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सदस्य-सचिव
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भारत सरकार

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

Member - Secretary
National Commission for Backward Classes
Government of India
Trikoot - 1, Bhikaiji Cama Place, New Delhi - 110 066

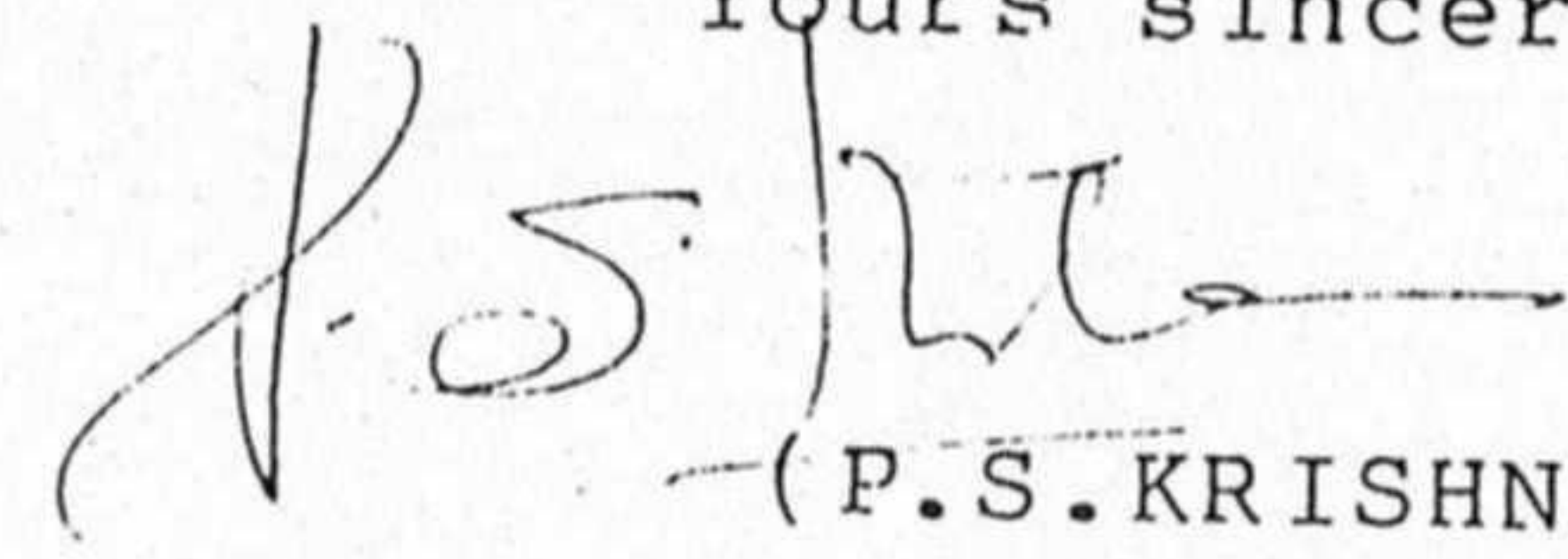
NCBC Advice No. U.P. 87/99

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 Inclusion of "Sain" as a synonym of Nai 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 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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Issued
27/5/99

National Commission for Backward Classes

U.P. Bench

Findings

Case:- Request for inclusion of 'Sain' caste/community as a synonym of 'Nai' in the Central List of Backward Classes for Uttar Pradesh.

