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

28. 09. 1998

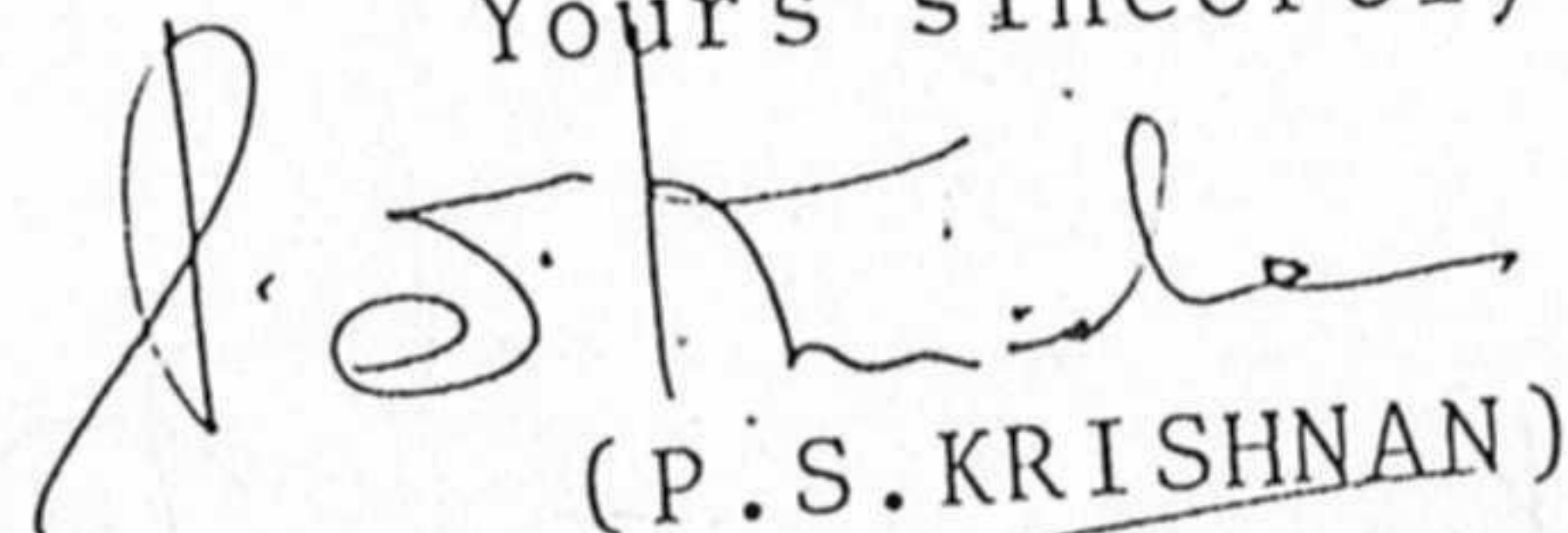
DO NCBC Advice No. 7 Punjab/98

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 "Gosain" in the Central List of Backward Classes for Punjab, duly authenticated, for necessary action by the Central Government under Section 9(2) of the Act.

