

**LOK SABHA**

**THE CONSTITUTION (SCHEDULED TRIBES)  
ORDER (AMENDMENT) BILL, 1996**

**REPORT OF THE SELECT COMMITTEE**

*(PRESENTED TO LOK SABHA ON 14 AUGUST, 1997)*



**LOK SABHA SECRETARIAT  
NEW DELHI**

*August, 1997/Shrawana, 1919 (S)*  
Price: Rs. 34.00

**CORRIGENDA**  
 to  
 The Report of the Select Committee on the Constitution  
 (Scheduled Tribes) Order (Amendment) Bill, 1996.

---

<u>S.No.</u>	<u>Page</u>	<u>Line</u>	<u>For</u>	<u>Read</u>
1.	In the Report		Rajbanshis	Rajbongshis
	In the Report		Rajbanshi	Rajbongshi
2.	(iii) 4		Shri Amar Roypradhan	Shri Amar Roy Pradhan
3.	(iii) 13		Shri P.Kodande Ramaiah	Shri P. Kodanda Ramaiah
4.	(iii) 16		Dr. Arun Sharma	Dr. Arun Sarma
5.	2 14		ben	been
6.	3 27		3rd April, 1993	3rd July, 1993
7.	3 28		3 April	3 July
8.	4 29		upper Assam	Upper Assam
9.	5 21		expension	expansion
10.	5 38		Landness	landless
11.	5 42		penomenon	phenomenon
12.	6 15		A Report in the	A Report on the
13.	6 last		racial	racial
14.	7 38		Oravidian	Dravidian
15.	10 17		Particularly	particularly
16.	15 36		Nam ghar	Namghar
17.	16 30		ordinance	Ordinance
18.	17 15		ordinances	Ordinances.
19.	17 29		their tour visit	their visit
20.	18 36		is required a	is required an
21.	20 25&30		other Backward	Other Backward
			Classes	Classes
22.	21 1		early settlers on	early settlers in
			the Brahmaputra	the Brahmaputra
			valley	valley
23.	22 2 from bottom		elopment from of	elopment form of
			marriage	marriage
24.	23 28		but their are	but there are
25.	23 last		for the community	for the Committee
26.	24 4		by oth kaka	by the kaka
27.	24 11		have to tribal	have no tribal
			affinity	affinity
28.	24 10 from bottom		political fora.	political fora, the
			The Chutias are	Chutias are
29.	25 14		constitution	Constitution
30.	25 19		17.11.1966	17.11.1996
31.	25 28		In view of the	In view of the above
			Above	

<u>S.No.</u>	<u>Page</u>	<u>Line</u>	<u>For</u>	<u>Read</u>
32.	26	8 & 9	in Assam more	in Assam is more
33.	27	6 & 7	select Committee	Select Committee
34.	29	25	Welfare of Plain Tribes	Welfare of Plains Tribes
35.	29	25	Interference	'In reference
36.	29	28	in the plain	in the plains
37.	29	8 from bottom	non-Bramin	non-Brahmin
38.	30	2	and how also	and has also
39.	30	11	community for tribe	community or tribe
40.	30	14	lead to uttar	lead to utter
41.	30	22	inclusion of any community	inclusion of any caste or community.
42.	30	11 from bottom	Tiwas of Hills and have	Tiwas of Hills have
43.	30	2 from bottom	original tribal	original tribals
44.	62	9	list of special organisations	list of social organisations
45.	65	13 from bottom	indicating memorandum	indicating memoranda
46.	67	17	adversely that benefits	adversely the benefits
47.	70	21	Therefore, the Committee	Thereafte: , the Committee
48.	76	Column 2 line 5 from bottom	notified as Most Other	notified as More Other

## CONTENTS

	<b>PAGE</b>
<b>1. COMPOSITION OF THE SELECT COMMITTEE</b>	(iii)
<b>2. REPORT OF THE SELECT COMMITTEE</b>	1—28
(i) Inclusion of Koch-Rajbangshis in ST List	2
(ii) Removal of area restriction	19
(iii) Quota reservation	19
(iv) Inclusion of other Tribals in ST List Inclusion of Tea Garden and Ex- Tea Garden Workers and others	20
(v) Creation of National Level Tribal Research Institute	27
<b>3. MINUTES OF DISSENT</b>	29—31
<b>4. BILL AS REPORTED BY THE SELECT COMMITTEE</b>	32—34
<b>APPENDIX I</b> — Bulletin Part I regarding reference of the Bill to the Select Committee	35
<b>APPENDIX II</b> — List of Associations/Organisations/Individuals etc. from whom memoranda were received	36—56
<b>APPENDIX III</b> — List of Witnesses who tendered oral evidence before the Committee	57
<b>ANNEXURE I</b> — Information received from the State Government of Assam	58
<b>ANNEXURE II</b> — List of some Tea Garden Tribes of Assam	59—60
<b>APPENDIX IV</b> — Minutes of the sittings of the Select Committee	61—82

**SELECT COMMITTEE ON THE CONSTITUTION (SCHEDULED TRIBES) ORDER  
(AMENDMENT) BILL, 1996**

**COMPOSITION OF THE COMMITTEE**

**Shri Amar Roypradhan — *Chairman***

**MEMBERS**

2. Shri Dwaraka Nath Das
3. Shri Lalit Oraon
4. Shri Phagan Singh Kulaste
5. Shri Paban Singh Ghatowar
6. Shri P. R. Das Munshi
7. Shri Pinaki Mishra
8. Shri Uddhab Barman
9. Shri P. Kodande Ramaiah
10. Shri S. S. Palanimanickam
11. Dr. Jayanta Rongpi
12. Dr. Arun Sharma
13. Dr. Prabin Chandra Sarma
14. Shri M. Selvarasu
15. Shri S. K. Kaarvendham

**SECRETARIAT**

1. Dr. A.K. Pandey — *Additional Secretary*
2. Shri G. C. Malhotra — *Additional Secretary*
3. Shri Ram Autar Ram — *Director*
4. Shri P. L. Chawla — *Assistant Director*

**REPRESENTATIVES OF THE MINISTRY OF WELFARE**

1. Shri K. K. Bakshi — *Secretary*
2. Shri D. K. Manawalan — *Additional Secretary*
3. Shri A. K. Chaudhary — *Joint Secretary*
4. Shri R.K. Shrivastava — *Director*

**REPRESENTATIVES OF THE MINISTRY OF LAW AND JUSTICE (LEGISLATIVE DEPTT.)**

1. Shri K. L. Mohanpuria — *Secretary*
2. Shri Z. S. Negi — *Joint Secretary & Legislative Counsel*
3. Shri S. D. Singh — *Assistant Legislative Counsel*

**REPORT OF THE SELECT COMMITTEE ON THE CONSTITUTION (SCHEDULED TRIBES) ORDER (AMENDMENT) BILL, 1996**

I, the Chairman of the Select Committee to which the Bill\* further to provide for the inclusion of Koch-Rajbangshi community in the list of Scheduled Tribes specified in relation to the State of Assam was referred, having been authorised to submit the Report on their behalf, present this report.

2. The aforesaid Bill was introduced in the Lok Sabha on 12 July, 1996. The House, at its sitting held on 2 August, 1996, during discussion on the motion for consideration of the Bill, authorised the Speaker to refer the Bill to a Select Committee of Lok Sabha with instructions to report back to the House by the last day of the first week of the Winter Session, 1996.

Accordingly, the Speaker, constituted the Select Committee consisting of 15 members and referred the Bill to it. The Constitution of the Select Committee was published in Lok Sabha Bulletin Part-I dated 2 August, 1996. (*Appendix I*)

3. The Committee held 8 sittings in all (*Appendix II*). The first sitting was held on 26 August, 1996. At this sitting, the Committee considered their future programme of work and decided to issue a Press Communiqué inviting memoranda from various organisations, bar councils, individuals etc. interested on the subject matter of the Bill.

4. Accordingly, Press Communiques inviting memoranda and requests for oral evidence were issued on 9—15, 18 and 20 September, 1996 and 2 & 5 October, 1996 in Assam, Bihar, West Bengal and Meghalaya through the Ministry of Welfare, Govt. of India, New Delhi. The Director-General, All India Radio and the Director-General, Doordarshan, New Delhi were also requested to broadcast the contents of the Press Communiqué from all stations of All India Radio/Telecast it from all Doordarshan Kendras of Assam, Bihar, West Bengal and Meghalaya on three successive days in English, Hindi and regional languages.

5. In all, 281 Memoranda containing comments/suggestions on the provisions of the Bill were received by the Committee from various associations/organisations and individuals etc. (*Appendix III*)

6. The Committee heard the views of the then Secretary (Shri K.B. Saxena), Ministry of Welfare on 25 September, 1996. (*Appendix IV*)

7. The Committee visited Guwahati and Bongaigaon from 15 to 18 November, 1996 and heard the views of the representatives of (i) Tribal Research Institute, Guwahati, Assam; (ii) Various Associations/Organisations/Individuals; and (iii) Department of Welfare, Government of Assam. The Committee also visited Dibrugarh and heard the views of various non-official organisations of 6 February, 1997. In order to have a comparative study of the neighbouring States, the Committee also visited Calcutta on 8 February, 1997 and obtained information on this matter from the representatives of (i) National Commission for Scheduled Castes and Scheduled Tribes, Calcutta; (ii) SCs/STs Welfare Research Institute; and (iii) Department of Scheduled Castes and Tribes Welfare, Govt. of West Bengal, Calcutta.

8. The Report of the Committee was to be presented to the House by the last day of the first week of the Winter Session of 1996 (i.e. 22 November, 1996). The Committee were granted extension of time up to the last week of the Budget Session, 1997.

---

\*Published in Part II—Section 2 of the Gazette of India, Extraordinary, dated the 12-7-1996.

9. The Committee heard the views of the Secretary (Smt. Asha Das), National Commission for Scheduled Castes and Scheduled Tribes, Registrar-General and Census Commissioner, India (Dr. Vijayanunni) and the Secretary (Shri K.K. Bakshi), Ministry of Welfare, Government of India, New Delhi on 13 March, 1997. (*Appendix IV*)

10. The Report of the Committee was to be presented to the House within the extended period i.e. up to last week of Budget Session, 1997. But the Committee could not complete the task. The Committee was, therefore, granted another extension of time up to the last day of Monsoon Session, 1997.

11. The Committee considered the Bill at their sitting held on 5 August, 1997.

12. The Committee decided at their sitting held on 5 August, 1997 that evidence tendered before them might be laid on the Table of Lok Sabha.

13. The Committee further decided that two sets of memoranda containing comments/suggestions on the provisions of the Bill, received by the Committee, might be placed in the Parliament Library after the report had been presented, for reference by the Members of Parliament.

14. The Committee considered and adopted the Report at their sitting held on 5 August, 1997.

15. The observation of the Committee with regard to the principal changes proposed in the Bill are detailed in the succeeding paragraphs.

**(i) Inclusion of Koch-Rajbangshis in the list of Scheduled Tribes**

16. On the question of inclusion of Koch Rajbangshis in the list of Scheduled Tribes, the Committee have gone through the literature written by eminent ethnographers, historians, social thinkers, etc.

In his *Kirata Jana Krti*, *Shri S.K. Chatterjee* writes:

“According to Minhaju-s-Siraj, the author of the *Tabaqat-i-Nasiri*, compiled in C.1261 Kamrupa was inhabited by the Kwnc, the Myj and the Th’rw peoples whose Mongoloid race and speech made a distinct impression upon the Turks, themselves also of the same race, these races had ‘Turki Countenances’ i.e. slanting eyes, snub noses, high cheek bones and yellow complexion of the Mongols, and they spoke a ‘different idiom’ from the languages of India proper.”

*Hodgson* reports in 1849 A.D.:

“that Hajo founded the Koch Kingdom. The Koch belong to Tamulian extraction and lived before the Aryans came. Hajo’s grandson Visva Sinha became Hindu, renounced the name Koch and adopted Rajbansi. In his opinion Kuvach was identical with Koch.”

*Dalton* describes:

“that the very appearance of the Kochs shows that they are non-Aryans. He considers them as belonging to the Dravidian stock and probably a branch of the great Bhuiya family.”

*Braverly* comments:

“that ‘The Koch, Rajbansi and Palliya are for the most part one and the same tribe. Rajbansi is an indefinite term and some/few of the individuals may possibly belong to other castes. In the lower delta, Rajbanshis are said to be a sub-division of

Tiyars, but by far the great majority coming from the districts of Dinajpur, Rangpur, Jalpaiguri, Cooch-Behar and Goalpara are clearly the same as Koch and Palliays."

*Dr. Hunter Observes:*

"that about the close of the fifteenth century one Koch King Hajo founded a Kingdom at Kamrupa. His grandson Visva Sinha, together with his officers and all people of the condition apostatised to Hinduism. These converts abandoned the name Koch and took that of Rajbansi. Hunter also places the Rajbansi under 'Semi-Hinduised Aborigines.'

*H.F.J.T. Maguire comments on the census report of Rangpur of 1891:*

"that among the Rajbansis there is a distinction between those who have adopted the Vaishnav faith and the followers of God Siva. The latter appear to be Koches proper being of Mongoloid origin and having come from the north. They are closely allied to Kuris and from a small minority of the tribe of Rajbansi."

*Grierson comments:*

"there can be little doubt that the original Koches were the same as the Bodos. The Koch, Mech and Bara or Bodo all connote the same tribe at most different sects of the same tribe. The name Koch in fact connotes a Hinduised Bodo who has abandoned his ancestral religion for Hinduism and ancestral Bodo language for Bengali or Assamese. Rajbansis are the Hinduised Koches of Rangpur and Goalpara."

17. On receipt of representation from the Koch Rajbangshi Community for enlistment in the list of Scheduled Tribes (Plains) Assam, field enquiries were conducted through the Assam Institute of Research for Tribals and Scheduled Castes for examining whether the Koch Rajbangshi community was entitled to be enlisted as scheduled tribe. The Institute submitted two reports to the Government of Assam for their consideration. The two reports so furnished by the Institute were contrary to each other. These reports one after another were sent by the Government of Assam to the Government of India on 3rd April, 1993 and 9th August, 1994 respectively. The first report sent to the Government of India on 3 April, 1993 stated that the Koch Rajbangshis do not deserve to be included in Scheduled Tribes list of Assam. The second report sent to the Govt. of India on 9 August, 1994 stated that there is adequate justification for inclusion of Koch Rajbangshis-Kshatriya in the list of Scheduled Tribes in Assam. Both the reports of the Assam Institute for Tribals and Scheduled Castes are reproduced as under:—

**1ST REPORT**  
(Dated 3.7.1993)  
**A REPORT ON THE KOCH-RAJBANGSHI**  
(FINDINGS & RECOMMENDATIONS)

"The All Assam Koch-Rajbangshi Yuba Chatra Sanmilani and Sangram Parishad has submitted a memorandum to the Chief Minister of Assam requesting the enlistment of the people belonging to the Koch-Rajbangshi community in the list of Scheduled Tribes of Assam. Another memorandum has been submitted to the Prime Minister of India by the President of the Bharatiya Koch Rajbangshi Kshatriya Mahasabha for inclusion of the people of the above community in the list of Scheduled Tribes (Plains) as well as in the list of Scheduled Tribes (Hills). Their main argument is that in West Bengal, Tripura and Meghalaya the Koch-Rajbangshi have been given the status of Scheduled Castes or a Scheduled Tribe. And so in Assam also they should be given the same benefits. Secondly,

they claim their origin to the greater Bodo ethnic group and since the Bodos or the Bodo-Kachris are a scheduled tribe in Assam, so the Koch-Rajbangshis should also be given the same status.

Like many present general communities which passed through tribalism in the distant past in their social transformation process, the Koch-Rajbangshis also passed through a similar process in the distant past during which, some say, that had same affinity to greater Bodo Group. But there are differences of opinion as to whether the terms 'Koch' and 'Rajbangshi' are knitted together or they are in fact two different communities. The same people also claim themselves to be Kshatriyas, if they are Kshatriyas their place in Hindu Caste Hierarchy is next to the Brahmins. Their present claim to become Sudras is more confusing.

However, our main concern is what they are at present and not what they were in the past.

Our findings on the basis of application of the five criteria for determining the tribal status of the people belonging to the Koch-Rajbangshi-Kshatriya Community are as follows:—

#### 1. *Indication of primitive traits*

Although the community's origin can be traced to Mongoloid group, the indications of primitive traits are conspicuous by the absences in the context of present day social structure. Like the neighbouring people belonging to other communities they are settled cultivators and their mode of living, way of life, etc. do not fundamentally differ from the neighbouring non-Koch-Rajbangshi-Kshatriya people. The Sanskritisation process has almost driven away whatever primitive traits the people had.

Thus this criterion is not applicable.

#### 2. *Distinctive culture*

The Koch-Rajbangshis are found to have been distributed more or less throughout the whole plains districts of Assam. It is worthwhile to mention here that the socio-cultural behaviour of all the Koch-Rajbangshis living in Assam are not uniform. Starting from Sonitpur and Nagaon Districts in the entire upper Assam the Kóches never called themselves Rajbangshis. They simply call themselves Koch only. The people of the Koch community in Upper Assam differ considerably with those of the Goalpara, Dhubri, Kokrajhar and Bongaigaon Districts in respect of their material culture. In Upper Assam there is no visible distinction of a Koch village from that of any other caste Hindu village. One finds no distinction in food habits and other socio-cultural practices like birth rites, marriage ceremonies, death rites and other religious practices. It is, therefore, not possible to demarcate where a Koch village starts and where a Koch village ends.

In Goalpara, Dhubri, Kokrajhar and Bongaigaon Districts some distinctive cultural and religious traits are observed among the Koch Rajbangshis, but here also the people do not rear fowls, pigs or brew rice-bear which is so essentially linked up with tribal culture. In the present social set up in the Hindu society, the people of Koch Rajbangshis may be regarded as more Hinduised with their sacred thread and performing all other sacramental obligations called 'Dasa-Sanskar'. Except some areas of Goalpara district bordering Meghalaya, in other areas the Koch-Rajbangshis do not have their own language. Even they are not aware of the clans structure which is a vital point in a tribal society. Any way, in Goalpara, Dhubri, Kokrajhar and Bongaigaon Districts it is found that a part of their old traditional culture is

still maintained by the people but here also it is found that it is rather a mixture of their old culture with the present culture of the neighbouring people.

Hence we have seen that this criterion is also not applicable to the people belonging to Koch-Rajbangshi-Kshatriya community.

### 3. *Geographical isolation*

It has already been stated that the Koch-Rajbangshi villages are interspersed with non-Koch-Rajbangshi villages. Therefore, these villages are not geographically isolated. Of course, in Goalpara, Dhubri, Kokrajhar and Bongaigaon districts, the people live in compact areas but here also they are not geographically isolated since infrastructural facilities like road communications have reached the remotest villages.

Hence this criterion is not also applicable.

### 4. *Shyness contact with community at large*

It has already been stated that in the Upper Assam Districts starting from Nagaon and Sonitpur, the Koch villages are non distinguishable from the other caste Hindu villages. The criterion of shyness of contact with community at large is not applicable to these areas. But in the erstwhile Goalpara District or in the present districts of Goalpara, Dhubri, Kokrajhar and Bongaigaon this criterion has some applicability to the Koch-Rajbangshi people. This is due to the fact that under the zamindari system the people of this community alongwith the others were very much suppressed resulting in an inferiority complex. The Zamindari system had also stood in the way of mobility of social contact, cutting them off from the main stream of public life. However, this attitude has been gradually diluted with the expension of education and entry of members into the different services and occupation.

At present, however, they do not feel shy to have contact with the people of other communities in their vicinity.

### 5. *Backwardness*

Backwardness is a relative term. Even a community considered advance in one aspect, may lag behind in another aspect. Our field studies, however reveal that the Koch Rajbongshis of Goalpara, Dhubri, Kokrajhar and Bongaigaon Districts (erstwhile Goalpara District) are comparatively backward economically as well as educationally than their counterparts in the other plains districts of Assam.