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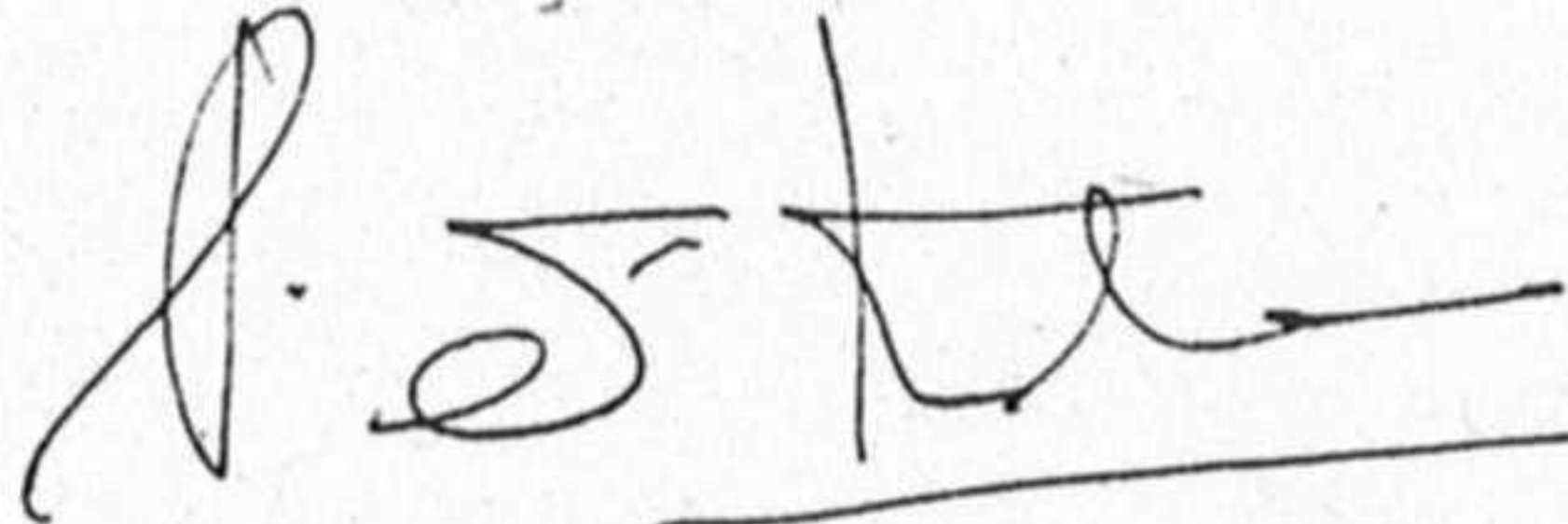
Per Justice P.K. Shyamsundar, Chairperson

I. Request

This case arises from the Request received in this Commission from Mr. A. Sami Salmani, A-2/182, Sector-III, Ambedkar Nagar, New Delhi-110 062 for inclusion of 'Sain' as a synonym of 'Nai' in the Central List of Backward Classes for Uttar Pradesh.

II. Public Hearing

2. The three-Member Bench of the Commission consisting of Hon'ble Chairperson, Justice P.K. Shyamsundar, Hon'ble Members Shri Sahu Akshaya Bhai and Shri U.P. Singh held a Public Hearing at Allahabad on 24.02.99 to examine the Request for inclusion of 'Sain' in the Central List of Backward Classes for Uttar Pradesh. The State Government was represented by Shri H.S. Yadav, Special Secretary, Backward Classes Welfare Department. The caste/community was represented by Shri Surendra Kumar Sain and Shri Om Datt Mukhiya Sain.


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III. Facts

3. The relevant entries in the different lists are as follows:

i) State List	:	"55.Hajjam (Nai)"
ii) Mandal List	:	"95.Hajjam (Nai)"
iii) Central List	:	"53.Hajjam (Nai), Salmani, Nai"

4. In the request, it has been stated that in "Nai Biradri" caste/community there are many doctors, engineers, Hakims, teachers, businessmen and hair stylists who dislike the word Nai being employed to indicate their caste. It has been therefore demanded that like other Biradarries the surname of Muslim Nai as 'Salmani' and for Hindu Nai as 'Sain' should be introduced in the Central List of Backward Classes.

5. Ethnographic literature brings out the fact that Hajjam and Nai are the names of the caste which is associated with the service of hair-cutting. Under the title "Nai, Nao, Mhali, Hajjam, Bhandari, Mangala" Russell & Hira Lal ("The Tribes and Castes of the Central Provinces of India") have described "Nai" Caste as follows:-

"Nai, Nao, Mhali, Hajjam, Bhandari, Mangala - The occupational caste of barbers. The name is said to be derived from the Sanskrit napita, according to some a corruption of snapitri, one who bathes....."

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[Signature]

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W. Crooke ("The Tribes and castes of the North-Western India" Vol-IV) accounts "Nai" caste under the title "Nai, Nao, Nau" as follows :-

"Nai, Nao, Nau - (Sanskrit napita, according to some a corruption of snapitri, "one who bathes") the Hindu barber caste. In Bundelkhand he is also known as Khawas which was a title for the attendant on a grandee; and Birtiya or "he that gets his maintenance (vritti) from his constitutents." When he is a Muhammadan he usually calls himself Hajjam, which means in Arabic " a sacrificer." It is curious that the Nai, who is the great gossip-monger of the countryside, has so little in the way of traditions about his own caste.... The tribal saint of barbers is Sen or Sain Bhagat, whose name according to Muhammadan tradition was really Husain. He is said to have been a resident of Partabpura, a village in the Phillaur Tahsil of Jalandhar District.....

