

WEST BENGAL COMMISSION FOR BACKWARD CLASSES

FIFTH REPORT

:

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WEST BENGAL COMMISSION FOR BACKWARD CLASSES

Further to the 4th report made by the Commission and submitted on the 16th August, 1995 the Commission has since considered further requests from different classes of citizens for inclusion of the said classes in the list of 'Backward Classes' of the State. The Commission in this 5th report is making its recommendation and tendering its advice to the State Government with regard to further matters considered and decided by the Commission.

In the 4th report submitted by the Commission, the Commission has held after careful consideration of all aspects and for detailed reasons stated in the report that any class of citizens must be socially and educationally backward to constitute a 'Backward Class' within the meaning of the West Bengal Commission for Backward Classes Act, 1993. The Commission in the earlier report has also laid down the criteria and tests for determining the social and educational backwardness of any particular class of citizens. It does not, therefore, become necessary to repeat the same in this report.

Bearing in mind the principles enunciated and the criteria and tests laid down for deciding the social and educational backwardness of any particular class, the Commission has proceeded to consider the requests for inclusion in the list of Backward Classes of the State made on behalf of a number of classes of citizens.

The Commission now proceeds to examine the requests of each class on its merits to come to its conclusion as to whether the said class constitutes backward class within the meaning of the West Bengal Commission for Backward Classes Act, 1993.

LAKHERA/LAHERA

The Commission received requests from Shri Umapada Laheri, President , Jhalda Laheri Samaj, Vill - Ojhapara, P.O. - Jhalda in the district of Purulia and others for inclusion of the 'Lakhera' class of people in the list of Backward Classes in the State. The petitions came up for hearing before the Commission on the 14th September, 1995. At the hearing Shri Umapada Laheri, President, Jhalda Laheri Samaj appeared to represent the case of their class assisted by Shri Asit Laheri, Secretary of the Laheri Samaj. As per their submission, the 'Lakhera' class of people is one of the most socially and educationally backward classes in the district of Purulia and they are looked down upon by the people in the localities in which they live.

Shri Umapada Laheri took oath and affirmed that their class of people generally uses the surnames like Lahera, Laheri and Lakhera. All these surnames are related to lac with which they hereditarily traded and which provided the sources of their livelihood. From the term 'Lac', they came to be known as 'Lakhera'. Their identity in the localities in which they live is also by the name of 'Lakhera'. But the educated section of their class started using the surnames - 'Laheri' and 'Lahari' in order to get rid of the old tradition and to secure some social respectability. But the use of the term - 'Laheri' may lead to confusion, inasmuch as, a certain class of Brahmins in West Bengal uses almost the identical surname called 'Lahiri'. Dr. Bhairab Chandra Mahato, President of the Purulia District Confederation of other Backward Classes gave evidence and stated that the Lakhera class is called Lahera also. So both the terms Lakhera and Lahera apply to them. They stated population of the class in Purulia district in West Bengal is approximately 300 (Male 165, Female 135). The main concentration of the class is in the adjacent areas of Bihar State, as per their

statement. The Lakheras, in general, like to live as compact homogenous social unit.

The 'Lakhera' class of people was engaged in the manufacture and sale of lac bangles. With the introduction of glass and plastic bangles, they were gradually ousted from their traditional occupation of lac works. At present, they are engaged in various types of professions. Some of their boys work as servants in private houses, shops, tea stalls; some of their females work as maid servants in others' houses; some of them are engaged as agricultural and day labourers and a few in constructional work (both men and women). There are a few small shop-keepers. The women go about from door to door for selling glass and plastic bangles. A few educated persons are employed in 'Lac' and 'Biri' factories. A few of them eke out their existence as bus conductors, drivers and khalasis. The rural women manufacture 'Muri' (perched rice), 'Chhatu'. 'Biri', etc.

About 10% pf the 'Lakhera' people own some land which is much below the ceiling limit; 18% of them own some land and also work on other's land, 2% work as share croppers and as labourers; and 4% are engaged on others' land as labourers. About 3% are engaged in petty family business (using borrowed capital) and their per capita daily income is about Rs. 5/-; 5% are small traders (3% with borrowed capital) and their per capital daily income is about Rs. 6/-; 2% are engaged in small size business and their per capita daily income is about Rs. 10/-. The remaining about 50% of their population have got no definite occupation. They toil as labourers to earn their livelihood. There is no big businessman in their class.

The materials on record go to indicate that there is no doctor, no engineer from their class. There is only one lawyer, there is none in higher services. There is only one in middle rang Govt. Service, 7 in non-Govt. service and about 30 persons are in different types of non-Govt. jobs. There are two Primary School Teachers.

About 80% of the 'Lakhera' people live below the poverty line; 15% are above the poverty line, 5% earn a little surplus. There is none in the affluent group.

The achievement of the 'Lakhera' class in the field of education is also not at all satisfactory. Due to lack of education among them they have got no representation in different walks of life.

It was submitted before the Commission that 13.54% of the male population and 12.59% of the females attained education upto Primary level. The rate of dropouts is very high in the Secondary level of education for joining the family occupation. There is no MLA, no MP, not even any representative from their class in any of the tiers of the Panchayats.

The 'Lakhera' practice both infant and adult marriages. Bride price was prevalent among them and the bridegroom's parent had to pay Rs. 300/- to bride's parent towards the bride price. The Brahmins act as priest in their marriage and Hindu rituals are followed. The widows are allowed to marry again in the 'Sagai' form. The birth of babies are followed by rites called 'Chhati', 'Narta', 'Ekusha' and 'Annaprashan' as in the cases of the caste Hindus. Funeral ceremonies are also performed in accordance with Hindu rites.

The 'Lakheras' consider themselves to be orthodox Hindus and worship the Goddess 'Bhagabati'. They worship other deities also but they are especially attached to Goddess 'Durga'. They are guided by the 'Mitakshara' law of inheritance.

It has been submitted before the Commission that the 'Lakheras' socially rank equally with the 'Koiris' and 'Kurmis' (already declared as Backward Classes in the State). It has been submitted that 50% of the higher classes of their locality treat them as Scheduled Castes. Most of the Backward Classes in their localities treat them without any disrespect.

