



सत्यमेव जयते

पी. एस. कृष्णन्
P. S. KRISHNAN

TFL 6183190

सदस्य-सचिव
राष्ट्रीय पिछड़ा वर्ग आयोग

भारत सरकार

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

Member Secretary

National Commission for Backward Classes

Government of India

Trikool - 1, Bhikaiji Cama Place, New Delhi - 110 066

NCBC Advice No. U.P. 61/99

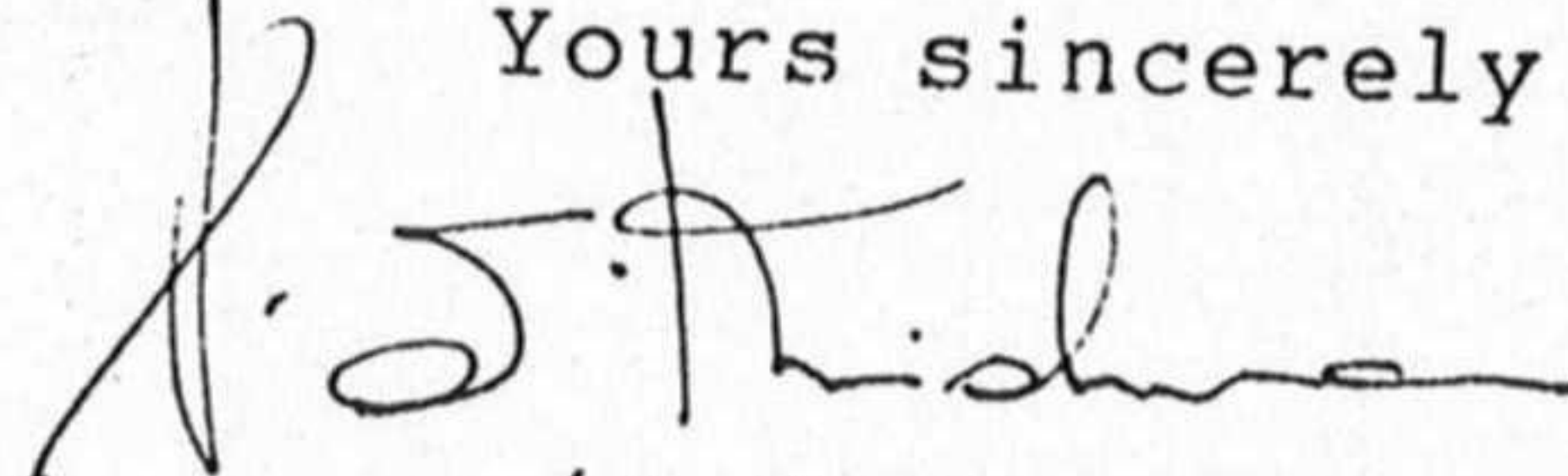
18.01.1999

Dear Shri Manavalan,

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 "Sah/Choudhary" caste/community in the Central List of Backward Classes for Uttar Pradesh, duly authenticated, for necessary action by the Central Government under Section 9(2) of the Act.

