



पी. एस. कृष्णन्
P. S. KRISHNAN
TEL. : 6183190

सदस्य-सचिव
राष्ट्रीय पिछड़ा वर्ग आयोग 97
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. West Bengal 62/99

25. 08. 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 "Khen (Non-Bania category)" caste/community in the Central Lists of Backward Classes for West Bengal, duly authenticated, for necessary action by the Central Government under Section 9(2) of the 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

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NATIONAL COMMISSION FOR BACKWARD CLASSES

WEST BENGAL

FINDINGS

Case : Request for inclusion of "Khen" caste/community in the Central List of Backward Classes for West Bengal.

Per Shri Justice P.K. Shyamsundar, Chairperson

I. Request

This case arises from the Requests received in the National Commission for Backward Classes for inclusion of "Khen" caste/community in the Central List of Backward Classes for West Bengal from the following:-

- (i) Shri Indu Bhusan Roy
General Secretary
Confederation of Other Backward Classes, Scheduled Castes,
Scheduled Tribes and Minorities of West Bengal
Calcutta.
- (ii) Shri Khagendra Nath Baksi
President
Uttar Banga Khen Sapradaya Unnayan Samiti
Darjeeling, West Bengal.

Shri Khagendra Nath Baksi submitted the duly filled-up NCBC's Questionnaire.

II. Public Hearing

- 2. The three-Member Bench of the Commission consisting of Hon'ble Chairperson, Justice P.K. Shyamsundar, Hon'ble Members, S/Shri U.P. Singh and Sahu Akshaya Bhai

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Member Secretary
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held a Public Hearing at Darjeeling on 6.7.1999 to examine this Request for inclusion in the Central List of Backward Classes for West Bengal. At the Public Hearing the State Govt. was represented by Dr. M.K. Chaudhari, Director, Cultural Research Institute, Calcutta, Shri S.D. Sherpa, Project Officer & District Welfare Officer, Scheduled Castes & Tribes Welfare Department, Siliguri, West Bengal and other officials. The caste/community was represented by the following:-

- i) Shri Khagendra Nath Baksi
- ii) Shri Umesh Chandra Sen
- iii) Shri Dhiraj Sen
- iv) Shri Kanu Krishna Sarkar

III. Facts

3. The State Government of West Bengal had no list of Backward Classes till after the Supreme Court Judgement in the Mandal Case delivered on 16th November, 1992. For this reason, the Expert Committee on Backward Classes could not, on the basis of the "Principle of Commonality", recommend a Central List of Backward Classes for West Bengal as it could do for 14 other States, and therefore the Central Government also could not issue a Central List of Backward Classes for West Bengal in 1993. The Government of West Bengal issued its first list of Backward Classes by its Notification No. 346-TW/EC/M-6/82 (I) dated 13th July, 1994 in the Calcutta Gazette of the same date which consisted of 14 entries. The Government of India, Ministry of Welfare by its Notification No. 163 dated 19.10.94, published in the Gazette of India of 20.10.1994 issued a "common list" of OBCs for West Bengal which consisted of the same 14 castes/communities. In the series of its further instalments of Backward Classes, the Government of West Bengal issued its eighth list of 7 castes/communities by its Notification No. 84-BCW/RC/MR-302/97 dated 1st March, 1999 published in the Calcutta Gazette of the same date including "Khen" at entry No. 4 as follows:-

"4. Khen" (List-8)

