caste in the central list of OBCs for Bihar. He further stated that on the recommendation of the State Backward Class Commission, Government of Bihar has already included "Julaha/Ansari" in the extremely backward classes just after Momin(Muslim) at Sl No 94. The caste/community members reside in all the districts of Bihar. The caste/community members are considered extremely backward in the State. The caste/community mainly depend on labour/manual labour for their livelihood. Women and Children of the caste/community are also engaged in labour and other manual labour. The traditional occupation of the caste/community is weaving which is considered as petty jobs, to earn for the family. The representation of the caste/community in Parliament and State Legislature is negligible whereas only few representation of the caste/ community in

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Panchayati Raj Institution. The Literacy rate of the caste/community is low. Hence they need to be included in the Central List of OBCs for the State of Bihar so that the caste/community can avail the benefits which are available to the OBCs.

The caste/community "Ansari/Julaha" is already included in the Central list of OBCs in many States, which are as follows: -

<u>States</u>	<u>Castes/Communities</u>	<u>Entry No.</u>
Bihar	Momin(Muslim)	103
NCT of Delhi	Julaha, Julaha-Ansari	26
Gujarat	Ansari (All Muslims)	27
Himachal Pradesh	Julaha, Ansari	49
Madhya Pradesh	Julaha-Momin, Julaha-Ansari	
	Momin-Ansari	59(15)
Maharashtra	Julaha, Momin, Julaha-Ansari	
	Momin-Ansari	50

The ethnographic account in respect of the caste/community "Ansari/Julaha" is as under:-

' India's Communities", Vol V , K.S. Singh Page 104-105.

The Ansari of Bihar, also called momin or Julaha, are distributed in the Ranchi, Hazaribagh and Singhbhum districts of the Chotanagpur area. They were reportedly different from the Hindu Julaha (Risley 1891). Urdu is their mother tongue and they use the Perso-Arabic script. In addition, they are conversant with the local languages Sadri, Nagpuri and Hindi and use the Devanagari script. While the main economic resource of the Ansari is agriculture, some of them are also engaged in labour and business. A few of them have retained their traditional occupation of weaving. Their panchayat (anjuman) deals with the social affairs of the community. The Ansari sometimes participate in Hindu festivals in the village and elsewhere. They have linkages with several communities in all

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spheres of life. Their literacy rate is poor and girls discontinue their studies due to social reasons. The older generation does not approve of family planning. A few have availed themselves of the opportunities extended by the IRDP for goat-rearing and purchasing of bullocks.

K.S. Singh in his book "People of India- Communities, Segments, Synonyms, Surnames and Titles" (National Series Vol. V111

ANSARI

Synonyms : Julha, Momin (Bihar)

Surnames: Ali, Hussain, Mohammad (Bihar)

3. Badhai

Mandal List : No

State List : Sl No.18 : Barhi

Central List : Sl.No.81:Barhai(Vishwakarma)

On behalf of the caste/community 'Badhai, its representative Shri Ravindra Prasad, Mahamantri Bihar Badhai Vishwakarma Samaj, Flat No. B - 12, Noba Nagar, Phase - 1, Khoja Imli, Phoolwari Sharif, Patna appeared before the Commission's Bench and stated the following:-

95.0 percent population of the caste/community is landless. They are daily wage labourers. Carpentry is the main occupation. Most of the caste/community members reside in village area. They are socially and economically weak, educationally and politically backward. They are treated very low at social level by other castes/communities. According to 1991 census total population of the caste /community members is 10,59,618 which is approximately

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14.0 percent of the total backward population of the state and approximately 1.64 percent of the total population of the State. 2.0 percent of the caste/community members own some agricultural land and only 1.0 percent of the caste/ community members are engaged in other profession like Government Service, Public Sector and Private Sector.

Shri Tapeswar Sharma, General Secretary, Bihar Rajya Badhai Vishwakarma Mahasabha appeared before the Commission's Bench and stated the following:-

The caste/community figure in the State List of OBCs. They reside in all districts of the State. He further stated that the caste/community is considered backward in the State. The caste/community members are engaged in traditional occupation of carpentry. Women of the caste/community too are engaged in manual labour. In Parliament and State Legislature there is no representation of the caste/community. In Panchayati Raj the caste/community representation is also negligible. 95.0 percent of the caste/community members live in Kachha house. Literacy rate of the caste/community is 23.0 percent in the State. Academic qualification of the caste/community members are as under:-

	Male	Female
(a) Matriculate	29838	12872
(b) Graduate	6317	2345
(c) Post Graduate	2510	1350

The caste/community "Badhai" is already included in the Central list of OBCs in many States, which are as follows: -

<u>States</u>	<u>Castes/ Communities</u>	<u>Entry No.</u>
Bihar	Barhi(Viswakarma)	81

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<u>States</u>	<u>Castes/Communities</u>	<u>Entry No.</u>
NCT of Delhi	Badhai, Barhai, Vishwakarma	5
Assam	Barhai	24
Madhya Pradesh	Barhai, Vishwakarma	6
Andhra Pradesh	Viswakarma	59
Haryana	Barhai	30

As per Para 7 of NCBC Guidelines on procedural clarification, when ever a caste or community fulfills the guidelines 2 (e) & (f) i.e.; caste and communities, which in terms of the caste system, are identified with traditional crafts or traditional or hereditary occupation, considered to be lowly or undignified may be included, and findings/advice formulated to that effect.