It was stated in evidence that the living condition of the 'Lakheras' is not at all satisfactory. About 80% of them live in mud-wall kutchha houses,

15% in semi pucca houses, 3% in pucca houses and 2% in thatched sheds. About 79% of the population go to open fields to attend nature's call; 11% use semi kuchcha latrines, 8% use dug-well system and 2% thatched sheds.

The 'Lakhera' population have got no pipe water connection or tube well in their houses; they have to depend for pipe water from road side taps/tubewells of the Panchayat/Municipality. They use tank water for washing clothes, utensils, etc.

The facts established by evident - oral and documentary - to establish that the Lakhera/Lahera class is socially and educationally backward and their economic condition is also not at all satisfactory. The Commission noted that the Mandal Commission has recommended inclusion of 'Lakhera/Lahera' class of people in the list of Backward Classes in West Bengal. The Kalelkar Commission also recommended their inclusion in the list of Backward Classes.

Taking into consideration the facts stated, the materials on record and the submission made, the Commission has no hesitation in coming to the conclusion that the 'Lakhera/Lahera' class of people constitutes socially and educationally a backward class in the State and the Commission recommends to the State Government that the 'Lakhera/Lahera' class of people should be included in the list of Backward Classes in the State and the Commission, accordingly, advises the Government of West Bengal to do so.

No one appeared before the Commission on behalf of the State Government although notice was issued to the Government of West Bengal.

No one has raised any objection to the inclusion of this class of people in the list of Backward Classes in West Bengal.

KUMAR

The Commission received mass petitions filed by persons residing in the district of Purlia belonging to the 'Kumar' class for inclusion of this class in the list Backward Classes in the State. Their grievance is that the 'Kumars' who are also called 'Kumbhakars' in that district are not being considered as members of a backward class, though the 'Kumbhakar' class has already been declared to be a backward class in the State of West Bengal. It has been stated that 'Kumars' and 'Kumbhakars' mean the same class; and persons in this class are classed 'Kumars' in some places and 'Kumbhakars' in other places. But they really belong to the same class and constitute one and the same class. The grievance that has been made is that in the district of Purulia, where they are termed as 'Kumars', they are being denied the certificates, inasmuch as, the authorities concerned and empowered to grant certificates contend that 'Kumbhakar' class has been recognized as a class included in the list of Backward Classes in the State and the authorities concerned go by the nomenclature of the class, ignoring the basic fact the 'Kumbhakars' and 'Kumars' form the same identical class, notwithstanding the difference in nomenclature.

The 'Kumar' were given a hearing and proper and sufficient materials have been placed before the Commission by Shri Nikhil Prasad Majhi, Shri Ranjit Kumar and Shri Anil Kumar on oath to prove that persons in 'Kumar' class are socially and educationally backward. The Commission is satisfied on the materials placed and proved that the persons in the 'Kumar' class are socially and educationally backward. The Commission does not have any doubt on the basis of the materials placed and proved that the 'Kumbhakar' class and 'Kumar' class form the same class and they are identical, though they may be termed differently in different localities depending on local usage and other factors. The authorities concerned and empowered to grant certificates should have appreciated this position and should have granted the certificates, as 'Kumars'

and Kumbhakars' form one and the same class and the inclusion of 'Kumbhakar' in the list of Backward Classes in the State covers this class.

The Commission holds that the 'Kumar' class in the State constitutes a backward class and this class comes clearly under the 'Kumbhkar' class already included in the list of Backward Classes in the State.

However, by way of clarification and for avoiding any difficulty and problem, the Commission recommends that this class, viz. 'Kumar' class should be included in the list of Backward Classes along with the 'Kumbhkar' class and the name of the 'Kumar' class shall be incorporated in the list of Backward Classes along with the 'Kumbhkar' class after putting stroke against the entry of 'Kumbhkar' class in the list of Backward Classes of the State. Accordingly the Commission recommends that the 'Kumar' class which is the same as the 'Kumbhyakar' class in the State should be incorporated in the list of Backward Classes in the State along with 'Kumbhkar' class already included in the list in the same entry after a stroke against the said entry and the said entry of 'Kumbhakar' class incorporated in the list of Backward Classes should read as 'Kumbhkar' / 'Kumar'.

KOLU

The Commission received a mass petition and also individual representations filed by persons residing in the districts of Purulia and Bankura belonging to the 'Kolu' class for inclusion of this class in the list of Backward Classes in the State. Their grievance was that the 'Kolus' who are also called 'Telis' in those districts are not being considered as members of a backward class, though the 'Teli' class has already been declared to be a backward class in the State of West Bengal. It has been stated that 'Kolus' and 'Telis' mean the same class; and persons in this class are called 'Telis' in some places and 'Kolus' in some other places and though the persons in this class may be called 'Kolus' in some places and 'Telis' in other places, they really belong to the same class. The grievance that has been made is that in the districts of Purulia, Bankura and some other places, where they are termed as 'Kolus', they are being denied the certificates, inas much as, the authorities concerned and empowered to grant certificates contend that it is only the 'Teli' class which has been recognized as a class include in the list of Backward Classes in the State and the authorities concerned go by the nomenclature of the class, ignoring the basic fact that 'Telis' and 'Kolus' form the same and identical class, notwithstanding the difference in nomenclature.

The 'Kolus' were given a hearing and proper and sufficient materials have been placed before the Commission by Shri Nandalal Gorai on oath to prove that persons in the 'Kolu' class are socially and educationally backward. Dr. Bhairab Mahato, President, Confederation of Purulia OBC and Scheduled Castes & Scheduled Tribes, also gave evidence. The Commission is satisfied on the materials placed and proved that the persons in the 'Kolu' class are socially and educationally backward. The Commission, however, does not have any doubt that 'Teli' class and 'Kolu' class form the same class and they are identical, though they may be termed differently in different localities depending

on local usage and other factors. The authorities concerned and empowered to grant certificates to 'Kulus' as 'Kolu' and 'Teli' in the list of Backward Classes in the State covers the 'Kolu' also.

The Commission holds that the 'Kolu' class in the State constitutes a backward class and this class comes clearly under the 'Teli' class already included in the list of Backward Classes in the State.

