



NATIONAL COMMISSION FOR BACKWARD CLASSES

BIHAR BENCH

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of 'Saifi' as a synonym of "Lohar" and "Barhai" in the Central List of Backward Classes for Bihar

I. Request

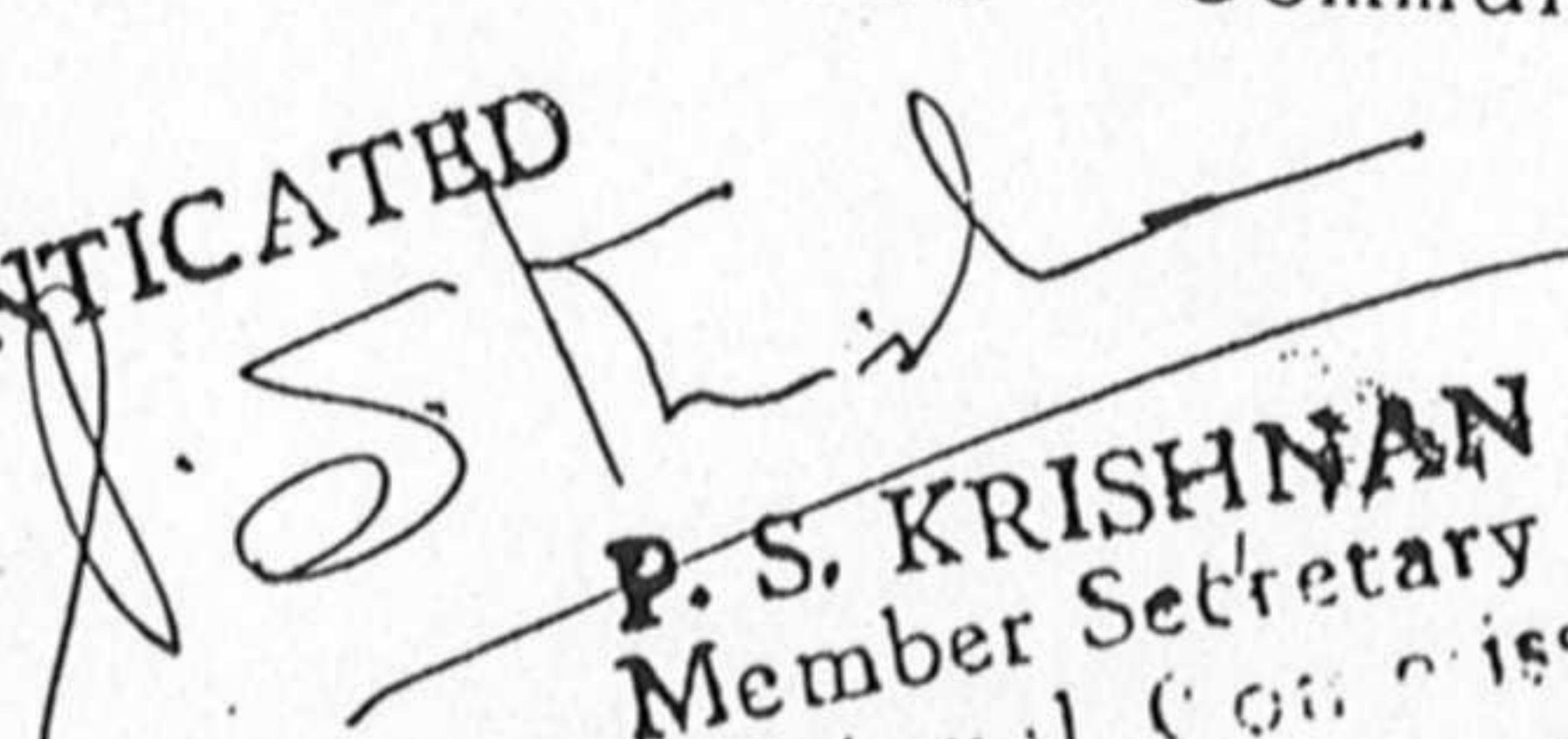
This case arises from the Request received in this Commission from Shri M.Khan, Advocate, General Secretary, All India Saifi Federation, New Delhi for the Incusion in the Central List of Backward Classes for Bihar of "Saifi" as a synonym of "Lohar" and "Barhai"

II. Public Hearings

2. The two-Member Bihar Bench of the NCBC consisting of Sri P.S.Krishnan, Hon'ble Member-Secretary and Shri Uday Pratap Singh, Hon'ble Member held a Public Hearing in respect of this Request at Patna on 08. 01. 1998. At the Public Hearing the State Government was represented by Shri Harun Rashid, Deputy-Secretary, Deptt. of Personnel & Administrative Reforms and other officers. Prof. Rameshwar Prasad Singh, Hon'ble Member, Bihar State Commission for Backward Classes was also present during the Hearing and provided valuable information.

