



सदस्य-सचिव
राष्ट्रीय पिछड़ा वर्ग आयोग

भारत सरकार

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

Member - Secretary

National Commission for Backward Classes
Government of India

Trikoot-1, Bhikalji Cama Place, New Delhi - 110066

पी. एस. कृष्णन्
P. S. KRISHNAN

TEL. : 6183190

NCBC Advice NO. 11/MP/97
October 14, 1997

Dear Shri Baksi,

I am sending herewith the Advice of the National Commission for Backward Classes under Section 9(1) of the NCBC Act 1993 for inclusion of the "Saifi and Nagauri Luhar" as a synonym of "Luhar" of Madhya Pradesh in the Central List of Backward Classes for Madhya Pradesh for necessary action under Section 9(2) of the Act by the Central Government.

2. With this, after the Commission has been reconstituted, NCBC has tendered 85 Advices including the present one. You may like to take steps to ensure clearance of all these pending Advices. This is apart from 32 other cases in which Advices were tendered to the Government during the previous tenure of this Commission, on which Central Government's action under Section 9(2) of NCBC Act has not been taken and about which we have had discussions.

With kind regards

Yours sincerely,

P. S. Krishnan
(P.S. KRISHNAN)

Encl: As Stated

Shri K.K. Baksi
Secretary
Ministry of Welfare
Shastri Bhavan
New Delhi-110001

NATIONAL COMMISSION FOR BACKWARD CLASSES

MADHYA PRADESH BENCH

FINDINGS

PER SHRI SAHU AKSHAYA BHAI, MEMBER

Case : Request for inclusion of "Saifi and Nagauri Luhar" as a synonym of 'Luhar' in the Central List of Backward Classes for Madhya Pradesh.

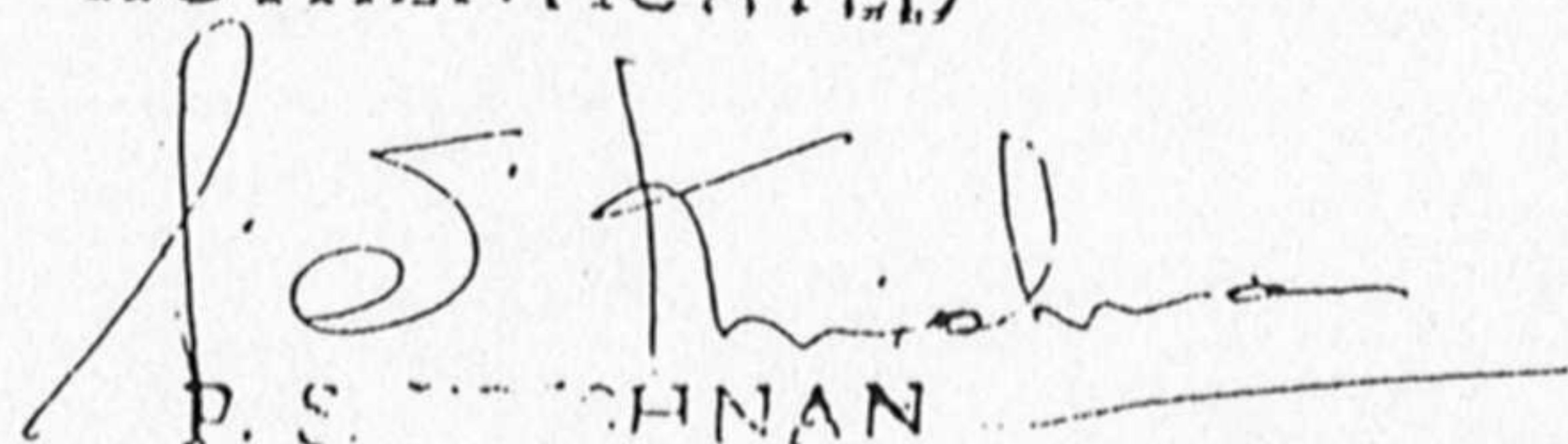
I. Request

This case arises out of the Request received in this Commission from Sh. M. Khan, Advocate, General Secretary, All India Saifi Federation, New Delhi, M.P. Muslim Backward Classes Welfare Council, Bhopal and Madhya Pradesh Muslim Lohar Nagauri(Saifi) Federation Zila Ekai, Bhopal for the inclusion of "Saifi, Nagauri Luhar" in the Central List of Backward Classes for Madhya Pradesh. Shri Khan and other who have made requests, have stated that Saifi, Nagauri Luhar and Barhai/Barai castes/communities, who are engaged in the traditional hereditary occupations of carpentry and black smithy and as such, therefore, be included in the Central List of Backward Classes for Madhya Pradesh under Islamic Group as a synonym of "Luhar".