However, by way of clarification and for avoiding any difficulty and problem, the Commission recommends that this class, viz. 'Kolu' class and the name - 'Kolu' shall be incorporated in the list of Backward Classes along with 'Teli' class after putting a stroke against the entry of 'Teli' class in the list of Backward Classes of the State. Accordingly, the Commission recommends that the 'Kolu' class which is the same as the 'Teli' class in the State and constitutes a backward class in the State should be included in the list of Backward Classes in the State along with 'Teli' class already included in the list in the same entry after a stroke against the said entry and the saidn entry of 'Teli' class incorporated in the list of Backward Classes should reads as 'Teli/Kolu'.

FAKIR, SAIN

The Commission received requests from Md. Kashem Mandal and others of North 24-Parganas district for inclusion of 'Fakir, Sain' class of people in the list of Backward Classes in the State of West Bengal. The petitions had been duly processed and came up for hearing before the Commission on the 22nd November, 1995.

Shri Krishnapada Paik, a Primary School Teacher, took oath and furnished data in respect of the 'Fakir, Sain' class before the Commission on behalf of the entire 'Fakir, Sain' class of people of West Bengal. As per his submission, this class of people, due to their extreme backwardness, has no Association or Sangathan of their own to represent their case or to work for their own welfare. Smt Namita Paik, a school teacher also furnished certain information. The Commission also examined an aged member of the 'Fakir, Sain' classes name Kudrutulla Fakir, a Sain, to ascertain certain customs and usages prevalent amongst this class of people. Md. Kashem Mandal also took oath and furnished facts and figures indicating the social and educational standard of the 'Fakir, Sain' class of people.

The stated population of the 'Fakir, Sain' class in West Bengal is about 1, 20,000. They are inhabitants mainly of the districts of North 24-Parganas where their number is about 40,000, in South 24-Parganas, the number is about 30,000, in Nadia about 10,000, in Hooghly about 15,000 and in Murshidabad about 25,000. Some Fakirs live in other districts also but their distribution is scattered and the number is insignificant.

They are also spread over in different States in India, - Bihar, Maharashtra, Punjab, Uttar Pradesh, Karnataka, Gujrat and Delhi. The Mandal Commission recommended their inclusion in the list of Backward Classes in these States and Union Territories.

'fakir' is an Arabic work denoting a 'Mohammedan religious mendicant'. The word refers to men's spiritual need of God, who alone is self-sufficient. 'Fakirs' are common to all creeds in India and in theory belong to a distinct religious order, but the Muslim orders do not profess celibacy.

The traditional system of social stratification among the Muslims is the distinction between the three categories of people, viz. Aristocrats (Asraf), Commoners (Ajraf) and Degraded (Arjal). In the hierarchical scale the Fakirs occupy the bottom (degraded position with the 'Dhais', etc.). They consider themselves more backward than the Momin, Ansari, Jolhas who have already been included in the list of Backward Classes.

According to their submission, this class of people maintain their 'own way of life' and 'behalf system' quite distinct from the Hindu or the Muslim code of conduct, beliefs and practices. They even do not follow the norms and codes of behavior laid down in the 'Sariyat'. They are not allowed to make prayers (Namaj) in Mosques. Even the 'Moulavis' refrain from performing rites and rituals in their houses during birth, marriage and death in their society. These are performed by their own people who have attained a higher level of spiritual life and respected as 'Sains'. They form a class by themselves. They are, however, looked down upon by their neighbours; they are equated with the Scheduled Castes in West Bengal. They are the followers of Lalan Fakir whom they consider as their 'own man'. Early marriage is still prevalent among them; 90 percent of the boys marry at an age between 18 to 20 years and 95 percent of the girls are given in marriage between 12 to 15 years of age. Hardly 10 percent of the boys get married between the age 20 to 22 years and 5 percent of the girls between 15 to 18 years. At the age of 30 to 35 years one leaves family life and following Lalan Fakir's path, lead a life of religious mendicant. The incidence of divorce is negligible. Widow re-marriage is permitted, but it remains confined with the age 25/30 years. Elderly widows do not marry. The burial is done not

according to the prevalent Muslim practice but in accordance with the Lalan Shah's method.

The 'Sains' of their own class act as priests in all the phases of their life and activities. 'Sariyat' has no role in their life.

It has been submitted in writing the 98 percent of them live in thatched hutments and they go to open fields to attend nature's call. All of them depend on tubewells.

The materials on record to indicate that their achievement in the field of education is extremely low. Hardly 20 percent among the males and 10 percent among the females read upto Primary level; 8 percent of the males and 2 percent of the females upto Secondary level. Beyond Secondary level there is none. Drop out rates are quite high in the Secondary level of education, because the children have to assist their parents in running the family.

In Medicine, Engineering, Law and Post Graduate level their number is 'Nil'.

The facts established by evidence - oral and documentary - go to indicate that the social position and educational standard of this class are extremely low and unsatisfactory.

Due to lack of education among them, their representation in the services is also very insignificant. There is no Doctor, no Engineer and no Lawyer among them. There are only about five Primary school teachers and one or two ordinary job holders among them.

Among them only 5/10 persons are members of Gram Panchayats.

The economic condition of this class of people is equally deplorable and pathetic.

About 2 percent of them own land, that too much below the ceiling, and so work in others' land as agricultural labourers. The remaining 98 percent of them work as labourers daily as well as agricultural. In addition, some

of them work as rickshaw / cart pullers, etc. There is none in business. Most of them are very poor and live below the poverty line.

The Mandal Commission has recommended the 'Fakir, Sain' class for inclusion in the list of Backward Classes in the State of West Bengal. The Kalelkar Commission has also recommended their inclusion in the list of Backward Classes.

The Commission, on the basis of materials placed before it, is satisfied that the 'Fakir, Sain' class has got separate entity in this State.

Taking into consideration the facts stated, the materials furnished and the submissions made, the Commission has arrived at the conclusion that the 'Fakir, Sain' class constitutes a socially and educationally backward class in the State and the Commission recommends to the State Government that the 'Fakir, Sain' class of people should be included in the list of Backward Classes in the State of West Bengal and the Commission, accordingly, advises the Government of West Bengal to do so.

It may be noted that there is no objection in giving benefit to this class and no one has raised any objection to that effect. No one appeared on behalf of the State Government although' Notice was served on the Government of West Bengal.

KAHAR

The Commission received requests from Shri Shankar Singh, Shri Naveen Prasad and others for inclusion of the 'Kahar' class of people in the list of Backward Classes in the State. The petitions have been duly processed and came up for hearing before the Commission on the 23rd November, 1995.

