

WEST BENGAL COMMISSION FOR BACKWARD CLASSES

SEVENTH REPORT

Further to the 6th Report made by the Commission and submitted on the 14th November, 1996, 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 7th 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 6th 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 request of the Hele/Halia-Chasi-Kaibartta (Mahishya) 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.

HEKE/HALIA/CHASI—KAIBARTTA.

Several representations have been received by the Commission for inclusion of the Hele/Halia-Chasi-Kaibartta (Mahishya) class of people in the list of backward classes in the State of West Bengal. Representations have been made by various organizations of this class as well as by many others who belong to this class by filing mass petitions and also by individual petitions. Many representations have also been received by the Commission from Members of this class objecting to and opposing the prayer for inclusion of the Mahishya class in the list of 'Backward Classes' in the State. The Commission, however, received further more applications praying for inclusion of the Hele/Halia-Chasi-Kaibartta class in the list of Backward Classed in the State of West Bengal.

It has been stated that 'Hele/Halia-Chasi-Kaibartta' had originally formed the class and still forms a class. This class has been stated to form the basic foundation and to be at the root of the 'Mahishya' class which appears to have been brought into existence as a result of agitation for reforms in this class and the 'Mahishya' class also has claimed to be recognized in this class. This aspect will be discussed later on.

It may be noted that though in the representations to the Commission and in course of the submissions made before the Commission, the term 'Mahishya' has been mainly used and emphasis has been laid on the term 'Mahishya', it was argued that the term 'Mahishya' brings in its fold and includes the Hele/Halia-Chasi-Kaibartta class which is the root and foundation on which the 'Mahishya' class came to be based and recognized in course of time and the representations and submissions apply to and cover the Hele/Halia-Chasi-Kaibartta persons in the class.

As earlier noted, representations have been made on behalf of the class by various organizations of the 'Mahishya' class and also by individuals by filing mass petitions and individual petitions to establish the claim for inclusion of the class in the list of 'Backward Classes' in the State of West Bengal.

Representations have also been made on behalf of various members of the class by filing individual and mass petitions, opposing the prayer for inclusion of the 'Mahishya' class of people in the list of Backward Classes in the State. It may be mentioned that the objections which have been raised are directed against the inclusion of 'Mahishya' class as such in the list of Backward Classes in the State; and not against the inclusion of the Hele/Halia-Chasi-Kaibartta class in the list of Backward Classes of the State of West Bengal.

The Commission gave a hearing to the class on 13.05.1994. The organizations and individuals praying for inclusion of the 'Mahishya' class in the list of Backward Classes in the State appeared before the Commission and proceeded on the basis that the 'Mahishya' class brings in its fold /Halia-Chasi-Kaibartta class and includes the persons in that class. The representation is that the 'Mahishya' class which covers persons in the Halia-Chasi-Kaibartta class happens to be the largest class in the State and this class is socially and educationally backward and is economically impoverished. Facts and figures were submitted in course of evidence on oath and various illustrations were cited to establish the social and educational backwardness of the class and the very poor economic condition of the persons belonging to this class.

The persons opposing the prayer for inclusion of the 'Mahishya' class in the list of Backward Classes in the State, however, submitted, on the other hand, at the hearing that the 'Mahishya' class as such is neither socially nor educationally backward; and it is the contention of these persons objecting to the prayer for inclusion of the 'Mahishya' class in the list of Backward Classes of the State that the 'Mahishya' class as such consists of persons who have been very flourishing and affluent in society, and they have, in fact, been the

dominating class in the society and have been at the forefront of India's freedom struggle. They have further submitted that many outstanding persons from this class had been the leaders of society and they had brought glory not only to the 'Mahishya' class but also to the entire people in the whole of Bengal which was then undivided and indeed to the whole of India. Various illustrations have been cited in support of the submissions made.

In view of the serious objections raised by a section of the 'Mahishya' class against the inclusion of the 'Mahishya' class in the list of Backward Classes in the State, the Commission decided to call for a report from the Indian Statistical Institute, Calcutta, regarding the social and educational status of this class. The Commission entrusted the Indian Statistical Institute (known as ISI and hereinafter referred to as ISI) which is considered to be a reputed and reliable organization with proper expertise and experience to take all necessary measures and appropriate actions in the matter of collection of facts, figures and statistics, and to submit a report to the Commission as to the social and educational position of the class in the State with necessary and proper materials on which the report was to be based. The terms of reference were also indicated to the ISI by the Commission. The ISI was, however, free to take such steps as they considered necessary and proper, for undertaking the field work and sample survey to collect the informations and materials for the preparation and submission of the report to the Commission.

The ISI submitted its report to the Commission and after the report of the ISI was received, the matter was taken up for further hearing on 27.11.1993. At the hearing various organizations and individuals representing the 'Mahishya' class and praying for inclusion of this class in the list of Backward Classes in the State appeared. Evidence- oral and documentary- were produced and various authorities were also cited to prove social and educational backwardness of the section of the class, opposing the inclusion of this class in the list of Backward Classes in the State, however, appeared; but

communications in writing were sent to the Commission by the members of this class opposing the inclusion of 'Mahishya' class in the list of Backward Classes in the State, intimating the Commission that they had been obstructed and physically prevented from making their appearance before the Commission and from placing their submissions and, therefore, they were making their submissions and expressing their views in writing and the written submissions forwarded contained the grounds and views with necessary materials and particulars to establish that the 'Mahishya' class was not a socially and educationally backward class and was not a class which could be included in the list of Backward Classes in the State.

It should be recorded at this stage that at the time of hearing, one lawyer, claiming to be the junior of Smt. Sipra Sarcar who has filed a writ petition in the Calcutta High Court on behalf of Shri Partha Sircar and others challenging validity of the procedure adopted by the Commission and praying for non-inclusion of the 'Mahishya' class in the list of Backward Classes in the State and for a stay of the hearing before the Commission for inclusion of this class in the list of Backward Classes in the State, had appeared. The lawyer submitted that the writ petition was pending before the Hon'ble High Court, Calcutta and fixed for hearing on 20.12.1995. It was pointed out to the lawyer that no notice of any such petition has been served on the Commission and the Commission was also not aware of the subject-matter of the writ petition or of the allegations made in the writ petition. The said lawyer told the Commission that no order of stay of the proceedings before the Commission had been granted by the Hon'ble High Court. The lawyer did not bring any copy of the writ petition, which was filed before the Hon'ble High Court and was not in a position to produce the same. As no notice or the copy of the writ petition had been served on the Commission and according to the lawyer's own statement that no stay had been granted by the Hon'ble High Court of the proceedings before the Commission, the Commission decided to proceed with the hearing.

The Commission expressed to the lawyer that it desired to see a copy of the writ petition, if possible, to enable this Commission to decide its future course of action. The lawyer forwarded a copy of the said writ petition to the Commission on the next day, i.e. 21.11.1995 on which date the hearing was still continuing. It is clear from the said copy of the writ petition that the Commission has been sought to be made a party to the writ petition along with the State of West Bengal and the writ petition was filed in January 1995. Though the writ petition was filed as early as in January, 1995 and the Commission appears to have been made a party to the writ petition, yet no notice or copy of the said writ petition has been served on the Commission till the date. It was also clear that no order of stay had been passed by the Hon'ble High Court on the writ petition.

After giving the matter due consideration, the Commission decided to proceed with the matter in the usual course. While taking the decision to proceed with the matter, the Commission took into consideration that even though the writ petition was said to have been filed sometime in January, 1995, no service of the said writ petition has yet been effected on the Commission and no order of any kind of stay has been obtained from the Hon'ble High Court, though a long time had passed after the institution of the said writ petition in the Hon'ble High Court. The Commission further noted that although the said lawyer was present on the date of hearing, when the hearing had commenced on 27.11.95, no steps appear to have been taken even thereafter with regard to any further action on the said writ petition and no order of any kind had still come from the Hon'ble High Court. On a due consideration of the facts, the Commission was of the view that, under such circumstances, it will not be proper for the Commission to desist from discharging its statutory functions.

It was, however, made clear that any action on the part of the Commission in this regard must be subject to any order that may be passed by the Hon'ble High Court on the writ petition and the Commission will certainly take note of such order, if any, passed by the Hon'ble High Court and

communicated to the Commission. it is needless to say that if any order is passed by the Hon'ble Court on the writ petition before the final disposal of the matter by the Commission, due note of the same will be taken by the Commission.

As earlier indicated, representations have been made before the Commission praying for inclusion of the Mahishya class in the list of Backward Classes in the State on behalf of various organizations and also on behalf of the individuals by mass petitions or individual petition. The organizations which have submitted representations to the Commission for inclusion of the 'Mahishya' class in the list of Backward Classes in the State are – (1) All India Mahishya Mahasabha, (2) Bangiya Mahishya Samity, (3) Mahishya Kalyan Samity, (4) North 24 Parganas District Mahishya Committee and (5) Confederation of other Backward Classes, SC & ST.

The office bearers and members of these organizations and their branches appeared and gave evidence. Oral evidence was adduced on oath by as many as twenty-two persons. In course of their oral evidence, the witnesses also produced documentary evidence and also referred to their personal experiences in life to establish the social and educational backwardness of too 'Mahishya' class. A few lawyers also appeared to represent and to support the case for inclusion on behalf of the 'Mahishya' class in the list of Backward Classes in the State and some of these lawyers themselves belonged to the 'Mahishya' class.

