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सदस्य-सचिव
राष्ट्रीय पिछड़ा वर्ग आयोग
भारत सरकार
त्रिकुट-१, भीकाजी कामा प्लेस, नई दिल्ली-११००६६

Member-Secretary
National Commission for Backward Classes
Government of India
Trikoot-1, Bhikaji Cama Place, New Delhi-110066

NCBC Advice No. UP 89/2000

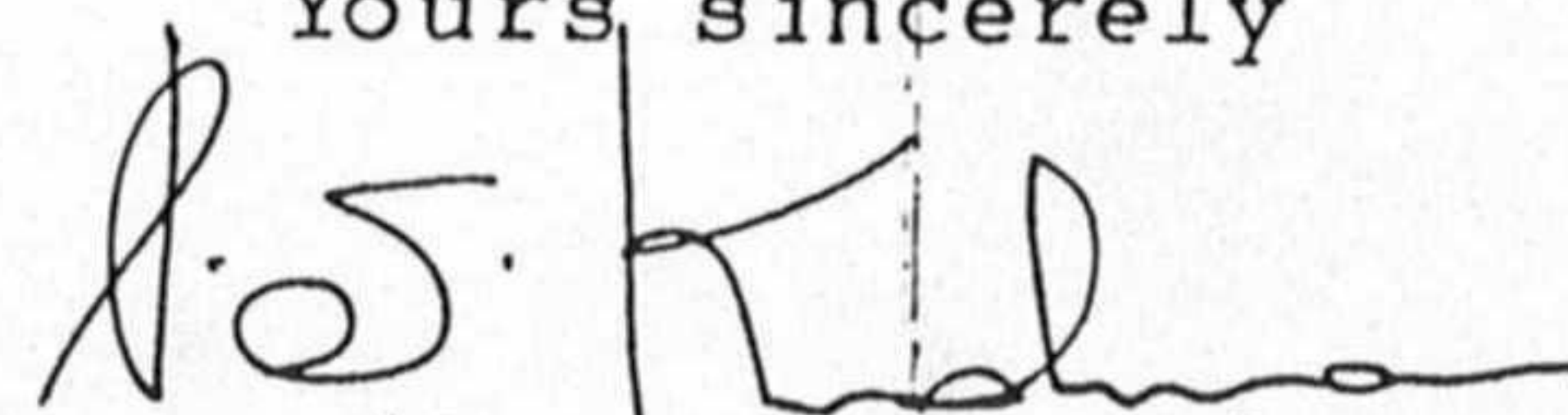
02. 02. 2000

Dear Smt. Das,

I am sending herewith the Advices of the National Commission for Backward Classes under Section 9(1) of the NCBC Act, 1993 for the Inclusion of "Rai Sikh (Mahatam)" in the Central List of Backward Classes for Uttar Pradesh, duly authenticated, for necessary action by the Central Government under Section 9(2) of the NCBC Act.

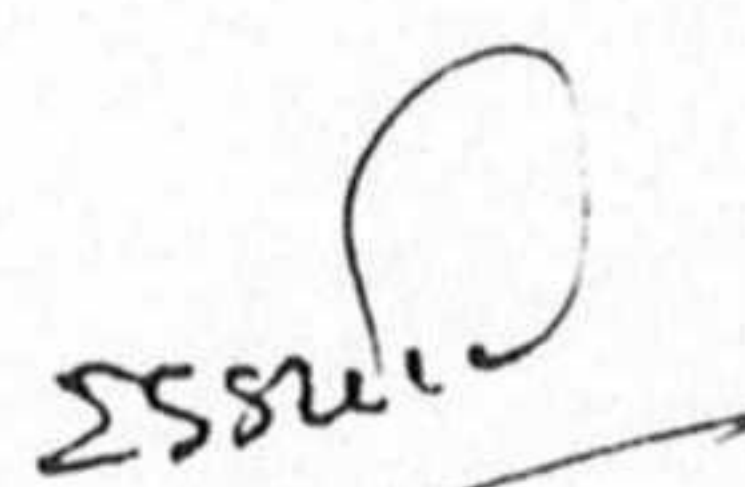
2. With this, Advices in respect of a total of 791 (391 for Inclusion + 400 for Rejection) castes, sub-castes, communities, synonyms etc. have been tendered by the Commission after its reconstitution in 1997 of which 520 (120 for Inclusion + 400 for Rejection) are still pending with the Government for Notification.

