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

NCBC Advice No. 9 Punjab/98

08. 10. 1998

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 Inclusion of "Kachhi, Kachhi-Shakya, Kachhi-Maurya, Kachhi-Kushwaha" 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.

Yours sincerely

(P.S. KRISHNAN)

Encl: As stated

Shri D.K. Manavalan,
Secretary to Govt. of India
Ministry of Social Justice & Empowerment
Shastri Bhavan, NEW DELHI 110 001

Convenor & Organiser, Navyug Shakya Sabha, Shri R.S. Maurya,
President, Bharat Maurya Sangh (Regd.), Chandigarh and
others.

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National Commission
for Backward Classes

NATIONAL COMMISSION FOR BACKWARD CLASSES

PUNJAB BENCH

FINDINGS

Per Shri P.S.Krishnan, Member-Secretary

Case: Request for Inclusion of 'Kachhi (Shakya, Maurya, Kushwaha)' in the Central List of Backward Classes for Punjab.

I. Request

This case arises from the Request received in this Commission from the 'Navyug Shakya Sabha(Reg.), Punjab' for the Inclusion of Kachhi(Shakya, Maurya, Kushwaha) caste/community 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 Ram Chand Shakya, Convenor & Organiser, Navyug Shakya Sabha, Shri R.S.Maurya, President, Bharat Maurya Sangh(Regd.), Chandigarh and others.

P. S. KRISHNAN
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III. Facts

3. 'Kachhi(Shakya, Maurya, Kushwaha)' caste/community is not 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's list of BCs that existed at that time) because it was not included in both the Mandal Commission's List of BCs for Punjab and the State Government's List of Backward Classes and, therefore, did not satisfy the criteria of commonality.

4. According to the letter of Request of the Navyug Shakya Sabha, the people of this community "are highly backward in all the spheres --- economic, social, educational and political --- in Punjab and other States." "These people migrated from their home State Uttar Pradesh about 10-12 decades ago in search of their earning and settled in different parts of the combined Punjab. The main occupation of the people of this caste is to grow vegetables and labouring. They grow vegetables in the farm of big landlords..... as a tenant, or contract basis or sharing..... They are mostly landless, homeless in the State."

5. In the NCBC's Questionnaire filled up by the Sabha, the occupation on which the members of the caste/community mainly depend for their livelihood is given as "growing vegetable and agricultural labour". According to the information given in the Questionnaire, members of this caste/community also work as factory labourers and rickshaw pullers. Both women and children, as a general practice, for their own or for their family's livelihood, work as factory labourers. Of the total population of 1 lakh, 98% (male, female, children taken together) are stated to be


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Backward Classes

landless manual (both agricultural and non-agricultural) labourers. Literacy rate of the community is stated to be only 7%. 80% of the families of the caste/community live in Kachha houses. Their representation in Class I and Class II categories of the State Government services is given as 'Nil' and the representation in Class III is given as 84 and in Class IV as 833. The Questionnaire also states that there are no members from this caste/community in the professions like Doctors, Lawyers, Engineers or Architects, Chartered Accountants, Media professionals etc.

6. During the Public Hearing, the representatives of the community stated that the ancestors of the community were migrants from UP, especially from the districts of Etawah, Mainpuri etc. They settled in Punjab mainly as landless tenants. Earlier they used to share the produce with landlords on 50:50 basis but this ratio has since come down to $2/3 : 1/3$. They also stated that at present less than 2% of the families have got land and the rest are still mostly landless tenants. In support of their claim of social backwardness of the caste/community, they also produced before the Bench relevant extracts from ethnographic accounts of this caste/community by Denzil Ibbetson and H.A.Rose.