It may be mentioned that there has been no comprehensive survey about the Koch Rajbongshis of Assam excepting a socio-economic survey of Koch Rajbongshi Kshatriya Community of Goalpara District conducted by the Department of Economics and Statistics, Govt. of Assam in the year 1969. The findings of the survery show that with increasing pressure on land and absence of Industrialisation to absorb surplus labour the lot of the rural Koch Rajbonshi-Kshatriya people was heardly better than generation earlier (page 50). This observation is applicable to entire rural population of Assam. Our own field studies reveal that although the number of Landless families is too small, the landholding families are found to be marginal land holders only.

The factors that are mainly responsible for their backwardness are (1) love for lethargic way of life, (2) fatalistic attitude to their life, (3) impact of lavish expenditure on social obligations and performance of rituals, (4) the recent phenomenon of 'Borpon' (groom price) etc. (5) existence of a large number of widows because of the marriage of the girls at the tender age with the aged persons and (6) exploitation by the then Zanindars.

Thus we have seen that this criterion of backwardness is applicable to the Koch-Rajbangshi-Kshatriyas inhabiting the Districts of Goalpara, Dhubri, Kokrajhar and Bongaigaon (erstwhile Goalpara District). The facts stated above have led us to the conclusion that out of five criterion, Primitive traits, Distinctive culture, Geographical isolation and Shyness of contact with community at large are not at all applicable to the people belonging to Koch-Rajbangshi-Kshatriya community inhabiting the plains districts of Assam. It is, however, true that there is educational backwardness to certain extent among the Koch-Rajbangshi Kshatriyas inhabiting the Goalpara, Dhubri, Kokrajhar and Bongaigaon districts, (erstwhile Goalpara dist.) Because of this reason, Govt. of Assam have enlisted them as a More Other Backward Class.

Considering all the aspects we do not recommend the inclusion of Koch-Rajbangshi/ Koch Rajbangshi-Kshatriyas in the list of Scheduled Tribes of Assam.

## 2ND REPORT

(9th August, 1994)

### A REPORT IN THE KOCH-RAJBANGSHI KSHATRIYAS OF ASSAM FOR THEIR INCLUSION IN THE LIST OF ST IN ASSAM

The Koch-Rajbangshis are one of the earliest inhabitants of Assam. They are highly concentrated in the districts of Dhubri, Kokrajhar, Bongaigaon, Goalpara and Kamrup. They are also scatteredly distributed in the the remaining districts of Assam. In the present age the Koches are found permanently settled in the Nonth-Eastern part of undivided India, starting from Purnea district of eastern Bihar on the West, Sadiya of Assam on the North-East, Manipur in the East, Tripura and Chittagong on the South-East, Noakhali of Bangladesh on the Southernmost point and Bankura of West Bengal on the South-West.\*

The origin of the word 'Koch' is obscure. In the Yogini Tantra, a tantrik work of the 16th Century 'the Koches are termed as Kuvaca, and in the Padma Purana as Kuvaca who are said to have taken dirty food and spoken a barbarian tongue. It is possible that bacause of their difference particularly in food habits and speeches the Aryan scholars used to call them such, or sometimes as Mleccha. K.L. Barua opines that Mleccha might be a Sanskritised form of the term Mech. This view is also supported by Gait and S.K. Chatterji. That the Koches and the Meches are the members of the same family, is clear from the point that while Biswa Singha's father has been represented as the chief of the twelve mech families, his mother has been described as the daughter of a Koch chieftain. According to S.K. Chatterji, the word Koc (or rather Komic), comes from a Middle-Indo-Aryan source from Kamoca which can be properly Sanskritised as Kamboja. He further states that the Kambojas of Bengal are apparently the ancestors of the Koch people of North Bengal. This veiw is also supported by scholars like D.C. Sircar. Thus, it is reasonable to hold that the appellation Koch is a corrupt form of Sanskrit Kamboja to which we have a number of references as a group of people or as a country where these people dwelt.\*\*

Ethnologically, they belong to the Bodo group of the great Indo-Mongoloid stock and linguistically, they belong to the Tibeto-Burman family. Of course, various scholars have expressed different opinions with regard to their racial origin. E.E. Dalton states that

\* Koch, Sibendra Narayan — The Koches. Their Migration and settlement (1) An Article published in the North Star, April, 29, 1984.

\*\*Nath, D. — History of the Koch Kingdom (1515-1615) 1989, p.7.

'physical characteristics are after all the most indelible indications of race. Even where blood is mixed, the source of the different streams may be often traced, one or other fitfully predominating in different generations. I have seen the descendants of Hindu-Assamese who had been for several generations in the Naga or Abor Hills, tricked out of Nagas or Abors, but nevertheless distinguishable at a glance from the people they imitated, and looking quite out of their element. The Koch appear to me equally out of their element amongst the Lohitic tribes, and from all I have been able to glean regarding them, it seems more likely that they originally belonged to the dark people whom they resemble, who were driven out of the Gangetic provinces when the kingdoms of Mithila and Magadha were established by the lunar and solar races, rather than to the nothern Turanian or Indo-Chinese family, to whom they are so unlike; in short, I consider they belong to the Dravidian stock.....'

According to H.R. Risely, the Koches are a large Dravidian tribe of North-eastern and Eastern Bengal, among whom there are grounds for suspecting some admixture of Mongolian blood.\*\*

On the other hand, according to *Brian Hodgson* the Koches belong to the distinctly marked type of the Mongolian family\*\*\* Moreover, L.L. Waddell states that this semi-Hinduised people occupying the plains of the Brahmaputra between lower Assam and North Eastern Bengal, are in many ways interesting. They do not, as stated by Colonel Dalton, Mr. Risely and others belong to the dark Dravidian aborigines of India, but are distinctly Mongoloid, though somewhat heterogeneous. This term Koch has become more of a *cast* title than a tribal appellation, so that individuals of the Kachari, Garo, Rabha, Lalung and allied Indo-Chinese tribes are admitted as members; and there seems also in places to be a slight leavening with Chandal blood? Thus any one of these tribes can become a Koch by establishing a Brahmanical priest and giving up *eating beef* though he need not necessarily abjure animal food altogether. In this state, he is called *Saraniya* usually pronounced in the Assamese fashion '*Horoniya*' which means 'a refugee', implying that he has taken refuge in Hinduism. The more advanced stage can be gained by leaving of beef and swine's flesh and strong drink altogether, when he assumes the externals and status of a Hindu. When posing in this way as Hindus they are, in view of their evident origin, only assigned by the more orthodox Hindus the position of one of the very lowest Castes. The term Koch, therefore, not being a *favoured one* in Bengal, it is usual to find them dropping that title wherever there is a resident raja of their own kindred as at *Koch Bihar* (Kuch Behar), Darrang, Bijni, Mechpara, Sidli, Beltola, Jalpaiguri and Lakhi. At such places they call themselves by the higher sounding Indian title '*Rajbansi*' or *Royal race*.\*\*\*\*

In the report of the Census of Assam, 1891 some remarks from Gai are available about the present Koch of Assam. He opines that '.....whatever may have been the racial affiliation of the original Koch tribe, there can be no doubt that the present Koch of Assam belong to the Mongolian rather than to the Oravidian stock. In Bengal the Rajbangshi-Koch have been proved by Mr. Risely's enquiries to be more nearly allied to the Dravidians, but the circumstances in Assam are quite different. Whatever may have been the origin of the tribe which gave its name to the heterogeneous horde now known as Koch or Rajbangshi, in Bengal it has mixed so much with the Dravidian races around it that its physical type would in any case have partaken largely of the Dravidian element. In Assam, on the other hand,

\* Dalton, E.E.—*Tribal History of Eastern India*, 1978, p. 92

\*\* Risely, H.H.—*Tribes and Castes of Bengal*, Vol. 1,—1918 p. 491.

\*\*\* Hodgson, B.H. *Essay the first on the Koch, Bodo and Dhimal Tribes*, 1874, p. viii.

\*\*\*\*Waddell, L.A.—*The Tribes of the Brahmaputra Valley*, 1978, p.48

the tribe, which though dominant, was always numerically small, has been surrounded by Mongolian tribes, with which it has not only intermarried, but which it has absorbed in numbers large enough to swamp its original characteristics, even these first were purely Dravidian. The name in Assam is no longer that of a tribe, but rather of Hindu caste, into which all converts to Hinduism from the different tribes Kachari, Garo, Hajong, Lalung and Mikir are admitted on conversion. In Assam, therefore, it seems for the present at any rate, desirable to treat the Koch as allied to the Bodo and through them as a branch of the Mongolian stock.\*

The following lines also indicate the Mongoloid origin of the koches. 'Buchanon and the Dacca Blue Book class them with the Bodos and the Dhimals. So did Endle, who had classed the ~~Rabhas~~, the Meches, Dhimals, Koches, Dimacas, Ho jais, Lalungs, Garos, Hajongs and such other tribes within the fold of the great Bodo race. According to Gait, there is no doubt that the Koches of Assam belong to the Mongolian rather than to the Dravidian stock. Scholars like S.K. Chatterjee and D.C. Sircar hold the same view.'\*\*

Dr. B.M. Das a renowned physical Anthropologist of Assam has clearly mentioned about the Mongoloid origin of the Koches. He mentions that the Rajbongshis, who are referred to as Koch also, can be cited as excellent example of tribe caste continue not only in terms of socio-cultural aspects but also in respect of certain biological process.

According to the Census Report of 1891 'in Assam Rajbongshis are mainly persons of Koch and Mech tribes who have assumed this name on conversion of Hinduism.' Persons of other tribes e.g. Rabha, Kachari, Garo, Karbi, Tiwa etc. also can become Koch or Rajbongshi after conversion to Hinduism. They are allotted a place in the caste-fold in the Hindu society. Hence, the Rajbongshis are of Mongoloid origin.....\*\*\*

Dr. P.C. Choudhury, a noted historian of Assam states that 'in our opinion, both physical features and customs do not betray anything like a pure Dravidian origin of the Koch or the Kachari, it may be that like other tribes they have had an admixture of that blood. Waddell, on the basis of anthropometry, has shown that they were Tibeto-Burmans and have no affinity with the dark Dravidian aborigines of India. In fact, the Dravidian element in Assam's population appears to be comparatively insignificant. \*\*\*\*

Regarding nomenclature of Kshatriya and Rajbongshi we would like to quote the following few lines:

'The Koches were, however, ascribed a fictitious Kshatriya origin as early as the days of Biswa Singha. Soon after Biswa Singha had established himself as a sovereign ruler, the Brahmins sought him out. They discovered that his tribesmen were Kshatriyas who had thrown away their sacred threads when fleeing before the wrath of Parasuram.....while Biswa himself was declared to be the son not of the humble Hariya Mandal, but of the God Siva.....Probably henceforth the members of the ruling family introduced themselves as Kshatriyas. It, however, took long time to pass the concept of the Kshatriya origin from the ruling class to the common people. It is interesting to note that while in the census of 1881, as Rajvamsis in Koch Behar, in the Census of 1891 the term Bhanga-Kshatriya first came to be applied to these people, and as pointed out by C.C. Sanyal, there was a great fall in the number of Rajvamsis in Jalpaiguri in that year. It may, therefore, be safely concluded that

\* Pakyntein, E.H.—Census of India, 1961, Vol. III, Assam (Reprint from the Census report of 1891), p. 48.

\*\* Nath, D.—History of the Koch Kingdom, 1989, p. 3

\*\*\* Das, B.M.—Peoples of Assam, 1989, p.13

\*\*\*\*Choudhury, P.C.—The History of Civilisation of the people of Assam to the Twelfth century A.D., p. 91.

the term Rajvamsi was only recently applied to the Koches. But their Kshatriya origin, as already stated, was evolved as early as the days of Biswa Singha, although it was only towards the close of the 19th Century, that the Koches, in general, claimed as Kshatriyas or more properly Bhanga Kshatriyas, and by 1921 it was seen that almost all of them became recorded as Kshatriyas. \*

From the above references we may come to the conclusion that racially the Koch-Rajbongshis of Assam belong to the Mongolian origin and not to the Dravidian origin. Moreover, the Koch-Rajbongshi-Kshatriyas are simply three Terminologies adopted by the Koches on various socio-religio-political situations which swept over the entire Assam.

As a result of recommendation of the Backward Class Commission headed by Kaka Saheb Kalerkar the Koch-Rajbongshis of undivided Assam were included in the list of OBC in the year 1953. Later on, the Koch-Rajbongshis of undivided Goalpara district were recognised as M O B C while those of the other districts were treated as OBC. It may be mentioned here that the Koch-Rajbongshis are categorised as Scheduled Castes in West Bengal while they are included in the list of Scheduled Tribes in Tripura. In the State of Meghalaya, the Koches are recognised as Scheduled Tribe (Hills) vide the Gazette of India (Extra-ordinary) Part-II, Section-1, No. 50 New Delhi, 19th September, 1987.

The Koch Rajbongshi Sanmilani has been submitting a good no. of memoranda and representations to the concerned authorities for scheduling the Koch-Rajbongshis under the provisions of the Constitution since 1967. In this context, it may be mentioned here that the Sanmilani placed demands for inclusion of the Koch Rajbongshis in the list of scheduled castes in 1969. However, the demand for scheduled tribe status has been gaining ground since 1980. In April, 1985 the Sanmilani submitted a memorandum to the Cabinet Sub-committee, Govt. of Assam wherein the Sanmilani (a) restated the relevant authoropological arguments in favour of their demand, (b) observed that the criterion for inclusion to the Scheduled Tribe/Caste list was not uniform throughout the country, (c) resented the exclusion of Koch Rajbongshis from the original list of Scheduled Tribes/Castes, (d) cited the resolution adopted by the Meghalaya Legislative Assembly recommending Scheduled Tribe status for the Koches of Meghalaya and demanded the same status for them in Assam which, in their opinion would play a pivotal role in fostering unity, integration and overall development of the state.\*\*

The Government of India have adopted (five) criteria *viz.* Indication of Primitive Traits, Distinctive Culture, Geographical Isolation, Shyness of Contact with community at large and Backwardness in order to determine the tribal status of a particular community. For the purpose of considering the demands of the Koch-Rajbongshi people of Assam for their inclusion in the list of Scheduled Tribes we have undertaken field investigation in the light of the aforesaid criteria in the Koch-Rajbongshi inhabited villages of Golokganj, Gauripur and Bilasipara of Dhubri District, Purana Bongaigaon, Baitamari North and South of Bongaigaon district, Dudhnoi, Lakhipur and Manikachar of Goalpara district, Charaikhola, Serfanguri, Goroimgaon, Bhatipara of Kokrajhar district. We have further more visited several Villages of Morigaon, Dibrugarh and Lakshimpur district of Assam.

#### 1. *Indication of Primitive Traits:*

The origin of the Koch-Rajbongshis of Assam as has already been established by the eminent ethnographers, historians and social scientistis is of Mongoloid stock. Although the

\* Nath, D.—History of the Koch Kingdom (1515-1615). 1989, p. 5

\*\* Datta, P.S.—Ethnic Movements Poly-cultural 1990, p. 167.

people of this community have settled in all districts of Assam, their major concentration is found in those areas of Lower Assam where the tribal communities *viz.* the Bodos, Rabhas, Garos and Hajongs, etc. normally inhabit. It has been observed that their mode of cultivation, way of life and mode of living etc. do not at all differ from the surrounding tribal people. Moreover, we have observed that the Koches of Assam living near the foothills of Meghalaya have been practising the age-old method of shifting cultivation like the Garos of Meghalaya.

## 2. *Distinctive Culture:*

Undoubtedly, it may be said that the Koch and Rajbongshis of Assam belong to the same Koch ethnic group. The people of this community call themselves as Koch in Upper Assam while the people of the same community call themselves as Koch or Rajbongshi in Lower Assam. Our field investigation reveals that the Koch people use to live in association with other communities in Upper Assam. On the contrary, the Koch-Rajbongshi people of Lower Assam live in the villages entirely inhabited by the same community. As a result of admixture of the Koch people with other communities in Upper Assam, the distinctive cultural traits are not apparent. But among the Koch Rajbongshis of Lower Assam particularly inhabiting Goalpara, Dhubri, Kokrajhar and Bongaigaon districts etc. distinctive cultural and religious traits are still observed for which they are easily distinguished from other communities. Like the Bodo group of people, the Koch-Rajbongshis also worship Siva, the non-Aryan deity by means of sacrificing goat and pigeon etc. from Chaitra Sankranti to the sixth day of Bohag. The Priest (Deori) belonging to the same community performs sacrifice. Moreover, Deodhani is an indispensable part of this programme. It may be noted that the Deodhani is also observed in the different pujas performed by the Bodo and Deori tribes of Assam. Again, Garja Puja is performed for the welfare of the people inhabiting a village by offering sacrifice to the deity. With regard to dress pattern it may be mentioned here that like the Dakhana of the Bodo women, most of the womenfolk belonging to this community particularly in Lower Assam use Patani. So far as food habits are concerned, the people of this community prefer dry fish, sukati and bamboo-shoots, etc. which are commonly used by the tribal people of Assam. Moreover, the people collect edible roots and fruits from the nearby forests. The language of the Koch Rajbongshis is obsolete now, although the Koches bordering Meghalaya still use their own dialect.

## 3. *Geographical Isolation:*

Although this criterion is not applicable to any community of Assam, whether tribal or non tribal in true sense of the term, even then it may be said that some of the Koch-Rajbongshi dominated villages of Goalpara, Dhubri, Kokrajhar and Bongaigaon districts are found to be partially isolated due to lack of adequate infrastructural facilities such as road communication. For example, the villages *viz.* Bhamandanga, Chuprikuti, Pokalagi, Kherbari, Jhaskal and Ghariyaldubi etc. located near Bangladesh border under Golokganj Sub division of Dhubri district are found to be devoid of road and other infrastructural facilities. This communication gap stands in the way of proper interaction of the people with the outside world. As such, they appear to be isolated geographically to a considerable extent.

## 4. *Shyness of contact with community at large:*

The Koch-Rajbongshi people of undivided Goalpara district were subjected to ruthless suppression by the Zamindars of yester years and this ultimately brought an inferiority complex among the people who dared not to join the mainstream of public life. Moreover,

history reveals that the people of this community had been facing various types of suppression under different socio-political situations since time immemorial. In fact, inferiority complex is in their blood. However, the new generation have come into contact with other people due to spread of modern education and they freed themselves from inferiority complex to a great extent. But the people of old generation are still in the bondage of inferiority complex for which they hesitate to come in contact with other people with an open heart.

### 5. Backwardness:

According to our field investigation, the Koch Rajbonghis of Assam are backward in respect of social, economic and educational fields. Although the Backward Class Commission headed by Kaka Saheb Kalerkar recommended the Koch-Rajbonghis of Assam as OBC as far back as in 1953, the Report on the socio-economic survey of Koch-Rajbongshi-Kshatriya community of Goalpara district, Deptt. of Economics & Statistics, Govt. of Assam, 1969 clearly indicates that with mounting pressure on agricultural land and lack of industrialisation the Koch-Rajbonghis are not economically well-off than their previous generation. However, it may be said on the basis of our field observation that the Koches of Upper Assam are economically and educationally better than the Koch-Rajbonghis of Lower Assam, although we do not find any detailed study on the socio-economic conditions of the Koches of Upper Assam undertaken by Govt. Deptt/Agency. But it appears that the Koches of Upper Assam are backward in all respects than their neighbouring non-tribal communities.

In order to highlight the educational and employment position among the Koch-Rajbonghis, we would like to represent a sample from the Koch-Rajbongshi dominated areas of Golokganj and Baitamari (North & South) of Dhubri and Bongaigaon districts. We have altogether taken 28 Nos. of villages of this community for our study. The total population of these villages is 25,382 (Approx) out of which we find: Matriculates-700, B.A. 152, M.A.-14, Doctor-4, Engineer-8, ACS-1 and other Govt. service holders-650. This is, indeed, a sorry state of affairs. What we can summarise, is that the Koch-Rajbonghis are still languishing far behind in respect of education and service matter.