.....At the last Census the barbers were enumerated in a Hindu and Muhammadan branch....Thus to the east of the Province we find the Sribastab, Kanaujiya, or "residents of Western Bengal;" Audhiya or Awadhiya from Ajudhya; Magahiya from Magadha or Bihar; Byahta who pride themselves on prohibiting widow-marriage and taking only virgin brides (byahta), and Musalmani which is another term for the Hajjam...."

6. At the Public Hearing, we were told that the Nai community has opted for more dignified names like "Salmani" among Mohammedans and "Sain" among Hindus and it is their desire to be known by these names, which is popular in almost all the North Indian States. The fact that

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Hindu Nais are also being called "Sains" is endorsed by H.A. Rose (A Glossary of the Tribes and Castes of Punjab and North-West Frontier Province, Asian Educational Service, New Delhi, 1990, first published 1919) as under:

"The cults of the Nais are in essentials much like those of the other artisan castes. In Hissar the Hindu Nais both of the Banbheru and Gola sub-castes worship Sain Bhagat, who has a great temple at Bhawani. Originally a Banbheru, Sain used to wait daily on the ruler of the State, but one day he was busy in entertaining faqirs and could not go to the palace, so Bhagwan assumed his form and attended to the King, whose leprosy was cured by his touch. Since then Sain has been the bhagat or saint of the barbers. One of the faqirs, his guests, further bade him ask for anything he desired, so Sain begged that a refectory might be opened among his caste-fellows in his name, whence the proverb: Sain bhagat Ki hari, Bhuki rahe na aghari...."

7. At the Public Hearing the representatives of the caste stated that the caste 'Nai' is already included in the Central List of Backward Classes for U.P. They stated that the members of the caste in Ghaziabad, Meerut, Muzaffar Nagar districts of the U.P State are known as 'Sains' and therefore requested that 'Sain' should be included as a synonym of Nai. When they were asked by the Bench, whether they get Backward Class certificates, they stated that they had no difficulty in getting certificates as Nai but they want to be enlisted as 'Sain' in the Central List of Backward Classes. When they were asked, whether 'Sain' is a sub-caste of Nai, they replied that Sain is only a title being adopted by the members of Nai caste in

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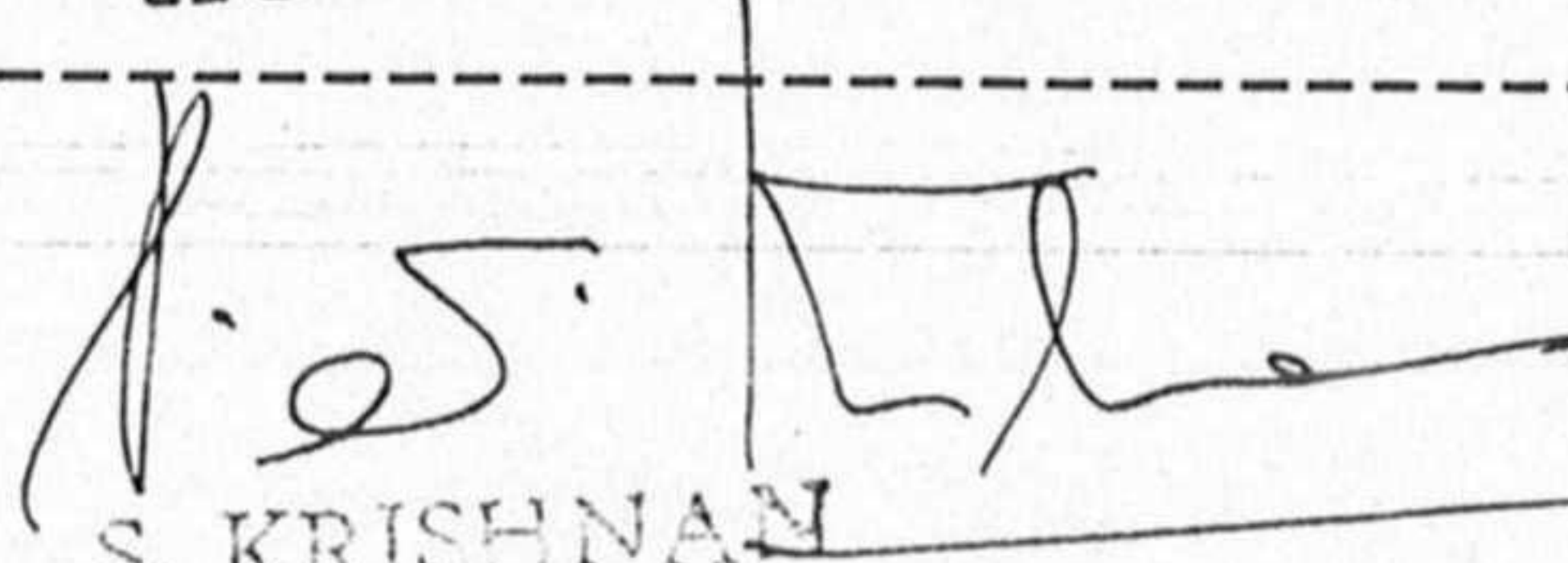
Punjab, Haryana and Western region of Uttar Pradesh and in Haryana and Punjab Sain has been included in the list of Backward Classes.