Yours sincerely


(P.S. KRISHNAN)

Encl: As stated

Smt. Asha Das
Secretary
Ministry of Social Justice & Empowerment
Shastri Bhavan
NEW DELHI


2/2 O/C

NATIONAL COMMISSION FOR BACKWARD CLASSES

U.P. BENCH

Findings

Per Justice P.K. Shyamsundar

Case: Request for inclusion of 'Rai Sikh (Mahatam)' Caste/Community in the Central List of Backward Classes for Uttar Pradesh.

I Request

This case arises from the request received in this Commission from Shri Bhag Singh, Village Sisaon, P.O. Khali Mawat (Khatima), Distt. Nainital for inclusion of the Rai Sikh (Mahatam) Caste/Community in the Central List of Backward Classes for U.P.

II. Public Hearing

2. The Three-Member Bench of the Commission consisting of Hon'ble Justice P.K. Shyamsundar, Hon'ble Members Shri Sahu Akshaya Bhai and Shri U.P. Singh held a Public Hearing to examine the request of this case for inclusion in the Central List of Backward Classes for Uttar Pradesh on 28.10.98 at Lucknow. The State Govt. was represented by Shri R.V. Bhaskar, Principal Secretary and Shri J.C. Pant, Director, Backward Classes Welfare Department. The State Commission was represented by Shri Ram Bahadur, Secretary. The Caste/Community was represented by Shri Bhag Singh, Shri Malkiat Singh, Shri Jarnail Singh and Shri Santokh Singh all from Distt. Udham Singh Nagar.

III Facts

2. The Rai Sikh Caste/Community has not been included in the Mandal List.

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3 The State Govt. notified the Rai Sikh caste/community in the State List of Other Backward Classes for U.P. vide No. 11 M.M./LXIV-1-96-100/95 dated 1.5.97 as below:

"56. Rai Sikh"

It is also relevant to mention here that the inclusion was done by the State Govt. without any advice from the State Commission for Other Backward Classes.

5. In their request for inclusion of the Rai Sikh (Mahatam) caste/community in the Central List of Backward Classes for U.P., they have stated that prior to April, 1936, the Scheduled Castes were known as 'Depressed Classes'. In 1931, Mr. Hutton, the then Census Commissioner of India, categorised systematically the Depressed Classes. In Punjab Province, there were 14 Depressed Classes declared on the basis of social, educational and economic backwardness arising out of historical custom of untouchability. Their Tribe was also included under the name of 'Mahatam'

In April, 1936, the British Govt. issued for the first time Govt. of India (SC) Order 1936, specifying certain castes, tribes and races as Scheduled Castes. This was in continuation of the earlier list of Depressed Classes. Their tribe under the name 'Mahatams' was also declared as Scheduled Caste in Punjab under Govt. of India (SC) order 1936. The list drawn under the Constitution (SC) order 1950 was a revised version of the list of SCs declared under the Govt. of India (SC) Order 1936 but their caste name disappeared under the revised order. It was because the population of the 'Mahatams' was shown nowhere in India at that time due to its change of name to Rai Sikhs on 18-11-1942 vide Punjab Govt. Gazette Notification No. 1939-R dated 20-11-1942. At present Sirkiband is recognised as SC in Punjab, Haryana, Chandigarh & Delhi.

In order to reduce the impact of untouchability, the name of the tribe from Mahatams to Rai Sikhs was got changed on 18-11-1942 vide Punjab Govt. Notification No. 1939-R dated 20-11-42 and No. 4994-R(IV)/69/5303 dated 1-12-1969 but the effect of the untouchability continued to prevail till date and continued to clog the community. In order to escape this apartheid behaviour by

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the others, this tribe even embraced Sikhism to rid itself of social disability but of no avail.