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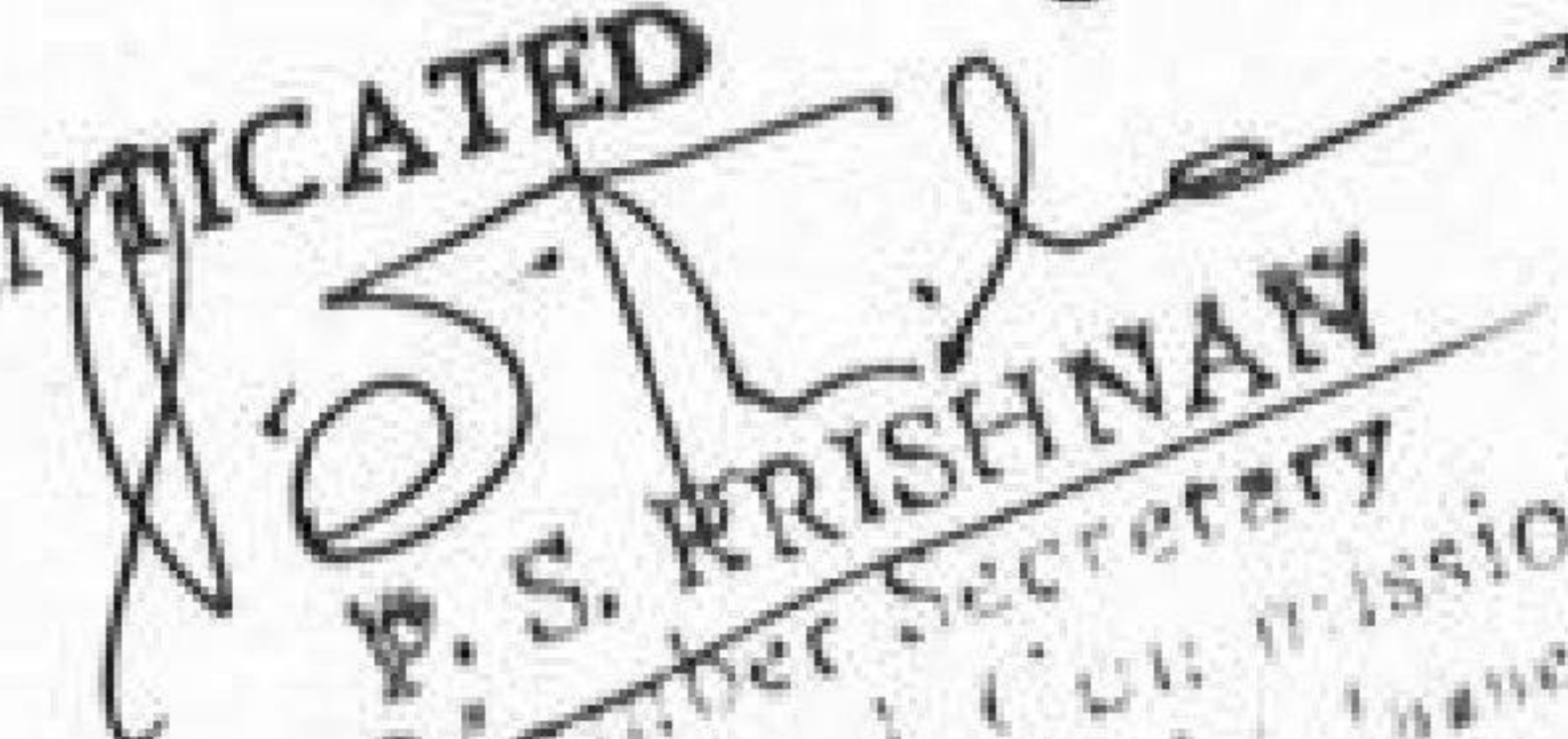
4. The corresponding entry in the Mandal Commission's List of Backward Classes for West Bengal is as follows:-

"106. Khen"

5. The representatives of the caste/community who were present at the Public Hearing stated that their population is mainly concentrated in the Coochbehar, Jalpaiguri and Darjeeling districts of West Bengal and according to the survey conducted by the caste itself in 1995, their population was 32,000. Some of the families are stated to be living in North Dinajpur and their population may be around 40,000. Their main occupation is agriculture. Most of them are very poor and are engaged as day-labourers.

6. Shri Indu Bhusan Roy mentioned in his representation that the 'Khen' community live mostly in North Bengal and their concentration is in the districts of Coochbehar and Jalpaiguri. Their population is about 3 lakhs and are engaged in the occupation of agricultural day-labourers and cultivation. Most of them live in the adjacent places of forests. They are related to the Rajbanshi community which has been recognized as Scheduled Caste in West Bengal. There is not a single Gazetted Officer from the community though there are a few primary teachers. The community deserved to be categorised as OBC.

7. The completed NCBC's Questionnaire submitted by Shri Khagendra Nath Baksi mentions that Khen is the main caste with no sub-caste/sub-community/synonym, having a population of 36,910 mainly concentrating in the districts of Coochbehar, Jalpaiguri and Darjeeling, and following Hinduism. The members of community mainly involve in the occupation of cultivation involving manual labour rendered both for wages or own land. They are also engaged in the occupation of petty business, rickshaw and van driving, bamboo craft, carpentry, service, etc. The women as well as the children of the community are engaged in agricultural labour for wage. 97% population of community is landless manual (both agricultural and non-agricultural) labourers. Of the adult members of the community, approximately 50% are engaged in agricultural labour for wage, 15%

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engaged in the cultivation of own land and 20% engaged in other occupations such as clerical, service in schools and private sector. Though the number of literates from the caste/community in the State are shown as 27% inclusive of those who are able to sign only but not able to read, the percentage of literates in the Darjeeling, Coochbehar and Jalpaiguri districts is shown 40% apiece. Only one Lawyer and 2 Engineers are shown as employed in professional services.

