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सदस्य-सचिव
राष्ट्रीय पिछड़ा वर्ग आयोग
भारत सरकार
नई दिल्ली-110 066
MEMBER-SECRETARY
NATIONAL COMMISSION
FOR BACKWARD CLASSES
GOVERNMENT OF INDIA
NEW DELHI-110 066

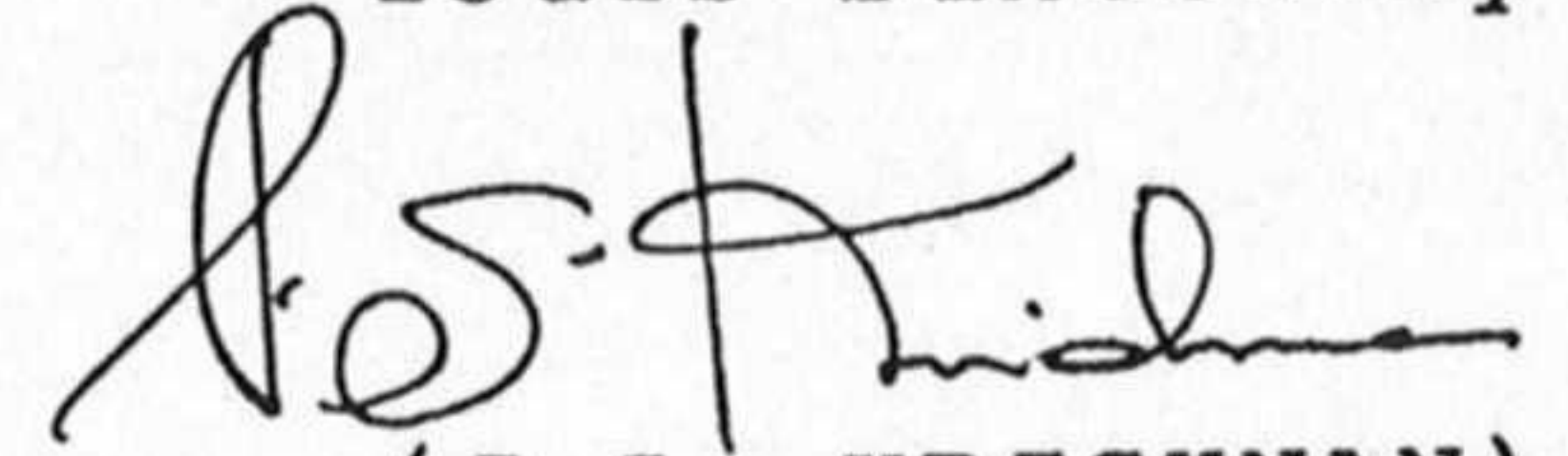
NCBC Advice No. Sikkim 6/99

29. 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 "Jogi" caste/community in the Central List of Backward Classes for Sikkim, duly authenticated, for necessary action by the Central Government under Section 9(2) of the Act.

