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सदस्य-सचिव
राष्ट्रीय पिछड़ा वर्ग आयोग 143
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

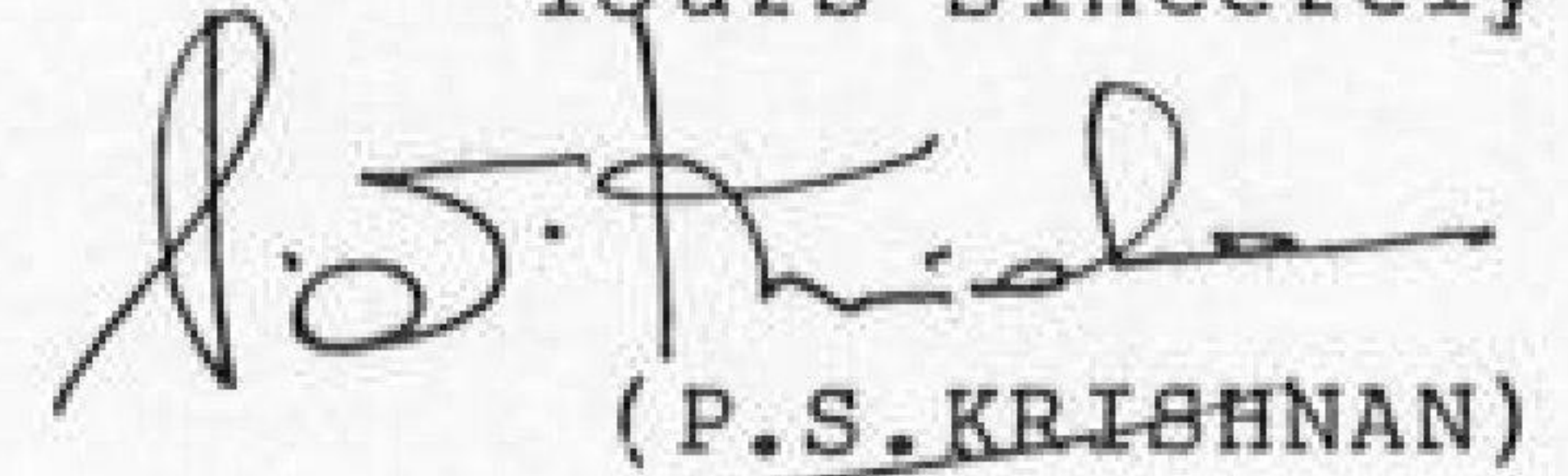
NCBC Advice No. Orissa 64/99

09.07.1999

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 "Hatua" in the Central List of Backward Classes for Orissa, duly authenticated, for necessary action by the Central Government under Section 9(2) of the NCBC Act.