8. A.E. Porter writes in the "Census of India, 1931 - Bengal And Sikkim" that the "Khens, principally found in the north of Bengal and Assam, claimed as on previous occasions to be Kayasthas and alleged that their name was really nothing more or less than the Assamese mispronunciation of Sen, the Kayastha name. The claim was disallowed although it is reported in Northern Bengal that they are looked upon as Kayasthas of a low class.

9. "Khen" is shown under the group of depressed classes in the Census Report 1921 (Census of India 1931, Part II, Appendix I, Statement No. XII-I, P. 503)

10. The present distribution of "Khen (Khyan)" is shown in the Cooch Bihar and Jalpaiguri districts of West Bengal according to the Census Years 1901 and 1911 (People of India - Communities, Segments, Synonyms, Surnames and Titles by K.S. Singh, Published by Anthropological Survey of India, Oxford University Press, Delhi, 1996, p. 550).

11. H.H. Risley's describes "Khyan" in the book "The Tribes And Castes of Bengal - Ethnographic Glossary" (Published by Firma Mukhopadhyay, Calcutta, India, 1981, Reprint, 1st Edition, Calcutta, 1891) as follows:-

(i) "Khyan, a synonym for Kaibartta." (Vol. I, P.489)

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(ii) "Khyan, Kolita, a trading and cultivating caste of Northern Bengal and Assam. Their social rank is respectable, and Brahmans, Kayasths and Baidyas take water, fruit and sweetmeats from their hands." (Vol. I, P. 489)

(iii) "Kaibartta, Kaibartta-Das, Chasi-Das, Halia-Das, Parasar-Das, Dhivara, Khyan, a large fishing and cultivating caste of Bengal Proper, taking rank below the Nava-sakha, or group of nine castes, from whose hands a Brahman may take water." (Vol. I, P. 375-382)

12. During the Public Hearing the State Government representatives as well as those present from different sections of society merely not object for the inclusion of "Khen" caste/community in the Central List of BCs for West Bengal, in fact supported it.

IV. Findings

13. From the foregoing material, the Bench finds that "Khen" and "Khyan" is one and the same caste, as mentioned by K.S. Singh. Though there is no reference about the "Khen" in Risley's work, he has described "Khyan" as a synonym of "Kaibartta", a large fishing and cultivating caste of Bengal Proper. He has also described "Khyan" as a trading and cultivating caste of Bengal and Assam. The Bench is of the view that "Khen" is a synonym of "Khyan" which is another branch of "Kaibartta" and further holds that the caste/community has nothing to do with "Khyan", a Bania community engaged mainly in trading. The Bench also makes it clear that as urged by shri Indu Bhusan Roy, there is no evidence to substantiate the fact that "Khen" belongs to Rajbanshi community which is categorised as Scheduled Caste in the State of West Bengal. Be that as it may, the Bench holds that "Khen" besides being a synonym of "Kaibartta" is also a Socially and Educationally backward class that merits inclusion in the Central List of Backward Classes. In the result the Bench recommends that "Khen (Non-Bania category)"

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National Commission
for Backward Classes

should be included in the Central List of Backward Classes for West Bengal at entry No. 50 as follows:-

"50. Khen (Non-Bania category)"

P. K. Shyamsundar
(Justice P.K. Shyamsundar) 18/5/99

Ashayan
20.08.99
(Sahu Akshya Bhai)

U.P. Singh
(U.P. Singh) 20/8/99

IV. Advice of the Commission

14. The Commission considered and agreed in full with the above Findings of the West Bengal 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:-

"Khen" caste/community be included in the Central List of Backward Classes for West Bengal at entry No. 50 as follows:-

"50. Khen (Non-Bania category)"

P. K. Shyamsundar
18/8/99

U.P. Singh
20.8.99

Ashayan
20.08.99

P. S. Krishna

[Signature]
23/8/99

20.8.99

ATTESTED
P. S. KRISHNA
Member Secretary
National Commission
Backward Classes