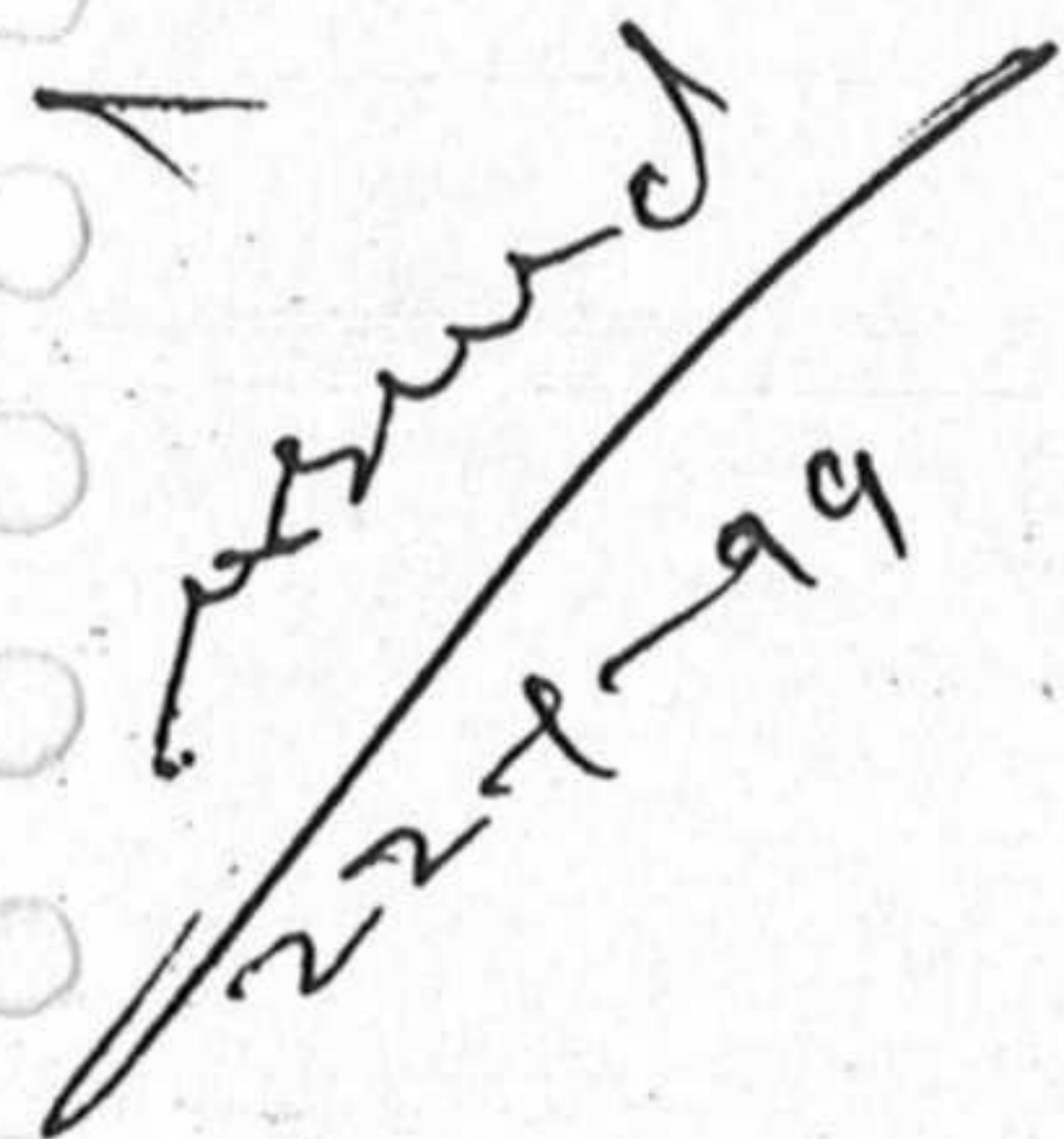
2. With this, Advices on 512(286 for Inclusion + 226 for Rejection) castes, sub-castes, synonyms etc. have been tendered to the Government by the Commission, after its reconstitution in 1997, of which 502 (280 for Inclusion + 226 for Rejection) are still pending with the Government for Notification.

Yours sincerely


(P.S. KRISHNAN)

Encl: As stated.

Shri D.K. Manavalan
Secretary to Govt. of India
Ministry of Social Justice & Empowerment
Shastri Bhavan
NEW DELHI


