

**NATIONAL COMMISSION FOR BACKWARD CLASSES**

**Uttranchal Bench**

**FINDINGS**

Case: Request for inclusion of '**Rai-Sikh (Mahatam)**' caste/community in the Central List of Backward Classes for Uttranchal.

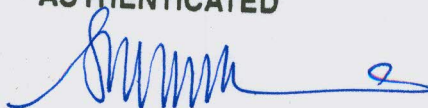
1. **Request**

This case arises from the request received in this Commission from Shri Gurdip Singh Warwal, President, All India Rai Sikhs (Mahtams), Welfare Association, B-103/A, Ganesh Nagar, New Delhi - 110018 for inclusion of '**Rai-Sikh(Mahatam)**' caste/community in the Central List of Backward Classes for Uttranchal.

2. **Public Hearing**

The Uttranchal Bench of the Commission consisting of Shri M.S. Matharoo and Smt. Neera Shastri Hon'ble Members held a public hearing in respect of this request at Dehradun on 9<sup>th</sup> June, 2005. At the public hearing, the State Government was represented by Shri Kunwar Pranav Singh Champion, Chairman, Sardar Bhag Singh, Vice-Chairman, Smt. Geeta Kashyap, Shri Lakshman Goswami, Capt. J.B. Karki Members and Smt. Vandana Singh, Secretary of State Backward Classes Commission of Uttranchal, Shri K.S. Dariyal Additional Secretary, Shri R.B. Pant, District Social Welfare Officer. The Rai-Sikh caste/community was represented by Dr. Satnam Singh, President, All India Rai-Sikh/Mahatam/Sikriband Association, Sardar Puran Singh, Treasurer and others.

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### 3. Facts

The position with regard to this caste/community as reflected in different lists is as follows:-

|                     |   |           |                                                                                                            |
|---------------------|---|-----------|------------------------------------------------------------------------------------------------------------|
| <b>Mandal List</b>  | - | Entry No  | <b>Nil</b>                                                                                                 |
| <b>State List</b>   | - | Entry No. | <b>56. Rai Sikh</b> ( <i>as per State list produced at the time of Public Hearing by the State Govt.</i> ) |
| <b>Central List</b> | - | Entry No  | <b>Nil</b>                                                                                                 |

4. In their request for inclusion of the Rai-Sikh(Mahatam) caste/community in the Central List of OBCs for Uttranchal, they have stated that 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 the 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. A tribe under the name 'Mahatams' was also declared as Scheduled Caste in Punjab under the Govt. of India (SC) order 1936. At present Sirkiband is recognised as SC in Punjab, Haryana, Chandigarh and Delhi.

In order to reduce the impact of the untouchability, the name of the tribe from Mahatams was got Changed to Rai Sikhs on 18-11-1942 vide Punjab Govt. Notification No. 1939-R dated 20-11-1942 and No.4994-R(IV)/69/5303 dated 1-12-1969 but the influence of the untouchability continued to prevail till date, indeed a curse that is to be condemned in the strongest terms. This tribe later embraced Sikhism to overcome all the pervasive disabilities.

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In Govt. records, the Mahatams (Rai Sikhs) have been declared as vagrants criminal and hunting tribe who trace their descent to irregular fighting men 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, a legacy from their fore-fathers alongwith with extreme proverty. Illiteracy, lack of earnings, means and abject poverty led them to take to criminal activities which later became a traditionn and a part of their heritage. They are of vagrant habits, wandering from place for the sake of food, making for themselves rude shelter and utensils (Chhabias) from river shrubs. 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 herediatory hunters and fisherman living more of 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 homes and hide themselves in the remotest forests on nearby river-banks. They later adopted the occupation of Rope making, Sirki-making from raw material of Sarr. Because they worked with Sarr they were called 'Sirkiband' by which name they are still popularly know.

5. Dr. Satnam Singh, President All India Rai Sikh/Mahatam/Sikriband Association who represented on behalf of the caste/community submitted before the Bench that their caste/community has already been included in the State list and they are in the State and Central Lists of Uttar Pradesh. They are socially and economically backward as they work in fields and move about in gangs at harvest time in search of employment as reapers. Most of the people of the caste are still in their old occupation of rope making and sirki making. He also requested to include Sirkiband with their caste Rai Sikh/Mahatam.

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6. Sardar Ram Singh submitted that the people of the caste/community are mainly living in the district Udham Singh Nagar and Nainital. They are agriculturists. He told the Commission that when it was included in the Central List for U.P., at that time U.P. and Uttranchal were one state and after two months Uttranchal became a separate state and most of the Rai Sikh came to Uttranchal. Their number in the Govt. Services is Zero. Only 2% people are upto High School. There is no IAS/IPS/PCS from Rai-Sikh. He stated that number of castes/communities is increasing in the OBCs and only 14% of reservation is given in the State which should be increased to 27%. He also stated that they may be included as Rai Sikh/Mahatam/Sirkiband in the Central List of OBCs for the State of Uttranchal.

7. Sardar Mehtab Singh, Ex-MLA, Punjab Legislative Assembly stated that after 58 years of independence, Rai Sikh are Socially, Economically and Educationally backward. They have no representation in the higher posts. Their development is possible only when they would be given reservation in the Govt. Services, Educational Institution etc.