Before dealing with the evidence adduced and materials produced in support of the case for inclusion of the Mahishya class in the list of Backward Classes in the State, it will be appropriate to note that serious objections have been forcefully raised against inclusion of the Mahishya class in the list of Backward Classes in the State by various persons. These persons representing the section who opposed the inclusion of the 'Mahishya' class in the list of Backward Classes have alleged that they were physically prevented from attending the hearing at the Commission's office by persons who had appeared before the Commission to support the inclusion of the Mahishya class in the list

of Backward Classes in the State. They have communicated to the Commission their grievances in this regard; and they have forwarded their views in this matter with materials to support the contention that the 'Mahishya' class cannot be included in the list of Backward Classes in the State.

The Commission now proceeds to consider the materials placed before the Commission both in support of the claim for inclusion of the 'Mahishya' class in the list of Backward Classes in the State and also those which are in opposition to the said claim.

The Commission noted that in support of the claim for inclusion of the Mahishya class in the list of Backward Classes of the State, oral and documentary evidence have been furnished. Shri Indu Bhusan Roy, the Chairperson of All India Mahishya Mahasabha and Shri Phani Roy, Vice-President of All India Mahishya Mahasabha gave evidence on oath. They made the submissions that the 'Mahishyas' were originally known as 'Kaibarttas' in Bengal. They were one of the earlier settlers of Bengal and the etymology of the name 'Kaibartta' was according to some opinion, derived from 'Ka' which means water, and 'Vartta' which means 'Livelihood'. The other opinion is that the term 'Kaibartta' came from 'Kimvarta' which means a person following a degraded occupation. According to them, MANU assigned their ethnic origin through the 'Nishad' father and 'Ayogabi' mother. They submitted that the Purans, however, referred their ethnic origin to a 'Kshatriya' father and a 'Vaishya' mother.

Shri Phani Roy in course of his evidence submitted a booklet before the Commission, which was prepared by him. The name of the Booklet is 'Mandal Commission': 'Sangrakshan O Mahishya Samaj'. This booklet, according to him has been prepared by him on the basis of the survey undertaken by the All India Mahishya Mahasabha. This booklet was prepared after the Mandal Commission's Report was published. This booklet indicates that the number of Mahishyas in West Bengal is about 1.05 crores and this booklet reports the educational backwardness of this class. The percentage of Mahishya population

engaged in class-I jobs is about 0.02%; and in class-II and class-III jobs about 2.5%; and about 10% in class-IV jobs. The percentage of doctors in their class is about 1.3%, engineers 1.5%, Lawyers 2% and teachers 4%. It has been further mentioned in this booklet that 91% of the 'Mahishya' population live in villages and are dependent on agriculture, but the number of rich cultivators is very few. The number of Zaminders and Jotedars is negligible; and that most of the Mahishyas are marginal farmers or Bargadars. The number of labourers is very high. According to the survey report mentioned in the booklet, 65% of the 'Mahishya' children give up their studies in the primary stages of education and out of the remaining students about 50% give up their studies in the Higher Secondary state, Shri Phani Bhusan Rosy and Shri Indu Bhusan Roy have submitted that all these statistics were collected by them under their own supervision.

Shri Debendra Nath Panja, Vice-President, Bangiya Mahishya Samity; Shri Bishnu Pada Das, a member of Mahishya Kalyan Samity, Chandpars, 24-Parganas(North), Shro Ajit Kumar Ghorai, (a retired IAS Officer), had also deposed before the Commission in support of the claim for inclusion of the Mahishya class in the list of Backward Classes in the State. A few Lawyers – Shri Arun Kumar Maity, Shri Kripa Sindhu Hait, Shrimati Jaysree Das, Advocates of the Calcutta High Court and Shri Kanai Lal Biswas, a practicing Lawyer of the District Court, Nadia, also gave evidence agreeing with the submissions made on behalf of the 'Mahishya' class and in support of the inclusion of the Mahishya class in the list of Backward Classes in the State. The submissions made by them were that the Mahishyas suffer from serious social disabilities not only in the villages but even in the towns and metropolitan cities, if their class identity is known. In the rural areas, their position is below the Naba Sakhas and the Sudras. Since the Brahmin priests do not perform their rites and rituals, they cannot aspire to be closer to the people of the Naba Sakhas and the Sudra, inasmuch as their social position is below the Sudras. They are socially

equated with the status of the 'Jalia Kaibarttas' who have been included in the list of Scheduled Castes. In fact, everyone in the society is aware of the fact that the Brahmins do not take water from them; and they are served by a class of priests who were, at one time (as per legends mentioned by Risley also) the Sweepers of Ballal Sen. All these factors taken together prove that the social position of the Mshishya class is almost at par with that of the Scheduled Castes. All those persons who gave evidence before the Commission emphasized the point that the Mahishya class of people are socially looked down upon by the people of higher castes in the society.

Shri Ajit Kumar Ghorai (a retired IAS Officer) stated from his personal experience that he had joined the West Bengal Civil Service through competition along with other candidates and during the long period of his service he suffered humiliation from many senior officers, not to speak of others, not only that, one of his very senior officers made derogatory remarks in his confidential Reports, which were nothing but slander about his caste, although such writings were not at all necessary. The said officer had the malafide audacity to write such things, simply because of the fact that he belonged to a lower 'Mahishya' class and he did it just to stop his due promotion.

Shri Ranjit Kumar Das and Srimati Anjali Das, Members of Bangiya Mahishya Samity, 24-Parganas, Shri Bakerswar Kayal, Member, Bangiya Mahishya Samity, South 24-Parganas; Shri Jagadish Das, Editor, Mahishya Samaj Patrika, Calcutta and Dr. (Mrs) Sabita Sarkar also gave evidence before the Commission. Shri Ranjit Kumar Das, Shri Rabindra Nath Roy and Shri Bakreshwar Kaya, Member, Bangiya Mahishya Samity had submitted reports in respect of the status of the persons in the Mishya class in their respective places. Shri Pijush Kanti Manna in course of his evidence submitted a survey report on the social and educational position of the Mahishya class in the Midnapore District. It was stated in evidence that the Survey Report which has been submitted before the Commission had been prepared on house to house survey

made by them and the facts and figures quoted therein referred to the exact positions of the 'Mahishya' class of people in the localities in which the survey were undertaken and they are true and correct.

It was submitted in course of evidence before the Commission that the social status of the 'Mahishyas' can also be reasonably appreciated by taking a close look at their social and religious customs and practices. The Mahishyas consider infant marriage as an excellent practice and they gave their daughters in marriage before they attained puberty for a bride price depending on the appearances and family considerations of the bride. The bride was, however, not sent to her marital place till she attained puberty and within which time bride price was to be paid in full. This old practice as referred to by H. H. Risley continued even in this century. Most of the persons who gave evidence stated that their respective mothers were given in marriage at a very early age. This long standing usage did not stop simultaneously with the framing of the laws.

It was submitted in evidence that socially the 'Mahishyas' could never equate their status with the Navasakhas, although the 'Mahishyas' are at times allowed to smoke their 'Hookhas' in some localities. In matters relating to funeral rites the period of mourning observed by the 'Mahishyas' is for 30 days. Although the 'Mahishyas' are divided into 'Chandradwipi', 'Barabazari', etc, creating a subtle distinction between themselves, the overall social position remained the same. The Brahmins do not take water from them; the Navasakhas and the Sudras do not take food from them, although they are allowed to smoke their 'Hookka' at times; and they are served by a class of priests who were originally sweepers. In some areas, the 'Patit Brahmins' who perform the rites and rituals of the Scheduled Castes serve the 'Mahishyas' also.

Dr. Sabita Sarkar, a retired Medical Officer of Coal India Ltd. Submitted on oath that she has been engaged in a Clinic associated with Mother Teresa. Most of the mothers who come for delivery at that place are unmarried maids who work in different households in Calcutta, Salt Lake and the greater

Calcutta areas. The babies delivered are handed over to Mother Teresa and thereafter the mothers go back to their normal duties. Dr, Sabita Sarkar stated that she has noticed that in most of the cases the victim girls were raped and most of the belonged to the 'Mahishya' and other backward classes. It was submitted in evidence that there may be a few persons who have received education and have earned substantial money also. But one fact that should not be ignored is that the maids and the male servants who come for performing daily household duties in the metropolitan and other urban areas belong mostly to the 'Mahishya' class. They come out in the morning from the Suburban areas to perform manual duties and return back at the end of the day. The 'Mahishyas' account for most of the maids and male servants in the metropolitan city of Calcutta, other towns and urban areas. The social position of a class of which such a huge percentage serve as domestic servants. Particularly, as maid-servants is ipso-facto established as Backward; and it has been submitted that the class may now be formally recognized as a backward class.

It was submitted in evidence that Biren Sasmal, Matangini Hazra and Rani Rashmoni were stalwarts and became renowned in their own right but even such illustrious persons had to suffer social humiliation. An instance was cited about the happenings when Rani Rashmoni, the founder the Dakshineswar Kali Temple had decided to consecrate the temple by observing the prescribed rituals. But she found to her utter dismay that no Brahmin priest was willing to perform the consecration ceremony, inasmuch as, Rani Rashmoni belongs to 'Mahishya' class. The Brahmin priests remained firm on their resolve and Rani Rashmoni had to arrange the consecration ceremony through some other device.