22-1-99
O/C

NATIONAL COMMISSION FOR BACKWARD CLASSES

U.P. BENCH

FINDINGS

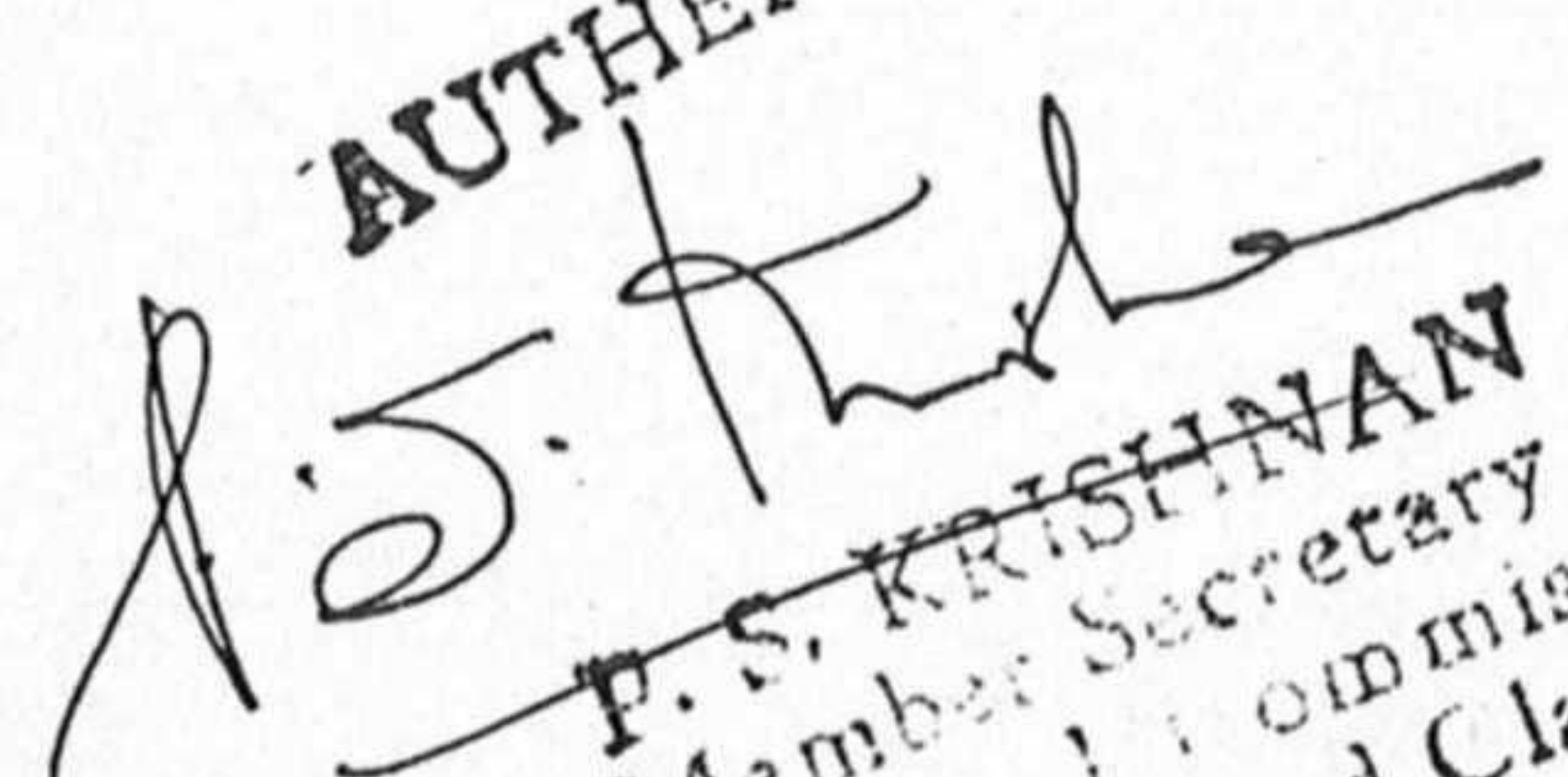
Case: Request for inclusion of Sah/Choudhary caste/community in the Central List of Backward Classes for Uttar Pradesh.

Per Justice P.K. Shyamsundar, Chairperson

I Request

This case arises from the request received in this commission from the following individuals/Associations for inclusion of Sah/Choudhary caste/community in the Central List of Backward Classes for U.P. :-

- [i] Shri Pradeep Sah
President, Sewa Samiti
Station Road, Haldwani
Distt-Nainital
- [ii] Uttaranchal Pahari Sah Samaj
Mallital,
Nainital
- [iii] Smt. Prema Sah
Sabhasad,
Nagar Palika Parishad, Nainital.
- [iv] Sah choudhary Samaj
Almora
- [v] Shri Ganga Prasad Sah,
Bara Bazar, Nainital
and others.