Another disappointing factor is that with the increase of population among the Koch-Rajbonghis, the landholding pattern of the households has undergone drastic change. It is found that most of the households possess 5-7 bighas of land only for which they find it extremely difficult to maintain their families. The number of landless families is also observed in some villages. This has happened mainly due to practice of groom price, lavish expenditure in marriage and death ceremonies and other household expenditure etc. The number of daily wage earners is also increasing day by day. Situation has compelled them to come out from their home to the neighbouring towns for earning their bread.

### Conclusion:

From our above analysis we come to know that the Koch-Rajbongshi-Kshatriyas of Assam are of Mongoloid tribal origin and linguistically, they belong to the Tibeto-Buram family. Moreover, it may be said that Koch-Rajbongshi-Kshatriyas are simply three terminologies adopted by the people of the Koch ethnic group on various socio-religious-political situations. Our field investigation reveals that most of the elements of the criteria earmarked for scheduling a community are in existence among the community, under study.

Taking into consideration all the relevant aspects we find adequate justification for the inclusion of Koch-Rajbongshi-Kshatriyas in the list of Scheduled Tribes of Assam.

*Comments of the Office of the Registrar General of India on the Proposal Regarding Inclusion of Koch Rajbongshi in the List of Scheduled Tribes of Assam.*

Earlier this office had received a proposal. After examination for inclusion of Koch-Rajbongshi in the list of Scheduled Tribes of Assam of that proposal on the basis of published literature this office vide D.O. Letter No. 8/2/81-SS dated 11-5-1981 had commented that Koch-Rajbongshi did not fulfil the required criteria of tribal characteristics for inclusion in the list of Scheduled Tribes in Assam. Therefore, this office had disagreed with the proposal.

A similar proposal has again been forwarded by the Ministry of Welfare with the suggestion that the matter may be re-examined in the light of the report on this subject prepared by the Tribal Research Institute, Assam. The said report mentions that the Koch-Rajbongshi have a tribal origin and are backward in all respects than their neighbouring non-tribal communities. It is also reported that there is adequate justification for inclusion of Koch-Rajbongshi in the list of Scheduled Tribes in Assam as the field investigation conducted by the TRI, Assam reveals that most of the elements of the criteria earmarked for scheduling a community are in existence among them. Also Koch is already notified as a Scheduled Tribe in the neighbouring State of Meghalaya which was part and parcel of erstwhile Assam.

Therefore, in the light of the empirical data furnished by the Tribal Research Institute, Assam, this office has no objection to include Koch-Rajbongshi in the list of Scheduled Tribes of Assam.

18. The Committee undertook study tour to Guwahati and Bongaigaon from 15 to 18 November, 1996. They held discussions with the representatives of the various associations/organisations/individuals and were presented a large number of memoranda by them. The discussions held with them and the memoranda received by the Committee are dealt with in the following paragraphs:—

(i) *Views of Shri Golap Borbora, former Chief Minister, Assam*

On being enquired by the Select Committee Sh. Borbora stated that there are several tribals in Assam who are needed to be included and the quota percentage of reservation might be increased to accommodate them. He advocated the cause of the Koch Rajbongshi community and desired to include them immediately in the ST list. He informed the Committee that there are other tribals who are opposing the inclusion of Koch Rajbongshis. But in Meghalaya they are not declared as hill tribes. He further informed the Committee that in West Bengal, Koch Rajbongshis are treated as Scheduled Castes. He, therefore, told that it is now the need of the hour to include Koch Rajbongshis in the Scheduled Tribe list of Assam. He further stated that a section of Boros are although opposing but most of them are supporting the demand of Koch Rajbongshis. They quoted some eminent persons who have recommended inclusion of this community in the ST list of Assam.

Shri Borbora told the Committee that Chutias were once included in the ST list but later on they were excluded. Deuria community was also excluded but later on included in the list. He further told the Committee that there is a great demand of tea labourers who need to be included in the ST list. He appealed the Committee that those who were originally not STs but had migrated to Assam from West Bengal, Bihar etc. may not be included. He quoted that Karvis in the hills are tribes but in the plains they are not tribes.

Shri Borbora opined that 10% quota for plain tribes and 5% quota for hill tribes may be raised keeping in view the limit of not more than 50% prescribed by the Supreme Court of India. He again told that 13% of the population in Assam is general community. They are getting more than what they are needed to be given. In his opinion 85% reservation should be given to the tribals in the State of Assam.

(ii) *Views of Smt. Anwara Taimur, Former Chief Minister, Assam*

Smt. Taimur told the Committee that the tribal characteristics, culture, etc. of Rajbongshis are no more distinct. They have assimilated in the general population of the State. They have started mixing with other communities. If different communities in the State of Assam are started to be included in the list there will be no end of the problem. They are already OBC. There are muslims also in Assam. They are also OBC and want to become SC. In her opinion Koches and Koch Rajbongshis are two different communities but there is very little difference between them. In her opinion Koch Rajbongshis are not tribals. She informed the Committee that Koch Rajbongshis have come to Assam from Coochbehar (West Bengal). They are Scheduled Castes in West Bengal but in Assam they are not declared SC or ST keeping in view their advance stage. But since the government of Assam have already recommended Koch Rajbongshis to be included in the ST list, she would not like to go against the government view.

(iii) *Views of Prof. B.M. Das, Retired Prof. of Anthropology, Guwahati University*

Prof. Das told the Committee on the basis of his personal experience that Koch Rajbongshis have the tribal history. But Koches and Rajbongshis are different. He told that Koches have kingly heirarchy. Chutias had the kings. Rajbongshis have Hindu origin. They belong to Coochbehar. They also belong to the princely status. He also stated that there have been detribalisations and tribalisation in the past and this process went on to get the governmental benefit. When they saw the benefit, they arranged the tribal certificate and when they did not see the benefit, they did not. He quoted the example of chutias who did not like to be recognised as STs, but now since they are seeing the benefit to the tribals, they are trying to be included in the ST list.

He felt that the population of Koches is bigger. If they are included in the list, the other tribes of the list would be the loser. They want to be included in the ST list more because of the political reasons. He suggested for detribalisation of certain communities. He further stated that if a particular community is to be included in the list, the concept of creamy layer may be taken into account. He told that all the communities might be examined and seen that each of them are fit to enjoy the benefit of the ST list. He suggested to exclude creamy layer from the list.

(iv) *Memorandum from United Tribal Nationalists Liberation Front, Darrang, Assam*

The memorandum stated that presently the Koch Rajbongshis have lost their distinct language, culture and civilisation and have been completely assimilated by the Assamese speaking people, culture and civilisation. The Koch Rajbongshis have joined and assimilated with the Assamese culture, civilisation and language on their own volition, as a result of which they failed to conserve their own language, culture and civilisation. The proof is that the Koch Rajbongshis do not have any medium of instruction at any level of learning. The Koch Rajbongshis are now so developed educationally, socially and culturally that it produced a very renowned and advanced person like Sh. Sarat Chandra Sinha, who was the Chief Minister of Assam, during 1972 to 1978, and was affiliated to the then premier political party of Congress.

The Committee also undertook study tour to Calcutta and Dibrugarh from 4th February to 8th February, 1997. They held discussions with the representatives of various associations/organisations/individuals and were presented a large number of memoranda by them. The discussions held with them and the memoranda received by the Committee are dealt with in the following paragraphs:—

(a) *Dibrugarh Nagar Deori Unnayan Samittee, Dibrugarh, Assam.*

The representatives of the Samittee presented to the Committee a copy of the report of Assam Institute of Research for Tribals and Scheduled Castes, Guwahati, submitted to Government of Assam in April, 1992. This copy of the report is reproduced at the earlier pages of this report.

During the discussion, the representatives of the Dibrugarh Nagar Deori Unnayan Samittee opposed the inclusion of the Koch Rajbansi in the scheduled tribes list. The basis of their opposition was the advancement of this community. They observed that the inclusion of the Koch Rajbongshis in the scheduled tribes of Assam would be unfair. According to the assessment of the association, the population of Koch Rajbansi is about 70 lakhs. About authenticity of this figure they stated to the Committee that they are not definite about this number because no community wise census has been carried out. So far as the historical background about Koch Rajbansi are concerned, the versions are contradictory. According to them Koches are different from Rajbansi. They stated that the Koches are backward in comparison to the Rajbansi and do not enter into each other the marriage ceremonies. They told to the Committee that keeping in view the language, culture, religious faith and way of living, the Koch Rajbansi community do not come under the true meaning of tribe. The Koch Rajbongshis are far more advanced in all aspects than the present groups of tribals communities of Assam. They further stated that the inclusion of Koch Rajbongshis in the scheduled tribes list of Assam threatened to defeat the very purpose of the developmental programmes earmarked for the benefit of scheduled tribes of Assam and as such this will create far-reaching consequences adversely affecting the political, economic and social life of the present tribal groups of people. They expressed their fear that the advanced Koch Rajbansi with their larger population as a new scheduled tribe of Assam will confront the most unfair competition to the other groups of tribal people who are still backward and below the marginal living of standard in all fields of life. The existing groups of tribal people who are still backward in comparison to the far advanced Koch Rajbansi will be deprived of rights and facilities provided by Constitution and other welfare schemes. They observed that this reversal course of action taken by the Government in the manner, to declare the Koch Rajbansi as scheduled tribes of Assam will pave the way for such claims from many other groups of people, creating a most complicated, unhappy and chaotic situation in the society and retard the process of gradual assimilation of all communities as equal citizen in all respects to make a strong and united Indian nation which was the ultimate aim of the Constitution makers while making such provisions in the Constitution for the backward tribal communities. The memo presented to the Committee by Deori Unnayan Samittee stated that it is an important issue and it should be thoroughly addressed and discussed at national level, if some actual tribes are left out, the matter of tribes recognised in one State but not recognised in another State etc. for all such relevant matters, the Government might consider to set up a Commission again to re-examine the whole issue instead of on piecemeal basis only to declare Koch Rajbansi as scheduled tribe in Assam by passing an Ordinance. The issue of Ordinance according to the Deori Unnayan Samittee was a hasty step taken by the Government. It also stated that the tribal people of

Assam are aggrieved and agitated for inclusion of the Koch Rajbanshi in the scheduled tribes list of Assam and express the fear that it will have far-reaching consequence and will break down the entire infrastructure of the developmental programmes of the tribal people in the country. The memo submitted by them also urged the Government to reconsider the matter and to invalidate the Ordinance passed declaring the Koch Rajbanshi as scheduled tribe of Assam.

In another Memo submitted to the Committee by the Dibrugarh Nagar Deori Unnuyan Samittee, it was stated that the main points for opposing the scheduling of the Koch Rajbanshi in the tribes list of Assam are (a) the Koch Rajbanshi does not fulfil any of the criteria which the Government of India laid down for ascertaining the community as a tribe, (b) in the social order of Hindu caste system of Assam, the Koch comes next to Brahmin and Kalita and form a major constituent of the population of the Assamese society having Vaisnavite Sankari culture. They are also at par with the other advanced sections of people in all aspects of life in Assam, (c) the Koch Rajbanshi are far advanced than the present group of scheduled tribes of Assam as recognised in the Constitution of India in spheres of socio-economic and political life, intellectual ability and culture etc., (d) it will be a great set back to the present group of scheduled tribes if the Koch Rajbanshi, who are already much ahead in all fields of life, as they will reap the benefits reserved for the scheduled tribes thus depriving all the groups of scheduled tribes. This reversal course of action will create social upheaval and chaos among the tribal people of Assam.

It was stated in the memo that the present group of scheduled tribes communities have very recently faced their sad experience as they failed to get sufficient representation in educational institutions, services against scheduled tribes reserved quota as the advanced Koch Rajbanshi candidates have grabbed most of the reserved seats for scheduled tribes on the strength of the Ordinance passed by the Government of India. Similarly in politics also some-scheduled tribes reserved legislative assemblies constituencies were occupied by the Koch Rajbanshi community.

(b) *Sonawal Kachari Jatiya Parisad.*

The Sonawal Kachari Jatiya Parisad have opposed the idea on inclusion of Koch Rajbanshi in the scheduled tribes list. According to the Parisad the Koch Rajbanshi people are very very intelligent, talented and developed community in all respects. This is why they are regarded as "upper class Hindu" and they should not be included into the tribal list. They have also stated that the Sonawal Kachari community like other tribal groups have their own language which is called Dowan and it is the primitive trait of the tribal people, but Koch Rajbanshi have neither their own language nor Dowan. The Sonawal Kachari people like to live in same place. The Sonawal Kachari people built Nam ghar which is different from Koch Rajbanshi Namghar. The religious functions i.e. Bathow Puja, Gojai and Monai Puja are celebrated by Sonawal Kachari people but in the case of Koch Rajbanshi there are no such Pujas. Two festivals out of three Bihu festivals are quite different from Koch Rajbanshi. One is Mogh Bihu which is celebrated by Sonawal Kachari people at traditional norms. Another is Bohag Bihu which is celebrated by Sonawal Kachari people in two stages. The Sonawal Kachari people with the help of leaves and roots of the plants prepare rice bear or Mod but in the case of Koch Rajbanshi, they do not know how to prepare rice bear.

Parisad have indicated the following draw backs on the basis which they have opposed rescheduling of Koch Rajbanshies in the tribal list:—

- (i) The Koch Rajbanshi people previously claimed themselves as a 'Kshatriya Rajbanshi' so called upper class of Hindu and they used to neglect and criticise the original tribal people since long.

- (ii) The Koch Rajbanshi are already in the OBCs list and are getting the benefits from there.
- (iii) Since they are advanced in all the fields, they would dilute the 10% quota of the original tribal people of Assam.
- (iv) The other tribal people have Khel, Mel and Bonsha which are used in the community according to their own language but Koch Rajbanshi have no such Khel Mel and Bonsha.
- (v) The Koch Rajbanshi people have burnt the image of the *Dr. Jayanta Rongpi* and *Ranuj Pegu*, the veteran tribal leaders who opposed the idea of inclusion of Koch Rajbanshi into the tribal lists. The Koch Rajbanshi do not recognise Rabha like Rabha Kochari.
- (vi) The Kaka Kalekarsabhib recommended Rajbanshi community to be included in the list of OBC in 1953. They have been included in the list of scheduled caste in the State of West Bengal. They have been treated as scheduled tribes (hills) in the States of Tripura and Meghalaya from September 1987. The Koch Rajbanshi of Assam are not hill people in Assam.
- (vii) The tribal groups of Assam have distinct food habits like dry fish, suketi, bamboo shutoo and boiling meal which are the common food habits of the tribals but the Koch Rajbanshi hated these food habits.
- (viii) The Koch Rajbanshi had declared themselves as caste Hindus since the last fifty years. Now they have started telling to have originated from Mongolian family without having the customs and language etc. like other tribal groups. They have failed to clarify themselves as to who are the Koches and who are Rajbanshies and who are the Kshtriyas.

They have stated to have held a field investigation and come to know that the Koch Rajbanshi of Assam are more developed in respect of social, economical, political, educational, cultural, moral fields, etc. where the lion's share in all respects of Assam are occupied by them.

The Sonawal Kachari Jatiya Parisad have stated that in view of the President's ordinance passed for inclusion of Rajbanshi community in the scheduled tribes list. The following developments took place up to the period of 20 August, 1996:—

- (I) **Assembly seat** A Koch Rajbanshi community got elected as MLA from Majoli constituency of Assam on tribal reserved seat.
- (II) **Services** Two Assistant Executive Engineers of Koch Rajbanshi community got promotion on ST reserved quota in the Irrigation Department of Assam. Three Rajbanshi candidates out of five ST reserved seats got appointment in Railway Department under Maligaon, Guwahati.
- (III) **Admission in Educational Institutions, Cotton College, Guwahati, Assam.** 35 candidates of Koch Rajbanshi community against 37 reserved seats of ST, got admission in higher secondary school (first year science). 13 candidates of Koch Rajbanshi community against 21 reserved seats of ST, got admission in higher secondary school (first year arts). 35 candidates of Koch Rajbanshi community out of 45 reserved seats of ST, got admitted in B.Sc first year in 1996.

25 candidates of Koch Rajbanshi against 50 tribal reserved seats got admitted in BA first year in 1996.

(iv) **Jorhat Engineering College, Jorhat, Assam.**

8 tribal reserved seats are occupied by Koch Rajbanshi out of 10 seats of scheduled tribes.

(v) **Assam Medical College, Assam.**

25 out of 42 medical seats reserved for STs were occupied by Koch Rajbanshi students. Like wise many Koch Rajbanshi students have occupied tribal reserved seats in several other educational institutions.

The Parisad has, therefore, requested *not to include Koch Rajbanshi community in the scheduled tribes list in view of their advancement in education. Instead, they have requested to include Assam Tea tribes and Morans in the scheduled tribes list.* Accordingly to them these two tribes are very much deserving. They have further stated that the ordinances issued by the Government of India for inclusion of Koch Rajbanshies in the scheduled tribes list have been vehemently opposed and criticised by almost all the organisations of tribal people of Assam and have decided to enter into clash if the step taken by the Government of India is not stopped.

The Sonawal Kachari Parisad have opined that the proposed Bill for granting scheduled tribes status to the Koch Rajbanshi community in the State of Assam should not dilute the 10% reservation quota of the regional tribal people of Assam, and if it is done the plain scheduled tribes of Assam, will be badly affected. The Parisad has pleaded to the Parliamentary Select Committee for ST to make a *separate provision for the Koch Rajbanshis, if necessary.*

19. The Committee during their tour visit to Calcutta held informal discussion with Dr. Santosh Kumar Nasker, Assistant Director of the National Commission for SC/ST, Calcutta on 4.2.1997. He stated that so far his office has not received any representation in this regard from the Koch-Rajbanshi community. He expressed his ignorance about the difference, if any, among Koch and Rajbanshi communities. The Committee wanted him to make a study about the origin and growth of the Rajbanshi community and make available the study report to them. The study report furnished by the Assistant Director of the SC/ST Commission, Calcutta is reproduced as under:—

“Rajbanshis belong to the great Bodo family that entered India in the 10th Century B.C. from the East and settled on the banks of the Brahmaputra and gradually spread over Assam and the whole of North and East Bengal. During the later part of the 15th Century one Koch King founded a Kingdom at Kamrupa and the king along with the officers and all the people apostatised to Hinduism. The converts abandoned the name Koch and took that of Rajbanshi which literally means ‘Royal Race’ and are classified under Semi-Hinduised Aboriginals. They worship Hindu deities and have adopted Hindu manners and customs.

There are 22,58,760 Rajbanshis in West Bengal which constitute 14.05% of the total Scheduled Caste population of the State and are mostly distributed in the districts of Jalpaiguri, Coochbehar, Darjeeling, Uttar & Dakshin Dinajpur and Malda. In other words, 77% of the total Rajbanshi population are distributed mainly

in these districts. Of the Rajbansi 24.65% are literate in relation to the total population.

The caste as a whole (i.e. 85% of the total population) may be described as agriculturist though many of them make their living as fishermen, carpenters, blacksmiths, etc. Among them 52% are cultivators and most of the Rajbanshis are cultivating ryats with or without occupancy rights, some are *landless day labourers* (33%) paid cash or kind. They performed various rites and rituals during their life cycle. In most of the cases it has been noticed that there is a blending or admixture of tribal and Hindu customs. They usually prefer to marry their daughters as infants and widow remarriage is not a generally accepted custom. The orthodox Rajbanshis burn their dead and less Hinduised members of the caste resort to either burial or cremation as happens to be convenient.

The Rajbanshis are Hindus with special features in their rituals and beliefs. They worship Manasa, God Shiva, Goddess Sidheswari. They also observe Sivaratri and at the same time they worship local deity like Tistu Bui etc.

They joined in the Kshatriyisation movement and claim themselves as Kshatriyas yet the social status of the Rajbansi is still extremely low and no well known caste will take cooked food from their hands.