The Lawyers who appeared before the Commission in support of the prayer for inclusion made the submission that Biren Sasmal, Matangini Hazra and Rani Rashmoni were the historical figures of the earliest part of this century. But during the last 50/60 years no one has come up from the Mahishya class with those qualities of the stalwarts or even with any minor quality so as to

make them renowned in any sphere of life. One lady named Smt. Abh Maity had once become a minister and she was openly criticised as one “not even fit to be a maid”. Shri Amal Jana, Advocate, Calcutta High Court made the submission on oath that one of the High Court Judges, Calcutta, did not spare him and mentioned him by his caste name in the open Court. Shri Jana wanted to disclose the name of that particular High Court Judge before the Commission. But the Commission restrained him from doing so, as the name of that particular Judge was not necessary for the purposes of this Commission. Shri Jana stated that in some ‘Bengali Dictionaries’ the work ‘Mahishya’ has been explained as “relating to Mahish’ or buffalo”. Shri Jana submitted that the use of such expressions without definite connotation is possible only when a particular class is held socially downtrodden, educationally degraded and financially impoverished, having no capacity either to refute or retaliate such blasphemous expressions.

Those who gave evidence made the submission that the Navasakha classes like the ‘Kumbhakar’, ‘Karmakar’, ‘Swarnakar’, ‘Goala-Gope’, ‘Malakar’, etc. have already been included in the list of Backward Classes in the State of West Bengal on the basis of the advice tendered by the West Bengal Commission for Backward Classes. The ‘Mahishyas’ have been historically occupying a social position below the Navasakhs. In the circumstances, they made a fervent plea that the ‘Mahishyas’ may be recognized as a Backward Class in the State without any further delay.

So far as the educational standard is concerned, it was submitted before the Commission that the position is deplorable. It has been stated in the ‘Book-let’ earlier referred to and which was submitted as written evidence before the Commission, that the average of the district percentage of literacy in many districts fell below the State average because of the presence of large number of ‘Mahishyas’ in those districts. In course of giving evidence ‘Survey reports’ were placed before the Commission in respect of the districts of Cooch Behar, South Dinajpur, Nadia, North 24-Parganas, Midnapore, Hooghly and Howrah. These

surveys were conducted by the 'Bangiya Mahishya Samity' and their representatives and those who submitted those reports before the Commission stated on oath that the contents of those reports are true to the best of their knowledge and belief. The standard of education as revealed from those reports indicates that although the children take admission in the primary stage, the drop-out rate at the subsequent stages is so heavy in many districts that at the graduation level the percentage comes down almost to 'Nil'. The about 'Nil' position is almost uniform at the post-graduate, medicine, engineering and law levels. Due to the full literacy drive . the district of 24 Parganas has been declared a fully literate district. Even in that district the percentage of 'Mahishyas' in the primary level varies from 15% to 19%, at the Secondary level from 8% to 10% and the Higher Secondary level from 1% to 3%. In the district of Nadia the percentage of 'Mahishyas'; at the primary level varies from 10% to 25%, at the Secondary level from 2% to 15% and at the Higher Secondary level from 2% to 10%. In the district of Midnapore, the percentage of 'Mahishyas' at the Primary level varies from 20% to 40%, at the Secondary level from 5% to 11% and at the Higher Secondary level from 2% to 5%.

The representation of the 'Mahishyas' in the services as shown in their 'Survey Reports' is as detailed below :-

<u>Name of the District.</u> (1)	<u>Higher Service</u> <u>Govt. Non-Govt.</u>		<u>Middle Rank</u> <u>Govt. Non-Govt.</u>		<u>Ordinary job</u> <u>Govt. Non-Govt.</u>	
	(2)	(3)	(4)	(5)	(6)	(7)
Midnapore	0.02%	0.5%	2.5%	3.5%	10%	15%
Nadia	Nil	Nil	0.1%	0.15%	2%	0.5%

The above trend continues in all the other districts and the position is further worse in case of the North Bengal districts like Cooch Behar and South Dinajpur.

The 'Mahishyas' have representations in the Gram Panchayats in all these districts and also in a few of the Panchayat Samities. But they have no representation in the Zilla Parishad, and no MP FROM THE DISTRICT OF Cooch Behar. The situation is almost the same in the district of Nadia. In the district of Midnapore, however, the 'Mahishyas' have got 7 MLAs, 1 MP and 9 Members in the Silla Parishad.

The 'Survey Reports' prepared by them indicate the living condition of the 'Mahishyas' in the district of Cooch Behar is absolutely deplorable- about 75% to 90% of them live in the thatched houses and about 15 % in the mud-wall houses; there are hardly 2% to 4% who live in the pucca houses. In the district of Midnapore about 94% live in the mud-wall houses and 4% in brick-wall houses and 2% in pucca houses. The living condition in the other districts is not at all better; and in some cases worse than what has been stated in respect of Cooch Behar and Midnapore. As regards sanitation and hygiene, 85% of the people in the district of Midnapore, 80% in the district of South Dinajpore and about 75% in the district of Cooch Behar and 70% to 95% in the district of 24-Parganas go to the open air to attend nature's call.

Their 'Survey Reports' further indicate that about 4% of the 'Mahishyas' in the district of Midnapore, 20% in the district of South Dinajpore, 10% in the district of Howrah, 8% in the district of Hooghly and about 30% to 40% in the district of Cooch Behar have got land of their own which is much below the ceiling limit.

It has been shown in their 'Survey Reports' that about 68% of the 'Mahishyas' in the district of Midnapore, 50% in the district of South Dinajpur, 50% in the district of Howrah and about 55% in the district of Hooghly work as laborers. The percentage of 'Mahishyas' who are Bargadars is 16% in the district of Midnapore, 20% in Hooghly, 20% in North 24-Parganas and about 25% in Cooch Behar.

Smt. Smritirekha Roy, teacher from Bongaon, 24-Parganas (North) submitted on oath that no statistics can bring out the real deplorable social condition of the 'Mahishyas' who live in the remote villages. The people in general in those localities both men and women have become habituated to perform menial duties or to work as labourers just to earn their livelihood. They can never think in terms of social position. They are fully occupied from dawn to dusk to earn something by selling their labour for maintaining themselves and their families. The women folk generally use one 'Saree' and a torn cloth. They do not ever use coconut oil for their hair. They are used to sleep on the kutchcha floor and they get their children used to the same pattern of life from their infancy. The children do not have anything to wear except torn clothes with which they can not appear before the other students even when they are forcibly sent to school. The small girls are in the worst position as they have nothing to cover their bodies. These are the reasons for which the 'Mahishyas' children cannot take advantage of the free education that has been provided by the Government of West Bengal. Even if the children go to the school, they cannot continue to attend all the classes as they feel absolutely hungry and tired.

Smt. Anjali Das, a teacher from the district of South Dinajpore submitted on oath before the Commission that in her locality the 'Mahishyas' are numerically the largest class. There is a High School also. But the 'Mahishya' students are not even 50 in the school although the total number of students is about 1,000. The parents of the children consider it worth-while to engage the children for ploughing in the field as labourers for others or to serve as domestic servants or the servants of the traders or the businessmen instead of wasting their time by sending them to school. From the childhood the children grow up with a mental and socially degraded psychology and the idea of possessing any social status does not occur to them. Naturally from generation to generation they go down in the social position along with their lack of education. Their

living condition, sanitation and hygiene are possibly some of the worst kind in West Bengal.

It may be noted that the prayer for inclusion of the Mahishya class in the list of 'Backward Classes' has been very strongly opposed by an important and large section of the same class.

It would be appropriate to note at this stage the objections which have been raised in support of the contention for non-inclusion of the 'Mahishya' class in the list of Backward Classes. As earlier noted, the persons representing the section of the class opposing the inclusion of the 'Mahishya' class in the list of Backward Classes have alleged that they were physically prevented from appearing at the hearing before the Commission 27.11.1995 by the persons pressing for inclusion of the Mahishya class in the list of Backward Classes and they have communicated to the Commission their grievances in this regard. They have forwarded in writing their objections with materials to support the contention that the 'Mahishya' class cannot be included in the list of Backward Classes in State.

Opposition has come from one Shri Prasanta Gayen (Ex-Honorary Joint Secretary, CAB and Ex-MLA). Shri Gayen had attended the first hearing on 13.05.1994 to oppose the prayer for inclusion and he has stated that he was physically prevented from participating in the next hearing on 27.11.1995 to make his submissions before the Commission and he was accordingly making his submissions in writing and along with his submissions he was detailing his grounds, which according to him, go to establish that the Mahishya class is not a socially and educationally a backward class.

Representation from Shri Jibananda Bahubalindra of Moina in the district of Midnapore with detailed particulars of the social and educational positions of the 'Mahishya' class of Moina has been furnished and on the basis of the same, the prayer for inclusion of the Mahishya class in the list of Backward Classes has been opposed.

Representation has been received from Shri Himangsu Kumar Sarkar, MA (Double), E.Ed., Professor in Kaliagunge College and a part-time Professor in the Raigunj B.Ed. College in the district of North Dinajpore. In his representation, various grounds have been furnished in support of the contention that the Mahishya class is not a class which should be included in the list of Backward Classes in the State.

Mass petitions seeking to represent the 'Mahishya' class in South and North Dinajpore addressed to the Chief Minister, West Bengal opposing inclusion of the Mahishya class in the list of 'Backward Classes' have been forwarded to the Commission. These representations purporting to be on behalf of the 'Mahishya' class in the North and South Dinajpore districts furnished various grounds and stated particulars as to the social and educational status of the 'Mahishya' class to support the contention that the 'Mahishya' class is not a backward class and cannot be included in the list of Backward Classes in the State.

It appears that one Shri Sukhendu Bhusan Das had submitted a representation to Shri Rajib Gandhi for non-inclusion of the 'Mahishya' class in the list of Backward Classes. The representation of Shri Sukhendu Bhusan Das also appears to have been signed by a number of persons and the same has been forwarded to the Commission.