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II Public Hearing

2. The Three -Member Bench of the commission consisting of Hon'ble Chairperson, Justice P.K.Shyamsundar, Hon'ble Member Shri Sahu Akshaya Bhai and Shri U.P.Singh held a Public Hearing to examine the requests of this caste for inclusion in the Central List of Backward Classes for Uttar Pradesh on 27-10-98 at Lucknow. The State Govt. was represented by Shri R.V.Bhaskar, Principal Secretary and Shri J.C. Pant, Director, Backward Classes Welfare Department. The State Commission was represented by Shri Ram Bahadur, Secretary. The caste/community was represented by Shri Gopal Lal Sah, Coordinator, Sah Choudhary Samaj, Almora, Shri G.P. Choudhary, Coordinator, Sah-Choudhary Samaj, Nainital and Shri Rajendra Lal Sah, Almora.

III Facts

3. The caste community has not been included either in the Mandal List or in the State List.

4. In their request it is stated that in the caste composition of Uttarakhand their number is negligible and also scatter. As the political equations are based on the caste system, it is impossible that no M.P./M.L.A. Village Pradhan or Block Pramukh belonging to this caste could be elected.. In kumaon and Garhwal, except in two cities, the members of this caste living in towns and villages are in minority and for their security and livelihood dependent on the members of the forward caste. After the Independence of the country the people of the Sah community have become economically backward due to the developmental programmes implemented by the Govt. Earlier, when there were no means for transportation and communication, the trade was conducted through Pedestrian ways (foot paths), that time the community had hold over trade/business at the halting places. After the advent of motorable roads and means of transportation, the traditional sources ended and a large proportion of the caste became unemployed and migrated. Their proportionate representation in the Govt. services is approximately Zero. Because

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of the educational backwardness no member of the caste/community could be selected in All India Services like I.A.S., I.P.S., I.F.S. Due to their non-representation in the Govt. and administration, they were deprived of Govt. loans, subsidies, relief and other facilities. They have no 'Roti-beti' relationship with the Vaishya community of plains, but have this relationship with the Rajputs of Hill area.

The NCBC's Questionnaire filled up and submitted by Shri Gopal Lal Sah and Shri Rajendra Lal Sah contains the following information:-

- [i] Name of the caste are Sah and Chaudhary .
- [ii] The population of the caste/community is 20,231.
- [iii] The caste/community is regarded as socially backward and called as PAHARI.
- [iv] The occupation on which the member of the caste/community mainly depend for livelihood are service, Petty business in Hills, and Agriculture.
- [v] Agriculture involves manual labour on own land. Petty business also involves manual labour.
- [vi] Number of literate of the caste/community in the state is 6200 out of which approximately 500 are women.
- [vii] 35% of the families of the caste live in Kachha houses, 45% in Pucca houses and 20% in rented houses.
- [viii] They consider 'Brahman' and 'Rajput' castes at a level immediately higher than Sah, Choudary caste because Brahmins are educated and well off, their population is quite large and the Rajputs are dominating and land owning caste.
- [ix] They consider 'Sunar' and 'Giri' caste more or less at the same level as the Sah, Chaudhary caste.

5. At the Public Hearing the representatives stated that this community is a business community. Some of the members are engaged in petty trade at Almora and Bageswar. Ninety nine percent people of this caste/community are poor. The

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members, who could not get good jobs, are engaged in petty business. When the Bench asked them that, if they are socially backward? The representative stated that Economic backwardness leads to social backwardness.

6. The ethnographic account of the caste along with its sub-caste/synonyms has been given in 'History of Kumaon' (English version of Kumaun Ka Itihas' by Badri Datt Pande) Translated by C.M.Agrawal, shyam Prakshan, almora, 1993 in Chapter-VII - Castes, People. Religion etc. under heading Vaishya community as below :-

"Vaishyas are very less in number in Kumaon. In villages they are even more less. Mostly they live in Almora, Nainital, Ranikhet, Bageshwar, Bhawali and other places, but they are very assiduous. They consider themselves to be higher than the Kshatriyas. They bring their daughters in the form of dola (a closed litter), but do not give their own daughters in marriage to them. They all are called Sah here, which word is derived from Sahu (Banker), seth (wealthy person), Sahukar (Money-lender) or Mahajan (capitalist). Almost all the banias (traders), eat meat. The Sahs mostly do trade, business or such sort of work. Some of them are in service and a few have resorted to agriculture also....."