The Koch and Rajbansi both are enlisted in the list of Scheduled Caste since 1930. In this context it may be noted that the Koches have lost their tribal identity and came into caste Hindu fold. At present there are 9,714 Koches which constitute, 0.06% of the total Scheduled Caste population of West Bengal. Of them 93% are concentrated in the six districts of North Bengal. There are 15.19% literates among the Koch. Those who are engaged in the agricultural sector they constitute 88% of the total working population, though 60% are recorded as agricultural labourers.

Considering all these above facts it may be mentioned that Koch & Rajbansi are similar in all respects though they have been separately listed. Both of these groups have lost their tribal identity in the long past and under the influence of Kshatriyisation movement they become Hinduised.

The Committee are of the view that the North East region of India is probably the most diverse society in the world and nowhere in plurality more manifest than North East which sees an extraordinary co-mingling of races, religions and languages. Partition of India have aggravated its Geo-Political isolation even as rising ethno cultural consciousness. The problems of ethnicity, governance, insurgency and development that have marked its evolution. Mongoloid origin in the N.E. region of India defines a distinctive ethno-cultural region with hoary external history, culture and commercial linkage which is required a indepth study. The N.E. Region of India popularly known as seven sisters and Assam is one of them.

20. After going through the literatures written by eminent scholars, ethnographers, historians and social scientists, reports of the Tribal Research Institute, Dispur, comments of the Registrar General and Census Commissioner, India, etc. and the evidence taken, the Committee feel that the Koch Rajbongshis are one of the earliest inhabitants of the undivided Assam. They are concentrated mainly in Dhubri, Kokrajhar, Bongaigaon, Goalpara and Kamrup districts and scatteredly distributed in the remaining districts of Assam and belong to the Mongolian origin. Moreover, the Koch Rajbongshis are known by three terminologies, i.e., Koch, Rajbongshi and Koch-Rajbongshi, used by Koches on various social, religious and political situations which swept all over the undivided Assam. It has been found that their

mode of cultivation, way of life and mode of living etc. do not at all differ from their surrounding tribal people. It has also been observed that the Koches of Assam living near the foothills of Meghalaya have been practising the age-old method of shifting cultivation like those of the Garos of Meghalaya.

21. It has also been noticed that this community, living in Upper Assam, call themselves as Koch and people living in Lower Assam of this community call themselves as Koch-Rajbongshi. The Koches living in the Upper Assam live in association with other communities but the Koch-Rajbongshis living in Lower Assam, particularly, Bongaigaon, Goalpara, Dhubri and Kokrajhar districts are in isolation and easily distinguishable from other communities. They worship Siva, the non-Aryan deity by means of sacrificing goat, pigeon, etc. The Koch-Rajbongshis prefer dry fish, sukati and bamboo-shoots etc. in food which are commonly used by the tribal people of Assam. They collect edible roots and fruits from the nearby forests. The Committee also note that some of the Koch-Rajbongshis dominated villages of Bongaigaon, Goalpara, Dhubri and Kokrajhar districts are in isolation due to lack of infrastructural facilities. The Committee also feel that most of the old-generation people of Koch-Rajbongshi community suffer from inferiority complex and hesitate to come into contact with other people with open heart. The Committee also note that the Koches of Upper Assam are living in backwardness in all respects than their neighbouring non-tribal communities.

22. After considering the above facts, the Committee find that there is good indication about the tribal origin of the Koch Rajbongshi in Assam. They possess most of the tribal characteristics among them. Moreover, Registrar General of India has also raised no objection to include Koch Rajbongshis in the list of Scheduled Tribes of Assam. The Committee also find that in Meghalaya the Koches are notified as Scheduled Tribes which was a part and parcel of erstwhile Assam. As such there is adequate justification for inclusion of Kochal Rajbongshi Community in the list of Scheduled Tribes of Assam. Keeping in view all these aspects, the Committee, therefore, recommend that the Koch-Rajbongshis should be included in the list of Scheduled Tribes so that they may come in the mainstream of the public life.

#### (ii) Removal of Area Restriction

23. The present system of having two categories of Scheduled Tribe in Assam, namely Scheduled Tribe (Plains) and Scheduled Tribe (Hills) should be modified as follows.

The Scheduled Tribe (Hills) should continue to be treated as Scheduled Tribe (Hills) even outside autonomous District areas. Similarly Scheduled Tribe (Plains) should continue to be treated as Scheduled Tribe (Plains) even in the autonomous districts.

#### (iii) Quota Reservation

24. During their study visit to Guwahati and Bongaigaon from 15 to 18 November 1996, the Select Committee held discussions with the Speaker, Assam Legislative Assembly on 17.11.1996.

25. The Hon'ble Speaker (Shri Ganesh Kutum) informed the Committee that there are many problems of the tribals. People are not happy with the 10% reservation given to them. The creation of 7 States in the Assam has not been able to solve the problem. The people have resorted to the agitation. There has been massacre of the people in plains and hills. The efforts made by the Government have not been able to satisfy the people of the North Eastern Region. He also stated that the State Government of Assam tried to include a certain community in the list of tribes. This diluted the reservation quota of the STs

communities. This led to lot of resentment. If the Koch Rajbangshis are included in the list, not a single tribe would be left out of it. The inclusion would need Central assistance, otherwise the State Government would not be able to handle the situation.

He further told the Committee that if the Koch-Rajbangshis are to be included in the ST list, a separate arrangement of quota would be needed to be provided for them. According to him 15% quota would be ideal provision as against the existing 10%

26. The Hon'ble Speaker also stated that STs in hills are getting 5% and ST (Plains) are getting 10% reservation. SCs and STs are getting 7% and 15% reservation in the State of Assam. According to him the total works out to 37%. In accordance with the decision given by the Supreme Court of India for not giving reservation beyond 50%, still there is scope of 13% reservation to be given in the State of Assam and if needed some percentage can be taken from OBC quota and given to STs because Koch Rajbongshis whose population is sizeable would be going from the OBC list.

The Committee have also noted the views of the State Government of Assam contained in their letter No. TAD/ST/59/97/5 dt. 17.3.1997 (Annexure-I) sent to Central Government. It stated that a large number of Medical seats had gone to Koch-Rajbongshi community in 1996-97 because of their comparatively advanced status *vis-a-vis* of other Scheduled Tribes (Plains) of the State.

27. The Committee feel that if the Koch-Rajbongshis are included in the list of Scheduled Tribes, a large number of people would be entitled for reservation benefits by diluting existing 15% reservation quota of the Scheduled Tribes (10% of plains and 5% of hills) which would create a lot of repercussion/dissatisfaction/resentment among the original tribes who are comparatively less advanced. The Committee find that presently there is 15% reservation for Scheduled Tribes (10% for plains and 5% for hills) 7% for Scheduled Castes and 17% for other Backward Classes. The total reserved quota thus comes to 39%. As per the Supreme Court verdict, a State cannot have more than 50% reservation. The Committee observe that in view of the Supreme Court verdict, there is still scope of increasing the reservation quota by 11%. The Committee are of the opinion that the Government may explore the possibility to increase the adequate quota of the Scheduled Tribes. The quota reservation may be decreased from the other Backward Classes list, if necessary, as a large chunk of Koch Rajbangshis, Chutias and others would be transferred from OBC list to the ST list. This proportional quota can also be added with the ST list. The Government may also explore the possibility of creating separate reserved quota for Koch Rajbangshis and other communities to be scheduled by this Bill so that the reservation benefits enjoyed by the notified tribes are not affected.

#### (iv) Inclusion of other Tribals in S.T. List

28. In the question of inclusion of other tribal people in the list of Scheduled Tribes, the Committee held discussions with individuals and also received memoranda from different quarters, some of which are as follows:—

*Memorandum from Ali Assam Garo Students' Union Headquarters, Nisangram, Distt., Goalpapra, Assam.*

This is the memorandum which seeks for inclusion of Garos of Assam in the Scheduled tribes list. They have stated that the Garos were one of the aboriginal tribes of Assam living for centuries both in the plain and in the hill areas since undivided Assam. Ethnological evidence reveal that the Garos were a branch of the great Bodo family and were akin to such tribes as the Bodos, Kacharis, Rabhas etc. who are scheduled tribes in the State of

Assam. Originally the Garos were one of the early settlers on the Brahmaputra valley. In course of time certain section of the Garos migrated from the Brahmaputra valley to the hill districts of Assam while a huge section of the same stock remained in the plain Brahmaputra valleys.

They have also stated that during the time when the Assam has not yet been divided and all the North eastern states were being a single state, the Garos were given equal treatment without any discrimination on ground of their area of living. It is only when the autonomous hill districts of Assam had been given, then the single Garo Tribe had been categorised on the basis of their residence as hill and plain Garos. The Garo people who were in the autonomous state got recognition and enlisted in scheduled tribe list while their kith and kin brothers and sisters who have to remain outside the autonomous state had completely been deprived of ST status violating the fundamental rights given under Article 14 to 17 of the Indian Constitution. They have further stated that the partial issue of the Scheduled Tribe for the children of the same family is totally unconstitutional.

*Views of Mr. Gulam Usmani, Ex-Minister (Politician)*

Sh. Usmani suggested to the Committee that all those communities who are not getting ST benefit in Assam but they are getting in other states, might be allowed to get it in the state of Assam also. While quoting an example he stated that Santhals in West Bengal are ST, they might be allowed to enjoy that benefit in Assam also.

*Executive Committee of Assam Ahom Sabha and the Tai Historical and Cultural Society of Assam, Dibrugarh, Assam.*

This organisation has requested the Committee to include the Ahom tribe in the scheduled tribes list of Assam. It has been stated that the people of the Ahom tribal living in North East India as the branch of Tai race who are at present found in South East Asia and that they had migrated from Mao long in Unnan by crossing the Patkoi range in early 13 century to this part of present India and in doing so they did bring with them their own custom, religion, language, traditions and other cultural traits which are still being nurtured here in Assam and which are still flourishing in South East Asia. They are living in the Malaria infected zone of Assam. It is further stated that the sentiment got reinforced by the Ahoms towards British who are invaders and usurpers too of the Ahom Kingdom. This coincidence made most of the Ahom people to take up their habitation in different far flung isolated areas of the erstwhile kingdom. As a result at present they are living in the isolated areas, devoid worthwhile communication. This unfortunate situation have made the Ahoms backward both educationally and economically besides socially as compared with other and politically as well.

The organisation has made a mention in their memorandum that *the Tai speaking people of Arunachal Pradesh, Mizoram and Meghalaya are already in the scheduled tribes list. They have therefore, claimed to be included in the scheduled tribes list.*

*United Mattak Moran, Chutia, Ahom Association, Dibrugarh, Assam*

The association has requested the Committee to recommend their inclusion in the list of Scheduled tribes as already recommended by the Government of Assam. It is stated that the Government of Assam after proper verification, recommended to the Central Government, the names of six ethnic groups which deserved to be included in the list of scheduled tribes and the matter is pending with the Central Government. These six ethnic groups included *inter-alia* the Moran, the Chutia, the Ahom, the Mattak. The recommendation of Koch Rajbongshi community in the scheduled tribes list keeping out the other tribal groups has been disappointing.

***All Assam Mattak Sanmilan***

The representatives of the All Assam Mattak Sanmilan appeared before the Select Committee at Dibrugarh on 6 February, 1997 and presented a few copies of the correspondence made by them in the past to the Government of India. The correspondence *inter-alia* stated as under:—

- (a) The population of Mattak community at present according to the Census carried through their own organisation (Sadam Assam Mattak Sanmilan), is more than 12 lakhs. Most of them live in the present Dibrugarh district, which once formed the major part of their kingdom. The rest lie scattered throughout the Brahmaputra valley, mainly in the districts of Shivasagar, Lakhimpur, Darrang and Nowrang. Now they stand included in the list of OBCs of Assam.
- (b) The Mattaks who are known by the three different terminologies, *i.e.*, Mattak, the Morans, the Moamories, are the aboriginal tribes of Assam. The Mattaks have been agitating since independence, through various representations and memoranda sent to the Government of India for their inclusion in the scheduled tribes list of Assam but to no avail.
- (c) The Government of Assam have been neglecting the cause of Mattaks repeatedly although the Government of India asked for a report in this regard in March, 1984.
- (d) The Mattaks are educationally (10% literate only) and economically most backward and remain in the primitive stage of development which is reflected in their socio-cultural life.
- (e) All Koch-Rajbongshis, Chutias and Mattak tribes belong to the same Bodo-Mongoloid groups and they are the inhabitants of the old Kamrupa. These communities have been discriminated in the list of 1950 Scheduled Tribes Order of the Constitution of India, while other communities of the same Bodo group such as Bodos, Ravas, Dimachas, Lalungs, Sonawal, Kacharies etc. who have already been listed in the scheduled tribes order 1950.
- (f) The Koch-Rajbongshi are already listed as Scheduled tribe in Tripura and Meghalaya and as Scheduled Caste in West Bengal and they were the ruling Hinduised ethnic Bodo group of the tribe in old Kamrupa, which is now divided as Assam and North Bengal. The Government of India has already been requested to remove the above discrepancies by enlisting all the ethnic Bodo group of people as scheduled tribes. It has also been suggested to the Central Government that all the Bodo Mongoloid group should be invited at the Bodo talks if the Government really want to solve the Bodo problems.
- (g) The Mattaks whose number is more than 13 lakhs now and who are predominant in the districts of Tinsukia, Dibrugarh and Sonitpur, Nowrang, Muriagon, Sivesagar and Jorhat districts of Assam are religiously and culturally distinct, pray that their legitimate demand for inclusion in the list of scheduled tribes in Assam be fulfilled.
- (h) The Mattak tribe still maintained their tribal culture, traditions, beliefs and practices like other tribes of Assam. The house pattern of Mattaks tribe has the same special feature and quite uncommon to that of the general housing pattern of Assam.
- (i) Generally the Mattak tribe prefers 'elopement' from of marriage apart from the ritual marriage system. The Mattak tribes has the practice of the paying 'Gadan'

which meant payment of certain amount from the bride to her parents as prevalent in other tribes of Assam. The Mattaks followed 'puberty marriage' ceremony which is a unique one and observed in colourful way.

- (j) *Tantaric*—Bandorab (wild plant medicine) and magical songs (Mantras) to control various diseases and mental disorder are closely associated with the habit of the Mattaks in day-to-day life.
- (k) The Mattaks still worshipped the primitive gods and goddesses and sacrifice Duck Goat, Tortries etc. for the satisfaction of different primitive gods and goddesses by arranging Bhoj. They have primitive method of agricultural, fishing, hunting, sericulture, handloom and other bamboo and wooden cottage unit. The Mattak's men folk used to wear churia and tie a turban with the pieces of white cloth on their heads which distinguish them from rest of the Assamese population whose gamocha was usually white with a red border. The Mattak Oman folk initially used a single garment tie from breast to ankle and wrapped the same account of brown gamocha on head. Generally, the garment of Mattaks are made of coarse cotton and endi.
- (l) The usual habits of Mattaks is to select isolated places for settlement. This habit of the Mattaks to live in isolation resulted in population shifts from one area to another.
- (m) The language of the mattaks is of Bodo origin.
- (n) They are so poor that they cannot give education to their children in the schools. They have no primary schools in their localities. No good communications among their villages.
- (o) The Mattak inhabited areas have become the place of heaven to the outsiders and the Mattaks tribe is made minority in their own former territory. Thus the political future of the Mattak people is darkened and virtually closed.
- (p) The Mattak leaving their homes and giving to the outsiders are becoming wanton pursuer of jungles but their are no more jungles for them now to live in. The 10% educated youth out of approximately 13 lakhs total population of Mattak tribes are becoming aimless while being dispersed in getting employment. They have no political representatives like MLAs and MPs of their own to help and recommend their cases for employment etc. It is also heartening to note that the Mattak tribes once a ruling tribe of Assam, do not have any representation in Assam Civil Services. The students of Mattak tribe are unable to compete with the students of other communities in getting admissions in medical, engineering, agriculture and other colleges of the state of Assam. Although they are in no way inferior of less intelligent as compared to the other students of other communities. The Mattak students hardly obtained their education up to matriculation level.

Giving the detailed account as above, the *Mattak Sanmilan* representatives have made suggestions in the past to the Government of India to declare Mattak tribe as scheduled tribe under Article 244(A)(1) of the Constitution but the State suggestion has not been implemented as yet.

#### *The All Chutiya Jati Sanmilan.*

The Chutiya Sanmilan representatives appeared before the Committee on 6.2.1997 and handed over a copy of their memorandum for perusal for the community. In their memo, it

has been stated that the Chutiyas of Assam have been left out from their inclusion in the Constitution (Scheduled Tribes) Order (Amendment) Bill, 1996 in spite of their repeated demands for inclusion of the Chutiyas in the plains scheduled tribes list of Assam. It has also been stated that the Koches were included in the list of OBCs prepared by oth Kaka Kalerker Commission about 4 decades ago. In 1972, the Assam Government declared a few communities including the Chutiyas as more other backward classes, in which list the Koches were not included. After assuming the charge of Chief Minister Shri Sarat Chand Singha who himself belonged to the Rajbongshi (Koch), got the Koches added to the list of more other backwardness. In upper Assam, the Koches themselves are on the same footing of the advanced communities in caste Hindus. They even hate the Chutiyas, etc. and never intermarry with them. This points out that they (the Koches) have no tribal affinity. Of course, the Rajbongshi of the undivided Goalpara district are still backward.

In 'Shastras' (Hindu Vaisnavite Monasteries) people only from the Koches and the Kalitas are accepted as 'Bhakats' (religious functionaries). The Koches declared themselves even as 'Kshatriya' which is in second position just after the Brahmins in Hinduism.

In Political field, the Koches are so advanced that they got two Chief Ministers (late Shri Bishnu Ram Medhi and Shri Sarat Chandra Singha) of Assam. They have got many MPs (of Lok Sabha as well as of Rajya Sabha), numerous Ministers and MLAs in Assam Government. The present United Front has one Cabinet Minister (Shri Beren Baishya), a Koch from Assam.

On the administration side, the Koches have many IASs, IPSs and ACSs (Assam Civil Services) officers and the like. Over and above, they have numerous doctors, engineers and other professionals and high officials.

The Koches never inhabited in interior areas where good communications and civil amenities are not available. In upper Assam no Koches have tribal systems like problem and consuming rice bear, observing 'Pucca Sakam' etc. *The Koches in West Bengal are treated as scheduled Castes and in Meghalaya as Scheduled Tribes.* The word 'Chutiya' is used in a derogatory. The Chutiya are detached socially from the general stratum of society. The caste Hindu People like the Kalitas and the Koches assemble in the same 'Namgarh' (prayer house), the Chutiya are never allowed to sit in the front line. In a sense the Chutiya are still treated as untouchables by the upper castes of the Hindu field.

The presence of the Chutiya in the political field is negligible. The present Assam assembly has one MLA in spite of the fact that Chutiya population in Assam is around 1.5 million. On this population strength there should be a minimum of 7 MLAs. They don't have even single Chutiya MP even at the end of 49 years of Indian independence. This pathetic condition is due to their tribal shyness, aloofness age-old primitive mode of living and scattered geographical isolation. As already advanced communities are in the forefront of the political fora. The Chutiyas are looked down and are not given proportional nomination at the time of election. There is not a single IAS or a IPS or a IFS and like officers among the Chutiyas. Not to speak to any of higher official in the Central Government. The Chutiyas have only two class-I officers in the Assam Government administration. The numbers of doctors and engineers are few, and far between long them. There is neither a Chairman nor a single member from this community in any State Board, Corporation, undertaking, commissions, Committee, Assam Public Service Commission and Assam Cooperative Apex Bank, etc. This is because of their poverty and illiteracy. They depend for their livelihood mostly on agriculture with out-dated farming methods. They do not have sufficient land to plough and hardly meet their necessities. Educationally they are

far behind the other advanced communities. Illiteracy is highest among them. Quite a number of people belonging to this community still reside in every interior places on 'Chandghars' (houses on Bamboo belts with thatched roofs, built a little above the ground) like the other tribal people like Deories and the Miris, Mishings.