In Govt. records, the Mahatams (Rai Sikhs) have been declared as vagrants criminal and hunting tribe who trace their descent to irregular fighting men and were uprooted from their original homes due to invasions or political upheavals in the distant past. The entire tribe used to make a living by hunting and committing petty crimes, in order to combat extreme poverty. Illiteracy, lack of earnings and poverty led them to take to crime which later became a tradition and a part of their heritage. They are of vagrant habits, wandering from place to place in search of food, plaiting for themselves rude shelter and utensils (chhabias) from river shrubs. They are the boldest of criminal tribes. At present, this tribe has been declared as 'Ex-Criminal Tribes' (Vimukt Jatis) in Punjab. Its literacy is the lowest of all the castes due to abject and squalid poverty.

They are hereditary hunters and fisherman living more or less vagrant life in the jungles and on the river-banks. They are also reapers and workers in grass, straw, and the like. Their traditional occupations were mainly petty crimes, illicit distilling, hunting, fowling and vagrancy. During Akbar's regime, when they refused to have matrimonial alliances with the Mughals, they were forced to leave their parental homes and hide themselves in the remotest forests on river-banks thereby, and thereafter adopted these occupations in the remotest forests and became homeless. They adopted the occupations of Rassibatna, Rope making, sirki-making as raw material of sarr. Due to working in sarr they got the name of 'Sirkeband' by which name they are still popularly known.

According to them the first Backward Class Commission, 1955 headed by Kaka Kalelkar, recognised this tribe as "Most Backward Class"

6. The NCBC's Questionnaire filled in and submitted by Shri Bhag Singh, contains the following information :

- (i) The population of the Caste/Community in the State is about 5 lakhs.
- (ii) The Caste/Community is largely concentrated in Nainital, Pilibhit, Rampur, Bijnaur, Meerut and Lakhimpur districts of U.P.
- (iii) The Caste/Community is generally regarded as most backward.

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- (iv) The members of the Caste/Community mainly depend for livelihood on agriculture and labour which involve manual labour for wages.
- (v) Other than the main occupation the substantial numbers of members engaged in distilling kuchcha wine.
- (vi) Eighty percent of the population are landless manual laborers.
- (vii) The Caste/Community is, in terms of the caste system identified/linked with distillation of Kachcha wine.
- (viii) The Caste/Community categorised as Vimukta Jati Caste/Community in terms of Criminal Tribes (Repeal) Act, 1952.
- (ix) Number of literates of the Caste/Community in the State are 300 out of 5 lakhs. Number of matriculates are 270 and number of graduates are 20.
- (x) Eighty-five percent of the families of the Caste/Community live in kachha houses.

7. The Rai Sikh (Mahatam) Caste/ Community has been included in the Central List of Backward Classes for the following States:-

State

Haryana	"49. Rai Sikh"
Punjab	"24. Rai Sikh"
Himachal	"35. Mahatam"
Pradesh	
Chandigarh	"82. Rai Sikh"

8. H.A. Rose in 'A Glossary of the Tribes and Castes of the Punjab and North-West Frontier Province', (Vol. III, Asian Educational Services, New Delhi, Reprint, 1990, pp. 49-51) has given the account of the caste as "*Mahtam; Matam,---A caste of obscure and probably composite origin found spread across the Punjab from Dera Ghazi Khan to Lahore. The name Mahtam is phonetically identical with the term Mahton, but the Mahton of the eastern districts elects to be called a 'Rajput Mahta.'*

As a maker of ropes the Mahtam is called Rassiwat, or Rassibat, and as a dweller in sirkis or wattled screens he is often styled Sirkiband.

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The late Sir Denzil observed that the Mahtam were also called Bahrupia—those of Gujrat and Sialkot having returned themselves under that name. He added: "The Mahtams, or as they are called in the Jullundur Division Mahton (nasal n), are found chiefly in the Sutlej valley, and along the foot of the hills between Jullundur and Gujrat. They are of exceedingly low caste, being almost outcaste; by origin they are vagrants, and in some parts they apparently retain their wandering habits, while everywhere they are still great hunters, using nooses like those of the Bawarias. But in many Districts, and especially on the middle Sutlej, they have devoted themselves to husbandry and are skilful and laborious cultivators. The great majority of them are classed as Hindus, but about one-fifth are Musalman, and as many again Sikh. But the Musalman section, even in the Multan Division, eat wild pig and retain most of their Hindu customs, and are consequently not admitted to religious equality by the other Musalmans. They appear, however, to bury their dead. They live, in Muzaffargarh, in grass huts on the river banks, whence the saying --- 'Only two Mahtam huts and calls itself Khairpur.' Mr. Purser thus described the Mahtams of Montgomery:--