The ethnographic account in respect of the caste/community “**Badhai**” is as under:-

‘India’s Communities’, Vol 1V , Sh.K.S. Singh, page158-159.

‘Badhai/Barhai An occupational community, the Badhai derive their name from the Sanskrit word vardhna or vardhika, meaning cutting. They trace their descent from Lord Vishwakarma, the divine architect. Rose (1919) describes the Barhai as wood cutter or carpenters. Risley (1891) found that Barhi was the synonym of Barhai in Bengal, Bihar and Orissa. He states that besides carpentry, some were engaged in agriculture and were holding land as occupancy or non occupancy rayiots. Nowadays, they are largely engaged in carpentry. They are presently distributed in the states of Madhya Pradesh, Himachal Pradesh, Uttar Pradesh and Bihar and in the union territory of Chandigarh.

In Bihar, the Barhai have synonyms like Mistry, Sharmaji, Viswakarma and Thakur. Bhojpuri, an Indo-Aryan language, is their

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mother tongue. They also converse in Hindi and use the Devanagari script.

The Barhai are mainly landless. Their main source of livelihood is carpentry. Some are engaged as daily wage labour in the agricultural and industrial sectors. Their family deities are Gareyababa, Benimai and Vishwakarma and village deities are Mahavira and Ugra Maharaj. They are skilled in wood engraving and in making wooden furniture. They have oral traditions and folk songs. The dholak, a traditional percussion instrument is used in different festivals as well as at birth and marriage rituals

K.S. Singh in his book "People of India- Communities, Segments, Synonyms, Surnames and Titles" (National Series Vol.V111, on Page 163.

‘ Badhai – POI equivalent: Badhai/Barhai

Census years 1881, 1931; earlier distribution: Bombay Presidency, Gwalior state, Karauli state; present distribution: Bihar : more than three fourth districts of the state

K.S. Singh, India's Communities, Vol. IV page 1080, the synonyms of the caste/community is described as under:-

Synonyms : Mistry, Sharmaji, Thakur, Viswakarma (Bihar), Badhi, Dhiman, Brahman, Tarkhan (Himachal Pradesh) Viswakarma (Madhya Pradesh), Barahia, Choursia, Jangid Brahman, Khati, Kolash, Lote, Panchal, Tarkha (Uttar Pradesh), Tarkhan (Chandigarh), Binedhanies (Orissa)

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IV. Findings

The Commission while considering the above cases took note of the following in respect of the socio-economic and educational conditions of the castes/sub-castes/synonyms under reference:

- a) The castes/sub-castes/synonyms under consideration belong to the lower strata of the society. These castes/sub-castes/synonyms are already included in the State list of Backward Classes.
- b) As per information provided by the State and the submissions made by the representatives of the castes/ sub-castes/synonyms, the Bench observed that the representation of these castes/ sub-castes/synonyms in service seems to be low. Similarly a vast majority of the members of these castes/ sub-castes/synonyms are engaged in their traditional occupations or working as manual labour which fall within the lower rung of occupational hierarchy. Their living conditions are also indicative of their poor socio-economic conditions.
- c) During the Public Hearing, members of different castes/communities and the State officials who were present did not oppose to the submissions made by the representatives of the above castes/sub-castes/ synonyms in the Central List of OBCs for the State of Bihar.

II. In view of the foregoing facts and evidence, the submissions made by the representatives of the castes/sub-castes/communities/synonyms and the representatives of the State Government, evidence & documents presented at the time of public

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hearing and also on a perusal of ethnographic literature by eminent authors, reports of State Backward Classes Commissions and other available informations, the Bench is of the considered view that the following castes/synonyms are socially & educationally backward and should be included in the Central List of OBCs for the State of Bihar:

1. **Soyar**
2. **Ansari/Julaha**
3. **Badhai**

After the inclusion of the above caste/community, the respective entries will read as under:

"133. Soyar"

"103. Momin(Muslim), Ansari/Julaha"

"81. Barhai(Vishwakarma), Badhai"


(Justice S. Ratnavel Pandian)
Chairperson


(Dr. Subbha Somu)

Member


(Ram Awadhesh Singh)

Member


(Abdul Ali Azizi)

Member

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V. Advice of the Commission

The Commission considered and agreed in full with the above Finding of the Bihar Bench and decided to tender the following Advice to the Central Government under Section 9(1) of the National Commission for Backward Classes Act, 1993, for necessary action by the Central Government under Section 9(2) of the Act:-

The following castes/communities/sub-castes/synonyms are socially and educationally backward and should be included in the Central List of Other Backward Classes for the State of Bihar. The entry after inclusion will read as under:-

“133. Soyar”

“103. Momin(Muslim), Ansari/Julaha”

“81. Barhai(Vishwakarma), Badhai”

(Justice S. Ratnavel Pandian)

Chairperson

(Lakshmi Chand)
Member-Secretary

(Dr. Subbha Somu)
Member

(Ram Awadhesh Singh)
Member

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