It is significant to note that Shri Rajendra Kumar Bera, a Member of the Bangiya Mahishya Samity and Sub-Editor of Mahishya Samaj, an Organ of Bangiya Mahishya Samity, published monthly has submitted a detailed representation to the Commission for non-inclusion of the 'Mahishya' class in the list of Backward Classes in the State. Along with this representation, Shri Rajendra Kumar Bera has enclosed a mass petition signed by many persons of the Mahishya class and he has further alleged that more signatures are still coming. Shri Bera in his representation has also furnished various materials and

grounds in support of his opposition to the inclusion of the Mahishya class in the list of Backward Classes in the State.

It is also to be noted that a mass petition signed by over 300 persons with the prayer for non-inclusion of the Mahishya class in the list of Backward Classes of the State was sent to the Chief Minister, West Bengal. In the said mass petition, objections have been raised to the inclusion of the Mahishya class in the list of Backward Classes on various grounds as mentioned therein; and the glorious contributions made by many eminent persons belonging to this class have been pointed out. This mass petition has been forwarded to the Commission's office.

The attention of the Commission has been drawn to an appeal published in a Newspaper against the inclusion of this class in the list of Backward Classes and the said appeal appears to have been signed by (1) Raja Birendra Narayan Roy (Tamluk), (2) Rabi Kumar Das, son of Alamohan Das, (3) Kusal Chowdhury, Secretary, Dakshineshwar Kali Temple and Bebottar Estate, (4) Satish Chandra Maiker (National Teacher), (5) Professor Sudhangsu Sekhar Bhowmick (Tamluk), (6) Dipak Kumar Sarkar (Engineer), (7) Ashit Samanta, Son of the past President of Mahishya Samity, (8) Jubananda Bahubalindra (Rajbari, Moinagarh), (9) Swadesh Ranjan Bhowmick (Retired Joint Director, Agriculture Department, Government of West Bengal), (10) Professor Pradyut Maity, MA., Ph. D. (London), D. Litt., Jadavpur, (11) Lady Professor Bul Bul Gayen (12) Dr. Pranab Kumar Maity, MBBS (Calcutta), FRCOG. (London).

It has also been mentioned in the said Newspaper communication containing the appeal that the address for getting in touch with them is – “Shri Rajendra Kumar Bera, 46, Balaram Ghosh Lane, Calcutta – 700 020.

It may be observed that in support of the contention that the ‘Mahishya’ class is not a socially and educationally backward class deserving inclusion in the list of Backward Classes in the State, documentary evidence and authorities have also been placed.

The Commission now proceeds to consider the materials which have been placed before the Commission in opposition to the inclusion of the Mahishya class in the list of Backward Classes in the State.

Shri Prasanta Gayen in his representation to the Commission has referred to a publication 'Mahishya Andolanere Itihas' and has quoted extracts from the same at length. He has pointed out that in the 1911 Census of India the Chasi-Kaibartta and the Jalia-Kaibartta have been shown together. Jalia-Kaibartta has subsequently been included in the list of Scheduled Castes. Shri Gayen has referred to 'Mahishya Andolanere Itihas' which has noted how Mahishya class is described in different Purans. Referring to the passages in Purans quoted in "Mahishya Andolanere Itihas" he has raised to question "how can Kshatriya Community be placed under OBC Category?"

The Commission will refer to 'Mahishya Andolanere Itihas' at greater length at a later stage as this Booklet 'Mahishya Andolanere Itihas' which is a piece of research work dwells at length on the history of origin and growth of the Mahishya class and the various struggles undertaken by 'Mahishya' class for social reforms of the Mahishya class. Shri Gayen made a reference to various eminent persons in the 'Mahishya' class including Shri Birendra Nath Sasmal, Birangana Matongini Hazra, Hem Chandra Kanungo – (Biplaber Dronacharyya), Basanta Kumar Biswas, Sushil Dhara and Shri Prahlad Paramanick, all great Freedom Fighters and Leaders of Freedom struggle of the country. In his representation he has submitted that before Independence, the Mahishyas in general believed that to work under British Government in any Government organisation was a kind of slavery and so they took to the occupation of cultivation and business. He has quoted literacy figures and percentage of literacy in the district where the 'Mahishya' are dominant to show that literacy is very high and he has also stated that members of this class have been occupying high and important positions in the State and there are thousands of doctors, professors and teachers, engineers and lawyers in this class. He has referred to

successful attempt of Shri Bierendra Nath Sasmal in preventing this class from being known as 'Depressed' class. He has included in his representation various excerpts from different sources and referred to Shri Dhananjoy Das Mazumder's 'Bangalir Itihas' and Shri Gadadhar Koley's 'Bangalir Itihas'. He has also included in his representation the Anthem of the 'Mahishya' class which was first sung in 1384 B.S. at Nalikul in the Sammelan of Hooghly district Mahishya class. Mr. Gayen, in his representation, has made it clear that the real picture of the Mahishya class and its struggle for reforms will appear from the Book 'Mahishya Andolanere Itihas' published by Bangiya Mahishya mamity and written by the Ex-Secretary, Satya Ranjan Biswas.

Shri Jibananda Bahubalindra in his written representation has stated that he comes from a highly respectable and well known Mahishya family and his objections to the inclusion of the Mahishya class in the list of Backward Classes are mainly based on the following grounds :-

(1) The Hindu King of Utkal in the year 1662 A.D. conferred on - Gobardhana Nanda, the founder of Bahu Balindra Dynasty, the title of 'RAJA' and his family generally had been entitled to use or had been using the sacred thread used by the 'Kshatriyas'. Before this also in 1434 the Ancestor of his family was the Ruler of "Galoti Danda Karan". In support of his submission he has referred to the Books - "The History of Ganapati", 'King of Orissa', written by Shri Pravat Mukherjee and 'Brihattara Moiner Itikritya' by Shri Surendra Nath Jana and to other authorities noted in the said representation.

(2) The 'Bahu Balindras' were treated with respect as respectable Zaminders at Murshidabad Court of the Nawabs during the regime of Nawabs of Murshidabad. High Social status was enjoyed by Bahu Balindra family from very ancient time. Various particulars have been detailed in the representation with reference to the relevant authorities which have been mentioned therein.

(3) The educational status of the Mahishyas class in Moina Block and Police Station cannot be said to be unsatisfactory. He has annexed with his representation a list of Doctors and Engineers and has submitted that in Moina Block out of the 81 Doctors, 57 belong to the 'Mahishya' class, of the 37 Engineers, 35 belong to the 'Mahishya' class and of the 10 WBCS Officers, 9 are from the 'Mahishya' class. Two persons of 'Mahishya' class are occupying the position of the Heads of Departments in Neurology and Urology in P.G. Hospital, Calcutta. There are members of Mahishya class who have gone abroad and many of such persons in the 'Mahishya' class have obtained great success in Europe and America. There are persons in large numbers, difficult to correctly ascertain, working as Professors, Lecturers in various Colleges in this State and also in various other States.

Prof. Himangsu Kumar Sarkar, MA (Double), B.Ed., Kaliagunge College, and Roygunge B.Ed. College (Part-time) after referring to social status of the Mahishya class has contended that the Halia-Kaibarttas and the Mahishyas belong to the same class. He has also referred to the decision taken by the Calcutta High Court in 1908 and it has been stated that in this case Panchanan Tarkaratna, Ram Chandra Iyer & Others who were well-versed in Hindu Shastras gave evidence in respect of the glorious past of the Mahishys and their social status and the Calcutta High Court has held that Mahishyas were not Sudras. He has also alleged that the Commission headed by Kaka Kalelkar in 1953 had concluded that the Mahishyas were an advanced class in all respects and not a backward class. He has cited the writings of the famous Historian Dr. Ramesh Chandra Majumder and has referred to his Book 'History of Bengal'. He has quoted the following observation of Dr. Majumder:-

"The reports regarding North Bengal during Mahipal Debya and his successors indicate the importance of Kaibartta caste to which they belong" and Dr. Majumder is stated to have further observed that the "Mahishyas of Eastern Bengal, also known as Halika Dasa, are now regarded to be the same as

Chasi-Kaibartta of Midnapore and other districts of Western Bengal. Both of them are the important sections of the Hindu Community. There are many Zamindars and substantial land holders among them and in Midnapore they may be regarded among the local aristocracy". It has been contended in his representation that the Mahishyas are in present Bengal one of the enlightened sections of the people and the majority of them are highly educated and well-placed in life. It may be noted that this representation is also signed by one Shri Narendra Kumar Das (High School Teacher).

A representation was made by Shri Sudhangshu Bhusan Das a former Member of the Parliament and an Advocate of High Court at Calcutta and also of Supreme Court to Shri Rajib Gandhi, the then Prime Minister of India, seeking to place before him his objection to the inclusion of the 'Mahishya' class as socially and educationally backward in the Mandal Commission's Report. In this representation to Shri Rajib Gandhi, he raised various grounds in support of his contention that the 'Mahishya' class is not a socially and educationally backward class. It appears that this representation forwarded by Shri Sudhangshu Bhusan Das to Shri Rajib Gandhi, has also been signed by various other persons, well-educated and of high social status and a copy of this representation to Shri Rajib Gandhi was also forwarded to Shri P.V. Narasimha Rao, the then Home Minister of India and to Shri Jyoti Basu, Chief Minister of West Bengal. This representation has been forwarded to this Commission. It has been stated in this representation that from time immemorial the Bengalee is well-known for its culture and hospitality and the contribution of 'Mahishya' towards the same, being the largest community in the State, is well-known and has been largely appreciated particularly in respect of hospitality and generosity. It has also been stated that the 'Mahishya' class has a social background as a descendant of a branch of Kshatriya and it was never socially backward. A statement has been made in this petition that though during the British Rule the 'Mahishya' class was not educationally advanced in comparison with the

Brahmins and others as the 'Mahishya' class depended mainly upon agriculture for their livelihood, but after independence it has advanced "at an atomic speed due to spread of education in villages, and at present, the 'Mahishya' class is not educationally and socially backward at all". The sacrifices and the sufferings of this class which has always been politically conscious during the freedom struggle of India have been referred to and it has been mentioned that during the period of freedom struggle, the Midnapore district which is predominantly populated by the 'Mahishya' class was called the 'the Haldighat of West Bengal'.