They are a low Hindu caste, and are looked down on by their neighbours, "Their story is that they were Rajputs, and one of their ancestors was a kanungo. Akbar was then on the throne. Kanungos were called mahta, and thus they got their name. The first mahta was dismissed, and then settled at Mahtpur in Jullundur. His descendants emigrated and settled along the banks of the rivers as they found quantities of sarr in such situations, and working in sarr was their chief occupation. It was not till the Nakkai chiefs held sway that they settled down permanently in this District. They adopted the custom of marriage with widows according to the form of chaddar dalna, and so became Sudras. They are also called 'Bahrupias, which name is a corruption of Bho-rup-ias, and means people of man modes of life, because they turned their hands to any business they could find (yet cf. Select Glossary, I 17 and 54). Cunningham (Hist of the Sikhs, p. 17) says, 'the hardworking Hindu Mahtams are still moving family by family and village by village eastward away from the Ravi and Chenab.' This would seem to give the Mahtams a western instead of eastern origin as claimed by them. They own a good many villages (19), most of which are in good condition. Where they are not proprietors

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of the whole village, they reside in a separate group of huts at some distance from the main abadi. They are great hands at catching wild pigs; but it is in cutting down the jungle on inundated lands that they excel. Though industrious they do not care much for working wells, and prefer cultivating lands flooded by the rivers. They are quarrelsome and addicted to petty thieving. They are of medium stature and stoutly made."

8. In 'People of India - Haryana', Volume XXIII (General Editor K.S. Singh, Anthropological Survey of India, New Delhi, 1994), Satnam Kaur and M.P. Singh has given the following description of the caste in Haryana:

"The Raisikhs trace their origin to Suraj Bansi Kshatriyas. The majority of them have migrated from Karachi, Montgomery and Shekhpur regions of Pakistan. They are concentrated in Fazilka, Ferozepur and Moga in Punjab. In Haryana, they are found in Hissar, Karnal and Kurukshetra districts. They have faith in the Sikh religion..... Within the caste group of Raisikhs, there are several sub-castes which are exogamous in character. In social hierarchy they consider themselves higher than the Mazbi Sikhs..... The main occupation of a large number of Raisikhs is agricultural and non-agricultural labour. Earlier, a large number of them owned land, but now the number has decreased., Still many of them have their own land, tractors and tube-wells. Animal husbandry is followed as a secondary occupation..... The Raisikhs are Sikh by religion. Some of them are followers of the 'Radhaswami' sect. But of those, some are the followers of Vyas Wale Guru and some of Sache Soda Wale Guru. Many of them have their other religious gurus....."

9. A study of the 'Rai Sikh' caste conducted by Scheduled Castes and Scheduled Tribes, Research and Training Institute, U.P. Lucknow in 1994-95 in Nainital and Bareilly districts of U.P. The conclusions of the study are as follows:-

- (i) Rai Sikh caste is not original caste of U.P. but after partition of the country the caste rehabilitated in this area around 1950.
- (ii) Some families of the caste were rehabilitated by the State Govt. in the tarai region giving agricultural land but majority of them came

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here later on independently or on invitation from the people rehabilitated there.

- (iii) As per the available information Rai Sikh caste is found in Nainital, Pilibhit, Rampur, Meerut, Haridwar, Bulandshahr, Saharanpur, Dehradun, Moradabad, Bijnor and Lakhimpur districts. In Nainital and Pilibhit districts there population is concentrated.
- (iv) As the members of this caste are inhabiting in forest and interior tarai area of U.P. their social, educational and economic status is backward. Though presently their villages are developing and they are getting benefits of the Govt. schemes.
- (v) Majority of the members of the caste live in small kachcha and hut type houses having one or two rooms.
- (vi) Majority of the families of Rai Sikh caste intake liquor and meat. They are fond of hunting in jungles and make country liquor at home.
- (vii) The mother tongue of the members of Rai Sikh caste is Punjabi with Gurumukhi script. They worship only Gurugranthasahib and Sikh by religion. They do not believe in superstitions and a bad omen.
- (viii) Child marriage is not prevailing among them. They are against the dowry system. Widow remarriage is allowed and they are against the divorce.
- (ix) Untouchability is not found in this caste. In society their status is recognised higher than Dom, Balmiki, Chamar, Pasi and Majhabi but lower than Brahmin, Kshatriya, Jat Sikh. They are treated low because they are engaged in hunting and distilling as well as drinking liquor but they were not found engaged in any untouchable occupation.....
- (x) Sixty percent members of this caste were found cultivators, 36% labour class and 2% in service. 32% members of this caste were

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found landless and only 2% members have land more than 5 acres. So most of them are small farmers.