3. Neither Shri M.Khan nor any other representative of the All India Saifi Federation or any other member or representative of the "Saifi" community appeared before the

**AUTHENTICATED**

  
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Bench during the Public Hearing inspite of wide publicity about the Public Hearing through media apart from separate intimation from the office of the Commission to the Request-making party.

### III. Facts

4. According to the Request made by Shri M.Khan on behalf of the All India Saifi Federation, "the people of this SAIFI community (are) generally known by three different names such as Barhai, Lohar and Saifi. It is one community called by three different names in the State" and "the majority of the people of this community called themselves SAIFI along with Lohar-Luhar and Barahai". In the NCBC's Questionnaire filled up by the Federation, "Saifi" is given as the main name of the community and "Barahai & Lohar" are given as the other names by which the community is known. In the Questionnaire, against the Question asking to specify the religion of the members of the community, the Federation has given "Muslim" as the religion of the community. In the Questionnaire the main occupation on which the members of the community mainly depend for their livelihood is given as "Barahai on all kind of wood work & Luhar on all kind of Iron work and Saifi on Both".

5. Lohar and Barhai are included at Sl.Nos. 18 and 81 respectively of the first-phase Central List of Backward Classes for Bihar prepared in 1993 on the basis of the principle of commonality, i.e, by including the entries common to both the Mandal Commission's List of BCs for Bihar and the State Government's List. "Saifi" was not included in the first-phase Central List of BCs for Bihar as it was not included in either of the lists and did not satisfy the criterion of commonality.

6. As already mentioned no member or representative of the community was present during the Public Hearing on 08.01.1998.

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The State Government/State Commission representatives and those present who were from different sections of society, including members of the Barhai community, stated during the Public Hearings that they were not aware of the members of the Lohar or Barhai castes/communities in the State using the name "Saifi". The State Commission representatives stated that there is no Request received by the State Commission for inclusion of "Saifi" in the State List.

7. Shri M. Khan, on behalf of the All India Saifi Federation, has also made Requests for Inclusion of "Saifi" in the Central List of Backward Classes for a number of States apart from Bihar. The respective Benches of the Commission have held Public Hearings in respect of these Requests in the respective States. From the evidence adduced before the Benches during Public Hearings in different States it has been learnt that "Saifi" is a synonym adopted by the Muslim section of the castes/communities linked with the traditional occupations of blacksmithy and carpentry like Lohar, Barhai etc. It has also been learnt that many members of these castes/communities have adopted "Saifi" as their surname. The representatives of the community in Haryana traced the origin of the name "Saifi" to Hazarat Mohd. Saifi who fed milk to their community. The Delhi, Haryana, Uttar Pradesh, Madhya Pradesh and Punjab Benches of the Commission, after examining evidence adduced during the respective Public Hearings, have arrived at the Findings that "Saifi" is really a synonym adopted by the Muslim section of the carpenter and blacksmith castes of Barhai, Sutar, Lohar etc. in those States, and that this synonym is prevalent and understood in those States and have concluded that "Saifi" should be included in the Central List of Backward Classes for the respective States as a synonym of Lohar etc. as members of these castes/community who use this synonym do exist in these States and this synonym is in fact prevalent in those States. Based on these Findings of the Benches, the Commission has tendered Advices to the Government for Inclusion of "Saifi" in the Central List of Backward Classes for these States.