The mass petitions signed by the members of the 'Mahishya' class residing in South and North Dinajpore, claiming to represent the 'Mahishya' class, have been forwarded to the Chief Minister of West Bengal objecting to the inclusion of the 'Mahishya' class in the list of Backward Classes in the State on grounds mentioned in the said petitions. These petitions have been forwarded to this Commission from the Office of the Chief Minister. In the said representation through a mass petition by the members of the 'Mahishya' class in the South Dinajpore district the achievements of the 'Mahishya' class in various social welfare activities like establishment of schools, colleges and hospitals and other social and cultural Institutions have been referred to. The participation of the members of this class in the freedom struggle of India and the names of some outstanding personalities like Rani Rashmoni, Anamohan Das, Nikunja Maiti and Birangana Matangini Hazra have been mentioned and reliance has also been placed on the praiseworthy and highly commendable comments made by Mr. Hunter on the glorious role of this class.

The representation made by a mass petition signed by over 300 persons of the 'Mahishya' class of North Dinajpur purporting to represent 'Mahishya' class of North Dinajpur was addressed to the Chief Minister of West Bengal. The said representation has been forwarded to this Commission. In this representation objection has been taken to the inclusion of this class in the list of Backward Classes; and it has been strongly urged that the 'Mahishya' class is not

a socially and educationally backward class and it would be unfair if this class is included in the list of Backward Classes in the State. Various achievements of this class in social, educational and cultural activities have been mentioned and the glorious contribution made by the members of this class to the cause of independence of India has also been recalled. It has been stated that the glorious history of this class and the important role played by this class have been appreciated and highly spoken of by Mr. Hunter. It has accordingly been contended that the 'Mahishya' class is not a class which can be included in the list of Backward Classes in the State and in fact, it is submitted that this class is a highly advanced class in the State.

A particularly stiff and vehement opposition appears to have come from Shri Rajendra Kumar Bera, a member of Bangiya Mahishya Samity and Sub-Editor of Mahishya Samaj Patrika, the monthly Journal brought out by Bangiya Mahishya Samity. It is significant to note that the Bangiya Mahishya Samity happens to be one of the sponsors claiming inclusion of the Mahishya class in the list of Backward Classes in the State and the 'Mahishya Samaj' is the monthly organ of Bangiya Mahishya Samity. Though a member of the Bangiya Mahishya Samity and also a sub-Editor of 'Mahishya Samaj', the monthly organ of the Bangiya Mahishya Samity, Shri Bera has decided to fight the claim for inclusion of the Mahishya class in the list of Backward Classes in the State and Shri Bera in course of his challenge to the claim for inclusion of the Mahishya class in the list of Backward Classes has furnished various materials to support the contention that Mahishya class is not a socially and educationally backward class and is, in fact, a highly advanced class which is well placed in Society. It is his submission that it is indeed an affront to the Mahishyas who have been dominating various spheres of social, educational, political and economic life in the State and who have been the pioneers in the freedom movement and struggle for independence and have made tremendous sacrifices to dub them socially and educationally backward and to seek to include this class in the list of Backward

Classes in the State. Along with his representation for non-inclusion of the Mahishya class in the list of Backward Classes in the State on the various grounds in the representation, Shri Bera has, in order to strengthen his representation, also filed mass petitions signed by a large number of people of the Mahishya class. It may also be noted that Shri Rajendra Kumar Bera has submitted a representation to the Chief Minister of the State opposing the inclusion of the Mahishya class in the list of Backward Classes forwarding therewith mass petitions supporting the contention of Shri Bera for non-inclusion of the Mahishya class in the list of Backward Classes in the State. The representation made to the Chief Minister by Shri Rajendra Kumar Bera has been forwarded to this Commission by the Chief Minister's Office.

The Commission will now proceed to consider the materials recorded in the representation of Shri Rajendra Kumar Bera and the various grounds urged by Shri Bera in his representation for non-inclusion of the Mahishya class in the list of Backward Classes in the State.

In the representation dated 24.03.1994 made by Shri Rajendra Kumar Bera, as a member of Bangiya Mahishya Samity and Sub-Editor of Mahishya Samaj Patrika and addressed to this Commission, he has raised an objection on the Mandal Commission's Report for including Mahishya class in the list of Backward Classes and he has stated that Mr. Mandal while preparing his report did not even consider it proper to meet members of the Bangiya Mahishya Samity, a Registered Society which had come into existence long ago and which has its own building at P-285, CIT Scheme, S-IV, Narkeldanga, Phoolbagan, Calcutta – 700 054. He has questioned the propriety of the Mandal Commission for recommending inclusion of the Mahishya class in the list of Backward Classes and he has made grievance that the Mahishya class feels insulted by this. He has annexed detailed particulars as to the various actions taken for excluding the Mahishya class from the Mandal list of Backward Classes even long before the present Commission was set up. He has referred to the mass

petition submitted on 20.11.1984 to the then Prime Minister, Shri Rajib Gandhi by Shri Sudhangsu Bhusan Das, a Member a Parliament and an Advocate of the Supreme Court of India, a copy whereof was also submitted to Shri Narasimha Rao, the then Home Minister of India. On 05.11.1990, a Memorandum for excluding the Mahishya class from the Mandal list of Backward Classes was submitted to the Chief Minister, - Shri Jyoti Basu and also to the Chief Justice of India. Representations for such exclusion of the Mahishya class were also submitted on 21.09.1993 to (1) Shri Jyoti Basu, Chief Minister, West Bengal, (2) Shri Benoy Krishna Choudhuri, Minister-in-Charge, Land & Land Revenue Department, Government of West Bengal, (3) Shri Bhakti Bhusan Mandal, Member of Legislature, (4) Shri Dinesh Deka, Minister-in-Charge, Scheduled Castes & Scheduled Tribes Welfare Department, Government of West Bengal, (5) the Speaker of the Legislative Assembly, West Bengal and also to the Chief Secretary to the Government of West Bengal, stating that the Mahishya class is a socially and educationally advanced class. It has further been stated that as a result of Land Reforms the 'Mahishya' class which is largely dependent on land has suffered much and to some extent has become impoverished. It has been contended that in West Bengal, the financial condition of the people in general is on the lower side and as the Mahishya class happens to be a very large one, the impoverished condition of this class has become somewhat marked. A reference has also been made to the decision of the Supreme Court in the Mandal Case. The following detailed particulars of achievement in various educational spheres by the Mahishya class have been furnished to show that the Mahishya class is not educationally backward:-

1. There are very well known doctors in this class and so many renowned doctors are hardly seen in any other class.
2. Large number of principals and professors of various Institutions belonging to this class had been there and still are there.

3. there are many members of this class who are Head Masters and teachers of Secondary and Higher Secondary Schools.
4. There are scientists amongst the members of this class.
5. There are Barristers-at-Law amongst the people of this class.
6. There are Advocates amongst the Mahishya class practicing in the Supreme Court, High Courts and the Lower Courts and amongst these Advocates there are many Lady Advocates.
7. There are poets, authors and many literary persons amongst the Mahishya class and fresh entrants in these spheres are also coming up.
8. Persons amongst the Mahishya class have been practicing in various High Courts and from amongst this class, there have been Judges of High Courts and Judges in the Lower Courts.

To establish social and educational status of this class it has been stated that in West Bengal most of the important schools and colleges, established in Mahishya dominated areas, have been founded by persons belonging to the Mahishya class and the majority of the students and teachers in these Institutions also come from the Mahishya class.

The political consciousness of the Mahishya class and its contribution to the freedom struggle have also been brought into limelight in these representations. In this connection, it has been stated that a large number of persons courted imprisonment by participating in the non-cooperation movement in 1930 and for violation of Salt Laws and 70% of them belonged to the Mahishya class. The participation in these movements in West Bengal was largely in the district of Midnapore, where the Mahishya class of people had been the dominating class. It has also been stated that in the 1942 'Quit India Movement', the contribution of the Mahishya class is indeed remarkable. While dealing with the contributions of the Mahishya class in the political sphere, a

reference has been made to the contribution of Deshapran Birendra Nath Sasmal, who, it is stated, had launched a non-violent and non-cooperation strategy, even before the non-cooperation movement of Mahatma Gandhi, in Contai Sub-Division of Midnapore. Mahatma Gandhi went to Midnapore to see Deshapran Birendra Nath Sasmal. It is an established fact that tremendous sacrifices had been made by the various members of this class who were associated with the Revolutionary movements to champion the cause of the Independence of India. In this connection it has also been stated that during these fiery days, a brave son of Midnapore, Dronacharya Hem Chandra Das Kanungo, sold his Zamindari for providing funds to the Anarchist Movement and to learn the making of bombs; and on his return from France, he engaged himself in the making of bombs and the bombs so made were used by Shid Kshudiram Bose and Shri Hem Chandra Das Kanungo, the former was hanged and the latter was ultimately been sentenced to life imprisonment and sent to Andamans. Mention has also been made of the firebrand revolutionary Ashu Paramanik, who it is said, had arranged to send Rash Behari Bose to Japan. Mention has also been made of Sahid Basanta Biswas who was sent to gallows. It has been submitted that social consciousness is interlinked with the political consciousness which, in fact, grows out of social consciousness and a class with such keen social sense resulting in such political consciousness and patriotism could never be considered to be a backward class. In these representations it has been pointed out that from amongst the Mahishya class there have been Ministers in the State and also at the Centre. There have been Members of Legislature and also of the Parliament. On the basis of these materials furnished in these representations, it has been contended that this class is not socially and educationally backward and though there may be economic backwardness to an extent in common with the people of the State as a whole, this class which has a high sense of Political consciousness and self-respect is not socially or educationally backward.