- (xi) More than 60% families of this caste were found below the poverty line.
- (xii) More than 55% male members and more than 90% female members of this caste were found illiterate. Only 3% male and 1% female are matriculates and only 1% people are postgraduates....
- (xiii) Political participation of this caste is negligible. Only 4% participation was found at Gramsabha level.
- (xiv) The social status of Rai Sikh caste is considered as lower than that of Jat Sikh but higher than Majhabi.
- (xv) Majority of the women of this caste work in the fields with men and feed the cattle at home.

On the basis of these conclusions it was suggested that the caste does not fulfil the criteria for inclusion of the caste in the Scheduled Castes List and Scheduled Tribes List, however, regarding their inclusion in the List of Backward Classes the study suggested as below :-

“On the basis of the above study Rai Sikh caste fulfils the criteria for inclusion in the Backward Class but Rai Sikhs are not original inhabitants of Uttar Pradesh, so this point needs to be considered while taking decision.”

10. At the public hearing the representatives of the caste stated that the original name of the caste is Mahatam. The caste was included in the list of depressed classes. In 1942 the name of the caste was changed from Mahatam to Rai Sikh. The social status of the caste is very low and the people of other caste/community (other Sikhs) treat them as untouchables. The population of the caste/community in U.P. is about 5 Lakhs and residing in Nainital, Udham Singh Nagar, Bijnor, Rampur, Meerut, Pilibhit, Lakhimpur Khiri districts. About fifty percent members of the caste have land about 2-3 acre and remaining 50% are

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landless. Most of the members are engaged in distilling country liquor (illegally).

11. Later at the behest of the Commission, a 3-Member Bench of the Commission consisting of Hon'ble Members Shri Sahu Akshaya Bhai, Shri U.P. Singh and Shri M.S. Matharoo were deputed to visit Udham Singh Nagar (Rudrapur) on 15.11.99 for an at the spot study. The Revised aforesaid Bench held discussions with Govt. officers working in the District. The Bench visited two villages situated approximately 70 Km from the district Headquarter, where the members of Rai Sikh Community are in majority. The Bench also held discussions with some prominent persons belonging to non-Rai Sikh Community apart from the representatives of Rai Sikh community.

During the visit it was found that the members of Rai Sikh community were migrants from Western Punjab at the time of partition. Many of the members of the community were given land ranging from 1 to 5 Acres. The main occupation of the members of the caste is cultivation (small farmers) and agricultural labour. The members of this community are engaged in distilling country liquor. If they are prohibited from making country liquor they indulge in committing other crimes. The Deputy Superintendent of Police stated that 10% members of the community are criminal. The general reputation of this community among the members of the other castes/communities is as makers of country liquor and criminals.

Within the Sikh inhabitants of the district, Jat Sikh and Khatris treat them as lower in social status. In Nanakmatta Gurudwara Prabandhak Committee (which is a famous Gurudwara in this region) one seat for Mazhabi Sikh and one for Rai-Sikh community was reserved. As majority of the members of the caste residing in interior villages, non-registration of children in the schools and drop-out rate was higher. Educationally and economically also they were found to be backward.