Thulgharia Sahs: Whenever the Chand kings started accepting grains, oil, salt etc, instead of land revenue, the house they erected for storing it was called the ganj (heap or granary) of houses or thula ghar (big house). The Sahs who became security officers of these big houses were called Thulgharia Sahs. They were treasurers during the reign of the Chand kind and are still doing this job. They are counted among most celebrated men in Kumaon and state themselves to be of Garg gotra.

Gangola: These people were formerly in Gangoli during the Mankoti rule and are still there. Those who came to Almora on the foundation of this town became famous by the surname of Gangola.

Salingarhia: One or two families came from Salingarh, and they are called Salingarhia Sahs. Salingarh is near Delhi. These do not have marital relations with the Gangolas, so some people state them to be from among the Gangola Sahs.

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Kumayyan Sahs: The Sahs who came from Kumaun to Almora on the establishment of Almora during the Chand reign, were called Kumayyans. These were Sahs of the old capital of Champavat. These are the oldest Sahs.

Tola: The Sahs who used to do the work of weighing during the period of the Chand kings were called Tola. Out of the meal or flour which remained from the unadulterated pulse, half was received by the store-keeper of the heap and the other half of the Tola Sah.

Jakati or Jagati: During the Chand rule, the Sah who used to realise Jakat or tax from the market was called Jakati.

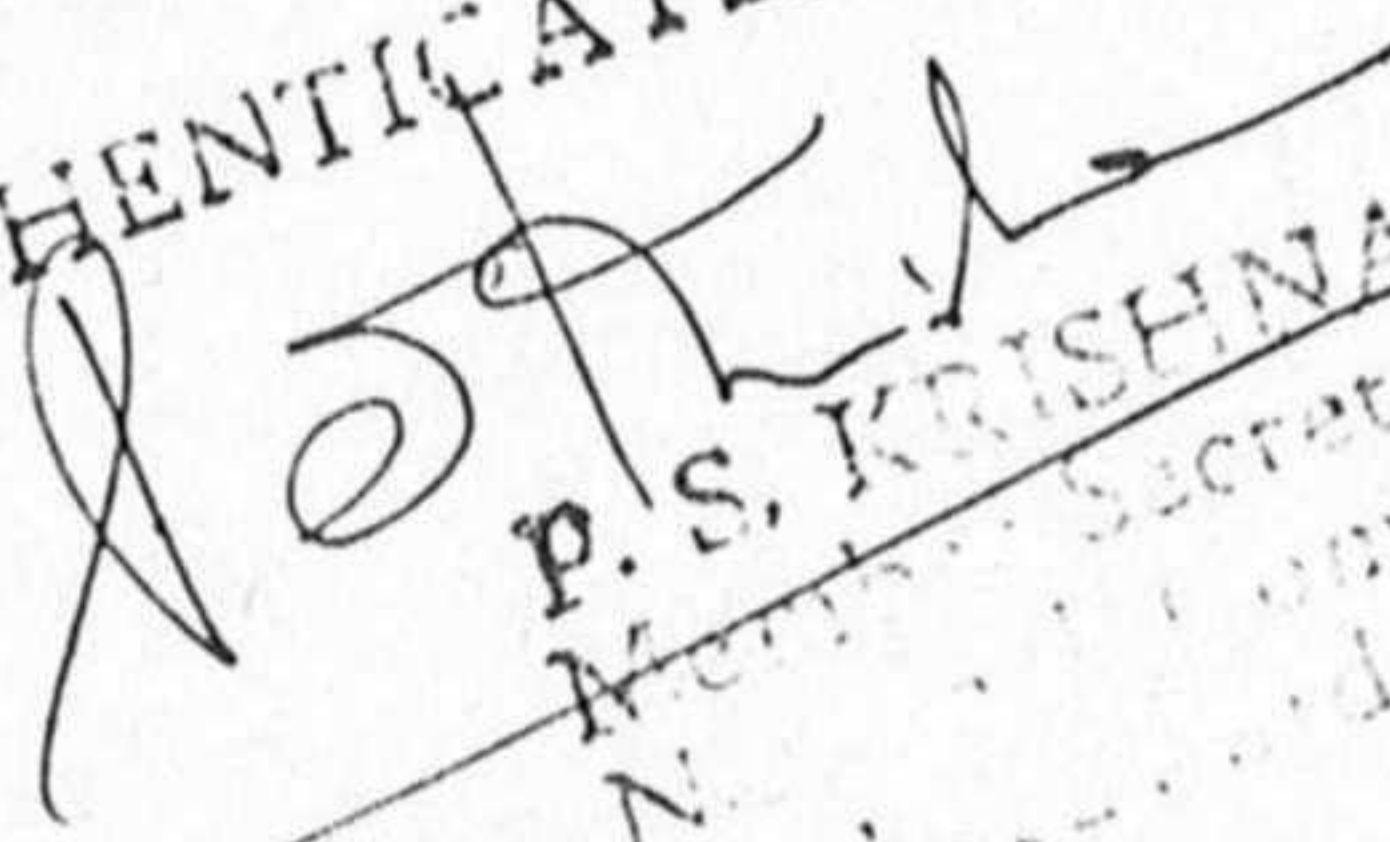
Kholbhiteria: During the time of the Chand Kings that Sah was called Kholbhiteria who went inside and worked in the palace or fort of the king. The official within the Kholi or entrance door was called Kholbhiteria.