**8. Ethnographic Accounts:-**

**K.S. Singh, People of India, National Series Vol.VI, "India's Communities" pp.2922-2924.**

They trace their origin to the Surajbansi Kshatriya and consider themselves rajput. A majority of them have migrated from the Karachi, Motgomery and Shekhpur regions of Pakistan. They are distributed in Haryana, Punjab and Rajasthan. In all these states they speak punjabi and use the Gurumukhi script.

In Haryana, the Rai Sikh are spread in the Hissar, Karnal and Kurukshetra districts. They are also conversant with the Hindi language and use the Devanagari script.....They follow clan and village exogamy. Divorce and remarriage are allowed. Sorority and levirate are permissible. The women play an important role in all agricultural activities and animal husbandry.....A large number of them are working as agricultural and non-agricultural labourers. Animal husbandry is their secondary occupation. Spinning and weaving to supplement the family income is done at home. They are followers of Sikh religion.....

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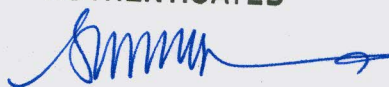
In Punjab the Rai Sikh were earlier called Mahatam and Sirkiband. Most of them are migrants from Pakistan, though a few of their villages existed even before. They have settled all along the banks of the Sutlej river in the districts of Ferozepur, Jalandhar, Ludhiana and Kapurthala..... They claim to have thirty-six clans (Gotra) and some of the important ones are Goge, Sarari, Kachure, Badwal, Book and Hakwan. Mahatm and Sirkiband are those who converted themselves into Rai-Sikh(Mahatam and Sirkiband).....

The traditional occupation of the rai-Sikh were agriculture, hunting wild boars, fishing and liquor distillation. They are primarily agriculturists. Some work as labourers in agriculture, road construction, paddy husking, canal construction, fishing and rope making etc. This community maintains very cordial relationship with the Scheduled Castes and other artisam and service castes of the nearby villages..... There are a few lawyers, defence personnel and political leaders at the village and regional levels. They have been benefited by development programme.....

In Rajasthan the Rai-Sikh claim that they are the descendants of those rajputs who became Sikh during the reign of Mughal emperor Aurangzeb. The Rajput are also known as Rai and hence the name Rai-Sikh. They had migrated from the Loyalpur, Minthumai and Sargodha areas of Pakistan. Now they are settled in the districts of Alwar and Ganganagar.....

The Rai Sikh are mainly a landowning community. Being displaced people they have received land in proportion to the number of their family members and also other facilities for pursuing cultivation. Traditionally, they were distillers and farm labourers..... They have a positive attitude towards development programme. They avail the modern medical facilities and support the family welfare schemes.

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A study was conducted by the Scheduled Castes and Scheduled Tribes , Research and training Institute, U.P. Lucknow in 1994-95, regarding inclusion of "Rai-Sikh" in the SC/ST list. On the basis of the conclusion, it was suggested that the caste does not fulfill criteria for inclusion in the SC/ST list, but suggested that "Rai-Sikh" caste fulfills the criteria for inclusion in the Backward Class List, but "Rai-Sikh" are not original inhabitants of Uttar Pradesh, so this point needs to be considered while taking decision. The U.P. Commission for Backward Classes included the Rai-Sikh caste/community in the State List of Other Backward Classes vide No. 11/M.M./LXIV-1-96-100/95 dated 1.5.1997

It is pertinent to mention that a Public Hearing was held on 28.10.98 at Lucknow regarding inclusion of "Rai-Sikh (Mahatam)" in the Central List of OBCs for the State of U.P. 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.

During the visit it was found that the member 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.

The Commission vide advice No.U.P.89/2000 included "Rai-Sikh (Mahatam)" in the Central List of OBCs for the State of U.P.

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Since Uttranchal was a part of U.P. at that time and also the representatives are from Udham Singh Nagar in the present case also, and the facts and findings was based on visit to Udhan Singh Nagar which is a part of bifurcated State of Uttranchal, it should be included in the State List of Uttranchal.

12. **Findings**

From the evidence and documents presented at the time of public hearing and also on a perusal of ethnographic literature by eminent authors, the Bench finds that the "Rai-Sikh (Mahatam)" caste/community of Uttranchal is a socially backward class in Uttranchal whose traditional occupation is agricultural labour and rope making. Therefore, the "Rai-Sikh (Mahatam)" be included in the Central List of Backward Classes for Uttranchal and the entry will be as follows:-

1. "Rai-Sikh(Mahatam)"

  
(M.S. Matharoo)

  
(Neera Shastri)

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13. **Advice of the Commission**

The Commission considered and agreed in full with the above findings of the Uttranchal Bench and decided to tender the following advice to the Central Government under section 9(i) of the NCBC Act, for necessary action by the Central Government under Section 9(2) of the Act :-

**“Rai-Sikh (Mahatam)” be included at entry No.1 in the central list of backward classes for Uttranchal and the entry will be as follows:-**

**1. “Rai-Sikh (Mahatam)”**

  
(Justice Ram Surat Singh)

  
(M.S. Matharoo)

  
(Neera Shastri)

  
(Dr.B. Baburao Verma)

  
(S.K. Purkayastha)

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