It may be noted that along with this representation, a mass petition signed by a large number of persons was sent to Shri Rajib Gandhi, the then Prime Minister, with copies of the same to Shri P.V. Narasimha Rao, the then Home Minister and Shri Jyoti Basu, then Chief Minister of West Bengal on behalf of the Mahishya class of the South Dinajpore district had been forwarded.

The most important document which has been placed before the Commission is a publication called 'MAHISHYA ANLOLONER ITIHAS', written by Shri Styajit Ranjan Biswas, an activist of Bangiya Mahishya Samity. This publication is in the nature of research work and appears to have been done at the instance of Bangiya Mahishya Samity. This book deals with the origin, growth and development of the Mahishya class and also of the contributions of the Mahishya class in society and this publication appears to contain very valuable and reliable information. It may be noted that this publication is in Bengali and in the 'Bhumika' (foreword), the author states that he was born in a village in the district of Nadia and in and around 50/60 square miles of the village, the Mahishya amongst Hindus was not only numerically the largest but also educationally, economically and socially, it was the most predominant class. No thought of any kind had occurred as to his own caste and because of superiority of the Mahishyas in number and in social and economic prosperity and dominant position in society, no disparaging remark was uttered by anybody with regard to the caste of this class, in the Foreword he has further narrated his experience as a student and has remarked that while staying in a hostel, he was ridiculed and looked down upon by some members of the hostel as he belonged to the Mahishya class and such instances occurred in 1926 in the Kumar Hostel of Berhampur K. N. College. The Foreword further recites his association with the Bangiya Mahishya Samity and of his being appointed as Assistant Treasurer of the Mahishya Samity by Shri Purna Chandra Biswas, the then President Bangiya Mahishya Samity and the leading personality of the said Samity. He has further narrated in the Foreword that in 1391 B.S., Shri Madan

Mohan Chowdhury, an Advocate and the then Secretary of the Bangiya Mahishya Samity of Bengal requested him to write on the struggle and agitation which had been carried on by the Mahishya class. In the concluding portion of the Foreword he has dedicated this book to the Bangiya Mahishya Samity and he made it clear that all right relating to this book remained vested in the Bangiya Mahishya Samity. It is to be noted that this publication was sponsored by the Bangiya Mahishya Samity which came to be established in the year 1901 for the upliftment of the Mahishya class, and this book was published at a time when the question of reservation for backward classes had not been agitating and gained importance. This boom, in the nature of a research work and inspired by the stalwarts of the Bangiya Mahishya Samity appears, therefore, to be free from any bias or prejudice and the materials gathered and collected in this book have their own importance and significance. The Commission will now proceed to deal with this book at some length, as this book, in the opinion of the Commission, furnishes very relevant and cogent materials.

Apart from the 'Bhumica' (Foreword) this book is divided into 7 Chapters and also has an appendix which contains various exhibits including the social anthem of the Mahishya class. The first Chapter refers to the struggle or movement which had been carried on for decades since 1890-91 till the census report was published. In the census report 'Halik', 'Jalik' and 'Kaibarttas' were all placed in one class and in the social order they were placed below the 'Goalas'. The well-to-do, knowledgeable and educated sections of the 'Chasi-Kaibartta' class interested in its social welfare and upliftment launched a movement for revival of the name 'Mahishya' which has almost been forgotten. To establish that the 'Chasi-Kaibartta' and the 'Jalia-Kaibartta' were two entirely different classes and to remove the confusion that has been created as a result of the similarity in the names and the anomaly in consequence thereof, the name 'Mahishya' in so far as the 'Chasi-Kaibartta' class was concerned was sought to be introduced and social movement to this effect had been launched. In this

chapter, a reference has also been made to the name of the 'Mahishya-Kshatriyas' who originally used to reside at Mahiswatinagar (i.e. the city of Mahiswati Nagar and its surrounding places on the banks of the river, Narmada) and who being persecuted by Parasurama, fled under various assumed names and the section of this class which came to live in Kimbartta came to be known as Kaibartta. Reference has been made to the book written by Shri William Hunters in which the class 'Kaibartta' has been dealt with at length and it has been stated that after publication of this book, Dhaka Mahishya Samity which is the first Mahishya Samity to be established had approached Mr. Hunter. This chapter gives various particulars of the movement carried on the included the name of 'Mahishya' in the Census Report. This chapter gives the impression that the Chasi-Kaibartta' and the 'Mahishya' are more or less synonymous and the Chasi-Kaibartta has always been mindful of its glorious traditions and had completely dissociated itself with the 'Jalik-Kaibartta' which is now included in the list of Scheduled Castes. It is stated that the educated, knowledgeable and socially conscious people of the Chasi-Kaibartta class, for removing the stigma attached to the Kaibartta class, wanted the name 'Mahishya' to be introduced and movement to this effect was carried on for a long time with gradual success.

In chapter 2 of the book, reference has been made to the observations made by Shri Lal Mohan Bidyanidhi in his book 'Sambandha Nirnoy' and also by Rev. K. G. Gupta in his book 'Ambastha Darpan'. It has been recorded that Rev. Gupta in his book had explained the identity of the 'Mahishyas' & the 'Chasi-Kaibartta' & also referred to the Kshatriya elements; & brought out the differences between the Mahishyas and the Jalia-Kaibarttas. In this chapter it has been recorded in detail with relevant facts the attempts made by some leading members of the Chasi Kaibartta class for restoration of the name 'Mahishya' and also reference has been made of various organizations which were set up for carrying on the movement of recognition of the 'Mahishya' class. Reliance has also been placed on slokas in different Shastras as recorded in this

chapter. As a result of the agitation carried on by the different organizations set up, and after discussions amongst the various organizations it has been stated that it was felt that an appeal filed by some members on behalf of the Chasi-Kaibartta class for restoration of the name 'Mahishya' and inclusion of the same in the Census Report may not be of very great help, and as such, it was decided that from different parts of the State, memoranda of this class should be sent to the Lt. Governor of the State for inclusion of the name 'Mahishya' in the Census Report of 1901 which was then being processed. In this connection, a memorandum inter-alia to the following effect was submitted to the Lt. Government of Bengal.

1. The Memorialists beg only to approach your Honour that in the forthcoming Census Report, the name of the Caste in which they belong may be styled as 'Mahishya' and not 'Kaibartta' as has been done in the previous Census Report and the reasons for which Your Memorialists beg to submit their prayer are the following :-

- a) There are two castes in Bengal quite distinct in their origin and keeping their respective positions in the society who are designated by the name of 'Kaibartta'.
- b) That one of the two castes belong to the class of fishermen and is included among the castes from who the higher caste Hindus, such as – Brahmans, Baidyas as well as the members of the caste to which Your Memorialists belong do not take water.
- c) That the caste to which your Memorialists belong is ordinarily designated by the names as – Shri Kaibartta Das, Parasara Das and Mahishya Das etc. has got the same right in Hindu Society which the other higher castes, such as, - Baidyas and Kayasthas possess.
- d) That the inclusion of the caste to which your Memorialists belong in the caste of 'Kaibartta' which is considerably lower than that of your Memorialists in the estimation of the other castes among the

Hindus, would create erroneous notions among the members of the caste to which your Memorialists belong with regard to their social position.

This Memorandum addressed to the Lt. Governor of Bengal has been included in its entirety in Appendix 'Ka' of the Book.

In Chapter 3 of the Book, the further action taken by the Memorialists with regard to the Memorandum in 1900 for inclusion of the name 'Mahishya' in the Census Report of 1901 has been recorded at length. Detailed particulars have been stated mentioning names of various individuals who took active part in the movements for inclusion of the name 'Mahishya' in the Census Report./ it has been stated that as a result of the movements carried on, the Census authority could be persuaded to assure them that in the Census Report Mahishya (Chasi-Kaibartta) class might be included. It appears that after being so assured the leaders of the movement tried to influence the members of the Chasi-Kaibartta class to call themselves as Mahishyas. It appears that at that stage there was an opposition to this move not only from other classes but also from a section of the Chasi-Kaibartta class. The Census Report was published in 1902 and during this period, before the publication of the Census Report, various organizations carried on co-ordinating activities with the sponsors of the movements in different localities. Bangiya Mahishya Samity came to be established as a Central organization in Calcutta in 1901. This Central organization in Calcutta was originally called the Presidency Mahishya Samity, but after a couple of years the name of the organization was changed and the present name 'Bangiya Mahishya Samity' was incorporated. The Central Committee of Bangiya Mahishya Samity visited most of the districts of West Bengal in the year 1902. On the basis of a resolution passed by this Samity, the Mahishya Banking and Trading Co. was organized to save a part of the movement to be contributed to Bangiya Mahishya Samity. It is recorded in this

chapter that in spite of all these efforts and the movement carried on by the leader of a section of the 'Chasi-Kaibartta' class for introducing the name 'Mahishya' – 'Chasi-Kaibartta' class; as an independent and separate class from Kaibartta class earlier assured, did not succeed and their expectations on the basis of earlier assurance were belied. It appears that the Census Authority decided that the Chasi-Kaibartta class was not a different or independent class and formed merely a part of the Kaibartta class. It is recorded that the leaders of the movements were greatly disappointed with this report, but they had not given up their hopes and they decided to continue their struggle.