II. Public Hearing

2. The 2-Member Madhya Pradesh Bench of the Commission consisting of Shri Sahu Akshaya Bhai, Hon'ble Member, NCBC and Prof. U.P. Singh, Hon'ble Member, NCBC held a Public Hearing in respect of this Request at Bhopal on 24.6.97. At the Public Hearing the State Government was represented by S/Shri Ramesh Ch. Patro, Director OBC-cum-Joint Secretary Welfare Deptt. and P. Ranjan Giri, Dy. Secretary, Shri Manoranjan Mishra, Member-Secretary and Shri Akshaya Kumar Pani, Administrative Officer represented the M.P. Backward Classes Commission. The Community was represented by Mohd. Hanif Nasir, President M.P. Muslim Luhar Nagauri

AUTHENTICATED


P. S. CHINNAN
Member
National Commission

Federation and Mohd. Ibrahim Qureshi during the course of the Public Hearing. It was stated by the Federation that Saifi and Nagauri Luhar be included as synonyms alongwith Luhar.

III. Facts

3. The relevant entries in different lists of Backward Classes for Madhya Pradesh are as follows:-

(i) State List (Islamic Group- M.P. Gazette-Extraordinary
Sl.No. 205 dated the 5th April, 1997)

"87(18) Luhar, Nagauri"

" 87(18) लुहार, नागौर "

(ii) Mandal List

"186 Luhar, Gahelot, Jeva, Kariyar, Kawigar, Luckman, Madwar,
Vishwakarma"

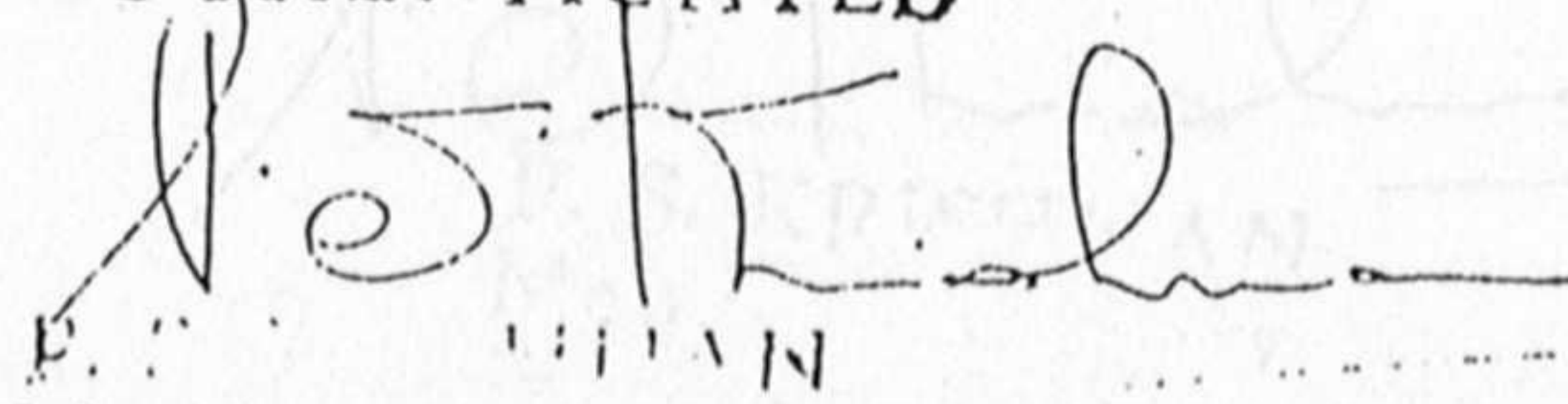
(iii) Central List (Islamic Groups)

"59(16) Luhar"

4. Saifi and Nagauri Luhar were not included both in the Mandal List and the State List at the time of the preparation of the first phase Central List of Backward Classes for Madhya Pradesh on the basis of the principle of commonality in 1993, these are not included in the first phase-Central List of Backward Classes for Madhya Pradesh. "Luhar" is included in the first phase Central List of Backward Classes under Islamic Group for Madhya Pradesh as it was included both in the Mandal List and the State List for Madhya Pradesh at the time of the preparation of the first phase Central List of Backward Classes for Madhya Pradesh.