Shri Shankar Singh and Shri Naveen Prasad took oath and presented necessary information in respect of their class before the Commission. As per their submission the 'Kahars' have no Association or Sangathan of their own to represent their case before the Commission. The 'Kahar' class, according to their submission, is one of the most socially and educationally backward classes in the State with poor economic condition. They have also urged that the 'Kahar class has been included in the list of Backward Classes in the Kalelkar list, Mandal Commission's list and in the lists of a few neighbouring States. In view of their distinct identity and extreme backwardness in every sphere of life and activities, it has been submitted that this class deserves to be included in the list of Backward Classes of the State.

The 'Kahars' are generally palanquin bearers spread over several States in India - West Bengal, Bihar, Madhya Pradesh, Uttar Pradesh, Delhi, Rajasthan, etc. The Mandal Commission recommended their inclusion in the list of Backward Classes in many of the States. They are also included in the list of Scheduled Castes in the State of Tripura. They derived the name 'Kahar' from the words 'Khand' (shoulder) and 'Ahar' (food) meaning earning of livelihood by shoulder. Many of them are also engaged as domestic servants. Now a days they have almost abandoned their traditional occupation of carrying Palanquins; they work as rickshaw/cart pullers, porters, van drivers, labourers, etc.

In West Bengal the 'Kahar' are mainly concentrated in Calcutta and in the districts of North and South 24-Parganas, Howrah, Hooghly, Nadia, Purulia, etc. The number of persons of 'Kahar' class in the State Government and

Public Sector Undertakings is rather insignificant and in professions like Medicine, Engineering, Law, etc. their presence is almost 'Nil'. However, there are a few service holder and teachers among them. There is hardly any person with high education or any high office.

There is no MLA, no MP, no Panchayat personnel among them.

The 'Kahar' population is scattered mostly in the different districts of West Bengal. According to the Census, 1881, the 'Kahar' population is distributed in these different districts in the manner as detailed below:

Burdwan	.....	1,744
Birbhum	.....	2,773
Midnapore	.....	3,156
Hooghly	.....	1,409
Howrah	.....	2,005
24-Parganas	.....	2,921
Nadia	.....	1,526
Jalpaiguri	.....	1,577
Malda	.....	<u>3,147</u>
		20,258

From the year 1881 to 1995, the population has grown in number. It can be assumed that in course of these 114 years the population of the 'Kahar' class has grown to a number of about one lakh.

The 'Kahars' of elderly generation are mostly illiterate. The children of the present generation are going to schools but after Primary stage, the drop out rate increases as because the children have to assist their parents in running the family. The spread of education among the females is also not worth mentioning. Due to their poor economic condition and bad habits their home environment is also not congenial for children's education. Most of them live in thatched huts in rural areas. But in urban areas they generally live in brickwall semi-pucca houses in slums. Majority of them live below the poverty line.

The 'Kahars' are divided into a number of sections. "Rawani' opr Ramani' Kahars claim to be descended from - 'Jrasandha' Kind Magadh. The tribal chief of Manbhum gave them the title 'Rewani'; other surnames in use are Singh, Prasad, Verma, etc. 'Ram' was common surnames in the past. They are the remnant of pre-Aryan race with some admixture of Aryan speaking people. 'Magadhi' is their mother tongue.

Widow remarriage is allowed; the husband's younger brother having the first claim. Religious and social observances are like the Hindus of similar status,. They rank equal with the 'Kurmis' and 'Koiris' who have already been declared backward classes in this State. The degraded Brahmins are employed by them for their ceremonies and rituals. They suffer from various social evils and unclean food habits. They worship various indigenous spirits like Kudra, Sanyasi, Thakur, Garam, Panch Bahini, etc. In addition, they also worship 'Siva', 'Durga', 'Manasa', 'Kali'; etc.

In rural areas, their hamlets are generally demarcated as 'Kahar Para'. In one such Kaharpara in Bodal village of Amdanga P.S. of North 24-Parganas district about 85 Kahar families (population about 400) live. They were brought here more than a century ago from Bihar by local Zamindars as Palanquin bearers. At present, they are mainly engaged here in fishing, piggery, van driving, daily labour, etc. A few among them possess cultivable land, that too below the ceiling.

Most of the 'Kahars' (beyond 30/40 years of age) in this village are illiterate. Children of the present generation are taking interest in education and they mostly come from the fish raising section of the 'Kahars' (10 in number). There are one or two Kahars in this village with education upto 'Madhyamik' level. Social position of the Kahars in general is very low. However, fish raising families (10) enjoy somewhat better position than others. They associate themselves with the Scheduled Castes.

On the basis of oral and documentary evidences, the Commission is satisfied that 'Kahar' class constitutes socially and educationally a backward class with poor economic condition and deserves to be listed as a backward class in the State of West Bengal. The 'Kahar' class has also been recommended for inclusion in the list of Backward Classes by the Kalelkar Commission and the Mandal Commission. This class of people was also included in the list of Backward Classes for the purposes of granting Government of India Scholarships.

Taking into consideration the facts stated, the materials furnished and the submissions made, the Commission arrived at the conclusion that the 'Kahar' class constitutes a socially and educationally backward class in the State and the Commission recommends to the State Government that the 'Kahar' class of people should be included in the list of Backward Classes in the State and the Commission, accordingly, advises the Government of West Bengal to do so.

It may be noted that there is no objection in giving benefit to this class and no one appeared on behalf of the State Government although 'Notice' was served on the Government of West Bengal.

BARUI

The Commission received mass petitions filed by persons residing in the district of Midnapore and belonging to the 'Barui' class for inclusion of this class in the list of Backward Classes in the State; and petitions have also been filed by members of Barui Unnayan Committee. In their representation filed, the petitioners have made the statement that the 'Baruis' are the same as the 'Barujibis', who have already been included in the list of Backward Classes. It has been stated in evidence by Shri Balai Kumar Patra, Secretary, Barui Unnayan Committee, Mohanpur, Midnapore, and Shri Nirmalendu Maity on oath that the 'Barujibis' and the 'Baruis' mean one and the same class; and persons in this class are called 'Barujibis' in some places and 'Baruis' in other places and though the persons of this class may be called 'Baruis' in some places and 'Barujibis' in other places, they really belong to the same class and constitute one and the same class. The grievance that has been made is that in the district of Midnapore and many other districts where they are termed as 'Barui', they have not got the benefits extended to the Backward Classes, inasmuch as, the authorities concerned and empowered to grant certificates take the view that the 'Barujibi' class only has been recognized as a class included in the list of Backward Classes in the State; and the authorities concerned go by the nomenclature of the class ignoring the basic fact that 'Barui' and 'Barujibi' form the same identical class, notwithstanding the difference in nomenclature.