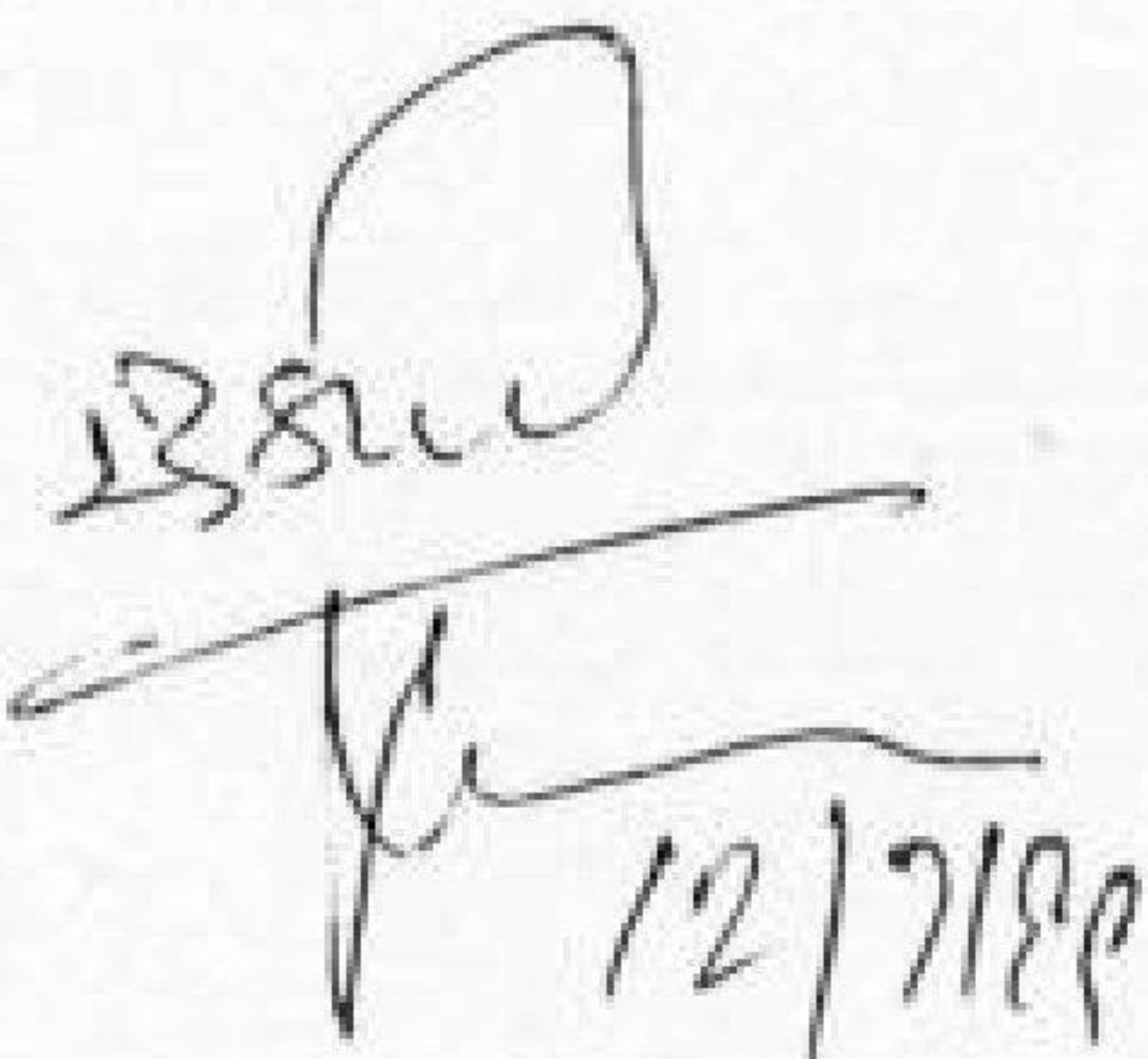
Yours sincerely


(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


12/7/99

NCBC Advice Orissa 64/99

NATIONAL COMMISSION FOR BACKWARD CLASSES

ORISSA BENCH

FINDINGS

Case :- Request for inclusion of 'Hatua' caste/community in the Central List of Backward Classes.

Per Shri U. P. Singh, Member

I. Request

1. This case arises from the requests received in this Commission from Shri Sahura Mallik, Member of Legislative Assembly, Baliguda and Shri Benudhara Sahu, Secretary, Hatua Samaj, Bouudha and Sonepur, Orissa for inclusion of 'Hatua' in the Central List of Backward Classes for Orissa.

II. Public Hearing

2. The two-Member Orissa Bench of the Commission consisting of Hon'ble Members Shri U. P. Singh and Shri Sahu Akshaya Bhai held a Public Hearing in respect of these requests on 8.1.99 at Bhubaneswar. At the Public Hearing the State Govt. was represented by Shri G.C. Patanaik, Joint Secretary and Shri D. C. Pradhan, Under Secretary, Department of Welfare. The caste/community was represented by Shri Benudhar Dalai, Lalit Mohan Behra and others.

III. Facts

3. At the time when the Expert Committee on Backward Classes on the basis of the principle of commonality, i.e., by listing castes common to both the Mandal List for each

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Member Secretary
National Commission
for Backward Classes

State and the respective State Lists and when, on the basis of the Expert Committee's Report, the Government of India notified the first-phase Central List in 1993, Orissa was one of the States which did not have a List of its own. Therefore no Central List of Backward Classes for Orissa was prepared at that stage. It was only after the Supreme Court's Judgement in the Mandal case that the State List for Orissa came into existence in 1994 on the basis of one man (Justice N. K. Das) Commission Report. Thereafter the Central Government vide Ministry of welfare's Resolution No. 12011/9/94-BCC dated 19-10-94 issued a "Common (Central) list" of Backward Classes for Orissa. 'Hatua' caste was not included in the Central List of Backward Classes for Orissa as it was not included in both the Mandal Commission's List for Orissa and the State Government's List of Backward Classes existed at that time. The Government of Orissa, on advice of the State Commission for Backward Classes, included Hatua in the State List vide Resolution No. 8808-O.B. C.-1/97-W dated 8-4-97 at entry No. 200 as below :-

"200. Hatua"

4. In his request for inclusion of 'Hatua' in the Central List of Backward Classes for Orissa, Shri Benudhara Sahu, Secretary, Hatua Samaj, Orissa has stated that the people of Hatua community are mostly inhabitants of Boudha and Sonepur district of Orissa constituency. The Hatua people are mostly backward both socially and economically amongst other people of the state. Unless their caste is included in the Backward Classes list, the Hatua people cannot be served and they can't be developed.