7. Denzil Ibbetson (Punjab Castes, Low Price Publications, Delhi, 1993, first published 1916, based on the Census of the Panjab carried out by Ibbetson himself) describes this caste/community under the head "The Lodha and Kacchi" as follows:-

"These are two well-known cultivating castes of Hindustan, and are found in the Panjab chiefly in the Jamna districts, though a few of them have moved on westwards to the great cantonments. They are almost without exception Hindus..... The Kachhis are said to be the market gardeners of Hindustan, and of low standing. In the Punjab

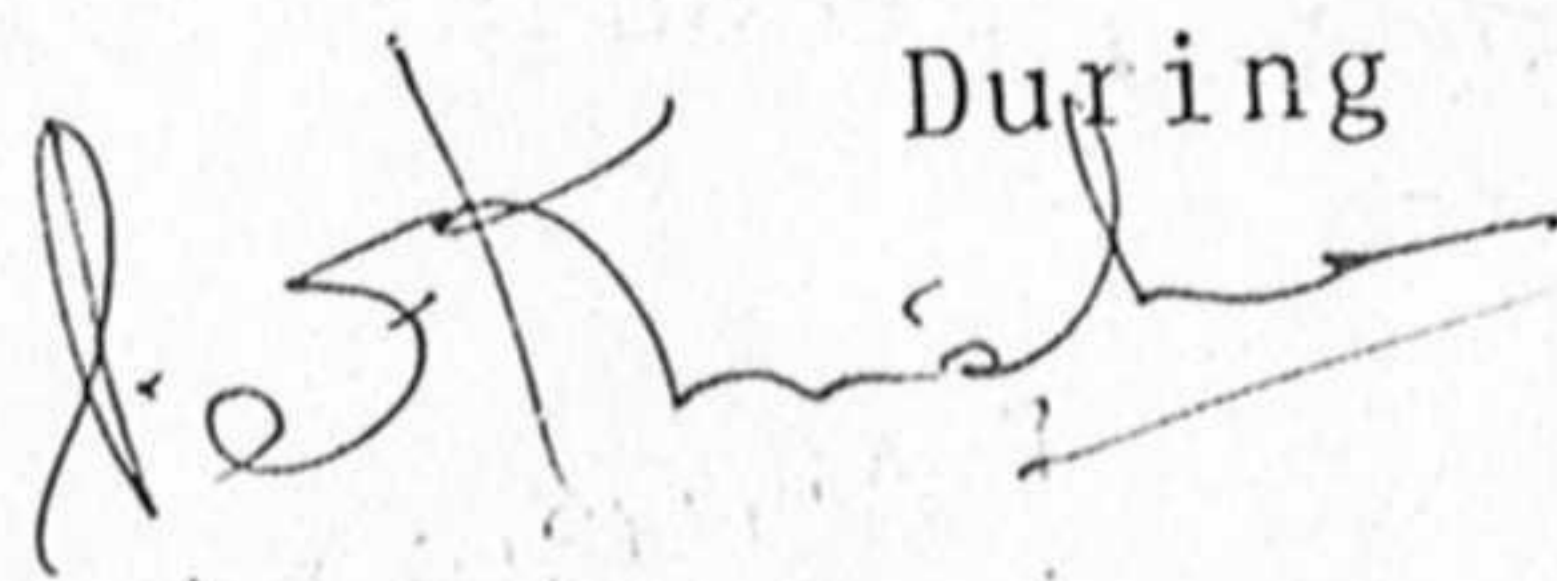
I believe they are generally engaged in the cultivation of water-nuts and similar produce; indeed in many parts they are called Singhari (from Singara, a water-nut) as commonly as Kachhi."

A similar account on 'Kachhi' is also given by H.A. Rose (A Glossary of the Tribes and Castes of the Punjab and North-West Frontier Province, Asian Educational Services, New Delhi, 1990, first published 1919). When the Bench asked the representatives of the community whether the name 'Singhari' is at present prevalent amongst their members, they said that they do not have any knowledge about it. They said that Kacchi, Shakya, Maurya and Kushwaha are the names by which members of their caste/community are known and that these names denote various sub-divisions among them. Jogendra Nath Bhattacharya (Hindu Castes and Sects, Munshiram Manoharlal Publishers Pvt Ltd, New Delhi, 1995, first edition 1896) writes under the head "The Kachis" that "They are very much like the Koeris. They are very good cultivators. There are many subdivisions among them, as, for instance, the following:-

1. Kanojia .. from Kanoj
2. Sakya Seni .. From the ancient town of Sankisa in Farakkabad.
3. Hardiya .. Said to derive their name from the fact of their cultivating huldi or turmeric.
4. Murao .. Said to be so named from the fact of their cultivating mula or radish.
5. Kachchwaba
6. Salloria
7. Anwar

....."