*If the Koches and Rajbongshis of Assam are going to be scheduled tribe on the basis of their recommendation of the Koches in West Bengal and Meghalaya as scheduled castes and scheduled tribes respectively, the Chutiya of Assam had to be included in scheduled tribes list on the basis of their two tribes (Deories and Mishings) in the same State being included as such. The Misirnis of Arunachal Pradesh detached part of the Chutiya are already treated as scheduled tribes. The Chutiya of Assam at their original inhabitants on the hilly tracts of the present Arunachal Pradesh.*

It is further stated that it is not clear to anyone why out of so many communities demanding scheduled tribes status, only the case of Koch-Rajbongshi is being taken up in the constitution (Scheduled Tribes) Order (Amendment) Bill, 1996. *The All Chutiya Jati Sanmilan has urged the committee to recommend them to be included in the scheduled tribes list. For doing so, the quota of the scheduled tribes of Assam may be increased.*

*Memorandum From United ST Demand Committee Agouti.*

#### ASSAM

This memo, was presented to the committee at Agouti on 17.11.1966. It relates to the demand for the inclusion of Ahom, Chutia, Mottok and Moran tribes of Assam in the ST list. It is stated that the united ST demand committee is a frontal organisation of the Ahom, Chutias, Mottok and Morans of Assam. It is also stated that these tribes are of Monogolian origin and have close affinity among them. It is further stated that each of these tribes have separately submitted their own memorandum to the Govt. of India staking their claim to be included in the ST list of Assam. The demands of these communities have already been vindicated by the present Assam Govt. They have requested the committee to consider them also alongwith the Koch-Rajbongshi community for grant of status of ST.

29. In view of the Above, the Committee observe that there are certain communities living in other States of North-Eastern Region who are availing the facilities of S.T., but the same communities are not getting it in the State of Assam. The Committee recommend that all such communities should be given the status of ST in Assam also such as Chorel, Sakache, Rupini, Aimol, Ranglong (or) Halam, Rongmai, Phulke, Dowonia, etc.

The Committee recommend that the following tribal communities of Assam might also be included in the list of Scheduled Tribes:

1. Chutiya
2. Garo
3. Tai Ahom
4. Matak
5. Moran
6. Hajong
7. Singpho

30. The Committee have also received large number of memos regarding inclusion of Tea Garden and Ex-Tea Garden Workers. Some of the demands made by them are as follows:

### *Assam Tea and Ex-Tea Garden Tribes Youth Association*

This association has not opposed the idea of inclusion of Koch-Rajbongshi in the list of Assam. But they have requested to include tea tribes of Assam into the ST list as has been done in the other States like West Bengal, Bihar, Orissa, Madhya Pradesh, Tripura, Maharashtra, Andhra Pradesh, Karnataka, etc. They have also stated that the Tea tribes people are much more backward in all respects and they live below the poverty line and possess all the five primitive traits of the tribes.

As per information given by them the population of the tea tribes community in Assam more than six lakhs. They are originally from Bihar, Bengal, Orissa, Madhya Pradesh, Andhra Pradesh, Karnataka, etc. and they were brought in Assam by the British tea planters long before independence of India to work in the tea plantations. These people have settled in Assam for more than 200 years ago. They have retained their own tribal culture, languages, traditions and heritage. Many Committees and Commissions deputed by the Central Govt. had visited Assam, examined their living conditions and submitted their report to the Central Govt. but no action seems to have been taken to include them in the ST list for political reasons. It is also stated that they are lagging far behind and percentage of literacy in them is about 9% only. The number of post matric and post graduate tea and ex-tea gardens students can be counted at the tips of fingers. The tea industry is the main source of employment to the tea tribes living in Assam. A large number of tribes live on the agricultural plots of lands adjacent to the tea gardens and elsewhere in Assam and are generally known as ex-tea garden tribes. Those who are living in the tea gardens are known as tea garden tribes. The economic condition of the tea tribes are very deplorable and almost 90% of these people live below poverty line.

Assam tea and ex-tea garden tribes youth association have requested the Committee to recommend them for inclusion in the ST list as has been done in all other States of India.

### *Memorandum on behalf of Adivasi Council of Assam*

The Vice President of Adivasi Council of Assam in a memorandum submitted to the Committee at Bongaigaon has stated that the Adivasis such as Santhals, Mundas, Oraons, Gonds, Bheels, etc. living in Assam (Commonly known as Tea and Ex-tea Garden tribes) numbering about 40 lakhs who are working in 850 tea gardens in Assam and silently contributing for the prosperity of Assam and in the earning of foreign exchange for India have fulfilled all the criteria needed for treating them as ST.

They have also stated that as per the provision of Article 342(b) of the Constitution of India, the State Government of Assam in its letter to the Central Government sent in August, 1977 had recommended 9 tribes viz. Gonds, Mundas, Oraons, Santhals, Savars, Pans, Paryas, Bheels and Koyas. In addition to these 9 tribes Government of Assam had also recommended in May 1995, 21 more Tea & Ex-Tea garden tribes (Adivasis) to include in the list Asur, Bhumij, Bedia, Baiga, Binjia, Bir Hor, Birjia, Chiro, Dhanwar, Jonda, Jorait, Kormali, Korwa, Kol, Kharia, Khrirwar, Lodha, Mahali, Mal Paharia, Nagasia, Panika.

It has further been stated that these adivasis are the weakest and the most backward in all respects educationally and socially in the entire State of Assam and by denying them for enjoying the constitutional rights of ST will push them to the verge of extinction as races or tribes in Assam.

They have also stated that the Koch Rajbongshis who are far more advanced socially, politically, educationally and economically than the adivasis in Assam are being considered. The Koch-Rajbongshis (Descendants of Kshatriya Kings) are not recognised as ST anywhere in India. They prefer to call themselves as Koch-Rajbongshis Kshatriyas in Assam.

They have informed that recently in fulfilling the hopes and aspirations of various tribes many autonomous councils such as Bodoland Autonomous Council, Rabha Hasong, Tiwa, Lalung and Karbi Anglong Autonomous Councils have been set up and more powers have been given to these councils. Adivasis living in these autonomous councils without ST status have become mere second class citizens and their very existence has been threatened there.

The Vice President of Adivasis Council of Assam has therefore, requested the select Committee to recommend the above noted 30 tribes (adivasis) for inclusion in the ST(Plains) list of Assam as has been done in other States of the country.

#### *Adivasi Council of Assam*

They have requested that the area restrictions might be removed for all round development of the aboriginal of India. It is stated that the tea and ex-tea garden workers, the settlers of Assam, are constituting 25% of the total of Assam. They are originally from Bihar, Orissa, Madhya Pradesh and Andhra Pradesh etc. These people have settled in Assam for more than a century. They have still tribal characteristics culturally, socially and economically. These tribes were recognised as ST in Assam before 1947. But after 1947, these tribes were de-scheduled, not because of any principle but purely on political grounds. They have requested that Adivasi (Tea and ex-tea garden labourers) be recommended to be included in the State list of scheduled tribes.

31. From the above, the Committee observe that these workers were brought to Assam by the then British Plantation owners as bonded labour from other States such as Bihar, West Bengal, Madhya Pradesh, Orissa etc. These workers belong to different communities in the States of their origin. Many of them hail from groups who are either socially or economically backward in their States. Their ancestors must have belonged to these social groups and those groups have been classified in those States as either SCs or STs or OBCs.

List of some of the Tea Garden Tribes of Assam who are notified as More Other Backward Classes of Assam is appended (Annexure-II).

The Committee, recommend that those castes alongwith their sub-castes of the tea garden workers should be notified as STs who are recognised as STs in the place of their origin at the time of migration and also at present.

The Committee feels that there might still be many more tribes in Assam who are weak and backward in all respects, i.e., educationally, socially, economically, and they are not aware of their rights because of their isolation, backwardness and shyness. They might have been deprived of the constitutional rights. The Committee are of the opinion that the Government of India should take immediate steps to identify all those Tribal communities by undertaking comprehensive surveys and bring a proper legislation to include those Tribes in the Scheduled Tribes list so that their rights could be protected and they could be brought into the mainstream of the society.

#### **(V), Creation of National Level Tribal Research Institute**

32. The Committee note that although there is National Commission for Scheduled Castes and Scheduled Tribes, yet there is no Tribal Research Institute at the National Level to look after the affairs of the Tribal Communities. The Union Government entirely depends on the Regional Research Institutes of the States whose roles are limited only to a particular State. The Ministry of Welfare of the Government of India, the Registrar General and

Census Commissioner of India have also opined to have such a National level Research Institute. The Committee, therefore, strongly recommend to create a National Level Tribal Research Institute for identifying the tribals, their inclusion/exclusion in/from ST list and look after the affairs of the tribals. The Institute should be given autonomous status.

NEW DELHI;  
*Dated: August, 1997*

AMAR ROY PRADHAN,  
*Chairman,*

*Select Committee on the Constitution  
(Scheduled Tribes) Order (Amendment) Bill, 1996.*

## MINUTE OF DISSENT

The foundation on which the recommendation of giving Scheduled Tribes status to Koch-Rajbongshi of Assam is the unscientific and unwarranted comparison of this community with Koches of Meghalaya who are STs in that State. The comparison is odious, because some similarity in nomenclature can't be stretched to mean that the two communities are same or similar. The microscopic tribe named Koches of Meghalaya is a different tribe akin to the Garos and the Rabhas and not the counterparts of Koch-Rajbongshis of Assam. These Koch people of Meghalaya speak of dialect not at all intelligible to the Koch-Rajbongshis of Assam or West Bengal. (Please see Linguistic Survey of India, Vol-III, Part-I, Page 95; also see Tribal History of eastern India by E.T. Delton, Calcutta-1872, pages 89—92). The observation made in para 20 that 'the Koches of Assam living near the foothills of Meghalaya have been practising the age old method of shifting cultivation' is also a distortion of truth. These Koches of Assam-Meghalaya border are very small in number and they are actually counterparts of the Koch tribe of Meghalaya. They have nothing to do with the Koch-Rajbongshis of Assam. The report arrived at this conclusion about the Koches of Meghalaya without visiting the area and interacting with the people. The Koches of Assam living near the foothills of Meghalaya have also given a memorandum stating that they are not the same group as the Koch-Rajbongshis of the remaining parts of Assam. It is surprising that the memorandum given by these Koches has not been discussed in the report. It is stated in the Report that Koch-Rajbongshis are a single community. This is not correct. There are two communities viz. Koches and Rajbongshis. They have gone a step further and added the suffix of Kshatriya which is a clear indication of their social advancement and it is beyond our understanding therefore as to how this advanced community can ever be treated as a tribe.

2. The Commissioner and Secretary to the Government of Assam, Department of Welfare of Plain Tribes and Backward Classes has informed this Committee that interference to the criteria of primitiveness, distinctive culture, geographical isolation, shyness regarding contact with other communities at large and overall backwardness, the situation is more acute in the Hill districts of Assam and less so in the plain districts of the State. It is in view of this that since the beginning the communities listed as Scheduled Tribes in the Hill districts of the State of Assam have been listed separately from the communities listed as Scheduled Tribes in the plain districts of Assam. It is in the interest of protection of rights and interests of the S.Ts. of Hills that a separate quota of reservation and constitutional provision of 6th Schedule are on the Statute. It is therefore essential to continue with the present system of two categories of Scheduled Tribes in Assam, namely Scheduled Tribes (Hills) and Scheduled Tribes (Plains) with separate and exclusive reservation quota. The recommendation of the Committee for removal of area restriction is not at all acceptable considering the extreme backwardness, separate identity of the hills tribal people and sensitive nature of the situation in the hills. Such recommendation will have very serious implications leading to social tension and political turmoil.

3. Then there is the problem of identification. Any non-Bramin upper caste Assamese can claim to be a Koch. It is impossible to lay any guidelines for ascertaining the claim. This position will lead to misuse of the facility by the certifying officials or miscarriage of justice due to the ignorance of these officials. This point was raised during the meeting of the Committee on 5.8.1997 and also on earlier occasions. The Secretary, Ministry of Welfare Government of India has expressed similar apprehensions. The draft report for reasons not specified, ignored these apprehensions. The report, therefore, suffers from these serious infirmities.

4. The Committee has, accepted the fact that the Koch-Rajbongshis are advanced as compared to the original tribals of Assam and how also admitted that in the admissions of Medical Colleges and other educational institutions during 1996-97, candidates belonging to Koch-Rajbongshis community have taken away a large number of seats out of the quota reserved for the S.Ts in Assam. This had happened after the promulgation of the Ordinance giving S.T. status to the Koch-Rajbongshis. After admitting the advanced status of the Koch-Rajbongshis, we find no justification to recommend inclusion of this advanced group in the ST list along with tribes which are backward in every respect. This is self contradictory.

5. The Report says 'Government may explore the possibility of creating separate reservation quota for Koch-Rajbongshis. There is no such provision in the constitution for community for tribe-wise reservation. This recommendation cannot be accepted as it affects the basic structure of the provisions of the constitution in respect of reservation. Further, it will open a pandoras box, as individual communities will seek separate quotas which will lead to utter chaos in the matter of reservations. We, therefore, feel that the report does not stand the test of credibility. It would be appropriate at this juncture to remind the Committee that the question of treating Koch-Rajbongshis was considered by Kalekar Commission in 1955, by Lokur Committee in 1965, the Joint Committee of the Parliament in 1967 and by Mandal Commission in the late 70's. All these Committees have come to the unanimous conclusion that this community has no case to be included in the list of STs. Even in late eighties and early ninties the Registrar General of Census and the Assam Institute of Tribal Research categorically stated that this community does not satisfy four of the five criteria determining the inclusion of any community in the list of STs. It is only in 1994 that the Assam Institute and Registrar General gave their opinions favouring its inclusion which are diametrically opposed to their earlier views in the matter making their subsequent recommendations a mockery. It is obvious that this *volte face* is dictated by political compulsion on the eve of General Election in 1996 through the process of legislation by ordinance.

6. There are many communities in Assam which have claimed the status of STs. These claims are pending for over a decade. It is not known how the claims of these communities have been ignored and only Koch-Rajbongshis was picked up for giving the status through ordinance. Even the draft report is incomplete in as much as some of the communities now recommended for inclusion along with Koch-Rajbongshis do not conform to the five criteria for inclusion in the list of STs. On top of this, it is ridiculous that Tai-Ahom community which is more advanced than Rajbongshis community is recommended for inclusion in the STs where as some of the communities which are more backward and which have got genuine case such as Karbis, Dimasas of Plains and Tiwas of Hills and have not been included.

7. The Committee does not possess a dependable data on the population figures of the Koch-Rajbongshis. It is impossible to fix any quota in the absence of census enumeration. The Koch-Rajbongshis of Assam originally claimed their strength to be 70 lakhs and thereafter brought it down to 40 lakhs and further to 20 lakhs. The Government of Assam estimated the population at 15 lakhs which is an assumption without any basis. We are of the view after our discussion with the various groups in Assam, that Koch-Rajbongshis constitute 50 lakhs and they are admittedly more advanced than other communities. The number is so big that it would seriously jeopardise the reservation of the original tribal who continue to be backward and who cannot compete with Rajbongshis.

In view of the forgoing facts we oppose the Report and the amended bill enclosed thereto and urge that they be rejected and the ordinance allowed to lapse thereby restoring *status quo ante* in the larger interests of the real tribes of Assam.

We also wish to point out that there are many claims and counter-claims in different parts of the country for inclusion and exclusion of various communities calling for detailed study and a comprehensive bill to be brought forward so as to set at rest the contradictions inherent in the SC and ST lists and to eliminate anomalies that have crept in the past.

New Delhi  
7 August, 1997

Dr. JAYANTA RONGPI  
P. KODANDA RAMAIAH

THE CONSTITUTION (SCHEDULED TRIBES) ORDER (AMENDMENT) BILL, 1996

(AS REPORTED BY THE SELECT COMMITTEE)

(Words underlined or side-lined indicated the amendments suggested by the Committee)

A  
BILL

to provide for the inclusion of *certain communities* in the list of Scheduled Tribes specified in relation to the State of Assam.

Be it enacted by Parliament in the Forty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Scheduled Tribes) Order (Amendment) Act, 1997. Short title and commencement.

(2) The provisions of this Act, other than clause (a) and sub-clause (ii) of clause (b) of section 2 shall be deemed to have come into force on the 27th day of January, 1996, and clause (a) and sub-clause (ii) of clause (b) of section 2 shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In the Schedule to the Constitution (Scheduled Tribes) Order, 1950, in Part II.—Assam,— Amendment of the Constitution (Scheduled Tribes) Order, 1950.

(a) the following explanation shall be added at the end, namely:—

“Explanation.—For the purposes of this Part, it is hereby declared that, notwithstanding anything contained under this Part, a member of a tribal community specified under this Part, shall, on and from the commencement of the Constitution (Scheduled Tribes) Order (Amendment) Act, 1997, be treated as a member of such tribal community for the autonomous district or for the part of the State of Assam excluding the autonomous district, as the case may be, irrespective of the fact as to whether he has been residing for any time in any part of the State of Assam.”;

(b) under the heading “II. in the State of Assam excluding the autonomous districts:—”,—

(i) after item 9 and the entry relating thereto, the following item and entry shall be inserted, namely:—

“10. Koch-Rajbongshi.”;

(ii) after item 10 and the entry relating thereto, the following Explanation, items and entries shall be inserted, namely:—

**"Explanation.—**For the purpose of item 10 and the entry relating thereto, only those members of the Koch-Rajbongshi community who belong to the distinct tribal groups shall, on the commencement of the Constitution (Scheduled Tribes) Order (Amendment) Act, 1997, be treated as the members of the Koch-Rajbongshi community.

11. Chutiya
12. Garo
13. Tai Ahom
14. Matak
15. Moran
16. Hajong
17. Singpho
18. Chorei
19. Sakacheep
20. Rupini
21. Aimol
22. Ranglong (or) Halam
23. Asur
24. Bhumji/Bhumij
25. Badia/Bauri
26. Baiga
27. Bhil/Telenga
28. Binjia
29. Birhar
30. Birijla
31. Choro
32. Dhanwar
33. Ganda
34. Gorait
35. Korwali
36. Korwa/Korua
37. Kol
38. Kharia
39. Khorwal
40. Koya
41. Lodha/Lodhi
42. Mahali/Mahli
43. Mahli
44. Mal Paharia
45. Panika/Tari
46. Nagasia
47. Gonds
48. Mondas/Munda
49. Saver/Sowar/Sooha
50. Santhals or Santhal
51. Orena/Oraon

- 52. Bhuyan/Ghatowar
- 53. Bhatta
- 54. Baijara/Banjara
- 55. Chiekbaria/Baraik
- 56. Kowar
- 57. Kumhar
- 58. Kashan/Kisan
- 59. Lahar/Lohar
- 60. Madari
- 61. Manki
- 62. Mirdhar/Mirdha
- 63. Negbansi
- 64. Parja/Proja
- 65. Pradhan/Biswal
- 66. Karmakar or Kamar
- 67. Sahora/Soaria/Sabar/Saharia
- 68. Kondh/Khandh/Kondhpan
- 69. Pan/Pano
- 70. Kurmi/Mahato

Repeal and saving. 3. (1) The Constitution (Scheduled Tribes) Order Ord. 30 of 1996

(Amendment) Third Ordinance, 1996, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Constitution (Scheduled Tribes) Order, 1950, as amended by the said Ordinance, shall be deemed to have been done or taken under the said Order, as amended by sub-clause (i) of clause (b) of section 2 of this Act.