5. According to H. H. Risley (The Tribes and Castes of Bengal, Ethnographic Glossary, vol.-I, Firma Mukhopadhyay, Calcutta, 1981, 1st Edition, 1891, p. 318). Hatua is a sub-caste of Bhandaris in Orissa. But the representatives of the caste stated at the Public Hearing that they are not connected with the Bhandari/Barber caste but is a different caste/community.

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6. At the Public Hearing the representatives of the caste stated that the population of the caste in the state is approximately 40,000 mostly residing in Sonepur, Bolangir, Bargarh, Barapur, Sambalpur etc. The main occupation of the members of the community is selling commodities like dry fish, salt, cereals, pulses, tobacco etc. in the weekly hats in small villages. Few members of the caste are engaged in agricultural and other occupations. Socially they are looked down upon by the other caste people. Brahmans and Kshatriyas don't take water from their hands. They have no representation in the State Legislative Assembly or in any elected body at the district level. When their attention was invited to the writings of Risley, describing Hatua as a sub-caste of Bhandari/Barber caste, the representative stated that their caste is much lower level than the Bhandari caste. 'Hatua' name has been derived from the word 'Hat'. The people of this caste in old times were selling salt in bullock carts from village to village and later on started selling other commodities also in the village hats.

7. R. V. Russel and Hiralal (The Tribes and Caste of the Central Provinces of India, Asian Educational Services, New Delhi, Madras, 1993, First published 1916 vol. I., Glossary p. 367) has given the ethnographic account of 'Hatwa' caste as follows :-

"A small caste of pedlars and hawkers in the Uriya country, who perambulate the village bazars or hats, from which word their name is derived. They sell tobacco, turmeric, salt and other commodities. The caste are in reality a branch of the Kewats, and are also called Semli Kewat, because their ancestors traveled on the Mahanadi and other rivers in canoes made from the bark of semal tree (*Bombax Malabaricum*). They were thus Kewats or boatmen who adopted the practice of carrying small articles up and down the river for sale in their canoes, and then beginning to travel on land as well as on water, became regular pedlars, and were differentiated into a separate caste. The caste originated in Orissa where river travelling has until lately been much in vogue, and in Sambalpur they are also known as Uriyas, because of their recent immigration into this part of the country. The Hatwas consider themselves to be descended from the Nag or cobra, and say that they all belong to the Nag gotra. They will not kill a cobra, and will save it from death at the hands of others if they have the opportunity, and they sometimes pay the

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snake-charmers to set free captive snakes. The oath on the snake is their most solemn form of affirmation. For the purposes of marriage they have a number of exogamous sections or vargas, the name of which in some cases indicate a military calling, as Dalai, from Dalpati, commander of an army, and Senapati, commander-in-chief ; while others are occupational, as Maharana (painter), Dwari (gatekeeper) and Mangual (steersman of a boat). The latter names show, as might be expected that the caste is partly of functional origin, while as regards the military names, the Hatwas say that they formerly fought against the Bhonslas, under one of the Uriya chiefs. They say that they have the perpetual privilege of contributing sixteen poles, called Naikas, for the car of Jaganath, and that in lieu of this they hold seven villages in Orissa revenue-free. Those of them who use pack-bullocks for carrying their wares worship Banjari Devi, a deity who is held to reside in the sacks used for loading the bullocks; to her they offer sweetmeats and grain boiled with sugar."

8. The Orissa State Commission for Backward Classes, while considering the request for inclusion of 'Hatua' caste/community in the State List of Backward Classes, found the community to be socially and educationally backward. The finding of the Commission was based on the following facts as stated in the Advice:-

" It has been stated that the caste 'Hatua' is socially & educationally backward and the people belonging to this community trade in small dry fish, grocery articles i.e. pulses, salt, cereals tobacco etc. They go to weekly markets with their Pasara and sell vegetables, mung, biri etc. They purchase such commodities from one market and sell away the same in other markets with margin of profit. Because of this occupation, they have been doing over generations their caste name is known as 'Hatua'. 80% of the Hatuas are landless and 20% of the caste people have agricultural lands. The average land holding per family is 1 acre.