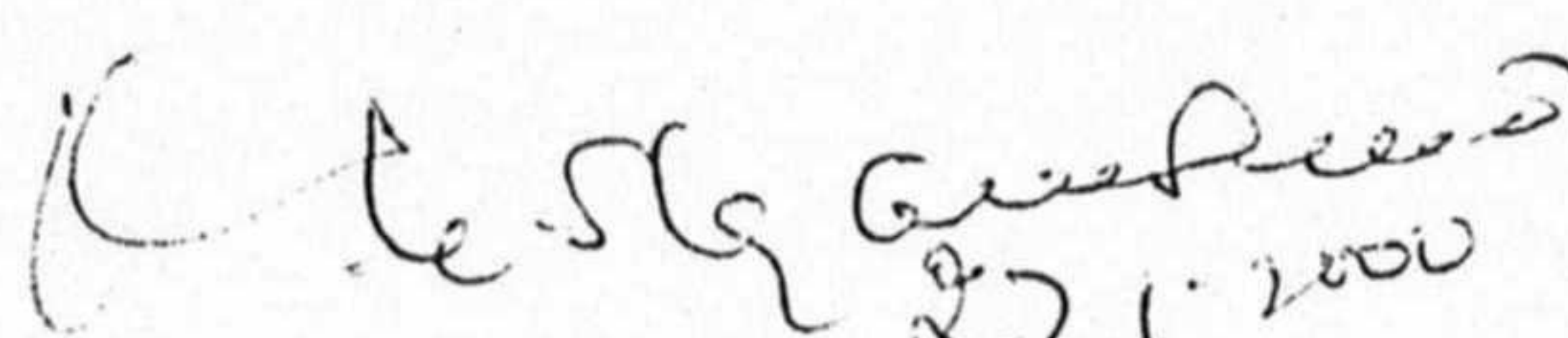
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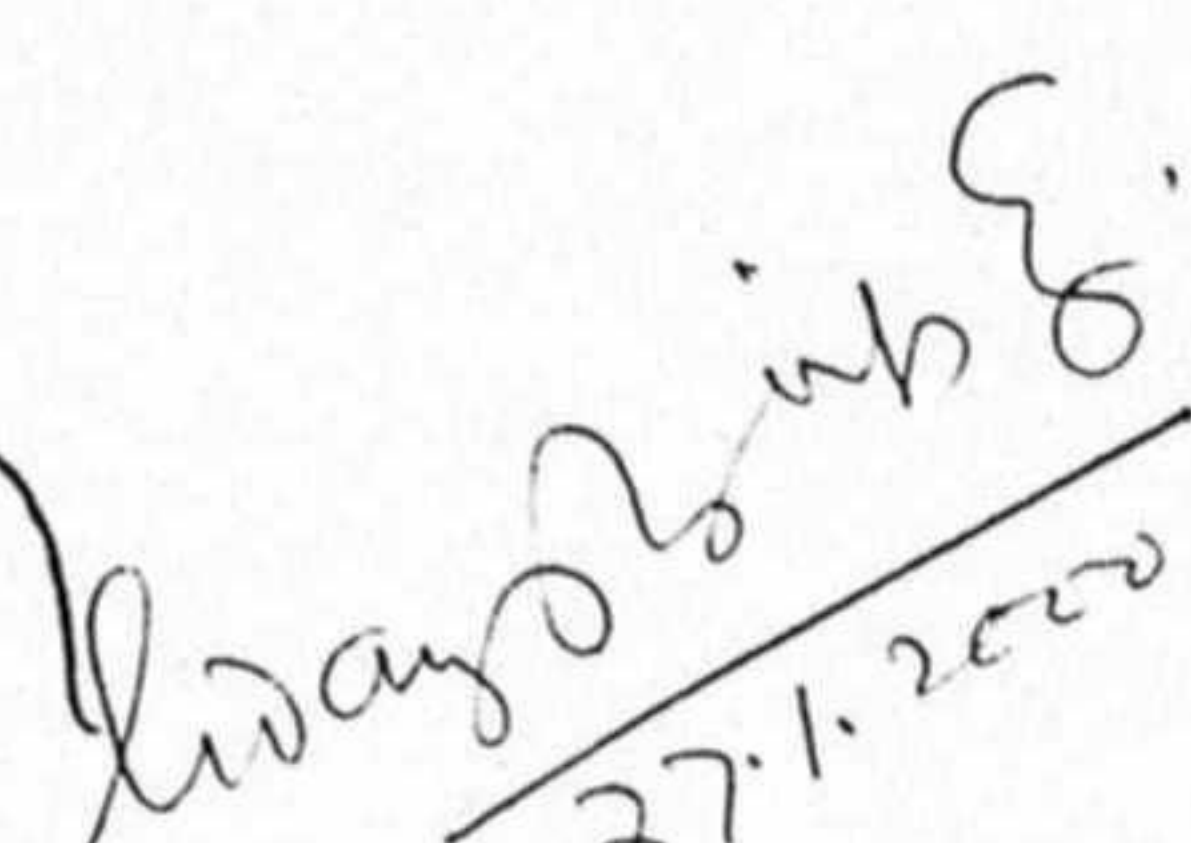