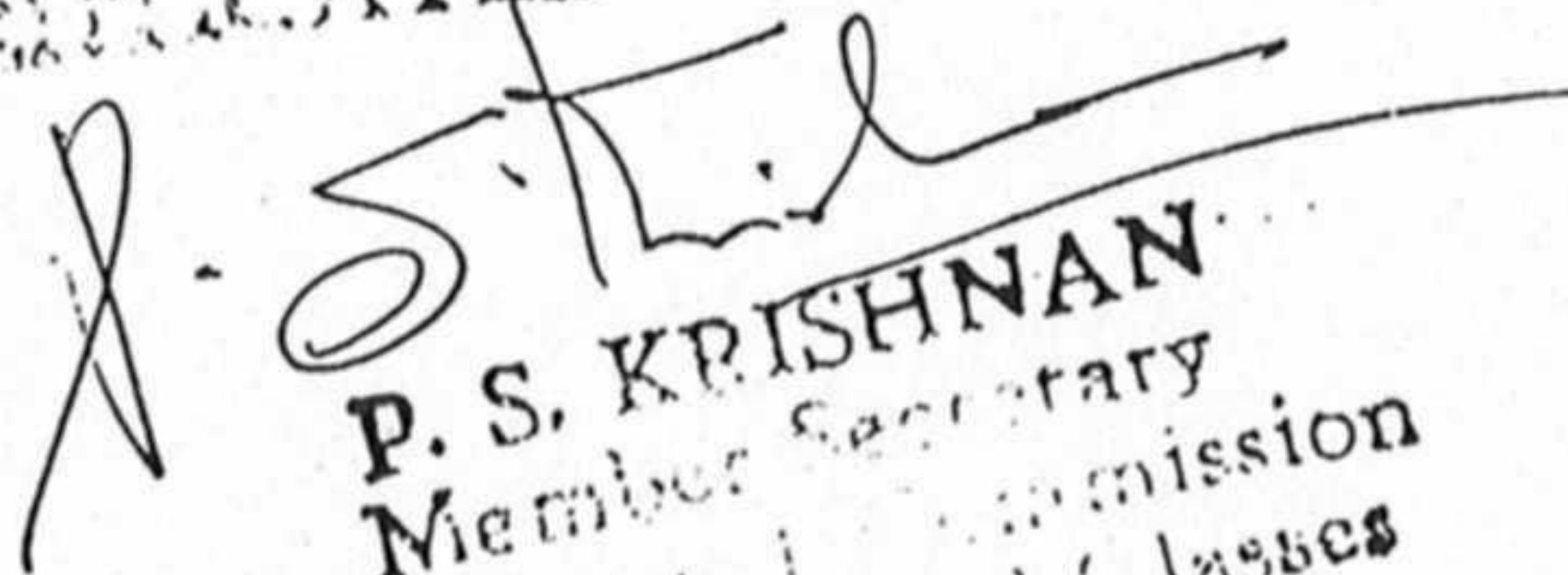
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However, in respect of Assam, Maharashtra and Rajasthan, since no member or representative of "Saifi" community came forward during the Public Hearings held by the respective Benches to give evidence with regard to the actual existence of the name "Saifi" among members of Lohar, Barhai etc. of the respective States, and the representatives of different castes present and the State Government's representatives said that they have not come across this synonym and it is not prevalent in those States, the Findings arrived at by the Assam, Maharashtra and Rajasthan Benches was that "Saifi" should not be included in the Central List of BCs for these States as this name is not prevalent in these States and therefore the Request for Inclusion of "Saifi" in respect of those States should be rejected.

#### IV. Findings of the Bench

8. The Bihar Bench is of the considered view that unless and until a synonym is actually found to be prevalent in the State among members of castes/communities, in respect of which the synonym is claimed, such a synonym should not be included in the List of Backward Classes. From the non-appearance of any member or representative of the "Saifi" community during the Public Hearing held on 08.01.1998 and also from the fact that the representatives of the State Government/State Commission as well as those present during the Public Hearings who were from different sections of society including the Barhai community were not aware of the name "Saifi" as a synonym of Lohar or Barhai castes/communities, the Bench concludes that in Bihar the name "Saifi" as a synonym of Lohar and/or Barhai does, in fact, not exist and therefore the Request for Inclusion of "Saifi" as a synonym of "Lohar"

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and/or "Barhai" in the Central List of Backward Classes for Bihar should be rejected.

*Madan Mohan*  
31.8.98

*P. S. Krishna*  
27.8.98

V. Advice of the Commission

9. The Commission agrees in full with the above Findings of the Maharashtra Bench and decides to tender the following Advice to the Central Government under Section 9(1) of the NCBC Act, for necessary action by the Central Government under Section 9(2) of the Act:-

The Request for Inclusion of "Saifi" as a synonym of "Lohar" and/or "Barhai" in the Central List of Backward Classes for Bihar should be rejected as it is not known to be existing in Bihar, as such synonym.

10. 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. Krishna*  
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27.8.98

*R. Shyam*  
02.09.98

*Madan Mohan*  
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No. 122