Chaudhari: The officer of the market was called Chaudhari, whereas the inspector of the market was known as Chakurayat. These people are even now called by this very name. The Chakurayat used to take all the news from there to the court besides the supervision of the market.

The Chakuryasts are also found in Kota and Chhakhata Balynti. These are Vaishyas from the plains.

The Chaudharis of Dwarahat: These people state to have come from west Jwalamukhi. Maisi Sahu from among the descendants of them was commander in the army of Udyot Chand. He was killed in the battle of Badhan and was a brave warrior.

For his loyalty, Maisi Sahu's son Arjun Sahu received Riwari and other villages in jagir. Their descendants are present still now. They are called Chaudharis now but the word Datt is appended in their names. During the period of the kings they were clerks, according and naib diwans [deputy ministers] for this reason two post of Qanoongos are also ancestral in this family. Rewari town is in Punjab. Possibly these people would have come from that place and they would have named their village by the same name for this very reason. They are of Vatsa Bhargava gotra. Sir Chinta Chaudhari was an eminent courtier during the reign of Baz Bahadur Chand.

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 N. S. Commission
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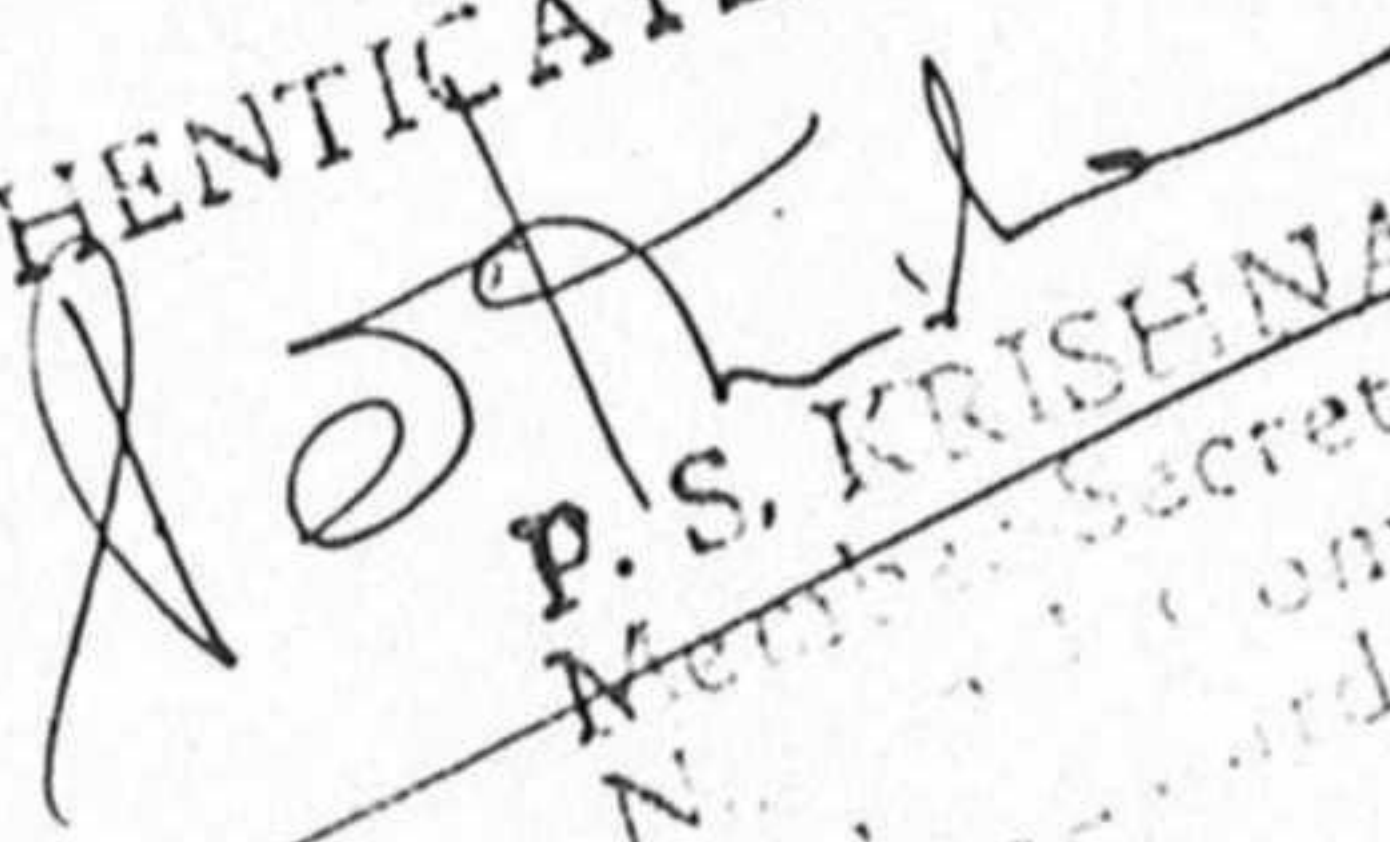
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 for Labour Classes

The ancestor of the famous wealthy resident of Nainital Lala Moti Ram. Sah, Sri Gusain Sahu was a Kshatriya of Doti Nepal. Their descendants call themselves Kshatriya, though they are now called Sah in Kumaon.

The Sahs of Dhungsil in Chhakhata and Ranibagh were Chaudhari and Sah in Barokhari sitlahat. Some live in saukhola village of Chhakhata."

IV Findings