## APPENDIX I

(*vide* paragraph 2 of the Report)

### MOTION IN LOK SABHA FOR REFERENCE OF THE BILL TO THE SELECT COMMITTEE

“That the Bill to provide for the inclusion of Koch-Rajbongshi in the List of Scheduled Tribes specified in relation to the State of Assam be referred to a Select Committee consisting of 15 members, namely:—

1. Shri Amar Roy Pradhan
2. Shri Dwaraka Nath Das
3. Shri Lalit Oraon
4. Shri Phagan Singh Kulaste
5. Shri Paban Singh Ghatowar
6. Shri P.R. Das Munshi
7. Shri Pinaki Mishra
8. Shri Uddhab Barman
9. Shri P. Koddandaramaiah
10. Shri S.S. Palanimanickam
11. Dr. Jayanta Rongpi
12. Dr. Arun Sharma
13. Dr. Prabin Chandra Sarma
14. Shri M. Selvarasu
15. Shri S.K. Kaarvendham

with instructions to report by the last day of the first week of the Winter Session, 1996.”

**APPENDIX II**  
(*vide* para 5 of the Report)

**LIST OF ASSOCIATIONS, ORGANISATIONS, INDIVIDUALS ETC. FROM WHOM  
MEMORANDA WERE RECEIVED BY THE SELECT COMMITTEE**

1. Shri Nareswar Mashary, President,  
The All Assam Tribal Sangha, Jatia,  
Guwahati-6.
2. Dr. D. Chamna, General Secretary,  
All Assam Koch-Rajbongshi Sanmilani,  
Guwahati, Camp: Asom Bhavan,  
Sardar Patel Marg, New Delhi-110 001.
3. Shri Prithibi Majni, MLA, Ex. MP,  
Assam Branch INTUC Legislative Forum,  
Dispur, Guwahati (Assam).
4. Dr. Harendran Dut N.R. Dutta,  
Ex-President, All Assam  
Koch-Rajbongshi Sanmilani, Assam.
5. Assistant General Secretary,  
All Bodo Students' Union,  
Kokrajhar.
6. Shri Urkha Gwra Brahma,  
President, All Bodo Students' Union,  
Kokrajhar.
7. Shri B. Deori Bharali,  
President Dibrugarh Nagar Depori Unnayan Sammittee,  
Dibrugarh (Assam).
8. Shri J.N. Deori, Vice-President,  
Dibrugarh Nagar Deori Unnayan Samittee,  
Dibrugarh (Assam).
9. Shri J.N. Pegu, General Secretary,  
Mising Agom Kchang, All Assam  
Mising/Miri Sahitya Sabha.
10. Shri Rabindra Rongpi,  
Coordinator Tribal Students' Federation,  
Tribal Rest House,  
Paltanbazar,  
Guwahati (Assam).
11. Dr. Ranoj Pegu, Secretary  
Tribal People's Front, Near  
Capital Travels, Manipuri Basti,  
Guwahati (Assam).
12. Shri P. Kodanda Ramaiah, MP  
No. 59, V.P. Extension,  
Chitradurga-Karnataka.
13. Dr. Purna Narayan Sinha, Ex. MP  
President, Bharatiya Koch-Rajbongashi  
Mahasabha, Ward 12, Tejpur.

14. Shri Sri Kanta Hazarika,  
President OPF Forum.
15. Shri B. Deori Bharali, President,  
Dibrugarh Nagar Deori Unnayan Sammittee,  
Dibrugarh.
16. Shri Bhuban Chandra Deori Bharali,  
President, Dibrugarh Nagar Deori  
Unnayan Sammittee, Pub Chowkidinghee  
(Behind P.W.D. Colony)  
P.O. Dibrugarh, Assam.
17. Shri Rabindra Rongpi, Coordinator  
Tribal Students' Federation,  
Tribal Rest House, Paltanbazar,  
Guwahati, Assam.
18. Shri Milon Sonowal, Secretary,  
Tribal Students' Federation,  
Tribal Rest House, Paltanbazar,  
Guwahati, Assam.
19. Dr. Ranoj Pegu, Secretary,  
Tribal Peoples' Front,  
Near Capital Travels, Manipuri Basti,  
Guwahati, Assam.
20. Shri Sushil Kumar Ray, General Secretary,  
Coordination Committee Boro Garo  
and Koch-Rajbongshi Communities of Assam.
21. Lila Boro, President,  
Sonitpur District Tribal Sangha,  
Assam.
22. Shri Lakhan Bongjung, General Secretary,  
Assam Panks Garbi Adarlon Guwahati,  
Assam.
23. Shri Nagen Konwar,  
Council of Gobha Tiwa King of Gobha Kingdom,  
Assam.
24. Shri Tileswar Koch, Jr. Teacher,  
Govt. Town Sec. School, Khonsa,  
Tirap District, Arunachal Pradesh.
25. Shri Hem Chandra Laskar, Lecturer,  
Kanpur College, P.O. Kanpur.
26. Shri Monteswar Fonang, President,  
All Assam Triba Sanga,  
Bonda Branch, Guwahati-26.
27. Dr. Deen Ch. Das,  
Rly. Hr. Sec. School, Maligaon,  
Gate No. 1, Maligaon,  
Guwahati-11.
28. Shri Madhuri Pd. Borah,  
The Sonewal Kachari Jatiya Parisad,  
Dibrugarh District, Dibrugarh, Assam.

29. Dr. Bhupendra Kaman, President,  
Mising People's Party,  
Dhemaji, Assam.
30. Shri Rimal Amsih, President,  
All Tiwa Students' Union,  
Central Committee, H.O. Jagiroad,  
District: Morigaon, Assam.
31. Purnima Dutta Baruah, President,  
All Assam Koch Rajbongshi Mahila Sanmilani,  
Guwahati-28.
32. Uphing Maslai, General Secretary,  
Autonomy Demand Struggling Forum,  
H.O. Jagiroad, Assam.
33. Shri Karneswar Doley, President,  
Mising Art & Culture Society.
34. Shri Rabindra Rongpi, Coördinator,  
Tribal Students' Federation,  
Tribal Rest House, Paltanbazar,  
Guwahati, Assam.
35. Dr. Nomal Pegu, Retd. Chief Medical Officer,  
P.O. C.R. Building, Dibrugarh,  
Assam.
36. President, Koch-Rajbongshi  
Employees Welfare Association,  
Bongaigaon District, Guwahati.
37. President, Chilaray Tarpan Samittee,  
Dhaligaon (Assam)
38. President, All Assam Koch-  
Rajbongshi Sanmilani, G.S. Road,  
Guwahati.
39. Shri Ambika Choran Choudhury,  
Retd. Principal, P.O. & Distt. Bongaigaon,  
Assam.
40. General Secretary,  
All Assam Mattak Sanmilan,  
P.O. Panitola, Distt. Dibrugarh.
41. Shri Hem Chand Boro
42. All Assam Tribal Employees Association,  
Tejpur District.
43. Shri Sushil Kumar Roy,  
General Secretary, Coordination Committee  
Boro Goro & Koch-Rajbongshi Communities of Goalpara  
and South Kamrup Distt.
44. Shri Laba Kr. Ray, Secretary,  
Gopalpara Distt. Koch-Rajbongshi  
Sanmilani, P.O. Dudhol  
Distt. Gopalpara, Assam.
45. General Secretary,  
Colleghe Tribal Students' of Assam,  
Morigaon.

46. Distt. President, **Janata Dal**,  
Goneshghat, Tejpur.
47. President, **Jagoroad Gaon  
Panchayat**, Morigaon, Assam.
48. Shri Tharsush K. Sangma,  
General Secretary,  
All Assam Garo Students' Union,  
Goalpara (Assam).
49. Shri Khaturam Rabha, General Secretary,  
All Rabha National Council,  
Jatia, Guwahati.
50. Shri Niranjan Prasad Rabha,  
President, Greater Guwahati  
Anchalik Rabha Jatia Parisad,  
Anandapur, Guwahati-6.
51. Shri Taranth Khanikar, General Secretary.  
All Assam Mattak Sanmillan,  
Panitola, Tinsukia.
52. Shri Migang Ghanshyam Taye,  
President, Norhat Mising Bangke Agom  
(Sahitya Sabha) Kebang, Jorhat-1.
53. President,  
Gram Sureskha and Vikas Samittee,  
Haleempur-Jamalpur-Mungaar.
54. Shri B.R. Deuri, Ex-Minister,  
Welfare of Plains Tribes and  
Backward Classes, Govt. of Assam.
55. Mrs. Latika Hazoary, President  
All Bodo Women's Welfare Federation,  
Kokrajhar (Assam).
56. Shri Kuladhar Chutiya, President  
All Chutiya Jeti Sanmilan Asom,  
Guwahati.
57. Mr. Bhaskar Pegu,  
Election Officer Charaideo Sonari,  
Sibsagar, Assam.
58. Shri S.K. Bwiswnushiary, Chairman,  
Bodoland State Movement Council,  
Kokrajhar (Assam).
59. Shri Dadhi Ram Medhi, President,  
Nalbari District Tribal Sangha,  
Nalbari.
60. Shri P.R. Mili, Regional Secretary,  
All India SC/ST Employees'  
Welfare Association, B-65 ONGC ERBC  
(Assam).
61. President, **All Assam Tribal Sangha**.  
Distt. Committee, Jorhat.

62. Shri Urkha Gwra Brahma, President  
All Bodo Students' Union,  
Kokrajhar (Assam).
63. Shri Puran Singh Deori, President,  
All Assam Deori Students' Union,  
Jorhat District Committee, Jorhat  
Deora Bhawan, J.B. Road, Jorhat.
64. Shri Migang Nalinidhar Bangam,  
President, Jorhat Mising Robang,  
Jorhat, Assam.
65. Shri Ajit Dolsy Migang, President,  
Mising Ninag Kshang,  
Jorhat District Committee,  
Jorhat.
66. Shri Naran Shyam, President,  
Jorhat District Tribal Coordination  
Committee, Jorhat.
67. Shri Nareswar Machary, President  
All Assam Tribal Sangha, Jotia,  
Guwahati-6 (Assam).
68. Shri Jagat Baruah, President  
Tal Ahea Council, Assam  
Guwahati-3.
69. Shri G. Das Narzary, Zonal President,  
All India Scheduled Castes &  
Scheduled Tribes Railway Employees Association,  
N.E. Railway Zone, 60/B,  
Central Gotanagar, Maligaon, Guwahati.
70. Smt. Minakshi Mazarika, General Secretary  
Assam Plains Tribes  
Employees Association, Guwahati-5.
71. Shri Tulashi Manas Rabha, President,  
All Rabha Students' Union,  
P.O. Beroma, Nalbari Distt.  
Assam.
72. Shri N.C. Taya, General Secretary,  
Assam Secretariat Tribal Employees'  
Forum, Dispur, Guwahati-5.
73. Shri Makhan Chandra Doley, General Secretary  
All Assam Tribal Employees' Association,  
Guwahati-5.
74. Shri Rabindra Rongpi, Coordinator,  
Tribal Students' Federation,  
Assam Tribal Rest House,  
Paltanbazar,  
Guwahati-8 (Assam).
75. Shri Phani Medhi, President,  
All Assam Koch Rajbongshi Sanmilani  
Guwahati.

76. **Mrs. Tara Pathak, President, Guwahati Mahanagar City Mahila Sanmilani, Guwahati.**
77. **Shri Tharsuah K. Sangna, General Secretary, All Assam Gars Students' Union, Distt. Goalpara, Assam.**
78. **Shri Manoj Pegu, General Secretary, Tribal Peoples' Front, Assam, Near Capital Travels, Matipuri Distt. Guwahati (Assam).**
79. **Shri Gopal Prasad, Secretary, All Assam (Dusadh Joti) Pas Sangha, Graham Bazar Distt. Patty. Dibrugarh (Assam).**
80. **Shri Kirsa Kumar Gogoi, Advocate President, Phralong Buddhist Culture Society.**
81. **Shri Srikanta Hazarika, President, All Assam Scheduled Castes Peoples Representative Forum, Guwahati.**
82. **Shri Niraal Ch. Doka, Secretary, Koch-Rajbongshi Chatra Chantha, Nagaon District (Assam).**
83. **Shri Ajit Kumar Barah, President.**
84. **Shri Barihing Hainary, Chairman, Nationalist Tribal Liberation Tigers.**
85. **Shri B. Sepri Bharali, President, Dibrugarh Nagar Depri Uppayan Sammittee, Dibrugarh.**
86. **Dr. Jageswar Berah, All Assam Bhengal Rachari Organisation, Distt. Marth Lakhimpur.**
87. **Shri Phani Madhi, President All Assam Koch Rajbongshi Sanmilani, Guwahati.**
88. **Shri Dwaraka Nath Das, MP.**
89. **Shri Ajit Kumar Borah, President.**
90. **Shri Galok Borah, Secretary, All Assam Koch Rajbonshi Yuva Chatra Sanmilani, Terpur, Assam.**
91. **Shri Hyder Ali Ahmed, Vill. Mowanari, P.O. Kalgarhia, Distt. Barapota, Assam.**

92. Shri Kushram Das,  
No. 2, Titabar Babejla Kachari  
Garh, P.O. Titabar, Jorhat, Assam.
93. Shri Buduram Deori,  
The Tribals of Dhemaji District (Assam).
94. Shri Bhugen Sonowal, President,  
Dhemaji District Tribal Sangha,  
Tribal Rest House Dhemaji,  
P.O. Dhemaji, Pin-787057.
95. Shri Subungoha Mwshahary,  
President, Bodo Students'  
Literary Society.
96. Shri K.C. Pathak,  
Manmao, D.I. Changlang,  
Arunachal Pardesh.
97. Shri Gobind Ch. Medrek,  
Senior Lecturer, Dhemaji College,  
P.O. Dhemaji-787057, Assam.
98. Shri Dimbeswar Boruah, Advocate,  
Dhemaji Bar Association,  
Dhemaji-787057, Assam.
99. Shri Dembiram Panging,  
General Secretary,  
Subsagar District, Tribal  
Unemployed Association, Assam.
100. Shri Akon Rava,  
Minister of State, Assam  
Legislative Assembly.
101. Shri Hem Ch. Lagashu,  
General Secretary, Mising BA:NC  
Kcbang, P.O. Dhemaji-787057,  
Distt. Dhemaji, Assam.
102. Shri Keshab Ch. Sonowal,  
President, Sonowal Kachari  
Jatiya Parisad,  
Dibrugarh-786001.
103. Shri Akon Rava,  
Minister of State, Assam,  
Assam Legislative Assembly.
104. Shri Sashi Mohan Das, Secretary,  
Chilarai Research Centre,  
Silpukhuri, Guwahati-3 (Assam).

105. **President,**  
All Assam Tribal Sangha,  
Majuli Distt. Committee,  
H.O. Jotia Guwahati-6 (Assam).
106. **Shri Sapal Doley, President,**  
Takam Mising Porin Kobang,  
(All Mising Students' Union),  
Majuli Distt. Committee,  
P.O. Gogamukh (Assam).
107. **Shri Bineswar Brahma, President,**  
Bodo Sahitya Sabha,  
P.O. Kokrajhar-783370 (Assam).
108. **Shri J.N. Pegu, General Secretary,**  
Mising Agom Kcbang,  
(All Assam Mising/Miri Sahitya Sabha)  
H.O. & P.O. Distt. Dhemaji,  
Assam.
109. **Shri B. Deuri, President,**  
All Assam Deuri Sanmilan, Dispur,  
Ganeshguri, Kachari Basti.  
Guwahati-6 (Assam).
110. **Shri Khamchinpau Zou, President,**  
All India Tribal Students'  
Association, 107, Mansrowar Hostel,  
Delhi University, Delhi-110 007.
111. **Shri Philomon Baskey, President,**  
The Adivasi Council of Assam,  
H.O.& P.O. Udaguri,  
Distt. Darrang-784509 (Assam).
112. **Secretary,**  
Communist Party of India  
(Marxist-Leninist), Liberation,  
Sagarika Path, Zoo Road,  
Guwahati-24 (Assam)
113. **Shri Biswarup Saikia, President,**  
Regional Engg. College Assam  
Tribal Students' Union,  
Silchar (Assam).
114. **Shri Mg Thaneswar Panging,**  
Asstt. General Secretary,  
Mising Agom Kcbang,  
H.O. & P.O. & Distt. Dhemaji,  
Assam.

115. **Shri Pradip Kumar Saikia, Principal,  
Institute of Physically Handicapped,  
Amar Pragati Sanskritic Chota &  
Samaj Unnayan Kendra, Post Box 190,  
Guwahati-781011 (Assam).**
116. **Shri Ajoy Borah, President,  
All Chutiya Jati Yuva-Chatra Sanmilan,  
Near Hospital Kamarbandha, Golaghat,  
Assam.**
117. **Shri Ajoy Borah, President,  
All Chutiya Jati Yuva-Chatra Sanmilan,  
Near Hospital Kamarbandha, Golaghat,  
Assam.**
118. **Shri Sunaram Kachari,  
Pub-Bengal Pukhuri,  
Na-Ali Jorhat, P.O. Jorhat-785001  
Assam.**
119. **Shri Kanchan Kr. Sarkar,  
Joint Secretary Paschim Banga Chain  
Samaj Unnayan Samity, 59/A,  
B.T. Road, Calcutta-700 002.**
120. **Shri Debeswar Banai,  
Vill. Batabari, P.O. Kapasi Para,  
Distt. South Garo Hills.  
(Meghalaya).**
121. **Deputy Secretary to the Govt. of Assam,  
Department for Welfare of Plains  
Tribes and Backward Classes,  
Dispur, Guwahati-6 (Assam).**
122. **Shri Nabajyoti Saikia, President,  
All Chutia Jati Yuva-Chatra Sanmilani,  
Assam, Dhansiri Distt. Committee,  
Sarupathar-785601.**
123. **Shri Padmeswar Deo, President,  
All Assam Koch Rajbongshi Sanmilani,  
G.S. Road, Guwahati-5 (Assam).**
124. **Shri Nareswar Mashary,  
President I/c, All Assam  
Tribal Sangha, Jotia, Guwahati-6,  
Assam.**
125. **Shri Bhairab Bordoloi,  
President, Distt. Koch Rajbongshi  
Sanmilani, Nagaon. (Assam).**

126. Dr. Durlav Chamua,  
 General Secretary,  
 All Assam Koch Rajbongshi  
 Kshatriya Sanmilani,  
 P.O. Khanapara, Panjabari Bazar  
 Sukafa Path, Guwahati-22.

127. President,  
 North Salmara District,  
 Koch Rajbongshi Sanmilani,  
 Abhayapuri,

128. Shri Milan Sonowal,  
 Secretary, Tribal Students' Federation,  
 Karbi Students' Hostel,  
 Ambikagiri Nagar, Guwahati.

129. Shri Sukanta Koch,  
 Gen. Secy. All Assam Koch Association,  
 Distt. Dhubri, Adarsha Manjurigaon,  
 P.O. Borkona-784 105 (Assam)

130. Dr. Purna Narayan Sinha,  
 Ex-MP and President,  
 Koch-Rajbongshi International,  
 Mahajati Path, Tejpur-784 001 (Assam).

131. Shri Balendra Narayan Singha,  
 President, All Assam Koch-Rajbongshi  
 Kshatriya Yuba-Chatra Sanmilani &  
 Ms. Purnima Datta Baruah,  
 President, All Assam Koch-Rajbongshi  
 Kshatriya Mahila Sanmilani.

132. Dr. Purna Narayun Sinha,  
 Ex-MP, President,  
 Koch Rajbongshi International,  
 Mahajati Path, Tejpur-784 001 (Assam).

133. Shri Kirip Chaliha, MP, Lok Sabha,  
 185, South Avenue, New Delhi-110 011.

134. Shri Robgang Brahma, President,  
 People's Democratic Front, Udaguri,  
 Distt. Darrang, Bodoland (Assam).

135. The Semtinel,  
 Guwahati.

136. Shri G. Das Narzary,  
 Zonal President,  
 All India SC & ST Railway Employees'  
 Association N.F. Railway Zone,  
 60/B, Central Gotanagar, Maligaon,  
 Guwahati-781 011 (Assam).