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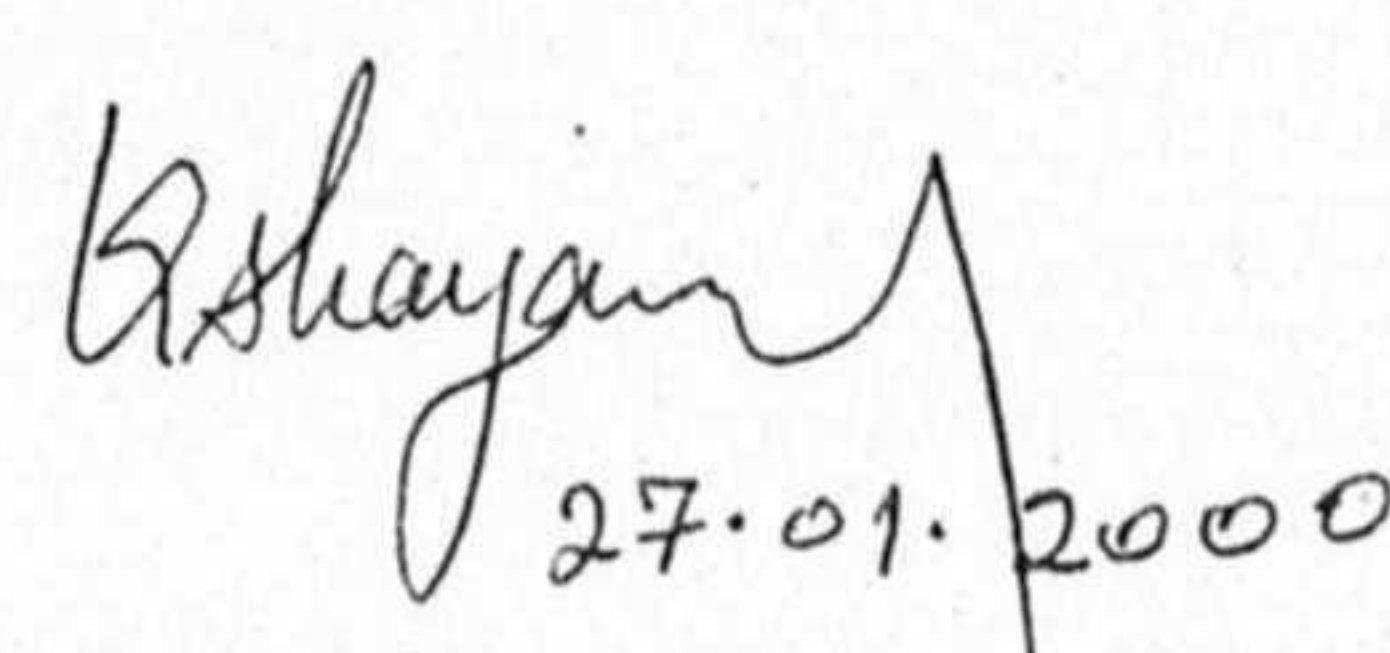
IV. Findings