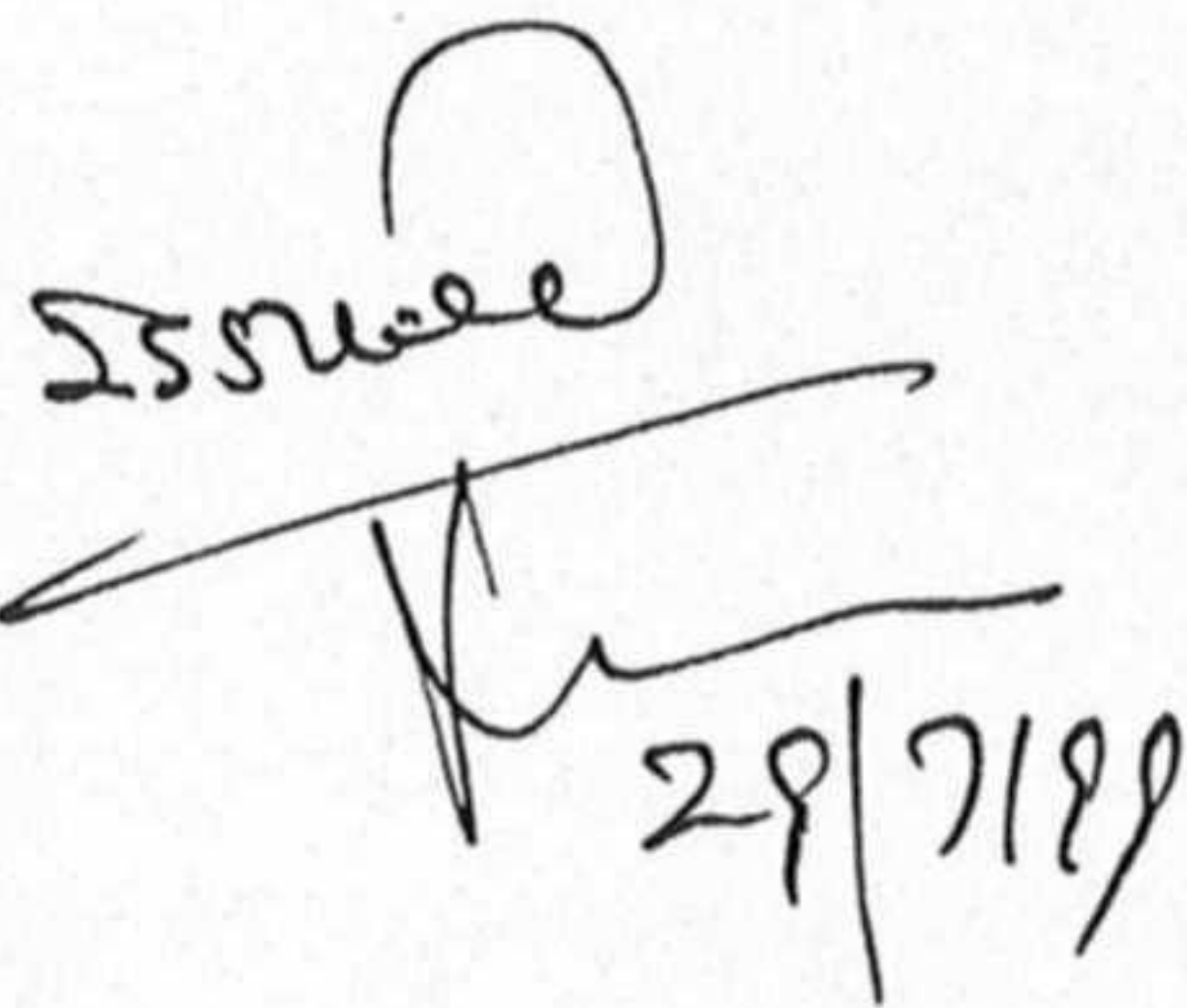
Yours sincerely


(P.S. KRISHNAN)

Encl: As stated.

Smt. Asha Das
Secretary to Govt. of India
Ministry of Social Justice & Empowerment
Shastri Bhavan
NEW DELHI

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Issued

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NATIONAL COMMISSION FOR BACKWARD CLASSES

SIKKIM BENCH

FINDINGS

Case : Request for inclusion inter alia of "Jogi" caste/community in the Central List of Backward Classes for Sikkim.

Per Shri U.P. Singh

I. Request

This case arises out of the Requests received in this Commission for inclusion inter alia of "Jogi" caste/community in the Central List of Backward Classes for Sikkim from the following:-

- i) Shri D.B. Bradifo
President
Temi Tarku Project Samittee
S. Sikkim
Sikkim.
- ii) Shri Bhim P. Dahal, Ex. M.P.
Sikkim House
New Delhi.

II. Public Hearing

2. The three-Member Sikkim Bench of the Commission consisting of Hon'ble Members, S/Shri U.P. Singh, Navtej Puadhi and Sahu Akshaya Bhai held a Public Hearing at Gangtok on 9.12.1997 to examine this Request for inclusion in the Central List of Backward Classes for Sikkim. At the Public Hearing the State

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National Commission

Government was represented by Shri B.K. Pradhan, Joint Controller, State Backward Classes Commission-Cum-Secretary, Food & Civil Supplies & C.A. Department and Shri Kuber Sharma, Deputy Secretary, Food & Civil Supplies, Govt. of Sikkim, Gangtok. Nobody appeared before the Bench on behalf of the caste/community.