8. During the Public Hearing, the State



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Government/State Commission representatives stated that the State Commission has already tendered its Advice/recommendation to the State Government in favour of the Inclusion of this caste/community in the State List, but the State Government is yet to take a decision in this regard. The Bench felt that the NCBC's Advice to the Central Government on the Request of this caste/community for Inclusion in the Central List of BCs for Punjab cannot wait for long for the State Government to take a decision on the recommendation of the State Commission for Inclusion of this community in the State List and therefore requested the State Government representatives to take a decision and communicate it within a month. The State Government representatives agreed to do so. Those present during the Public Hearing, who were from different sections of society, were in favour of the inclusion of this caste/community in the list of BCs; though one Shri Kartar Singh Arya who claimed to represent the Backward Classes Federation, Punjab initially expressed some reservations about its eligibility for inclusion in the BC list of Punjab in view of its status as a migrant community. After hearing the submissions of the representatives of the community that they are not recent migrants but have migrated more than 100 years back, he also expressed his final view in favour of the inclusion of this caste/community in the list of BCs.

9. The caste/community under consideration has already been included in the Central List of Backward Classes for Bihar, Delhi, Madhya Pradesh, Maharashtra, Rajasthan and Uttar Pradesh, as follows:---

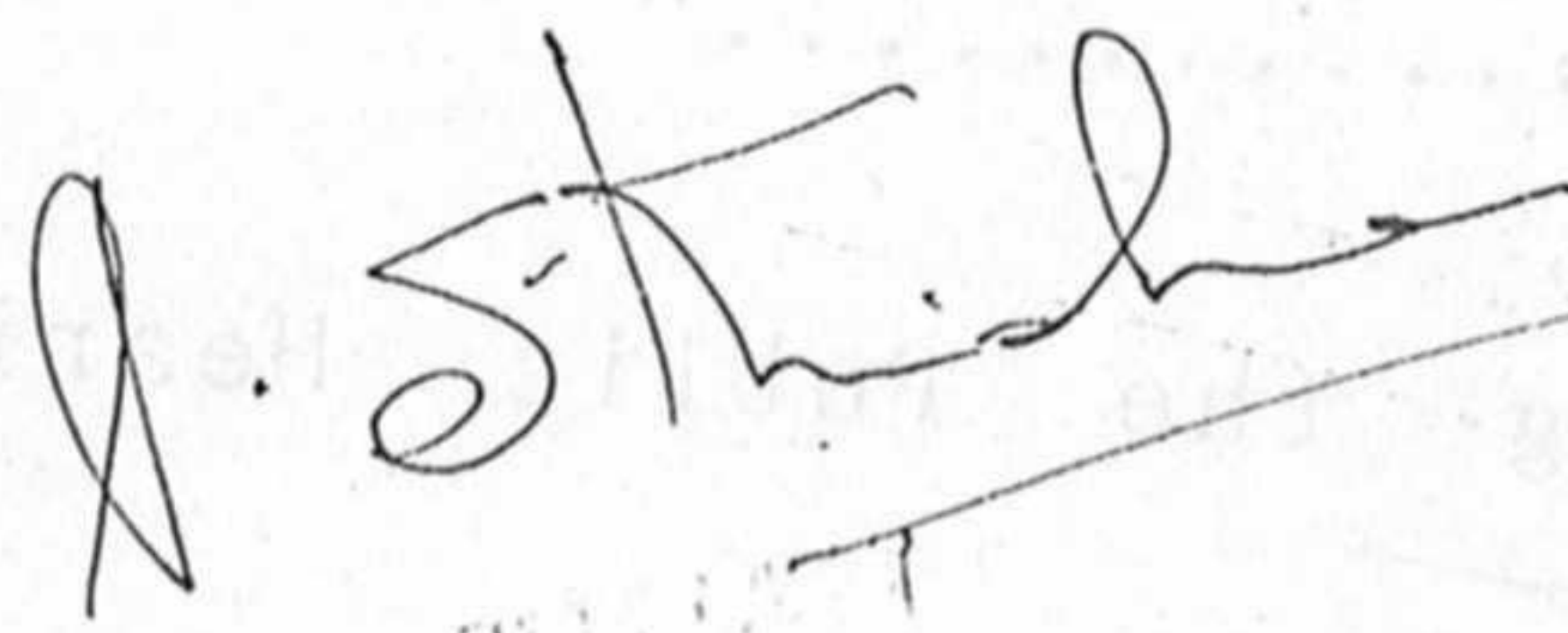
State

Relevant entry

1. Bihar

"19. Kushwaha(Koeri)"

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2. NCT of Delhi

"27. Kachhi

Koeri

Murai

Murae"

4. Madhya Pradesh

"30. Kacchi

(Kushwaha/Koshawaha

Maurya)"

5. Maharashtra

"72. Kachi/Kacchia"

6. Rajasthan

"24. Kacchi"

7. Uttar Pradesh

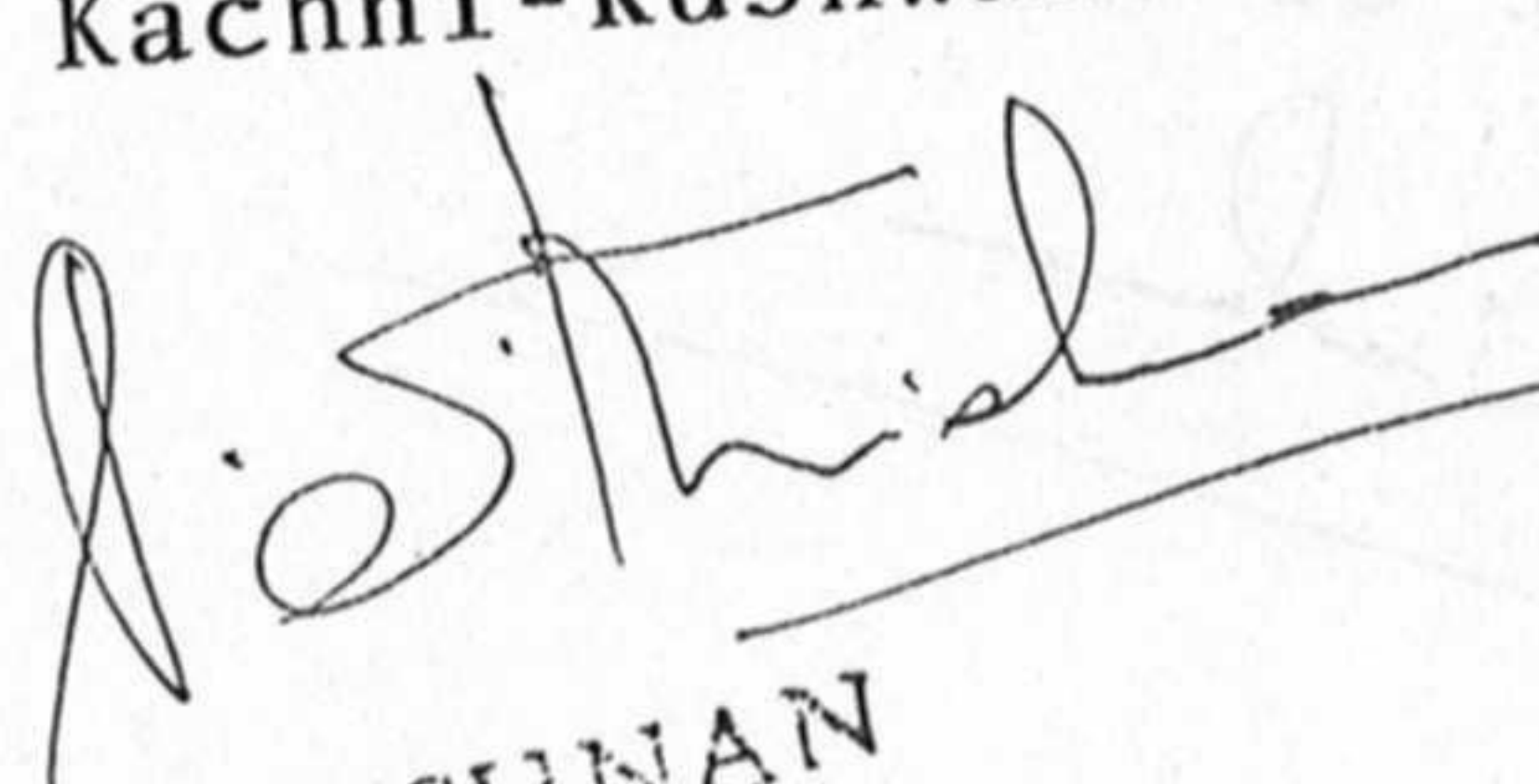
"3. Kacchi, Kacchi-Kushwaha,
Shakya"