7. From the foregoing facts it is clear that Sah, Choudhary caste/community is nothing but a Vaishya community locally known by these names in Uttarakhand region of U.P. Traditionally the people of this caste/community are engaged in trade and commerce and during the rule of kings the key posts were held by the members of this community. As far as their social status is concerned their request itself states that they have 'Roti-Beti' relationship with Rajputs of that region. The representatives of the caste/community at the public hearing stated that they are economically backward but they could not demonstrate that they are socially backward. The ethnographic literature confirms that their social status was even higher than that of Rajputs. According to Badri Datt Pande, they are considered to be higher than the kshatriyas. In this view of the matter, we hold that the Sah, Chaudhary is a group of Vaishya community, which enjoys a high social status in society. Therefore the Bench rejects the request for inclusion of Sah, Chaudhary caste/community in the Central List of Backward Classes for U.P. being socially forward. Government advised accordingly.

P. K. Shyamsundar
8.1.99

[Justice P.K. Shyamsundar]

U.P. Singh
12.1.99

[U.P. Singh]

Ashaya
11.01.99

[Sahu Akashaya Bhai]

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V Advice of the Commission

8. The commission considered and agreed in full with the above Findings and decided to tendered the following Advice to the Central Government under section 9(1) of the NCBC Act, 1993:-

The request for inclusion of Sah/Choudhary caste community in the Central List of Backward Classes for U.P. be rejected being socially forward.

P. K. Megaladhi
9.1.99

Ashayam
11.01.99

P. S. Krishnan
15.1.99

Madhavi
12.1.99

On account of the unfortunate demise of one of the Members Shri Navtej Puadhi on 16-08-1998 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.

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