The representatives of the State Government informed that Sain has not been included in the State List as a synonym of Nai. The Bench inter alia pointed out that the title 'Sain' is also adopted by some forward castes members of Bengali community of the U.P. State and therefore suggested that 'Sain' can be included as "Nai-Sain" so that the entry is not misused by any other castes using the title 'Sain', but the members of the 'Sain' community demurred.

8. The National Commission for Backward Classes has tendered Advices in respect of Sain/Sein as a synonym of Nai for inclusion in the Central list of Backward Classes for the following States:-

Sl.No.	No. of Advice & date	Name of the State	Name of the Caste
1.	NCBC Advice No. 18/Haryana/97 dt.11-7-97	Haryana	Hajjam, Nai, Sain
2.	NCBC Advice No. 14/MP/98 dt. 10-03-98	Madhya Pradesh	Nai (Sein Savita, Shrivasa)
3.	NCBC Advice No. 7/Punjab/98 dt. 28-09-98	Punjab	Nai, Sain
4.	NCBC Advice No. 31/Rajasthan/98 dt.28-09-98	Rajasthan	Nai, Sain
5.	NCBC Advice No. WB/51/99 dt.17-03-99	West Bengal	Salmani and Sain

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Member Secretary

National Commission

for Backward Classes

IV. Findings

9. From the foregoing ethnographic and other material, it is apparent that Hindu Nais are also called as "Sains". At the public hearing, we were told that Sain is a dignified name adopted by the Hindu Nais and this name is popular in the State of Uttar Pradesh as also in the neighbouring States of Madhya Pradesh, Haryana, Punjab and Rajasthan.

10. In a similar case of request for inclusion of 'Sain' as a synonym of Nai for Madhya Pradesh, Haryana and Punjab, this Commission, after enquiry, had tendered its Advice to the Central Government recommending the Inclusion of Sain as a synonym of Nai in the Central List of Backward Classes for Madhya Pradesh, Haryana, Punjab, Rajasthan and West Bengal. In this view of the matter, we think that "Sain" should also be included as a synonym of "Nai" in the Central List of Backward Classes for Uttar Pradesh. Inclusion of Synonyms of a caste/community already included in the Central List of Backward Classes have been covered by para 9 of the Procedural Clarifications on the Guidelines for Consideration of Requests for Inclusion and Complaints of under-Inclusion in the Central List of Backward Classes formulated by the Commission. Therefore, Sain should be included as a synonym of Nai at entry No.53 of the Central List of Backward Classes for Uttar Pradesh, so that the amended entry will now read as follows:

"53.Hajjam(Nai), Salmani, Nai, Sain(Nai)"

" 53. हज्जाम (नाई), सलमानी, नाई, सैन (नाई)"

(Justice P.K. Shyamsundar)

(U.P. Singh)

(Sahu Akshya Bhai)

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V. Advice of the Commission

11. The Commission considered and agreed in full with the above Findings of the Uttar Pradesh Bench 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:-

"Sain" as a synonym of 'Nai' caste/community be included in the Central List of Backward Classes for Uttar Pradesh at entry No.53 so that the amended entry will now read as follows:

"53.Hajjam(Nai), Salmani, Nai,Sain(Nai)"

"53. हज्जाम (नाई), सलमानी, नाई, सैन (नाई)"

On account of the unfortunate demise of one of the Members Shri Navtej Puadhi on 16.8.98, 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.

P. S. Krishnan
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