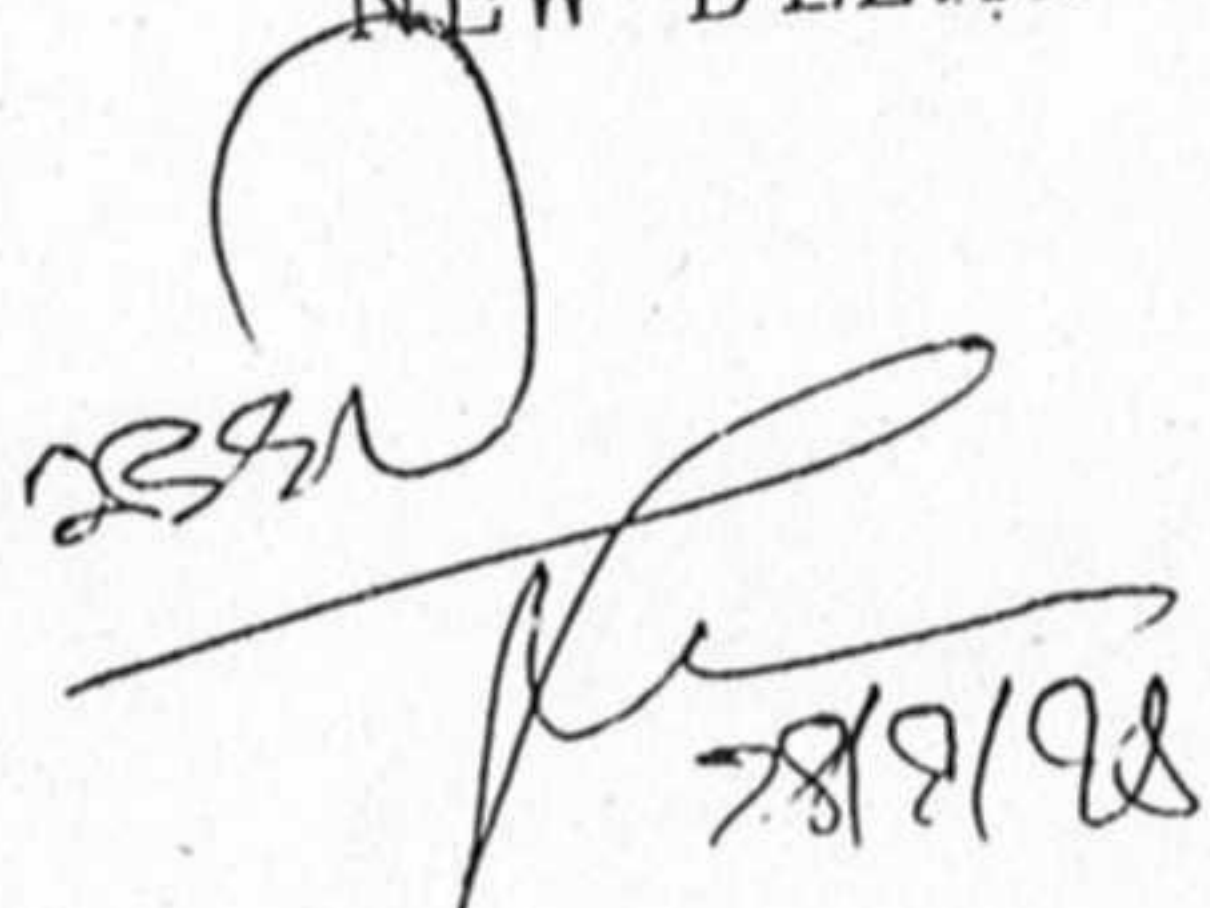
2. With this, Advices on 407 (242 for Inclusion + 165 for Rejection) castes, sub-castes, synonyms etc. have been tendered to the Government by the Commission, after its reconstitution in 1997, of which 401 (236 for Inclusion + 165 for Rejection) are still pending with the Government for Notification.

Yours sincerely


(P.S. KRISHNAN)

Encl: As stated

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


28/9/98

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ICBC HAVILL
NATIONAL COMMISSION FOR BACKWARD CLASSES

PUNJAB BENCH

FINDINGS

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of 'Sain' as a synonym of 'Nai' in the Central List of Backward Classes for Punjab.