137. **Shri Ganesh Kutum, Speaker,  
Assam Legislative Assembly, Dispur,  
Guwahati-781 006.**

138. **Shri Satish Medhi, General Secretary,  
Guwahati City District, Koch Rajbongshi  
Sanmilani, Cachar District Committee, Harinagar,  
Cachar.**

139. **General Secretary,  
All Assam Koch Rajbongshi Sanmilani,  
Cachar District Committee, Harinagar,  
Cachar.**

140. **Shri N.C. Taya, General Secretary,  
Assam Secretariat Tribal Employees' Forum,  
Dispur, Guwahati-6.**

141. **President,  
Koch Rajbongshi Sanmilani, Dibrugarh,  
Assam.**

142. **Shri Sushil Kumar Roy,  
General Secretary Coordination Committee  
Boro-Goro & Koch-Rajbongshi Communities  
of Goalpara and South Kamrup Distt.  
P.O. Dudhnboi, Distt. Goalpara (Assam).**

143. **President, Bilasipara Distt.  
Koch-Rajbongshi Sanmilani, Sub-Division,  
Bilasipara.**

144. **Shri Bhabendra Nath Deka, General Secretary,  
Marigaon District Koch-Rajbongshi Sanmilani,  
P.O. Marigaon, Distt. Marigaon, Assam.**

145. **Shri Girish Ch. Neog, President,  
Sibsagar, District Koch-Rajbongshi Sanmilani.**

146. **Assam Tribune, Guwahati.**

147. **Shri G.S. Roy,  
Working President,  
All Assam Koch Rajbongshi Sanmilani,  
Asom Bhavan, Sardar Patel Marg, New Delhi-1.**

148. **Shri Ganesh Kutum, Speaker,  
Assam Legislative Assembly, Dispur,  
Guwahati-781 006.**

149. **Shri Lakhi Kanta Saikia,  
Vill. Hatigaon, Kaliabari,  
Distt. Newgaon (Assam).**

150. **Shri S.K. Bwiswmuthiary,  
Chairman, Bodoland State Movement Council,  
H.O. & P.O. Distt. Kokrajhar,  
Pin-783370, Bodoland (Assam).**

- 151. Ms. Rajlakshmi Saikia,  
Everest Academy, Beltola,  
Guwahati-28.
- 152. Shri Mal Chandra Pegu, Ex. MLA,  
Assam.
- 153. Shri R.C. President,  
Janata Dal, Sonitour Distt.,  
Goneshghat, Tejpur-784 001.
- 154. Shri Kiran Kumar Gogoi, President,  
Assam Phralung Buddhist Council,  
Ist Bye Lane, Ajanta Path,  
Beltola, Guwahati-781 028.
- 155. Shri Sona Ram Majumdar,  
Lecturer, Kanpur College,  
Kanpur-782426  
Distt. Nagaon, Assam.
- 156. Shri Sagar Chandra Dalu,  
Vill. Hawakhana, Mondol Tilla,  
P.O. Tura, Distt. West Hero Hills,  
(Meghalaya).
- 157. Dr. Bilas Pegu, President,  
DO: NYIPO:LODO:LUNG  
KA:SVNG KCBANG, Bishnupur,  
P.O. Chinnamara-8, Jorhat (Assam).
- 158. Shri Bimol Amsib, Member of Sectt.,  
Tribal Student's Federation &  
Dr. Jayanti Rongpi, M.P.,  
Tribal People's Front, Assam.
- 159. Shri S. Soren, General Secretary,  
Adivasi Council of Assam, (Central Committee),  
P.O. & H.O. Udaguri,  
Distt. Darrang-784 509 (Assam).
- 160. Secretary,  
Tribal Research Centre, Golcha Marg,  
Post Sadar Bazar, Sadar, Nagpur-440 001.
- 161. Shri Srikanta Kumar Jena,  
Minister of Parliamentary Affairs & Tourism,  
Government of India, New Delhi-110 001.
- 162. Secretary,  
NEEPCO Tribal Employees Welfare,  
Welfare Association,  
Kathalguri Unit.

163. **Shri Kanchan Kr. Sarkar,**  
Joint Secretary, Paschim Banga,  
Chain Samaj Unnayan Samity,  
59/A, B.T. Road, Calcutta-700 002.
164. **Shri Kiran Kumar Gogoi, Advocate,**  
President, Society of Phralung Buddhist Culture,  
1st Bye-Lane, Ajanta Poth, Beltola,  
Guwahati-781 028.
165. **Shri Upendra Haari Koch, President,**  
All Assam Koch Association, P.O. Borkona,  
Distt. Dhubri-794 105 (Assam).
166. **Smt. Jaree Pathak, President,**  
Guwahati Mahanagar District Koch-  
Rajbongshi Mahila Sanmilani.
167. **Shri P. Bareh, General Secretary,**  
Jerhat Zila Koch-Rajbongshi.
168. **Shri Seshi Mohan Das, Secretary,**  
Chilarai Research Centre,  
Silpukhru, Guwahati-3.
169. **Shri Biren Rajbongshi, General Secretary,**  
Nelbari Distt. Koch-Rajbongshi Sanmiloni,  
Nalbari.
170. **Dr. Harendra Marayar Dutta, MSc., Ph. D.,**  
Reader in Statistics Department,  
Dibrugarh University.
171. **Shri Prafulla Bortemuty, General Secretary,**  
Koch-Rajbongshi Kshatriya Sanmilani, Golaghat,  
Distt. Committee.
172. **President, Udaguri District,**  
Koch Rajbongshi Sanmilani.
173. **Shri Chandicharan Chaliha, President,**  
All Darrang District Koch-Rajbongshi,  
Sanmilani, Mangaldoi.
174. **All Assam Koch-Rajbongshi,**  
Sanmilani.
175. **Dr. Dwijendra Nath Bhakat, Lecturer,**  
Chilarai College, Golakganj, Assam.
176. **Shri Upendra Hari Koch, President,**  
All Assam Koch Association,  
Adarsha Manjuri Gaon, P.O. Borkona,  
Distt. Dhubri, Assam.

177. **Shri Padmakanta Deka, President,  
Distt. Koch Rajbongshi Sanmilani,  
P.O. Morigaon, Distt. Morigaon, Assam.**
178. **Shri G.S. Roy, President,  
All Assam Koch Rajbongshi Sanmilani,  
Japomigog, Guwahati-5.**
179. **Shri S.R. Daimary, President,  
Coordination Committee, Boro, Garo and  
Koch-Rajbongshi Communities of Goalpara and  
South Kamrup Districts, P.O. Dudhnai,  
Distt. Goalpara, Assam.**
180. **Shri Satish Medhi, General Secretary,  
Guwahati City District, Koch Rajbongshi  
Sanmilani, Chuitian Basti,  
Guwahati-781 005.**
181. **Shri Rimol Amsih, President,  
Tribal Student's Federation Tribal Rest House,  
Paltanbazar, Guwahati-781 008 (Assam).**
182. **Shri Kamala Kanta Saikia,  
Secretary-General, All Sonowal  
Kachari Jatiya Parishad,  
Dibrugarh-786 003.**
183. **Shri M. Bordola, President,  
Assam Secretariat Tribal,  
Employees' Forum, Dispur,  
Guwahati-6.**
184. **Mg. Thaneswar Panguing,  
Asstt. General Secretary,  
Missing Agom Kobang, H.O. & P.O.  
& Distt. Dhemaji.**
185. **Shri Binai Khungur Basumatari,  
President, United Tribal Nationalists  
Liberation Front, H.O. Harisinga, Darrang,  
Assam-784 510.**
186. **Shri G. Das Narzary, President,  
All India Scheduled Castes &  
Scheduled Tribes, Railway Employees'  
Association, N.E. Rly. Zone,  
60/B, Central Gotanagar, Maligaon,  
Guwahati-781 011.**

187. General Secretary, "All Assam Other Backward Classes" Association, Kamala Barua Bhawan, S.I. Barua Path, Guwahati-6.
188. Shri S.K. Khanikar, Adviser, All Chutiajati Sanmilan, Assam.
189. Shri Maneswar Kathar, President, Kambi Students' Union, H.O. Karbi Students' Hostel, Bongkimi, Guwahati-24.
190. Shri Mukut Singh Chutia, General Secretary, URMCA.
191. Shri Jiten Saikia, Adviser, All Chutiya Jati Yuva-Chatra Sanmilan, ASTC's Cloak Roomll, Paltanbazar, Guwahati-781 008.
192. Shri Kuladhar Chutiya, President, All Chutiya Jati Sanmilan Asom, MIG-IV, Housing Board Complex, Hengrabari, Guwahati-781 006.
193. Shri Prabhat Das, President, Sadou Asom Anusudhita Jati Yuvi-Chatra Parishad, H.O. Dispur, Guwahati-5.
194. Shri Bipin Chandra Mahato, President, Assam Tea & Ex-tea Garden Tribes, Youth Association, Central Committee.
195. Shri Karuna Kanta Barua, President, United S.T. Demand Committee, Kamala Kanta Barua Bhawan, O.B.C. Complex, Guwahati-781 022.
196. President, TAI-AHO Council, Assam.
197. Shri Bijoy Kumar Adhikary, President, Gossaigaon Distt., Koch Rajbongshi Kshatriya Sanmilan.
198. Shri Prabhat Baisnab, President, Asom Gana Parishad, Bongaigaon-783 380.
199. President, Asom Gana Parishad, Bijni District Committee, Bijni, Distt. Bongaigaon. (Assam).

200. **Shri Rabindra Nath Das, President,  
All Bongaigaon District  
Students' Union, H.O. Swahid Bhawan,  
Bongaigaon.**
201. **Shri Dhrubajyoti Das,  
President, All Assam Koch Rajbongshi  
Yuva Chatra Sanmilani, Barpeta  
District Committee, P.O. Simlaguri,  
Distt. Barpeta-781 2315 (Assam).**
202. **Shri Dhani Ram Das, Secretary,  
Sorbhag Nagar Koch Rajbongshi Sanmilani,  
Sorbhog.**
203. **President, Barpeta District  
Koch Rajbongshi Sanmilani.**
204. **Shri Uddhab Chandra Das, President,  
Barnagar Anchalik Koch-Rajbongshi  
Sanmilani, Sorbhog.**
205. **Shri Yamision Ray, President,  
Badaland Koch-Rajbongshi Sanmillioni, Assam.**
206. **Shri Keshab Ch. Roy, President,  
Goalpara District Koch Rajbongshi  
Kshatriya Sanmilani, H.O.-FOFOI,  
P.O. Dudhroi, Assam.**
207. **Shri Harendra Chandra Das, President,  
Chilaray Tarpan Committee,  
P.O. Dhaligaon, Distt. Bongaigaon-783 385.**
208. **Shri Ambika Charan Choudhury, President,  
Chilaray Smriti Sanrakshan Sammity,  
Bongaigaon.**
209. **Shri Uttam Roy, President,  
All Kokrajhar District Koch-Rajbongshi  
Students' Union.**
210. **Shri Girin Singha, President,  
All Bongaigaon District Koch-Rajbongshi  
Students' Union.**
211. **Shri Akhay Kumar Choudhary, President,  
Barpara Nabajeuti Club, Bongaigaon.**
212. **Shri Tapan Kr. Roy, President,  
All Assam Koch-Rajbongshi Yuba-Chatra Sanmilani,  
H.O. Guwahati, Assam.**
213. **All Dhubri District Koch-Rajbongshi  
Students' Union.**

214. **Shri Himangshi Ray, President, Bongaigaon District, Koch-Rajbongshi Sanmilani, Bongaigaon.**
215. **Shri Aswini Kr. Achikary, General Secretary, Bongaigaon, District Koch Rajbongshi Employees Welfare Association.**
216. **Shri Kanak Chandra Deka, President, Nagaon District Koch Rajbongshi Kshatriya Sanmilani.**
217. **Shri Nripen Choudhury, President, Bongaigaon Tap Bimyut Kendra, Koch-Rajbongshi Shramik Karmachari Manch, BTPS, ASEB Salakati.**
218. **Shri Ramesh Ch. Roy, President, Dhubri District Koch Rajbongshi Sanmilani, Office-Golakganj, District Dhubri (Assam).**
219. **Dr. Ramendranath Adhikari, Principal, Progati College, Agomoni, Distt. Dhubri (Assam).**
220. **Shri Upendra Nath Sarkar, Lecturer, Department of Assamese, P.B. College, Gauripur (Assam).**
221. **Shri Mangaleswar Choudhury, President, Kokrajhar District Committee/ Koch Rajbongshi Yuba Chatra Sanmilani, Kokrajhar.**
222. **Shri Nirmal Kumar Roy, President, All Koch-Rajbongshi Students' Union, Bongaigaon.**
223. **Shri Upendra Narayan Roy, President, North Salmara District Koch-Rajbongshi Sanmilani, Abhayapuri.**
224. **Shri Romesh Ch. Roy, President, Dhubri District, Koch Rajbongshi Sanmilani, District Dhubri (Assam)**
225. **Secretary, North Salmara District Mahila Koch-Rajbongshi Sanmilani, Abhayapuri.**
226. **Shri Sudhir Chandra Roy, President, Bilasipara District Koch-Rajbongshi Sanmilani, P.O. Chapar, District Dhubri, Assam-783 371.**

227. **Shri Phani Medhi, President,**  
**All Assam Koch Rajbongshi Sanmilani,**  
**Central Reception Committee,**  
**Bongaigaon-783 2380.**

228. **Ms. Swapna Das, President,**  
**All Assam Koch Rajbongshi Mahila**  
**Sanmilani, Barpeta District.**

229. **President,**  
**Boro Bazar Koch-Rajbongshi Sanmilani.**

230. **Shri Phani Medhi, President,**  
**Central Reception Committee,**  
**Select Committee for Scheduling Koch**  
**Rajbongshi, P.O./District Bongaigaon-783 380,**  
**(Assam).**

231. **Shri Satish Ch. Basumatery,**  
**President, Bijni District Yribal Sangha.**

232. **President,**  
**All Assam Tribal Sangha,**  
**Bongaigaon District, H.O. & P.O.**  
**North Kajalgaon.**

233. **Shri Sukumar Barua, Secretary,**  
**All India Buddhist Mission Ambedkar Hall,**  
**Natunpara, Bongaigaon-783 380.**

234. **Shri Tharsush K. Sangma,**  
**General Secretary, All Assam Garo Students'**  
**Union, H.O. Nisangram.**

235. **Shri Simon Soren, General Secretary,**  
**The Adivasi Council of Assam,**  
**H.O. & P.O. Udalpuri,**  
**Distt. Darrang-784 509 (Assam).**

236. **Shri Praadip Hazarika, General Secretary,**  
**Asom Gana Parishad, H.O.:G.N.**  
**Bordolo Road, Ambari,**  
**Guwahati-781 001.**

237. **Shri Digen Ch. Bora,**  
**Minister, Food & Civil Supplies,**  
**Government of Assam, Guwahati.**

238. **Director, Assam Institute of**  
**Research for Tribal and Scheduled Castes.**

239. **Shri Alok Perti, Secretary,**  
**W.P.T. & B.C. Department,**  
**Dispur.**

240. Shri P.P. Verma, Commr. & Secretary to the Government of Assam, W.P.T. & B.C. Department, Dispur.

241. Shri Chhatish Chandra Dhal, Ex MLA, Baripada and President, Mayurbhanj District Krushak Janata.

242. Shri Golap Barbora, Ex. C.M., Assam and President Samajwadi Party, Assam.

243. Shri Atkin K. Sangma, On behalf of the representatives of All Parties Organisations of Garos in Assam.

244. Shri Bhuban Chandra Deori Bharali, President Dibrugarh Nagar Deori Unnayan Samittee East Vhowkidinghee, Behind P.W.D. Colony, Dibrugarh.

245. Smt. Madhuri Prasad Borah, President, Sonowal Kachari Jatya Parishad, Dibrugarh, Distt. Dibrugarh.

246. Dr. Narendra Narayan Dutta, Ex. President, All Assam Koch Rajbongshis Sanmilani, Assam.

247. Shri Bhuban Bora, General Secretary, All Assam Koch Rajbongshi Sanmilani, Dibrugarh.

248. Shri R.D. Prasad, All Assam (Dusadh Jati) Passwan Sangha, Dibrugarh, Assam.

249. Shri Tara Nath Khanikar, General Secretary, All Assam Mattak Sanmilani, Baruahala Tinsukia.

250. Shri Torasan Pegu, All Assam Tribal Sangha, H.O. Jotia Guwahati, Majuli District Committee.

251. Dr. B.N. Bordoloi, Director, Assam Institute of Research for Tribals & Scheduled Castes, Guwahati.

252. Dr. J. Borah, President, Dibrugarh District Tribal Sangha, Milan Nagar, Dibrugarh.

253. Shri Heramba Sonowal, President, Tinsukia District Tribal Sangha Rupal Siding.

254. **Shri Padmeshwar Das, President,  
All Asdsam Koch Rajbongshi Sanmilani.**
255. **Smt. Mulya Rajbongshi, President,  
Wilton Bardolony Mahila Community  
Tengakhat Maura, Dibrugarh.**
256. **Shri Hemo Ram Bora, President,  
Dhemajee District, Koch Rajbongshi  
Sanmilani.**
257. **Shri T.N. Saikia, President,  
Jorhat Zila, Koch-Rajbongshi Sanmilani-Jorhat.**
258. **Shri Chaw Prasanna Turung, President,  
All Assam Man (Tai-speaking Students' Union)  
Buddhist Temple, H.O. Jorhat.**
259. **Shri Chao Girin Boruah, President,  
All Assam Mohan, Deodhari, Bailung  
Sanmilani.**
260. **Shri Niron Gogoi, President,  
All Assam Ahom Sabha, Lachit Nagar,  
Sishu Kalyan Sammity,  
Dibrugarh.**
261. **Shri D. Bori, President,  
Dibrugarh Town Mising Kebang.**
262. **Shri M.S. Khandait, General Secretary,  
Assam Chah Mazdoor Sangha.**
263. **Shri B.K. Hazarika, Director,  
Assam Institute of Research for Tribals  
and Scheduled Castes, Assam.**
264. **Shri Deepok Saikia, President,  
All Assam Sonowal Kachari Students'  
Union, Dibrugarh.**
265. **Shri Bipin Hazarika, President,  
Koch Rajbongshi Kshatriya Sanmilani,  
Golaghat District Committee.**
266. **Shri Sanjeev Deori, President,  
All Assam Deori Students' Union,  
Dibrugarh District.**
267. **Shri Manik Ch. Neog, President,  
All Assam Koch Rajbongshi Sanmilani.**
268. **Shri Lalit Dutta, President,  
Nazira District, Koch Rajbongshi  
Sanmilani.**

269. **Shri S.I. Ekka, President,  
Adivasi Council of Assam,  
Dibrugarh.**

270. **Shri Kuladhar Chutia, President,  
United Muttak, Moran, Chutia,  
Ahom Association.**

271. **Shri Girish K. Neog, President,  
Sibsagar District, Koch Rajbongshi  
Sanmilani.**

272. **Shri Rohswar Borwan,  
All Chutiya Jati Sanmilani Asom,  
Dibrugarh District.**

273. **Shri Justina Lakra, President,  
All Adivasi Students' Association  
of Assam (AASAA), Missa, Nagaland.**

274. **Shri Sarbasree-Gohain  
Namphake Social Welfare Centre,  
Nuharkatia.**

275. **Observation of Cultural Research  
Institute.**

276. **To the Committee by Welfare  
Department of West Bengal.**

277. **Kuki National Assembly,  
Karbi Anglong, Assam.**

278. **Shri Maljan M. Sangama,  
Secretary-General,  
All India Garo Union, Hqrs.:  
Shillong, Amzad Ali Road Laban,  
Shillong-4.**

279. **Shri Akon Rava,  
Minister of State, Assam.**

280. **President, TAI-AHO Council,  
Assam.**

281. **Shri Binai Khungur Basumatari,  
President, United Tribal Nationalists  
Liberation Front, H.O. Harisinga,  
Assam-784510.**

### **APPENDIX—III**

*(Vide para 7 of the Report)*

#### **LIST OF WITNESSES WHO TENDERED ORAL EVIDENCE BEFORE THE SELECT COMMITTEE**

1. Shri K.K. Bakshi,  
Secretary, Ministry of Welfare,  
Government of India.
2. Shri K.B. Saxena,  
The then Secretary, Ministry of Welfare,  
Government of India.
3. Smt. Asha Das,  
Secretary,  
National Commission for Scheduled Castes & Scheduled Tribes.
4. Dr. M. Vijayanunni,  
Registrar General and Census Commissioner of India.