III. Facts

3. The caste/community is not included in the Mandal List. At the time of preparation of the first phase Central List of Backward Classes, on the principle of commonality, i.e., by inclusion in the Central List of the State of the castes/communities that had found place in both the Mandal and State lists by that time, the State Govt of Sikkim had no list of Backward Classes and therefore the Expert Committee on Backward Classes, for this reason could not recommend a Central List of Backward Classes for the State. In accordance with the directions of the Supreme Court in the Mandal Judgement, the State of Sikkim promulgated the Sikkim Backward Classes Commission Act 1993 and under this Act the State Govt. constituted the Sikkim Commission for Backward Classes on 2nd June, 1994 for the purpose of examining requests for inclusion of any class of citizens as a backward class in the lists and hear complaints of over-inclusion or under-inclusion of any backward class in such lists and tender such advice to the State Government as it deems appropriate. Immediately after the appointment of the Chairman of the Commission, he brought to the notice of the Government that the question of inclusion or exclusion can only arise after issue of notification of the list of backward classes by the State Government. Accordingly the State Government, in accordance with the recommendations of the Mandal Commission, notified its list of Backward Classes on 2.6.1994. Thus the State List of Sikkim notified on 2.6.1994 is a copy of the Mandal List for Sikkim, though with some spelling variations and re-arrangements and explanations. After the notification of the State List by the Sikkim Govt., the Govt. of India vide Ministry of Welfare Resolution No. 12011/7/95-BCC dated 24th May 1995 issued a "Common

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Sikkim Commission
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(Central) List" of Backward Classes for Sikkim which contains 7 entries but covers all 10 entries in the Mandal Commission's List for Sikkim. The "Jogi" caste/community did not find place in the Central List of BCs as it was neither in the Mandal List nor in the State List.

4. H.H. Risley in his book "The Tribes And Castes of Bengal –Ethnographic Glossary" (Firma Mukhopadhyay, Calcutta, India, 1981, Reprint, 1st Edition, Calcutta, 1891 (Bengal Secretariat Press), Vol. I, p. 348) describes "Jogi" as "a section of Rautias; a sub-sept of the Saren sept of Santals; a synonym for Bairagi".

5. A.E. Porter describes "Jogi and Jugi" in the "Census of India, 1931 – Bengal And Sikkim" (Part I Report, Vol. V, P. 467-468) as follows:

"The caste numbered 365,910 in 1921 and have increased by 5.1 per cent to 384,634. They are found principally in East Bengal and particularly in Tippera (84,895), Noakhali (65,779) and Mymensingh (45,488) which three districts between them contribute more than one-half of the total number. The caste has been described in previous census report as a sectarian caste. In Rangpur (Journal of the Asiatic Society of Bengal, 1910, Vol VI, page 131) they are described as: "a class of indigenous bards, mostly illiterate, who supplement their earnings by singing the epic (of Gopichandra) and dancing to the accompaniment of vocal and instrumental music. They are believed to be the degraded descendants of a class of Buddhist ascetics – followers of Gorakhnath; and many of their local customs, - their divergence from Brahmanical rites, their adoption of priests from their own caste, their worship of the Buddhist deity Dharma – confirm this view."

In 1921 their Brahmans wished to have separate return as Brahmans of Jogis but on the present occasion by an unusual volte face they protested against the record of sub-caste of Brahmans which was refused to them in 1921 and desired to be recorded merely as Brahmans. It was claimed that in Chittagong and Sylhet the Brahmans of this caste had a double origin, namely, first by the

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degradation of maulik srotiya Brahmans of the Rarhi group and secondly by advancement of ordinary members of the caste. Of these two groups the first is stated to possess the original gotra system of the Rarhi Brahmans and to practise cremation in the disposal of their dead bodies and the second to have only a single gotra (Sib). It was clear, however, that the claim to be recorded as Rarhi Brahmans could not be granted, but it does not appear that any of the Brahmans of this caste returned themselves under a correct appellation; and it is significant of the uncertainty amongst themselves that the caste society of the same group in Sylhet applied for a separate record of Jugis' Brahmans which of course was unexceptionable."