Chapter 4 of the Book deals with further activities carried on by the leaders of the movement after the Census Report in 1902 came to be published. A public meeting was convened under the auspices of Bangiya Mahishya Samity which is stated to be the first public meeting convened by the Bangiya Mahishya Samity and it was resolved at this meeting to prepare a report protesting against all that had been said against the Mahishya class. 72 leaders of the Mahishya movement signed this protest report which was sent to the appropriate authority, - first signature to this protest report which is contained in Annexure 'GA' to the Booklet is made by Raja Kali Prasanna Gajendra Mahapatra. In this Chapter reference has been made to various authorities in support of the reasons stated in protest report in which it has been submitted that the Chasi-Kaibartta class for all time to come has maintained its separate identity and for that purpose, in the localities most of the Chasi-Kaibartta class came to be known as Parasar Das, Halik Das, Mahishya Das Krishikar etc.

Chapter 5 of the Book seeks to prove that the Halik-Kaibartta and Jalik-Kaibartta are entirely two different entities and various particulars have been furnished in this regard and reference has also been made to authorities to establish that Chasi-Kaibartta belongs to a class very much superior to the Jalik-Kaibartta. In this chapter many references have been made to the Memorandum of protest lodged in support of the contention that the Chasi-Kaibartta class

cannot be equated with the Jalik-Kaibartta and placing the both in the same category is indeed an insult to the Chasi-Kaibartta. It has been noticed that in the Memorandum of protest it has been stated that the Kuloguru of the Mahishya or Chasi-Kaibartta class has been from very ancient times a 'Srotريا Brahmin'; but the family priest of the Jalik-Kaibartta is entirely different and as the respectable Brahmins used to act as priests of the Chasi-Kaibartta class, the Maharajas of Datan, Nadia and other places of Bengal dedicated 'Brohmmotwar' lands to these Brahmins. It has further been stated that the Chasi-Kaibarttas really happened to be the descendants of the ancient Mahishya class and references in this connection have been made to various authorities. Reference has also been made to their grievances made and points raised in the Memorandum of protest. It has been recorded as Historical facts in this chapter that in ancient times Mahishyas in Bengal were very affluent, influential and powerful and had been ruling with dignity and power over Lakh Kanka, Goina, Turka, Suja Mutha, Tamralipta and other places. It has been recorded that towards the end of the Memorandum of protest it has been noted that because of non-recognition in spite of various materials and particulars furnished of the movement, the Chasi-Kaibartta class had felt offended and insulted and finally in the said Memorandum of protest a prayer has been made for doing justice to the Mahishya class.

Chapter 6 of the book also proceeds to deal with the Memorandum of protest. It is recorded that the draft of the Memorandum of protest by 72 respectable members of the Mahishya class who were lawyers, doctors, engineers, zaminders, businessmen and teachers in which slokas verses and legends were mentioned was prepared by Shri Gopal Chandra Sarkar, a School Inspector and Pandit Sudarsan Chandra Biswas and the draft Memorandum of protest was checked by Shri Mohendra Nath Roy, a well known lawyer of the Calcutta High Court at that time. It is also recorded that the notice of Memorandum of protest had been taken by the authority who had stated that as

the Census Report of 1901 had been completed, appropriate action might be taken later as the grounds of protest appeared to be reasonable. It is stated that in the Census of 1911 the protest served this purpose and it was recorded in the said Census Report Chasi-Kaibartta and the movement for social justice by the Chasi-Kaibartta and the movement for social justice by the Chasi-Kaibartta class became successful in 1911. It is stated that the leaders of the Mahishya movement will ever be remembered by the Mahishyas. It has been noted that problems, however, arose as a result of partition of Bengal in 1947. Efforts unsuccessfully made by various sections to downgrade the Mahishya class have also been noticed.

How these problems were tackled by the great leaders with determination and courage and the agitation was carried on with great energy had also been recorded in this Chapter. It has also been noted that a section of the class had tried to get the class recognized as a depressed class and this attempt was successfully challenged by Late Birendra Nath Sasmal, a famous patriot who exercised very great influence. It has also been stated that Late Birendra Nath Sasmal was lauded and applauded and the very great service rendered by him in this regard was acknowledged and admired in various meetings, specially held to commemorate and celebrate. It has been noted thereafter that a section of the Mahishyas who applauded Dashapran Birendra Nath Sasmal as a great here in championing the honour and dignity of the class and in removing the blemish and stigma attempted to be attached to this class by declaring this class a depressed class, is now seeking to bring dishonor to this class for receiving same benefits, throwing aside the noble and lofty ideas which Late Birendra Nath Sasmal cherished about this class and which has inspired this class and has been appreciated by this class.

In chapter 7 of this book it has been recorded that the movement carried on by the Mahishya class succeeded after a struggle for long 25 years and the old nomenclature 'Mahishya' noted in Sastras was revived and the Mahishya

class came to be recognised. It has, however, been pointed out by giving various illustrations that though the Mahishya class came to be recognized, a good section of the class which was originally known as 'Chasi-Kaibartta' class still continued to consider themselves as belonging to the 'Chasi-Kaibartta' class and regarded the class as such, notwithstanding recognition of the Mahishya class. In this chapter it has been noted that the journal 'Mahishya Samachar' published by the Bangiya Mahishya Samity never exceeded 2000 copies and as such, it did not reach the very large number of members of this class and lack of publicity and for other reasons, Chasi-Kaibartta class continued to maintain its identity and to exist side by side with the members who came to be recognized as members of the Mahishya class. In this chapter reference has also been made to the differences in following the customs, like mourning period and the refusal on the part of the relations of Late Birendra Nath Sasmal to observe the mourning period for 12 days instead of one month though so requested on behalf of the Bangiya Mahishya Samity. This chapter concludes with the observations that this book is historical in nature and based on events and that it is not a novel or a story book; and at the end it suggests that the Bangiya Mahishya Samity which has now its own office building should have a library consisting of books, articles and literatures relating to the Mahishyas and such a library should be established in a part of the office premises to enable the aspirants to gather necessary knowledge regarding this class, as at present, there is no problem regarding accommodation for such a library.

It may just be indicated that in the Appendix 'Ka' of this book, a copy of the memorial to the Lt. Governor of Bengal has been included, - Appendix 'Kha' contains 'Kalikata Sanskrita College Byabastha', - Appendix 'Ga' contains the signatures to the memorandum submitted to the Census Commissioner of India in 1906 on behalf of the Bangiya Mahishya Samity, - Appendix 'Gha' records a letter dated 23.02.1911 from the Superintendent, Census Operation in Bengal to the Secretary, Bangiya Mahishya Samity and the

reply of the Samity to the said letter, - Appendix 'Uma' contains a letter dated 1st March, 1911 from the Superintendent of Census Operation to Babu Uma Prasanna Das and also a letter bearing the same date to Babu Radha Nath Das, Secretary of the Calcutta Mahishya Samity and a Memorandum dated 01.03.1911 forwarding a copy to the Secretary of the Bangiya Mahishya Samity, Appendix 'Cha' records the names of the leaders of the Mahishya movement, - Appendix 'Chha' contains the anthem of the Mahishya Community and Appendix 'Ja' contains the song composed by Pandit Ajudhya Nath Bidyabendode which used to be sung in meetings and conventions and Appendix 'Jha' contains a list of various books and the names of their authors relating to and having a bearing on the Mahishya.

The Commission has dealt with this particular document at some length as this book which is in the nature of a research work on the origin, growth and development of the Mahishya class and also refers to the social movements for the upliftment and upgradation of this class with detailed particulars, was written at the instance of the Bangiya Mahishya Samity in which all rights, title and interest relating to the book are vested. This book which is priced at Rs. 8/- appears to be available from the office of the Bangiya Mahishya Samity. This book which, in the opinion of the Commission, was written for giving proper information as to the origin, growth and development of the Mahishyas and the long struggle carried on by eminent leaders of the Mahishyas class removing social stigma and for the upliftment of the Mahishyas and not for any particular benefit. This book appears to furnish correct and unblessed materials of considerable help to the Commission in coming to a decision in this case.

For a proper adjudication of the question involved, the Commission has very carefully considered all the materials which have been placed before the Commission. In the opinion of the Commission, proper

appreciation and careful consideration of the materials before the Commission go to establish:-

1. Chasi-Kaibartta class has been in existence and was a recognized class long before the Mahishya class as such came to be recognized.
2. Amongst Chasi-Kaibartta class there was a strong and influential section, educated, enlightened and well-placed in life.
3. Because of the similarity in the name of Chasi-kaibartta with other classes also bearing the name 'Kaibartta', confusion had arisen in the class of 'Chasi-Kaibartta'. Chasi-Kaibartta class was at times equated with the Jalia-Kaibartta class which, according to the Chasi-Kaibartta class was never in the same class and Jalia-Kaibartta and other classes with the name of the Kaibartta were very much inferior to the Chasi-Kaibartta class in status in the social hierarchy. It may be noted that the Jalia-Kaibartta class has come to be included in the list of Scheduled Castes.
4. To remove this confusion and to assert the supremacy of the Chasi-Kaibartta class in the society in every sphere of life, the enlightened section of the Chasi-Kaibartta class started a movement on social reforms nearly a century ago for social upliftment of the Chasi-Kaibartta class, for removal of the stigma attached to the class for allegedly being in the low caste group and for social upgradation.
5. The educated, well-placed and enlightened section of the Chasi-Kaibartta class who became the leaders of the movement wanted to revive and restore the name 'Mahishya' in place of Chasi-Kaibartta and according to the leaders of the movement, the 'Mahishya' class did belong to a superior caste, as Kshatriyas were also there in the Mahishya class. To carry on this movement various organizations demanding the recognition of the Mahishya class, were set up and the Bangiya Mahishya Samity was also one of the organizations brought into existence for this purpose.