Out of the above, in the case of Uttar Pradesh the original entry in the first-phase Central List of BCs for Uttar Pradesh prepared on the basis of the principle of commonality was "3. Kacchi"; and Kacchi-Kushwaha and Shakya were subsequently added to this entry in the Central List on the Advice of the NCBC to that effect.

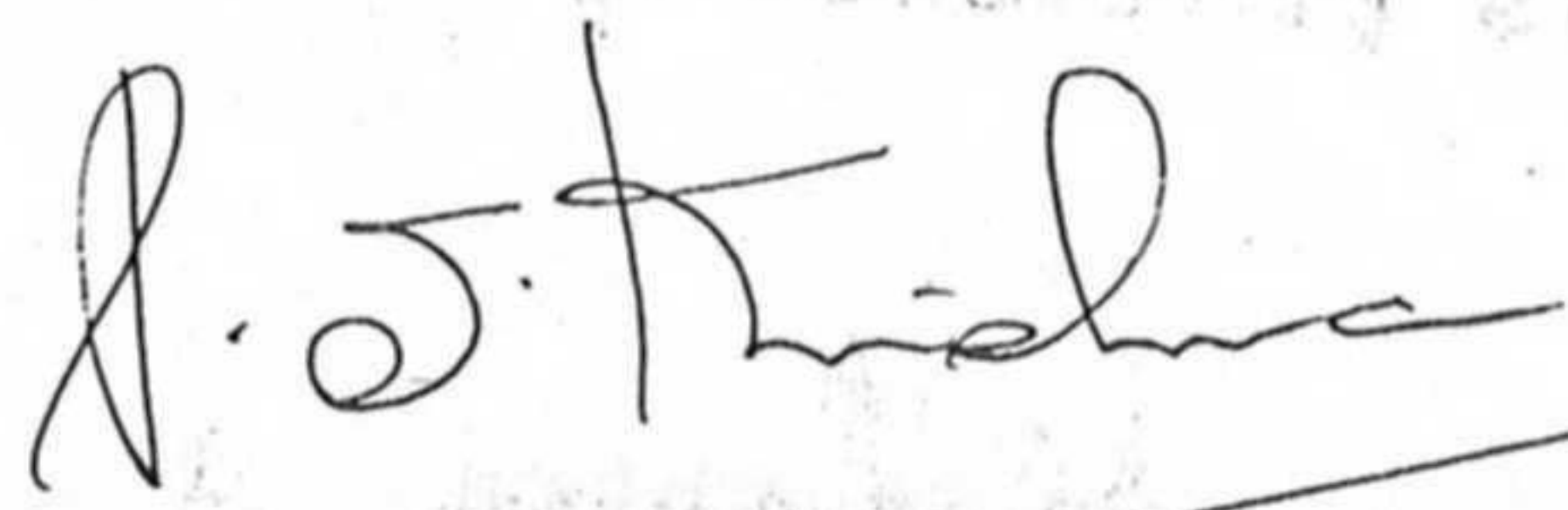
IV. Findings

10. From the above material and evidence, the Bench has arrived at the Finding that Kachhi (Shakya, Maurya, Kushwaha) caste/community in Punjab is a Socially and Educationally Backward Class and therefore it should be included in the Central List of BCs for Punjab at entry no.67, suffixing Kachhi to each of the names, to preclude possibility of scope for seeking and getting false certificates, as follows:-