The 'Baruis' were given a hearing and proper and sufficient materials have been placed before the Commission to prove that persons in 'Barui' class are socially and educationally backward. Evidence has been led and reference has also been made to authorities to support the contention that 'Barui' and 'Barujibi' mean the same class and are synonymous and persons known as 'Barujibis' and 'Baruis' constitute the same identical class.

The Commission is satisfied on the materials placed and proved in course of hearing that the persons in the 'Barui' class are socially and educationally backward and they really belong to the same class of 'Barujibi'. The Commission is satisfied that the 'Baruis' and the 'Barujibis' are synonymous and they form the same class; and that the persons in the 'Barui' class are socially and educationally backward like the 'Barujibi' which class has already been held to be a backward class in the State of West Bengal. The Commission is of the opinion that the authorities concerned should not have denied the benefits to the 'Barui' class on the technical ground that 'Barujibi' class has been included in the list of Backward classes and there is no mention of the 'Barui' class. It is common knowledge and it is abundantly clear from the authorities placed that 'Baruis' and 'Barujibis' are synonymous and they constitute one and the same class and they are known as 'Baruis' in some localities and as 'Barujibis' in other localities.

The Commission, accordingly, holds that the 'Barui' class in the State constitutes a backward class and this class comes clearly under the 'Barujibi' class already included in the list of Backward Classes in the State.

However, taking into consideration the representations made before the Commission and the non-availability of the benefits to the persons in the 'Barui' class, the Commission, for avoiding any difficulty and problem, recommends that this class, viz. 'Barui' class should be included in the list of Backward Classes along with the 'Barujibi' class and the name of the 'Barui' class should be incorporated in the list of Backward Classes along with the 'Barujibi' class in the same entry after putting a stroke against the entry of 'Barujibi' class in the list of Backward Classes. Accordingly, the Commission recommends that the 'Barui' class which is the same as the 'Barujibi' class in the State and constitutes a backward class should be included in the list of Backward Classes in the State along with the 'Barujibi' class already included in the list in the same entry after putting a stroke against the said entry and the said entry of 'Barujibi' class incorporated in the list of Backward Classes should read as 'Barujibi/Barui'.

TAMANG

The Commission received requests from the Secretary, Tamang Buddhist Association, Darjeeling and others for inclusion of the Tamang class in the list of Backward Classes on the State of West Bengal. Their prayers were placed before the Commission at the time of hearing by Sri Deep Waiba, Secretary, Tamang Buddhist Association on the 15th May, 1995. Sri Deep Waiba took oath and made the submission that the murmi people in the Kingdom of Nepal were classed Tamang as per Francies B. Hamilton who has described the Tamangs as the load bearers. H.H. Risley has also recorded them as a sept of the Murmis. The Tamang form a distinct group with their Association with the 'Lamas' and Buddhism.

It has been stated by H. H. Risley that their names lend support to the presumption that they are descendants of the Tibetan stock, modified by inter-mixture with the Nepali race.

The Tamangs claim to be one of the earliest settlers of Nepal like the Bhotis, Ishang, Sain classes who belong to Mongolian or semi-Mongolian group. All these contemporary earliest settlers of Nepal were directed by King Tribhuban in 1932 by a proclamation to use the term 'Tamang' instead of writing the individual names of the twelve clans of the Murmis. Since then all the 12 clans like Murmi, Bhotia, Ishang, Sain etc. have been using the single name 'Tamang' instead of writing their clan's names.

The Tamangs came to Nepal from Tibet in about 640 AD when the Tibetan King Songsten Gampo, embraced Buddhism, and moved towards the south and occupied parts of Nepal and the Kathmundu valley and the mountainous country to the North. Those who stayed back in Nepal permanently are the Murmis who later on came to be known as the Tamangs. Their physical features, language and culture have affinity with their Tibetan counterparts. In fact, the term 'Murmis' means the frontier people, in the Tibetan

language. In the Tibetan language, the word 'Mur' means frontier and the word 'Mi' means people. They are the lowest of the clean castes and were classed with alcohol drinkers (Mutwali) and were made subject to enslavement. These attributes place them below the other alcohol drinkers like the 'Mangars' and the 'Gurungs' who were not enslavable.

The Tamangs constitute the largest Tibeto-Burman ethnic group in Nepal. From Nepal they migrated in the last century to the Terai-plains and also to the different parts of Northern India, to Darjeeling, Jalpaiguri and Assam and Sikkim.

It was submitted that in West Bengal, the Tamangs constitute the second largest group of people in the Darjeeling district next only to the Rais. There are 2,75,000 Tamangs in the district of Darjeeling and 1,75,000 in the district of Jalpaiguri. Their main concentration is in Mirik of the Kurseong Sub-division; and in Soren and Takling of Sadar Sub-division, of the district of Darjeeling. In the district of Jalpaiguri their main concentration is in the Kalchini areas.

It was submitted that the Tamangs served in the British Army and also in the Nepali Army and also in the Nepali Army in menial positions. They are generally called the hewers of wood, the drawers of water, and coolies by heritage and ready to merge their individuality in almost any adjacent Tribe. In the Darjeeling and Jalpaiguri districts, the Tamangs are mostly Tea Garden workers and some of them possess some land also. They take Maize, Millets with vegetables and beer made of rice and local whisky. Most of them are Beef eaters. They take the meat of oxen who die a natural death. They are not permitted to kill that sacred animal by their custom and religion.

The Tamangs are an endogamous class and they speak their own dialect. They have a distinct way of life in relation to their religion, social activities, rituals etc. Their habitation in any locality is easily identifiable by the presence of 'Lungdar' prayer flag in their courtyard. They are 'Buddhist' by

religion and their Lamas perform all kinds of their rituals, social and religious ceremonies.