6. The State Commission for Backward Classes in its Report examined the Request of "Jogi" caste/community for inclusion in the State List and recommended its inclusion therein which reproduced as follows:-

"Reports of 212 schools show that 54 boys in the age group 5-15 years were admitted in the year 1991 to 1993 out which, 12 dropped out. None of the students of this community cleared Class X, XII or graduation in 1991 to 1993. Their total family asset on an average does not exceed Rs. 25,000/-. They are either petty cultivators or labourers on the road or building sites. Traditionally they blow horn from dead bones for avoiding effect of evil spirits to the owner of the house. This community is inadequately represented in the services under the State. There are only 2 persons in Grade II, 3 persons in Grade III and 13 persons in Grade IV posts in the State service from this community..... This community very easily falls within the definition of depressed backward classes, viz. More or most backward classes, what to talk of backward classes. Their income is miserably low.

The Commission, therefore, holds that they are also inadequately represented in the services under the State and socially, economically and

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 Backward Classes

educationally found backward. As such, this community deserves to be included in the list of "Other Backward Classes" (OBC) published by the State Government."

7. The "Jogi" caste/community has already been included in the Central List of Backward Classes for the States of Andhra Pradesh, Assam, Bihar, Delhi, Karnataka, Kerala, Maharashtra, Orissa, Rajasthan and Uttar Pradesh and Union Territories of Chandigarh, Daman & Diu and Pondicherry.

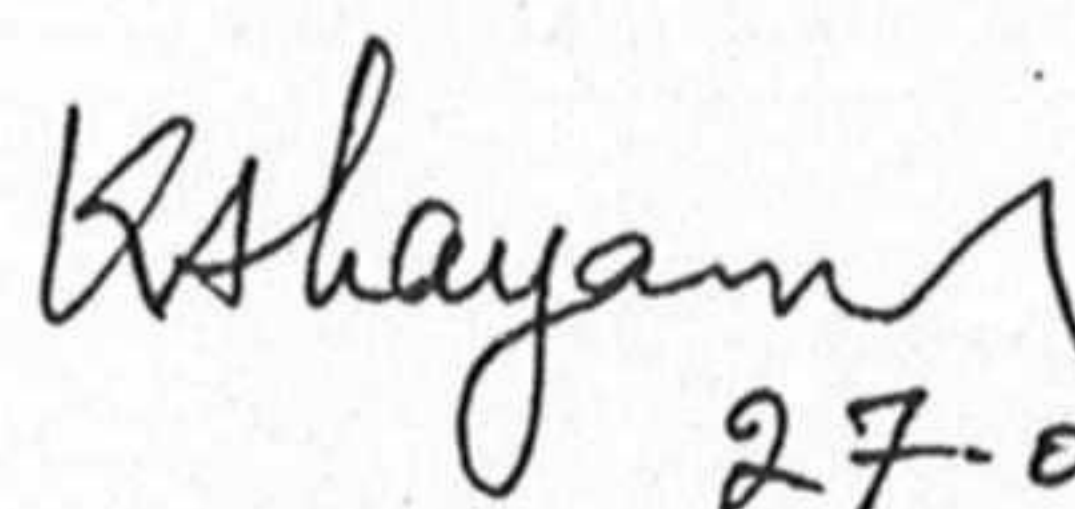
8. Those present during the Public Hearing, who were from different sections of society, did not object to the proposed inclusion of the "Jogi" caste/community in the Central List of Backward Classes for Sikkim, rather supported its inclusion.