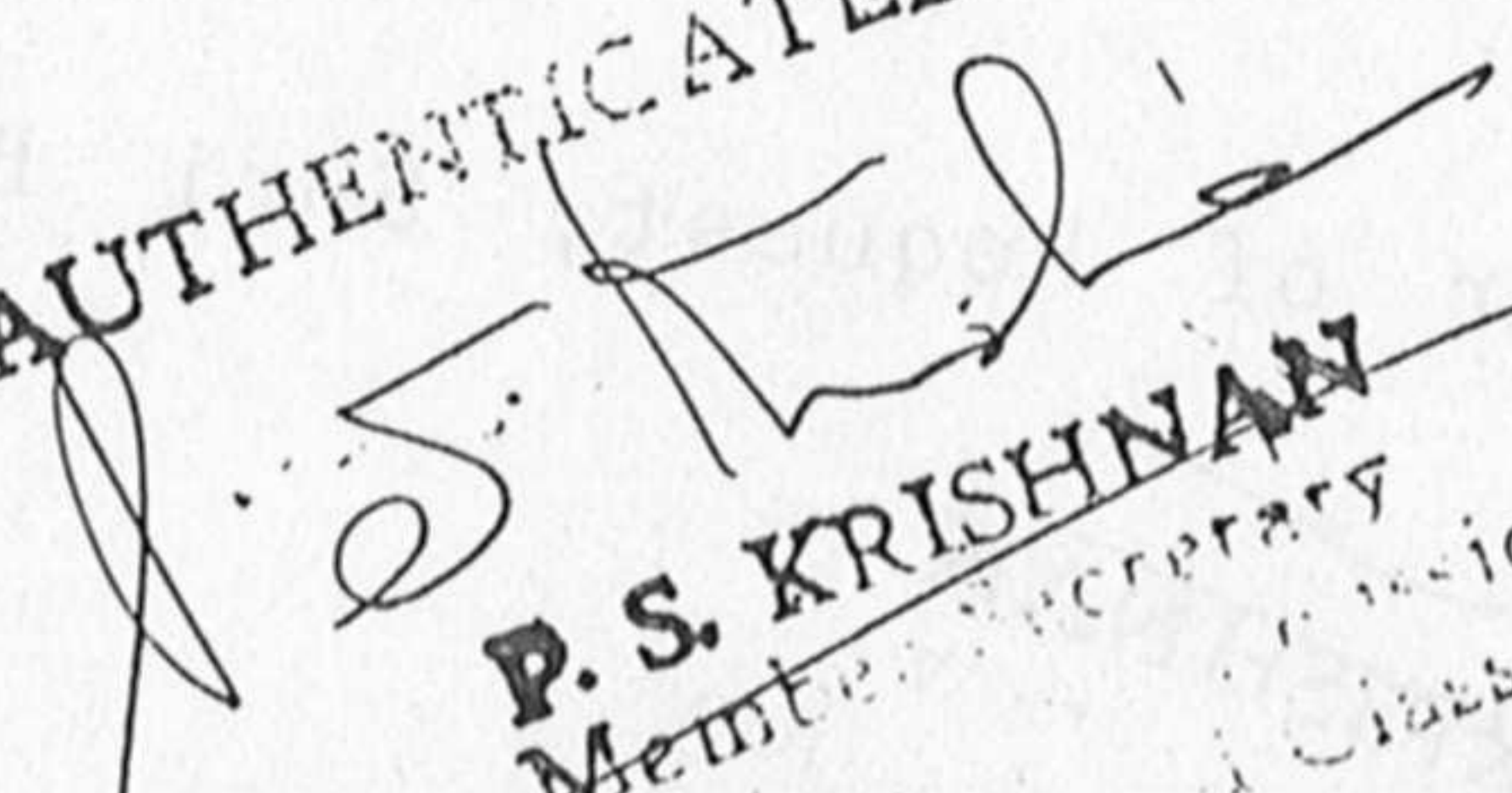
I. Request

This case arises from the Request received in this Commission from Shri Baldev Singh, General Secretary, Bhartiya Sain Samaj, Gali No. 1/A Hazura Kapura Colony, Bathinda Unit, Punjab for the Inclusion of 'Sain' as a synonym of 'Nai' in the Central List of Backward Classes for Punjab.

II. Public Hearing

2. A 2-Member Bench of the Commission consisting of Shri P.S.Krishnan, Hon'ble Member-Secretary, NCBC and Shri Navtej Puadhi, Hon'ble Member, NCBC held a Public Hearing in respect of this Request at Chandigarh on 20. 07. 1998. At the Public Hearing, the State Government was represented by Smt. Satwant Reddy, Secretary, Deptt. of Welfare of Scheduled Castes and Backward Classes and other officers. Shri Surinderjit Singh, Member, State Backward Classes Commission was also present and provided valuable inputs. The community was represented by Shri Baldev Singh, Shri Pritam Singh and Shri Tarlochan Singh.