The Tamangs perform 3 types of marriage, viz. 1) Solsing, 2) Balsing. And 3) Milsing. The Solsing marriage is brought about by formal negotiation between a parents of the Bride and the Bride-grooms. The Balsing marriage is a kind of marriage by capture of the bride in order to avoid the expenses of elaborate feasts connected with negotiated marriage. Milsing marriage is a marriage by agreement between the boy and the girl. The Tamangs do not generally pay the Bride price. But at the time of marriage the Bride must be given a Hoe and a Sickle to signify the transference of the obligation to perform the death rites from her Natal to her marital clan. A brass Bowl is also given to signify her continuing obligations to her natal kins. There is no prejudice against the re-marriage of widows. Polyandry does not occur amongst the Tamangs; Polygamy is rarely practiced. Divorce is granted on the ground of adultery or unsuitability of temper. Re-marriage after Divorce is allowed.

The death rites occupy a pre-dominant place in their rituals. The 'Lamas' are defined as the deliverers of the dead. They bury the dead bodies and the Lamas take care through ritual attention that the force of 'Karma' of the dead person perishes with the body; and no re-birth takes place.

It was stated in evidence that 85% of the people in these localities in which they live consider them as Scheduled Castes and Scheduled Tribes due to their social and educational backwardness. About 75% of the Tamang population lives in mud-wall kutchcha houses, 10% in thatched hutments and 10% in semi-pucca houses. About 60% of them go to the open air to attend to nature's call and about 35% have got some thatched sheds for the purpose. About 95% of them draw water from Jhoras and Spring water for their drinking and other purposes.

It was further stated in evidence that 80% of them work on others' land as labourers and 10% work as bargadars; about 5% have got land below the

ceiling limit; and another 5% have got some land below the ceiling limit and also work on others' land.

The Tamangs supplement their income by bamboo hand work, brooms, cornmats etc. They have got no big or medium size business. About 5% of them are engaged in petty family business and about 10% of them are small traders.

The Tamangs are educationally very backward. About 20% of the males attend primary level of education, about 10% upto secondary level and about 5% upto the higher secondary and graduation level. So far as the women folk are concerned, the position is still worse. About 10% attend the primary level; about 5% upto secondary level and about 3% upto the higher secondary level and about 2% upto graduation level. There is hardly any body in this class in any of the professional lines, viz. Medicine, Engineering, Accounting or Law; and there is none with any post-graduate degree. There is hardly any one in this class in any respectable or responsible position either in Government service or in the Public Sector Undertakings. There are only two officers in the Forest Service and two in the State Civil Service. The Tamangs mostly work as Coolies, employees in Tea Gardens as agriculturists. Army, Para-military Jawans, Durwans and Primary School Teachers., There is none in the higher services in the Government of India.

There is no member from the Tamangs either in the parliament or in the Zilla Parishad Panchayat Samity and Gram Panchayats. There are, however, 2 members in the West Bengal State Legislature.

About 66% of the people belonging to the Tamang class live below the poverty line; and 30% above the poverty line. The affluent group does not exceed 1%.

The representatives of All India Tamang Buddhist Association had submitted a written representation before the Commission stating that the 'Tamangs' are so backward that they have requested the Government for

inclusion of the 'Tamang' class in the list of Scheduled Tribes. They enclosed a copy of letter No. 847-TW/EC dated 17th September, 1990 written by the Government of West Bengal addressed to the Secretary, Ministry of Welfare, Government of India recommending the names of the 'Tamang' and 'Dhimal' classes for inclusion in the list of Scheduled Tribes of the State of West Bengal. Therefore, they made the submission that the 'Tamang' class may be considered for inclusion in the list of Scheduled Tribes and not in the list of Other Backward classes, The Government of West Bengal have, however, included the 'Dhimals' in the list of Backward Classes on the basis of the recommendation of this Commission. It is, however, not known whether the 'Tamangs' have been included in the list of Scheduled Tribes a yet.

In view of the above position, the Commission had allowed time to the 'Tamang' class for a period of three months in order to enable them to pursue their case for inclusion in the list of Scheduled Tribes. Thereafter they were given further time upto 31st December, 1995 to pursue their case and to let this Commission know whether the 'Tamang' class has been included in the list of Scheduled Tribes. Now that the 31st day of December '95 is over, the Commission considered that it would not worthwhile any longer to postpone its decision and decided to consider the case of the 'Tamangs' as per evidence given by them at the time of hearing and also on the basis of the written evidence produced by them, and to make its recommendations.

The 'Tamangs' have been included in the list of backward Classes by the Government of Sikkim, The Mandal Commission has recommended the 'Tamang' class for inclusion in the list of Backward Classes of State of West Bengal.

After careful consideration of all the materials placed and submissions made, the Commission is satisfied that the 'Tamang' class constitutes a backward class in the State of West Bengal, and the Commission recommends that the 'Tamang' class of people should be included in the list of Backward

Classes of the State of West Bengal and the Commission, accordingly, advises the Government of West Bengal to do so.

No one appeared before the Commission on behalf of the Government of West Bengal although 'Notice' was issued to the Government of West Bengal. It may be mentioned that this recommendation of the Commission is without prejudice to the interest of the 'Tamang' class for inclusion in the list of Scheduled Tribes which proposal has been recommended by the Government of West Bengal to the Government of India in their letter no. 847-TW/EC dated 17th September, 1990.

BETKAR (BENTKAR)

The Commission received requests from Shri Motilal Dey, Convenor, Pati Shilpi Unnayan Samity, Cooch Behar, and others for inclusion of the 'Betkar' (Bentkar) class of people in the list of Backward Classes in the State. The petitions came up for hearing before the Commission on the 22nd November, 1995.

The submission made before the Commission is that the 'Betkar' (Bentkar) class of people is one of the most socially and educationally backward classes in West Bengal with poor economic condition and they are looked down upon by the people in the localities in which they live.