"67. Kachhi, Kachhi-Shakya, Kachhi-Maurya,
Kachhi-Kushwaha"


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


5.10.98

V. Advice of the Commission

12. 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:-

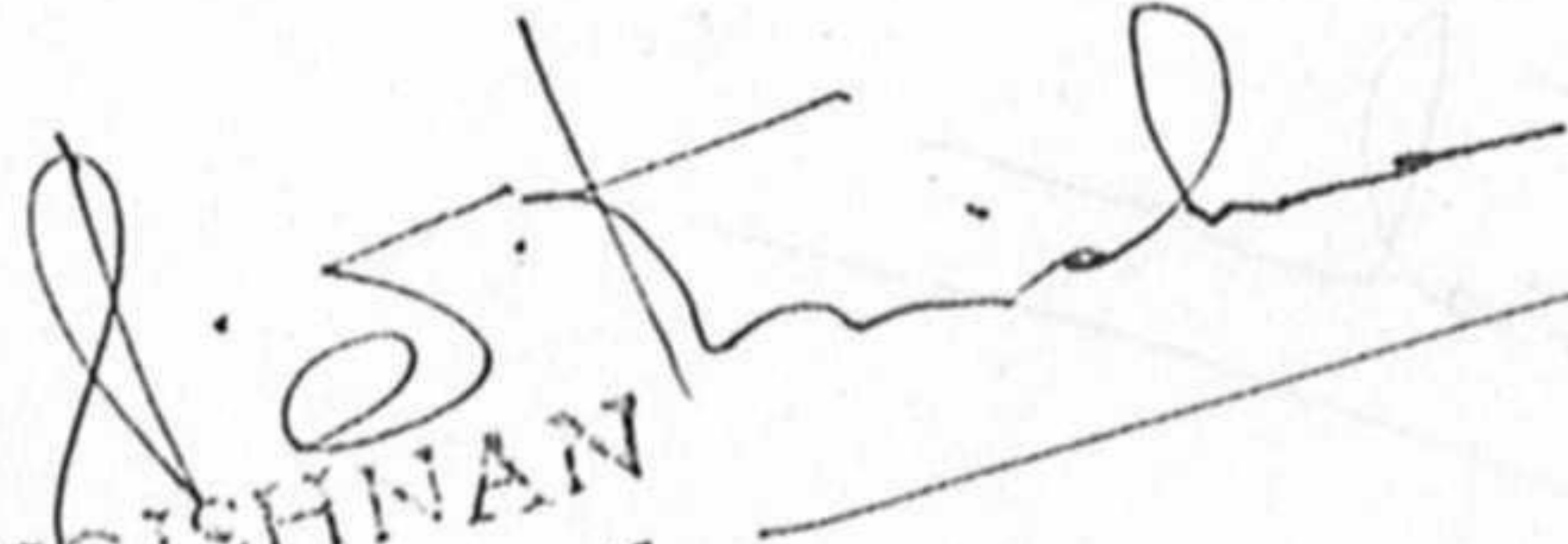
Kachhi and its synonyms/sub-groups Shakya, Maurya, Kushwaha be included in the Central List of Backward Classes for Punjab at entry no. 67, as follows:-

"67. Kachhi, Kachhi-Shakya, Kachhi-Maurya, Kachhi-Kushwaha"

13.

On account of the unfortunate demise of one of

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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.

Kshayam
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A. S. Krishna
5.10.98

P. S. Nageswara Rao
7.10.98

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