6. The struggle for revival of the Mahishya class had been a hard struggle and agitation was carried on with great energy by the committees formed by influential persons as recorded in the Census Report by the English Superintendent of the Census and this has been noted in Chapter 6 of the Book 'Mahishya Andolanere Itihas' by Shri Satya Ranjan Biswas.

7. The movement which had been started by the elitist section of the Chasi-Kaibartta class for revival and restoration of Mahishya and for recognition of the Mahishya did not succeed at the time of the Census in 1901 but ultimately succeeded at the time of the Census in 1911 and at the Census Report of 1911, Mahishya class came to be recognized.

8. The recognition of the Mahishya class, however, created problems as noted in the Book 'Mahishya Andolanere Itihas'. These problems also were sought to be tackled by the leaders of the movement consisting of the elitist section of the Chasi-Kaibartta class who have been agitating for recognition of the 'Mahishya' class which ultimately came to be so recognised.

9. Notwithstanding recognition of the 'Mahishya' class and the efforts made by the leaders for making every member of the Chasi-Kaibartta class recognized as Mahishya, the Chasi-Kaibartta class had continued and still continues to exist. A large section of the Chasi-Kaibartta class did not appear to be seriously bothered over the change and the recognition of the Mahishya class which was the Shastrik name; and the leaders of the movement for recognition came from the educated, enlightened and well-to-do section of the members in the 'Chasi-Kaibartta' class.

10. these leaders of the movement who had successfully carried on the agitation for recognition of the Mahishya class in the Census Report and had formed organizations for social and educational reforms always called themselves as members of the Mahishya class and they had contended that the Mahishyas had always been a socially advanced class, well-educated and well-placed in life, and many of the Mahishyas had also been the great leaders of the

struggle for Indian Independence and championed the cause of Indian Independence; and also for the upliftment and well-being of the Mahishya class. The Bangiya Mahishya Samity which came to be set up in the year 1901 for fighting and championing the cause of the Mahishyas has now a building of its own and it also publishes the monthly journal called 'Mahishya Samaj' which is the monthly organ of the Bangiya Mahishya Samity.

11. When years ago an attempt was made to declare the Mahishya class, as a depressed class, the Mahishyas considered this attempt to be an affront and insult to the dignity and status of the Mahishya class and launched a movement under the leadership of Deshapran Birendra Nath Sasmal and successfully frustrated the attempt to declare the Mahishya class as a depressed class.

12. The Mahishya class appears to have appreciated and applauded the efforts made by Late Birendra Nath Sasmal for the successful movement in defeating the attempt made for declaring the Mahishya class as a depressed class and special meetings were held by the various organizations of the Mahishya class and by leaders and members of the Mahishya class to honour Late Birendra Nath Sasmal and to pay respect to him for saving the Mahishya class from the indignity sought to be imposed.

13. Many decades have passed since then and due to efforts made by various Mahishya organizations including Bangiya Mahishya Samity, the Mahishya class as such continued to flourish and Mahishya class came to be reckoned as a dominating class in society. Various educational institutions were established by members of the Mahishya class in localities where members of the Mahishya class predominated. The leaders of the Mahishya class were well educated, enlightened and well-placed in society. Patriotic fervor, it appears, amongst the Mahishya class was very strong and members of the Mahishya class played a very important role in the struggle for freedom of India and also in the social life of Bengal.

14. With the introduction of land reforms, many members of the Mahishya class mainly dependent on land might have to an extent suffered economically. This economic deprivation of very many of very many persons who happened to depend mainly on land and were owners of vast lands in the larger interests of the poor and downtrodden, it may be noted, not only affected members of the Mahishya class but also members of all other classes who were landlords and owned vast quantities of land.

15. Mahishya class, as such appears to have produced a fairly large number of Lawyers, Doctors, Engineers, Educationists and persons of importance in public life and many of them had held high and important positions various fields. This Mahishya class, as such, has also representations in services and political organizations.

16. The Mahishya class which indeed came into existence and to grow out of Chasi-Kaibartta class to assert its supremacy and importance in society and to disclaim any kind of backwardness and struggled hard for its recognition and for achieving its rightful place may not be considered to constitute a backward class in the State. To term the Mahishya class as a backward class and include the Mahishya class in the list of backward classes may have the effect of depriving this class of the success and glory that this class has achieved after a hard struggle for decades.

17. The Bangiya Mahishya Samity which appears to have sponsored the inclusion of the Mahishya class in the list of backward classes and has led evidence for that purpose, has significantly enough since its inception, been fighting for the recognition of the rightful place of this class in the society as a class, enlightened, affluent, advanced socially, educationally and politically with a glorious heritages. This sudden change in its attitude and stand appears to have come about in the hope and expectation that the Mahishya class, if included in the list of Backward Classes, may receive the benefits sought to be conferred on the backward classes and may prove beneficial to this class.

18. There is hardly any doubt that if no special benefits were sought to be conferred on the members of the backward classes, the Mahishya class which was brought into existence from and out of Chasi-Kaibartta class to remove the social stigma and the backwardness of the Chasi-Kaibartta class on the alleged grounds of this class being in the category of low castes would have revolted against being sought to be included in the list of backward classes and might have launched a movement again for its being termed as such.

19. Though the Mahishya class came to be recognised as such after prolonged agitation and hard struggle in place of the Chasi-Kaibartta class, yet in spite of the best efforts of the Mahishya organizations and the leaders of Mahishya class, this class did not succeed in bringing within the Mahishya class the entire Chasi-Kaibartta class and to wipe out Chasi-Kaibartta class which suffered from social stigma and backwardness in various other spheres; and the Mahishya class did not succeed in wiping out the Chasi-Kaibartta class which in spite of recognition of the Mahishya class continued to exist and still maintains its existence. This position is further clearly established by the materials placed before the Commission and by the fact that the Mandal Commission has recognised Chasi-Kaibartta class as such as a backward class in the State.

20. As earlier indicated the movement for recognition of the Mahishya class has been led by the educated, affluent, enlightened section of the Chasi-Kaibartta class with strong social consciousness to establish that this class was not a backward class and concerted efforts on the part of this section led by Dashapran Birendra Nath Sasmal have prevented this class from being considered as a depressed class.

21. The members of the Chasi-Kaibartta class who had successfully agitated for recognition of the Mahishya class as 'Mahishya' class to disclaim any kind of backwardness may not constitute a backward class, yet it cannot be said on the basis of the materials before the Commission that the Chasi-Kaibartta class

of the Mahishya class stands on the same footing as the class recognised as the 'Mahishya' class and it does not constitute a backward class in the State.

22. The evidence which had been led and materials which had been placed for inclusion of the Mahishya class really become applicable to the Chasi-Kaibartta class, although the class 'Mahishya' has been referred to in course of the evidence and also in the materials submitted. 'Mahishya' has been mentioned to include and mean Chasi-Kaibartta' as Mahishya class which has now come to be recognised out of Chasi-Kaibartta class, sounds more dignified.

23. The Organisations which represented the cause of the Mahishya class were mainly the Organisations of the Mahishyas which came to be recognised as such out of the Chasi-Kaibartta class as a result of the movement, Mahishya has been referred to in course of evidence and various materials which apply to the Chasi-Kaibartta class which forms the origin and the basic foundation of the Mahishya class. Mahishya class has been broadly referred to include all the members of the Chasi-Kaibartta class which is also known as Hele-Kaibartta or Halia-Kaibartta. The Chasi-Kaibartta class or Halia-Kaibartta was at one time sought to be identified with and placed in the same class as Jele-Kaibartta or Jalia-Kaibartta which has been included in the list of Scheduled Castes. Chasi-Kaibartta or Halia-Kaibartta which is not in the same class as Jele-Kaibartta or Jalia-Kaibartta has always maintained its separate identity and continued to be a class very much superior to the Jele-Kaibartta or Jalia-Kaibartta class. Repetition or reiteration is not necessary that a section of the Chasi-Kaibartta class socially conscious, educated, affluent and enlightened had successfully agitated for recognition of the 'Mahishya' class.

24. On a proper analysis and consideration of the evidence and on a proper appreciation of the materials before the Commission and correct interpretation thereof, the Commission is of the opinion that the Chasi-Kaibartta class constitutes a backward class in the State, though the class Mahishya born and grown out of Chasi-Kaibartta class may have considerably advanced and

may not constitute a backward class Proper analysis, appreciation and interpretation of the materials on record clearly go to establish the social and educational backwardness and also the impoverished conditions of the Chasi-Kaibartta class. It may be noted that the Chasi Kaibartta are also known as Hele or Halia-Kaibartta in the State.

After giving very anxious consideration to the matter, the Commission is of the view that the Chasi-Kaibartta, Halia/Hele-Kaibartta classes in the State constitutes a backward class and the Mahishya class as such is not a backward class in the State.

In view of its findings for reasons recorded, the Commission recommends that the Hele/Halia/Chasi-Kaibartta class in the State should be included in the list of backward classes of the State of West Bengal and the 'Mahishya' class as such cannot be included in the list of backward classes in the State of West Bengal.

Sd/-
(Amal Kumar Das)
Member

Sd/-
(J. Misra)
Member-Secretary

Sd/-
(Bela Bhattacharya)
Member

Sd/-
(A. N. Sen)
Chairman

Sd/-
(Ramen Poddar)
Member