Shri Motilal Dey and others took oath and submitted necessary information in respect of their class before the Commission. The 'Betkar' (Bentkar) class mostly resides in the district of Cooch Behar. They are also found in the districts of Jalpaiguri, 24 Parganas, Howrah and North and South Dinajpur. The stated population of the class in West Bengal is about 15,000. Shri Motilal Dey affirmed that their class of people generally uses the surnames like Dey, Pal, Das, Rakshit, Kar, etc. The 'Betkar' (Bentkar) class is hereditarily engaged in the growing of cane for the weaving of cane mats. Since the cane is

called 'Bet' in Bengali language, they are known as 'Betkar' (Bentkar). The cane-mat prepared by them is called 'Pati' in Bengali language. That is why they are called 'Patikar' also. The growing of cane or 'Bet' and weaving of cane into 'Pati' provide the source of their livelihood. The 'Betkar' is an endogamous social group.

The 'Betkar' who has got some land to grow cane is in a position to maintain steady supply of 'Pati' by weaving the cane at his disposal. But their number is very few. Most of them, however, have to suffer due to the irregular supply of raw materials. They go to Assam and other States in the Eastern Region to procure supply of cane, but not always with success. Their identity in the localities in which they live is also by the name of 'Patial', 'Paitra', 'Patishilpi' etc. They generally like to live as compact homogenous social unit.

The 'Shital Pati' or the cane woven mats are works of art and these are used on beds during the summer time for a cool and refreshing feeling. There is demand for these items in the market, particularly in Calcutta. But the poor 'Betkars' have control neither over the production of cane nor over the market. The intermediaries who supply the cane and the intermediaries who purchases the cane-mats in bulk from the 'Betkars' take the lion's share. As a result, most of the 'Betkars' live from hand to mouth except a very few who just manage to eke out their existence with their other sources of income.

The 'Betkars' are mostly the 'Bargadars' of the land owners in their locality; only a few of them have got some land below the ceiling limit. They supplement their income by serving as agricultural labourers. Sometimes they engage themselves in petty business dealing with betel nut, tea and vegetables. There is no small traders amongst them, not to speak of medium and large size businessmen.

The number of persons of 'Betkars' class employed in the State Government services and Public Sector Undertakings is rather insignificant and in professions like Medicine, Engineering, Law, etc. their presence is almost

'Nil'. There is now lawyer amongst them. There is only one Engineer and two Doctors amongst the 'Betkars'. There is no teacher in the Higher Secondary Schools or above the stage of Higher Secondary level.

There are 10 teachers in the Secondary Schools and 33 teachers in the Primary Schools. There is none in the higher services or in the middle rank in any service. There are a few in the Government and non-Government organisations who are appointed in ordinary jobs.

The materials on record go to indicate that their achievement in the field of education is extremely poor. It was submitted before the Commission that 20% of the males and 8% of the females attain education upto Primary level; 2.5% of the males and 0.02% of the females upto Secondary level; and the percentage for males and females at the graduation level is practically 'Nil'. The drop-out rate is alarmingly high and the main reason for such drop-out is that the children have to assist their parents in family occupation.

There is no MLA, no MP among them; there are only 4 members in the Gram Panchayats.

It was stated in evidence that the living condition of the 'Betkar' class is not at all satisfactory. About 60% of them live in thatched hutment and 39% in mud-wall kuchcha houses and 1% in semi-pucca houses. There is none in a pucca house. About 70% of the total population go to the open air to attend nature's call and remaining 30% use thatched sheds.

The economic condition of this class of people is equally deplorable and pathetic. About 65% of them live below the poverty line.

Early marriage is still prevalent among them; about 80% of the boys marry at an age between 18 to 22 years and 99% of the girls are given in marriage between the age of 14 to 18 years. The incidence of divorce is high. The divorce is given verbally and no care is taken of the wife; she is left to her fate.

The 'Betkar' class of people is accustomed to do hard work for their sustenance. They soak the big bundles of cane in deep water for days together in

order to soften the fibre of the cane for any particular use of fine weaving. But when they take the cane out of water for cutting, polishing and weaving, the bad odour of the rotten cane and stagnant water is absorbed in their body and they have to carry on with the foul smell on their body till the end of the weaving operation. The smell is so bad that no one likes to come near them; everyone wants to avoid them. Even the Scheduled Castes also avoid them and walk away from a distance shortening the conversation to the minimum.

The women folk also work very hard. They perform almost the entire task of drying the cane and a major share of the weaving operation. In spite of all these hard labour the average income of a family of five members hardly exceeds Rs. 600/- per month.

The oral and documentary evidence go to establish that they are educationally and socially a backward class of people with low economic profile.

The materials placed and submission made reveal that their living condition is extremely poor. The Commission noted that the Mandal Commission has recommended the inclusion of the 'Betkar' (Bentkar) class of people in the list of Backward Classes in West Bengal.

After careful consideration of all the materials placed and submission made, the Commission is satisfied that the 'Betkar' (Bentkar) class constitutes socially and educationally a Backward Classes in the State of West Bengal, and the Commission recommends that the 'Betkar' (Bentkar) class of people should be included in the list of backward Classes in the State and the Commission, accordingly, advises the Government of West Bengal to do so.

No one appeared before the Commission on behalf of the State Government of West Bengal, although Notice was issued to the Government of West Bengal. It may be noted that no one has raised any objection in regard to the eligibility of the 'Betkar' (Bentkar) class of people for inclusion in the list of Backward Classes.

CHITRAKAR

The Commission received requests from Shri Mritunjoy Chitrakar, Secretary Bangiya Chitrakar (Hindu) Samaj Unnayan Samiti, Dist. Hooghly, Shri Sunil Chitrakar and others from the District of Hooghly, Shri Arun Chitrakar and others from Calcutta, for inclusion of the Hindu 'Chitrakar' class of people in the list of Backward Classes in the State of West Bengal. The petitions had been duly processed and came up for hearing on the 21st November, 1995.

Shri Mrityunjoy Chitrakar, Secretary, Bangiya Chitrakar (Hindu) Samaj Unnayan Samity, Dist. Hooghly and Shri Tapan Chitrakar, Secretary, Howrah Zilla Sakha of the said Samity took oath and presented necessary particulars in respect of their class (Hindu Chitrakar) before the Commission. They made the submission that the Hindu Chitrakar may be included in the list of Backward Classes of the State of West Bengal, because they are socially backward, educationally almost illiterate and financially impoverished.