The total population of "Hatua" caste people is 40000 approximately. They mostly reside in Sambalpur, Burla, Rourkela, Baragarh,. Dhama, Bolangir and Sonepur areas. This Hatua caste people are treated as Sudra in the traditional Hindu caste

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system. Being treated as inferior caste people in the society, Brahmins, Kulta, Dumal, Bania and even Barbers do not take food and water from them. The women and children of the Hatua caste do manual labour in their own land where they have got agricultural lands or on wages in the land of others, but the women mainly sell different essential commodities, edible oil etc. by taking them in their "Pasara"(i.e. goods kept in baskets) and carrying on the head to the weekly markets/daily markets. Some of them have small shops. The sale of goods in the Hats/Hatlis are being done mostly by women (80%) and by men (20%). The Brahmins and other higher caste Hindus do not dine with them and even do not allow them to sit alongwith them or touch them while taking food. Thus the Hatua caste people are treated as very inferior in social status by Brahmins. Widow marriage is encouraged where as child marriage has been completely stopped among the Hatuas.

The average rate of literacy among the Hatuas is reported to be 30%. It was stated by them that from among them 1000 have passed Primary standard, about 200 have passed M.E. standard, nearly 100 have passed High School Certificate Exam. It is also further reported that there are only 20 Intermediates, 7 Graduates and 3 Post-graduates among the Hatuas. No technically qualified person/lawyer/doctor/engineer has yet been reported to be found among the Hatuas. The dropout rate is about 80% among the school going children. From among the Hatuas, there is no representative in any of the elected bodies. There is not a single gazetted officer from among them. However, few of them are working in non-gazetted cadres and in Class-IV category."

IV. Findings

9. From the ethnographic account of 'Hatwa' caste as given by Russel and Hiralal and the statements of the representatives of Hatua caste, it is clear that the caste under consideration, 'Hatua' and the caste described as 'Hatwa' by Russel and Hiralal are same. Considering the statement of the representatives of the caste at the public hearing that the caste name 'Hatua' is derived from the word 'Hat' and the description of 'Hatwa' caste by Russel and Hiralal, it appears that originally the name of caste was 'Hatwa' derived

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from 'Hat', but in long run the word Hatwa corrupted to Hatua. The findings of the State Commission for Backward Classes also confirm the fact that the traditional occupation of the members of the caste is selling commodities in the 'hats'. The occupation of selling commodities in the village hats can not be equated with "Trade and Commerce" because the first involves manual labour (carrying goods on the head from one place to another) while the latter involves simple marketing. Though they are engaged in trading, they are not a trader-caste. This is a low status caste is clear from the account of Russel & Hiralal that it is really a branch of Kewat (a backward class wherever they exist), which took to transport of small articles by canoes for sale. From that stage, there has been change, but not qualitative change – they have only become pedlars by land from hat to hat. Their low status is also brought out by the State Commission's clear finding that they are treated as an inferior caste in society and not only castes like Brahmin and Bania (typical trader-caste) but even barbers do not take food or water from them. The Bench finds that the people of 'Hatua' caste/community are having a low social status and are completely different from the trader-castes of Vaishya Varna which enjoy a high social status in the Indian caste system. The fact that 'Hatua' also being the name of a sub-caste of Bhandari (Barber) caste/community in Orissa, as attested to by the writings of Risley, is no hurdle on the way of inclusion of 'Hatua' in the Backward Classes List because there is no possibility of its misuse, as Bhandari caste is already included in the Central List of Backward Classes for Orissa. Therefore, the Bench recommends that 'Hatua' should be included in the Central List of Backward Classes for Orissa as a new entry at Sl. No. 190 as follows:

" 190. Hatua"

U.P. Singh
8.7.99
(U.P. SINGH)

Ashaya
08.07.99
(SAHU AKSHAYA BHAI)

AUTHENTICATED
F.S. Krishnan
F. S. KRISHNAN
Member Secretary
National Commission
for backward classes

V. Advice of Commission

10 The Commission considered and agreed in full with the findings of the Bench for Orissa and decided to tender the following advice to the Central Government under Section 9(1) of the NCBC Act, 1993 for action by the Central Government under Section 9(2) of the Act:

'Hatua' be included in the Central List of Backward Classes for Orissa as a new entry at Sl. No. 190 as under:-

" 190. Hatua "

On account of the unfortunate demise of one of the Members Shri Navtej Puadhi on 16.08.98, 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
07.99

Ashayam
08.07.99

P. K. Srinivasan
8/7/99

A. S. Krishna
9.7.99

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