AUTHENTICATED


P. S. KRISHNAN

Member-Secretary
National Commission
for Backward Classes

III. Facts

3. The barber caste/community of Nai and/or Hajjam is included in the first-phase Central List of Backward Classes for Punjab prepared in 1993 on the basis of the principle of commonality (ie., by including castes/sub-caste/communities common to both the Mandal Commission's List of BCs for Punjab and the State Government list of BCs that existed at that time). The relevant entries in the State, Mandal and Central Lists of BCs are as follows:-

(i) State List

"21. Nais"

"41. Hajjam, Nai"

(ii) Mandal List

"63. Nai, Banvaru, Dhanwal, Dhari, Ghangas, Ghiri, Hajjam, Hazam, Hergun, Jallan, Lekha, Nagi, Naisikh, Palan, Panju, Patara, Raja"

(iii) Central List

"21. Nai"

"41. Hajjam
Nai"

While, the "Nai" at Sl.No. 21 of the State and Central Lists apparently covers members of the barber community of 'Nai' who follow the Hindu religion, the "Hajjam, Nai" of Sl.No. 41 of the State and Central Lists cover those members of the same community who follow the Islam religion.

4. In his letter of Request, Shri Baldev Singh has

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Member, Secretary
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stated that 'Nai' has been included in the Central List of Backward Classes for Punjab, but since Nai is also known by the name of Sain, Sain also should be included in the List along with Nai. He has specified that the traditional occupation^{of} both Nai and Sain is the same, viz., cutting of hair. During the Public Hearing, the representatives of the community clarified that the 'Sain' is a dignified name adopted by the Hindu members of the Nai community and this name is popular in Punjab since about 15-20 years. Those present during the Public Hearing, who were from different sections of society, also confirmed that Sain as a synonym of Nai is popular in Punjab.

5. The name Sain might have probably derived from Baba Sain Bhagat who is worshipped by some sections of Hindu Nais. H.A. Rose (A Glossary of the Tribes and Castes of Punjab and North-West Frontier Province, Asian Educational Services, New Delhi, 1990, first published 1919) while discussing the "Nai" caste/community refers to 'The Cult of Sain Bhagat' among certain sections of Hindu Nais. As Rose writes: "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."

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Member Secretary
National Commission
for Backward Classes

6. Sain as a synonym of Nai has been included in the State List of BCs in the neighbouring State of Haryana on the recommendation of the Haryana State Backward Classes Commission. After its inclusion in the State List of Haryana, the State Government of Haryana had requested this Commission for Inclusion of Sain as a synonym of Nai in the Central List of Backward Classes for Haryana and this Commission, after enquiry, has tendered its Advice to the Central Government for Inclusion of Sain as a synonym of Nai in the Central List of Backward Classes for Haryana vide NCBC Advice No. 18 Haryana/97 sent with DO NCBC/Advice No. 18-19/Haryana/97 dated July 11, 1997.

IV. Findings

7. From the evidence adduced before the Bench, the Bench has arrived at the Finding that 'Sain' is a popular synonym of Nai in Punjab. Synonyms of a caste/community already included in the Central List of BCs 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. 21 of the Central List of Backward Classes for Punjab and after the addition of Sain entry no. 21 in the list should read as follows:-

"21. Nai, Sain"

8. As one of the Members of the Bench, Shri Navtej Puadhi unfortunately passed away subsequent to the Public Hearing on 16.8.1998, the Findings are signed only by one Member,

NOTED

P. S. KRISHNAN
Member
National Commission
for Backward Classes

who is also the co-ordinating Member of the Bench, but the Findings represent the conclusion jointly arrived at by both the Members.

P. S. Krishnan
9.9.98

V. Advice of the Commission

9. The Commission considered and agreed in full with the above Findings of the Punjab Bench and decided 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:-

Sain be included as a synonym of Nai at entry no. 21 of the Central List of Backward Classes for Punjab and after the addition of Sain entry no. 21 in the list be read as follows:-

"21. Nai, Sain"

10. on account of the unfortunate demise of one of the Members Shri Navtej Puadhi on 16.8.98, this unanimous

AUTHORIZED

P. S. Krishnan

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

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.

Shayam
23.09.98

P. S. Krishnan
9.9.98

Madan Mohan
23.9.98

V. Le. Rajagopal
22.9.98

P. S. Krishnan
P. S. KRISHNAN
Member Secretary
National Commission
23.9.98