H. H. Risley has stated that Chitrakar is a profession followed by Ganak, Sutradhar and other low castes. Swami Nirmalananda of the Bharat Sevashram Sangha has stated in a written document, which has been produced before the Commission that according to the mythological stories the Chitrakars are the children of Vishwakaram and Ghritachi who came to live on the earth and spent their lives as husband and wife. They got nine children like - Malakar, Karmakar, Kumbhakar, Chitrakar etc. Vishwakarma gave crafts training to all the nine children. In course of time, the Brahmins cursed the Swarnakars for theft of gold, Sutradhars for delay in supplying wood for performing Jagna, and the Chitrakars for deterioration in the standard of their works. The Chitrakars thus became socially degraded.

As per their submission, the Hindu Chitrakars are found in a few pockets of the districts of Hooghly, Howrah, Burdwan, Bankura, Birbhum, Midnapore, Murshidabad, North and South 24 Parganas and Calcutta. The stated

population of this class in West Bengal is 4,256 (Male - 2,172 and Female - 2,084).

District-wise break-up of population is mentioned below:-

Hooghly 413 (Male - 209, Female-204), Howrah 489 (Male - 255, Female-234), Burdwan 922 (Male - 468, Female-454), Bankura 105 (Male - 57, Female-48), Birbhum 376 (Male - 196, Female-180), Midnapore 452 (Male - 230, Female-222), Murshidabad 388 (Male - 198, Female-190), Calcutta 202 (Male - 106, Female-96), 24 Parganas North and South 909 (Male - 453, Female-456).

Previously, the Chitrakars had 'Samaj Bandhanis' within which they generally used to confine their marriages. These Samaj Bandhanies were probably circles of families which tied together a number of families in a particular area in the bonds of Kinship and protected the monopolised 'Gharawana' qualities of their trade.

With the deterioration of their economic condition and decline in the popularity of their art and for many other reasons, the old Samaj arrangements were gradually replaced by a few Samaj rings, enlarged by the extension of their area of operation. Two main divisions of Chitrakar population were - (i) the Tamlu - Kalighat - Tribeni Samajik School and (ii) the Birbhum - Kandi - Katwa Samajik School. There was another district school and Samaj at Berhampur, Murshidabad, but it failed to continue and was gradually absorbed in the greater circle of Birbhum - Kandi - Katwa Samaj.

The major traditional occupations of the Chitrakars were earthen image making of the Goddess Durga, Kali etc. Sana making and ornamental things for decoration of these images with 'Sola', painting in miniature on cloth or paper and scroll painting on paper only; making precious parts for handloom mills; earthen doll and toy making (both baked and sun baked); painting on ceremonial pottery etc. At present many of them work as Day labourer, Racksaw puller, Hawker, Vendor etc.

As per their submission, 83 percent of the Hindu Chitrakars are small traders and businessmen; their per capita income being Rs. 50/- per

month; 17 percent only have petty family business with per capita income of Rs. 100/- per month. The business is dependent on whatever bank loan they may secure. But very few banks are willing to give loan to the poor and illiterate Chitrakars.

More than three fourth of the Chitrakar population live below the poverty line.

It was submitted before the Commission that the educational achievements of the Chitrakars in general are extremely poor. Among the Hindu Chitrakars 14.2 percent only of the total population are educated. There is none among them above graduation level.

It was submitted that 1302 persons including male and female have got education upto Primary level in their entire class. '

The rate of drop-out is very high. Among the Hindu Chitrakars it is 40 percent at the Primary level, 90 percent at the Secondary level and 85 percent at the H.S. level.

Due to lack of education among them they have got no representation in different walks of life. The materials on record go to indicate that there is no Doctor, no Engineer, no Lawyer, no Teacher from their class. Below 1 percent, among them is engaged in ordinary jobs in the different districts of the State.

There is no M.L.A., no M.P. not even any representative from their class in any of the tiers of the Panchayats.

The living condition of the Chitrakars is not all satisfactory. It has been submitted in writing that about 68 percent of the Hindu Chitrakars live in Mud Walll Kutcha houses; 30 percent in thatched sheds, 1 percent in semi-pucca houses and 1 percent in pucca houses. About 68 percent of the population go to open fields to attend nature's call; 30 percent to thatched sheds; 1 percent use dug well system and 1 percent use bathroom/toilet. 84 percent of the population depend on tube well water and 16 percent on pipe water supply.

The social position of the Chitrtakars in general is rather low. As per their submission none of them get the treatment of respectable persons in their locality from other; majority of them are considered as most ordinary peros like the Scheduled Castes and Scheduled Tribes./ Their social position in Bengal was lowered due to adoption of some unfamiliar 'unclean' occupation owing to the gradual decline of their hereditary crafts. The 'Brahmavaivarta Purana' written probably in the middle of 13th century mentioned their expulsion from the recognised caste order and stigmatized them as outcasts. They had the same rank within the nine-castes like draftsmen, guilds etc. but were degraded for drawing paintings untraditionally.

One of the major and important professions of the Chitrakars was to exhibit and explain to their audience the painted scrolls illustrating the Mangala epics. These scrolls, in the past, were the vehicles of religious propaganda and the means of educationg the masses of the theological lores. During their rule in Bengal, the Mohammedans found scroll painting as quite effective medium for propagating their religion among the conquered people. They forced Chitrakars to draw, exhibit and explain Islamic theologies to the Hindu population of Bengal to attract them towards Islam.

The facts established by evidence - oral and documentary go to indicate that the 'Chitrakar' class is socially and educationally backward and their economic condition is also not at all satisfactory. The Commission noted that the Mandal Commission recommended the inclusion of 'Chitrakar' class in the list of Backward Classes in West Bengal. The Kalelkar Commission also recommended the inclusion of the 'Chitrakars' in the list of Backward Classes.

Taking into consideration the facts stated, the materials furnished and the submissions made, the Commission has arrived at the conclusion that the 'Chitrakar' class constitutes socially and educationally a backward class in the State and the Commission recommends to the State Government that the 'Chitrakar' class of people should be included in the list ofr Backward Classes in

the State and the Commission, accordingly, advises the Government of West Bengal to do so.

It may be noted that there is no objection in giving benefit to this class and no one has raised any objection to that effect. No one appeared on behalf of the State Government although 'Notice' was served on the Government of West Bengal.

Sd/-
(A. K. Das)
Member

Sd/-
(Bela Bhattacharya)
Member

Sd/-
(Ramen Poddar)
Member

Sd/-
(J. Misra)
Member-Secretary

Sd/-
(A. N. Sen)
Chairman