5. The NCBC's Questionnaire filled up by the All India Saifi Federation give "Saifi" as a synonym of both "Barhai" and "Lohar". It gives only "Muslim" as the religion followed by the members of the community. Regarding their occupation, the Questionnaire states that the "Barhai" do "all kinds of wood work" and the "Luhar" "all kinds of iron work". "Saifi" do

AUTHENTICATED



both types of work i.e. wood work as well as iron work. The community is almost landless. About 75% are engaged in traditional occupation i.e. wood-work and iron-work, 20% are engaged in other manual works for wage and remaining 5% are in clerical and other services. Literacy is very low about 5% at the state level. Female literacy is extremely low around 1.5%. Matriculates and higher education is negligible. Majority of the population live in 'Katchha Houses', percentage being 60 to 75%. The community have been stated to be socially and educationally backward.

6. During the Public Hearing, the representatives of the community traced the origin of the name "Saifi" to Hazarat Mohd. Saifi who fed milk to their community. In support of their claim for inclusion of "Saifi" in the Central List of Backward Classes for Madhya Pradesh they cited its inclusion in the State List of Backward Classes for National Capital Territory of Delhi. They said that "Saifi and Nagauri Luhar" should be included in the Central List of Backward Classes along with "Luhar" which is already included in the Central List of Backward Classes for Madhya Pradesh under Islamic Group. They did not insist for inclusion of 'Saifi' alongwith 'Barhai'(Carpenter) under Islamic Group at serial no. 59(13) of the Central List of Backward Classes for Madhya Pradesh.

7. "Saifi" is included in the State List of Backward Classes for the National Capital Territory of Delhi, as follows :-

"36. Luhar, Saifi, Bhubhalia"

8. The U.P. state Backward Classes Commission, after considering a similar Request in respect of the State List, has tendered its Advice to the State Government for inclusion of "Saifi" in the State List of Backward Classes.

9. During the Public Hearing, those present who were from different sections of society as well as the State Government representatives not only did not object to the proposed inclusion of "Saifi" and "Nagauri Luhar" as a synonym of "Luhar" in the Central List of Backward Classes for Madhya Pradesh but also supported it.

AUTHENTICATED

P. S. KRISHNAN

Min.

N. C. Commission
for Backward Classes

IV. Findings

10. From the above evidence, it is the Finding of the Bench that "Saifi" and "Nagauri Luhar" are synonyms adopted by the Muslim section of "Lohar" and "Barhai" castes/communities, linked with the traditional hereditary occupations of blacksmithy and carpentry respectively. "Saifi" and "Nagauri Luhar" fall under the Fast-Track category as these are covered by guideline 2(e) and (f) of the NCBC's Guidelines for Consideration of Requests for Inclusion and Complaints of under-Inclusion in the Central List of Backward Classes and also by para 7 of the Procedural Clarification on Guidelines. Synonyms of a caste/community already existing in the Central List of Backward Classes are covered by para 9 of the Procedural Clarification. "Saifi" and "Nagauri Luhar" should therefore be included in the Central List of Backward Classes for Madhya Pradesh as a synonym of "Luhar" at entry no. 59(16), so that the amended entry no. 59(16) reads as follows:-

"59(16). Luhar, Saifi, Nagauri Luhar"

'५९(१६). लुहार, सैफी, नागौरी लुहार'

11. It is observed that in a number of cases, certificate issuing authorities do not issue Backward Class certificates in respect of the period prior to the Central Government's Notification. The process by which a caste/community/sub-caste became backward is centuries old. Its backwardness did not emerge suddenly on the date of the Notification. The relevance of the date of the Findings or the Advice or the Government's Notification is only that the backwardness of the caste/community/sub-caste, which was already a social reality, and its synonyms, which have come into vogue from different points of time, were, after enquiry, officially noted and recognised on that particular date. But the benefit of this recognition should be available from the date from which reservation for Backward Classes in the Central Services came into effect, i.e., 8.9.1993. Therefore, it is necessary to specify that the notification takes effect from the date from which reservation for Backward Classes came into effect and the members of the caste/community/sub-caste using these synonyms, are eligible for reservation from that date.

AUTHENTICATED

(U.P. SINGH)

P. S. SINGH
Member
Classes

(SAHU AKSHAYA BHAI)

V. Advice of the Commission

12. The Commission considered and agreed in full with the above Findings of the Madhya 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 :-

"Saifi" and "Nagauri Luhar" be included in the Central List of Backward Classes for Madhya Pradesh as synonyms of "Luhar" at entry no. 59(16), so that the amended entry no. 59(16), reads as follows :-

"59(16). Luhar, Saifi, Nagauri Luhar"

'५९(१६). लुहार, सैफी, नागौरी लुहार'

Prakash Chandra
10.09.97

Ashayen
10.09.97
Prakash Chandra

Kishan
25.9.97

P. S. Krishnan
16/9/97

AUTHENTICATED

P. S. Krishnan
P. S. KRISHNAN
Member of the
National Commission
for Backward Classes