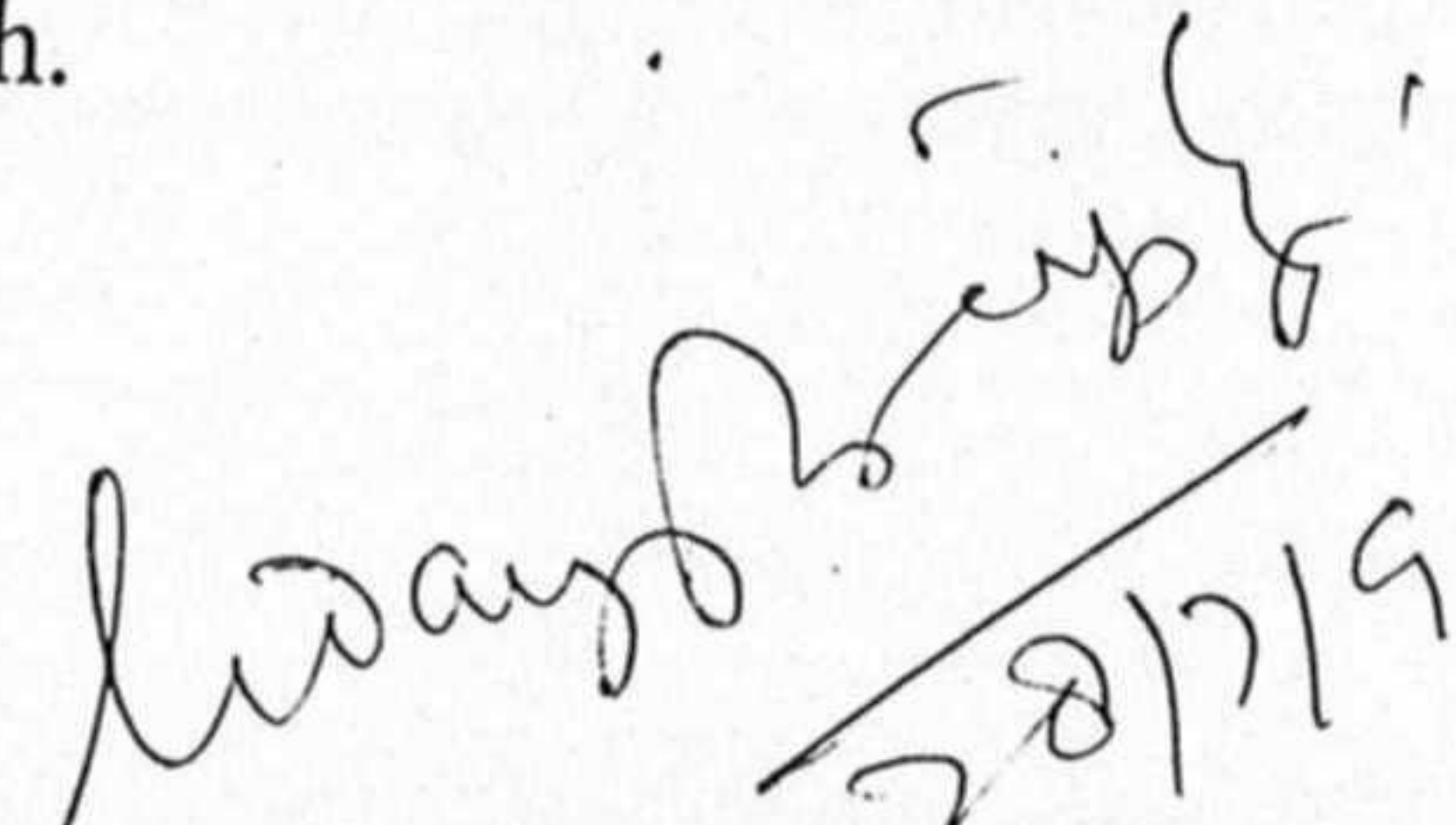
IV. Findings

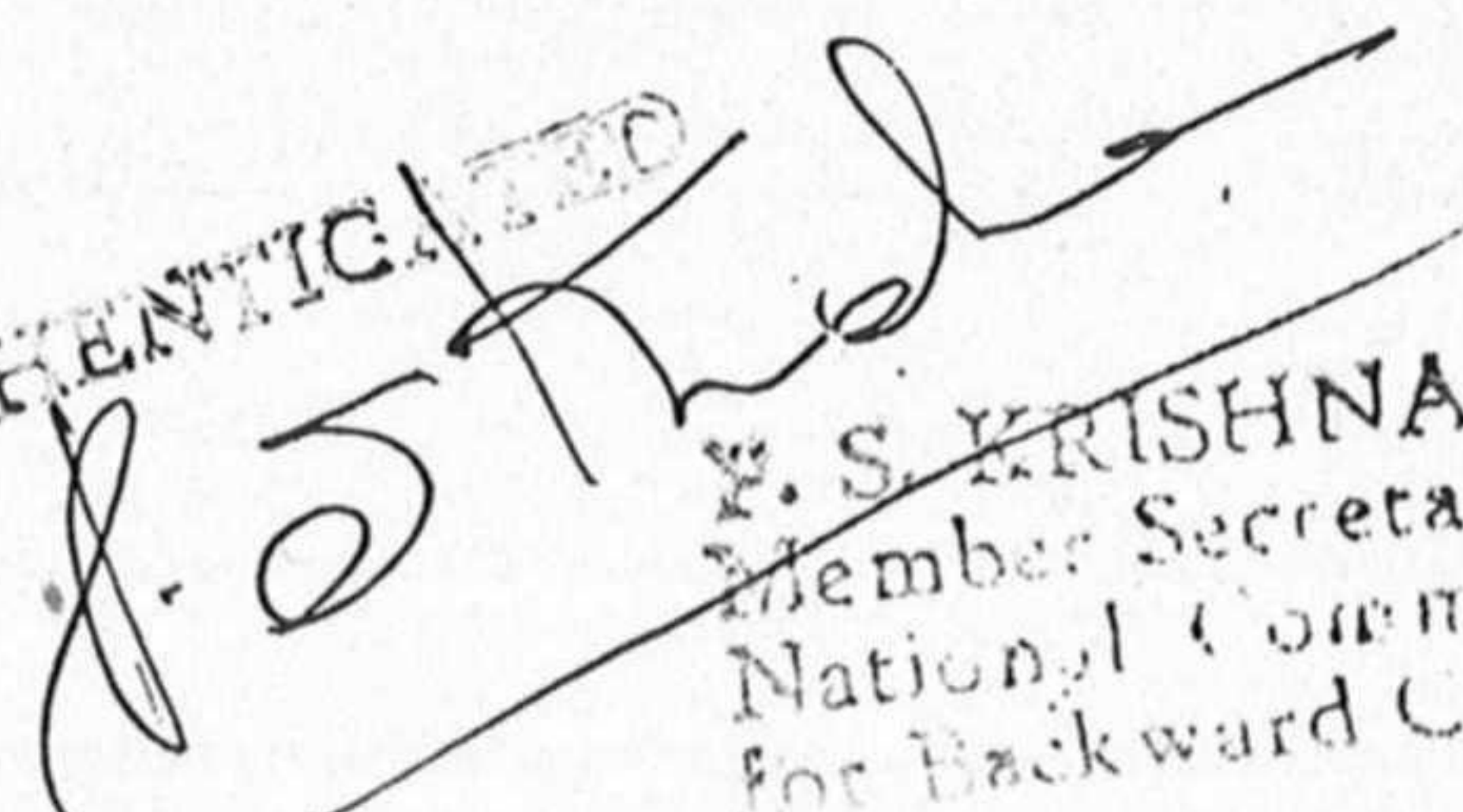
9. From the foregoing material and evidence, the Bench arrives at the Findings that the "Jogi" caste/community is Socially and Educationally backward and it should therefore be included in the Central List of Backward Classes for Sikkim at entry No. 10 as follows:-

"10. Jogi"

One of the Members of the Bench, Shri Navtej Puadhi, having passed away before the findings were recorded, consequently the findings are submitted under the signature of the other Members of the Bench.


27-07-99
(Sahu Akshaya Bhai)


28/7/99
(U.P. Singh)


Y. S. KRISHNAN
Member Secretary
National Commission
for Backward Classes

IV. Advice of the Commission

10. The Commission considered and agreed in full with the above Findings of the Sikkim Bench and decided to tender the following Advice to the Central Government under Section 9(1) of the NCBC Act, 1993, for action under Section 9(2) of the Act:-

The "Jogi" caste/community be included in the Central List of Backward Classes for Sikkim at entry No. 10 as follows:-

"10. Jogi"

Ashayam
27.07.99

Pradyumn Singh
28/7/99

Pradyumn Singh
28.7.99

P. S. Thakur
28.7.99

P. C. Sengupta
29.7.99

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for Backward Classes