12. In the light of the factual background as aforesaid the Bench finds that "Rai Sikh(Mahatam)" caste/community is Socially Backward and should therefore be included in the Central List of Backward Classes for the Uttar Pradesh. In order to avoid any possibility of non-Rai Sikhs availing of the benefit meant for Rai Sikhs, the caste/community be included in the Central List of Backward Classes for Uttar Pradesh, at new entry No. 74 as follows:

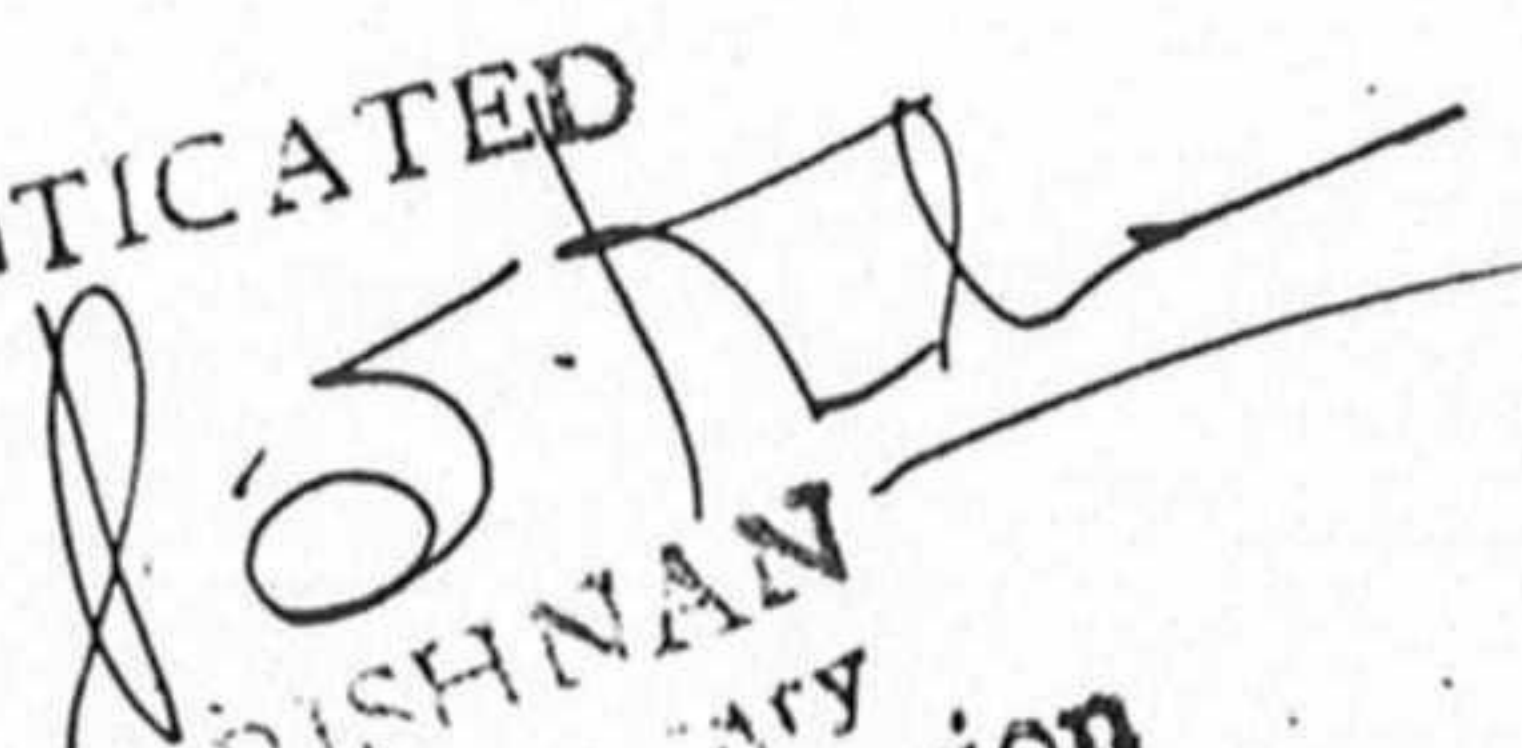
"74. Rai Sikh(Mahatam)"

 27.1.2000
 (Justice P.K. Shyamsundar)

 27.1.2000
 (U.P. Singh)

 27.01.2000
 (Sahu Akshaya Bhai)

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MEMBER
 National Commission
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V. Advice of the Commission

13. The Commission considered and agreed in full with the above Finding of the U.P. Bench and decided to tender the following Advice to the Central Government under Section 9(1) of the NCBC Act 1993 for action by the Central Government under section 9(2) of the Act:

"Rai Sikh(Mahatam)" be included in the Central List of Backward Classes for Uttar Pradesh. at new entry No. 74 as follows:

"74. Rai Sikh(Mahatam)"

P. K. Singh
27.1.2000

Rai Sikh
27.1.2000

Kshayam
27.01.2000

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2.2.2000

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2.2.2000

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Member Secretary
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