GOVERNMENT OF ASSAM  
DEPARTMENT OF WELFARE OF PLAINS TRIBES & BACKWARD CLASSES  
DISPUR : GUWAHATI-781006

No. TAD/ST/59/97/5

Dated: Dispur the 17th March, 1997

From : Shri P.P. Varma, IAS  
Commissioner & Secretary to the Government of Assam.

To : Shri A.K. Choudhury,  
Joint Secretary to the Government of India,  
Ministry of Welfare,  
New Delhi-110001.

Sub. : Select Committee on Constitution (ST) Order (Amendment) Bill, 1996.

Ref. : Your D.O. Letter dated 5th March, 1997.

Sir,

With reference to the above, I am directed to submit the comments of the State Government on the points mentioned in your above quoted letter as follows:—

1. In the MBBS of 1996-97, 32 (thirty-two) seats were reserved in the three Medical Colleges under the State Government in the State for students belonging to the Scheduled Tribes of the plains districts of the State, commonly known as ST (Plains). Against the 25 (twenty-five) seats out of them twenty-five candidates belonging to the Koch Rajbongshi community (which is now listed against Scheduled Tribes (Plains) in the State of Assam) have been admitted to the course. The reason for this situation is the comparative advanced status of Koch Rajbongshis *vis-a-vis* other ST (Plains) of the State, and it may result into similar situations in future, where the major part of the benefits for ST (Plains) are utilised by the people belonging to Koch Rajbongshi community.

2. Koch Rajbongshi community in Assam had been treated as OBC till its recent inclusion in the list of ST (Plains). They have been benefited like other sections of the society by the process of development during the last fifty years and it will not be correct to say that they have become backward during this period so as to claim ST status.

3. In reference to the criteria of primitiveness, distinctive culture, geographical isolation, shyness regarding contact with other communities at large and overall backwardness, the situation is more acute in the hill districts of Assam and less so in the plains districts of the State. It is in view of this that since the beginning, the communities listed as Scheduled Tribes in the hill districts of the State of Assam have been listed separately from the communities listed as Scheduled Tribes in the plains districts of Assam.

Yours faithfully,  
(P.P. Varma)  
Commissioner & Secretary to the Government of Assam

**LIST OF SOME OF TEA GARDEN TRIBES OF ASSAM WHO ARE NOTIFIED AS  
MORE OTHER BACKWARD CLASSES OF ASSAM**

**MOBC in Assam**

1. **Asur**
2. **Bhumji/Bhumij**
3. **Badia/Bauri**
4. **Baiga**
5. **Bhil/Telenga**
6. **Binjia**
7. **Birhar**
8. **Birijia**
9. **Choro**
10. **Dhanwar**
11. **Ganda**
12. **Gorait**
13. **Korwali**
14. **Korwa/Korua**
15. **Kol**
16. **Kharia**
17. **Khorwar**
18. **Koya**
19. **Lodha/Lodhi**
20. **Mahali/Mahli**
21. **Mahli**
22. **Mal Peharia**
23. **Panika/Turi**
24. **Nagasia**
25. **Gonds**
26. **Mondas/Munda**
27. **Saver/Sowar/Sooha**
28. **Santhals or Santhal**
29. **Orena/Oraon**
30. **Bhuyan/Ghatowar**
31. **Bhatta**

32. **Baijara/Banjara**
33. **Chickbarik/Baraik**
34. **Kowar**
35. **Kumhar**
36. **Kashan/Kisan**
37. **Lahar/Lohar**
38. **Madari**
39. **Manki**
40. **Mirdhar/Mirdha**
41. **Nagbansi**
42. **Parja/Proja**
43. **Pradhan/Biswal**
44. **Karmakar or Kamar**
45. **Sehora/Soaria/Sabar/Saharia**
46. **Kondh/Khandh/Kondhpan**
47. **Pan/Pano**
48. **Kurmi/Mahato**

## APPENDIX IV

MINUTES OF THE Sittings OF THE SELECT COMMITTEE ON THE CONSTITUTION (SCHEDULED TRIBES) ORDER (AMENDMENT) BILL, 1996

MINUTES OF THE FIRST SITTING OF THE SELECT COMMITTEE ON THE CONSTITUTION (SCHEDULED TRIBES) ORDER (AMENDMENT) BILL, 1996

The Committee sat from 0930 to 1045 hours on 26 August, 1996.

### PRESENT

Shri P.R. Das Munshi — *Chairman*

### MEMBERS

2. Dr. Arun Sharma
3. Shri Dwarka Nath Das
4. Dr. Jayanta Rongpi
5. Shri Phagan Singh Kulaste
6. Shri Paban Singh Ghatowar
7. Dr. Prabin Chandra Sarma
8. Shri Pinaki Mishra
9. Shri S.K. Kaarvendham
10. Shri Uddhab Barman

### SECRETARIAT

1. Shri J.P. Ratnesh — *Joint Secretary*
2. Shri Ram Autar Ram — *Deputy Secretary*

### REPRESENTATIVES OF THE MINISTRY OF WELFARE

1. Shri K.B. Saxena, *Secretary*
2. Shri A.K. Choudhary, *Joint Secretary*
3. Shri A.M. Khan, *Director*
4. Shri P.L. Yadav, *Research Officer*

### REPRESENTATIVES OF THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (LEGISLATIVE DEPARTMENT)

1. Shri Z.S. Negi, *Joint Secretary and Legislative Counsel*
2. Dr. S.D. Singh, *Assistant Legislative Counsel*

2. At the outset, the Chairman welcomed the members of the Select Committee. Thereafter he drew attention to the provisions of the Bill and referred to the importance and urgency of the task before the Committee— (Appendix).

3. The Committee considered their future course of action and decided that a Press Communiqué might be issued inviting memoranda from various organisations, Bar Councils, individuals, etc. interested in the subject matter of the Bill. They also desired that the contents of the Press Communiqué be given wide publicity through A.I.R. and Doordarshan etc. The Committee fixed three weeks time for receipt of memoranda on the Bill and authorised the Chairman to extend the time, if he considered it necessary.

4. The Chairman requested the Members to suggest the names of organisations, individuals etc. from whom memoranda might be invited.

5. The Committee also decided that names of organisations, individuals who might be called to give evidence before the Committee might be considered after receipt of memoranda. The Committee could also decide at that stage whether they could undertake an on-the-spot study visit to Assam.

6. The Committee directed that the Ministry of Welfare be asked to furnish certain information viz. district and constituency-wise population of Koch-Rajbongshi community in Assam, list of special organisations and official views of the present Assam Government on the provisions of the Bill for consideration of the Committee.

7. The Committee also desired that the Ministry of Welfare might be asked to cull out the points from the memoranda which would be submitted to the Committee and offer their comments thereon for consideration of the Committee.

*(The Committee then adjourned)*

**SELECT COMMITTEE ON THE CONSTITUTION (SCHEDULED TRIBES) ORDER  
(AMENDMENT) BILL, 1996**

**WELCOME SPEECH BY THE CHAIRMAN AT THE FIRST SITTING OF THE  
COMMITTEE TO BE HELD ON 26.8.1996**

It gives me immense pleasure in welcoming the Hon'ble Members to this first sitting of the Select Committee on the Constitution (Scheduled Tribes) Order (Amendment) Bill, 1996. As you know the Bill seeks to provide for the inclusion of Koch-Rajbongshi community in the list of Scheduled Tribes in relation to the State of Assam (excluding autonomous districts).

As you might have seen from the Statement of Objects and Reasons appended to the Bill, the Koch-Rajbongshi community in Assam was not included in the list of Scheduled Tribes of that State. The State Government of Assam had recommended the inclusion of this community in the list of Scheduled Tribes in relation to that State (excluding autonomous districts). As there was persistent demand from State Government for inclusion of this community in the list of Scheduled Tribes of that State and Parliament was not in session, the President promulgated the Constitution (Scheduled Tribes) Order (Amendment) Ordinance, 1996 on 27th January, 1996 to give effect to the aforesaid proposal. A Bill seeking to replace the Ordinance was introduced in the Lok Sabha on 29th February, 1996 but that Bill had not been passed. The said bill lapsed with the dissolution of the Tenth Lok Sabha. As the said Ordinance was due to expire on 7th April, 1996, the Constitution (Scheduled Tribes) Order (Amendment) Second Ordinance, 1996 was re promulgated on 27th March, 1996. Since the validity of the re promulgated Ordinance was due to expire in the first week of July, 1996 and since Parliament was not in session the Constitution (Scheduled Tribes) Order (Amendment) Third Ordinance, 1996 was promulgated by the President on 27th June, 1996 in order to give continued effect to the inclusion of the Koch-Rajbongshi community in the list of Scheduled Tribes of the State of Assam. This Bill seeks to replace the said ordinance.

I hope with the cooperation of my esteemed colleagues in this Committee, we would be able to accomplish the task entrusted to us. I would always welcome the valuable suggestions of the Hon'ble Members in this regard. If any member wants to make any suggestions at this stage he is welcome to do so.

As the report of the Committee is required to be presented to the House by the last day of the first week of Winter Session, 1996. I would request the Hon'ble Members to find time from their busy schedule to attend the sittings of the Committee.

Thank you.

**MINUTES OF THE SECOND SITTING OF THE SELECT COMMITTEE ON THE CONSTITUTION (SCHEDULED TRIBES) ORDER (AMENDMENT) BILL, 1996**

The Committee sat from 1530 to 1645 hours on 10 September, 1996.

**PRESENT**

**Shri Amar Roy Pradhan — *Chairman***

**MEMBERS**

2. Shri Dwaraka Nath Das
3. Shri Phagan Singh Kulaste
4. Shri Paban Singh Ghatowar
5. Shri Pinaki Mishra
6. Shri Uddhab Barman
7. Shri S. S. Palanimanickam
8. Dr. Jayanta Rongpi
9. Dr. Arun Sharma
10. Dr. Prabin Chandra Sarma

**SECRETARIAT**

1. Shri Ram Autar Ram — *Deputy Secretary*
2. Shri J. P. Jain — *Under Secretary*

2. At the outset, the Chairman welcomed the members of the Committee and the members thereafter congratulated him on being appointed as Chairman of the Committee.

3. The Committee was, thereafter, apprised of the progress made in the work of the Committee.

4. At the sitting of the Committee some of the members raised a point that the Committee was empowered only to consider whether the Koch-Rajbongshi Tribe of Assam should be included in the Scheduled Tribes List of Assam or not. While some other members were of the view that the Committee was empowered to consider the claims of other tribes also in the State in Assam for their inclusion in the List of Scheduled Tribes of Assam.

5. In view of the different stand taken by the members, the Committee decided that the matter may be referred to Hon'ble Speaker and his clarification sought with regard to the scope of examination/deliberations of the Committee whether the Committee should limit itself to the consideration of claims of Koch-Rajbongshi Tribe only or whether it was required by the House to consider the claims of other tribes of Assam also.

6. The Committee then decided to hold their next sitting on 25 September, 1996.

*The Committee then adjourned.*

**MINUTES OF THE THIRD SITTING OF THE SELECT COMMITTEE ON THE CONSTITUTION (SCHEDULED TRIBES) ORDER (AMENDMENT) BILL, 1996**

The Committee sat from 1430 to 1645 hours on 25 September, 1996.

**PRESENT**

Shri Amar Roy Pradhan — *Chairman*

**MEMBERS**

1. Shri Lalit Oraon
2. Shri Paban Singh Ghatowar
3. Shri P.R. Das Munshi
4. Shri Pinaki Mishra
5. Shri Uddhab Barman
6. Dr. Jayanta Rongpi

**SECRETARIAT**

1. Shri J. P. Ratnesh — *Joint Secretary*
2. Shri J. P. Jain — *Under Secretary*

**MINISTRY OF WELFARE**

1. Shri K. B. Saxena — *Secretary*
2. Shri A. K. Chaudhary — *Joint Secretary*
3. Shri A.M. Khan — *Director*

At the outset, the Chairman informed the Committee about the progress made in the work of the Committee. He also apprised the Committee that he had sought the clarification from Hon'ble Speaker about the scope of examinations/deliberations of the Committee, who had stated that this Select Committee would confine itself to the claims of different Communities of Assam including Koch-Rajbongshi for their inclusion in the List of Scheduled Tribes relating to the State of Assam.

2. The Committee then considered the memoranda received from various individuals/organisations and decided that all the Memoranda/representations might be tabulated and placed before the Committee as follows:—

- (i) Statement indicating Memorandum in favour of inclusion of Koch-Rajbongshi and the arguments given therein.
- (ii) Statement indicating Memoranda against inclusion of Koch-Rajbongshi and the arguments given therein.
- (iii) Tribe-wise Statements indicating Memoranda claiming for inclusion of other tribes in the Schedule and arguments given therein.

3. The Committee thereafter examined the representatives of the Ministry of Welfare in connection with the Constitution (Scheduled Tribes) Order (Amendment) Bill, 1996.

4. Giving the Background of the Bill, the representative of the Ministry stated that prior to 27 January, 1996, Koch-Rajbongshi was included in the List of OBCs in relation to the State of Assam. On 27 Jan., 1996, Koch-Rajbongshi was included in the list of Scheduled Tribes in Assam (excluding autonomous districts) by an amendment to the Constitution (Scheduled Tribes) Order, 1950 effected through the promulgation of an Ordinance. The

Community was simultaneously deleted from the Central list of OBCs in relation to the State of Assam by a separate notification and the State Government was asked to take similar action with regard to their list.

A Bill seeking to replace the Ordinance was introduced in the last session of the Tenth Lok Sabha which lapsed upon the dissolution of the Tenth Lok Sabha. Since the validity of the Original Ordinance was due to expire and the Parliament was not in Session, it was re promulgated on 27 March, 1996 so as to give continuing effect to the inclusion of this Community in the Scheduled Tribes List. For the same reason, it was further promulgated on 27 June, 1996.

A Constitution (Scheduled Tribes) Order (Amendment) Bill, 1996 seeking to replace the Ordinance was introduced in the Lok Sabha on 12.7.96 and was referred to the Select Committee of the House on 2.8.96.

5. On being asked whether the Koch-Rajbongshi Community was considered as one Community or two separate Communities, the Committee was informed that as far as State Government's recommendation was concerned, it was considered as a single Community.

6. When asked to state the criteria adopted for determining the status of a Community as a tribe, the representative of the Ministry informed that the five-fold criteria was adopted, i.e., (1) indication of primitive traits (2) distinctive culture (3) geographical isolation (4) shyness of contact with Community at large and (5) extreme backwardness.

7. When pointed out whether these criteria had been fulfilled by the Koch-Rajbongshi Community before it was recommended as a Scheduled Tribes, the representative of the Ministry informed that originally when Assam Government furnished their earlier recommendations, they had submitted a report of the Assam Tribal Research Institute which did not come to the conclusion that this Community fulfilled all these five-fold criteria. When this matter was referred to the Assam Government about the contradiction between their recommendations and the report of the Tribal Research Institute, they subsequently sent recommendations along with a revised report of the Tribal Research which has come to the conclusion that the Community fulfils most of these five-fold criteria.

8. About the reasons which forced the Institute to reverse their report within a short period of one year only, the Committee was informed that the Assam Government was asked in January 1995 to intimate the reasons for change. The State Government forwarded a copy of the note from the Institute stating that the revised report was based on further detailed study conducted in 1994. A broad survey was undertaken by two investigators of the Institute. According to the Institute, samples chosen for the second survey were more representative of the actual situation. It would also be seen from the perusal of the two reports that the second Report was more extensive and detailed than the first one.

9. Asked to state whether it was purely the job of the State Government or the Centre had anything to do about the decision to be taken in this regard, the representative of the Ministry stated that apart from the recommendation of the State Government, they usually consult the Registrar-General of India because they were supposed to have the knowledge about the census data, ethnographic and anthropological material about castes and community. In this case, the Registrar-General was consulted. The Registrar-General earlier, i.e., in 1981 had not recommended inclusion of Koch-Rajbongshi as a Scheduled Tribe. But in 1995, after the revised report was received from Assam Government, it was referred to them and they favoured it.

10. When asked to state whether there was any Tribal Research Institute at the national

level, they replied in the negative and also informed the Committee that they did not have anything even at the regional level. They entirely depend upon the State Government and its institution.

11. When pointed out that Koch-Rajbongshi Community was a Scheduled Caste Community in West Bengal, a Scheduled Tribe Community in Meghalaya and was neither Scheduled Caste nor Scheduled Tribe in Bihar and asked how it differed from area to area, the representative of the Ministry stated that usually in terms of the Constitution, they consult the State Governments who generally get some sort of survey or studies carried out and on the basis of the situation prevailing within the States, they recommend inclusion or exclusion of any community from the existing list. So far as the particular community was concerned, the situation they looked into was specific to that State and not with reference to the situation prevailing in any other State. The parameters of specifying the communities in the List of Scheduled Tribes were State specific and there was nothing like a national list. It was only State specific list. As such a particular community might be in the List of Schedule Tribes/Scheduled Castes in one State and it may not be so in another State.

Asked if Koch-Rajbongshi Community was recognised as Scheduled Tribe Community to what extent would it affect adversely that benefits available to other Scheduled Tribes in public services and other socio-economic, educational and political fields in Assam, the representative of the Ministry stated that from the information that they had gathered from Assam Government, the total population of Assam was 2.24 crores as per 1991 census. Out of which the Scheduled Tribes population, excluding Koch-Rajbongshi was 28.74 lakhs i.e. about 12.82 per cent of the total population. The Government of Assam had estimated that Koch-Rajbongshi Community's population on the basis of the population figure of 1951 furnished by the RGI adjusted by decadal growth rate was something around 15.22 lakhs. On the basis of Assam Government's estimate, Koch-Rajbongshi constitutes nearly 6.79 per cent of the total population. So if this 6.79 per cent is added to the existing population of Scheduled Tribes, i.e., 12.82 per cent the Scheduled Tribes population increases by more than 50 per cent. As such, the population which was reaping the benefits at present would be larger by more than 50 per cent.

12. On being asked whether the percentage of reservation could be increased in respect of this Community in the State, the representative of the Ministry informed that as per the Supreme Court's order, reservation could not exceed 50 per cent. At the national level, there was absolutely no scope for increasing the percentage of reservation unless the Constitution itself was amended and also it was declared valid by the Supreme Court.

13. On being asked whether any other Commission, apart from RGI and Assam Government, has looked into the problem, the representative of the Ministry stated that the first Backward Classes (Kalelkar) Commission, which was also concerned with the revision of lists of Scheduled Castes and Scheduled Tribes, did not recommend, as far back as in 1955, the specification of Koch-Rajbongshi as a Scheduled Tribes in Assam State. Instead, it recommended its inclusion as an Other Backward Class. The second Backward Classes (Mandal) Commission had also recommended in 1980, the inclusion of this Community in other Backward Classes. Neither the Advisory Committee, headed by Mr. Lokur, on the revision of Scheduled Caste and Scheduled Tribe lists in 1965, nor the Joint Committee of Parliament constituted to examine the Scheduled Castes and Scheduled Tribes Orders (Amendment) Bill, 1967, had recommended the inclusion of Koch-Rajbongshi Community in the list of Scheduled Tribes of Assam.

14. As regards the data for other communities for inclusion in SC or ST list of the

Government of Assam, it was informed by the Ministry's representative that various communities were trying to get themselves included either in the SC or ST list. There were nearly seven communities, i.e., (1) the various tea-garden and ex-tea-garden communities. (2) the Chutia. (3) the Thai Ahom. (4) the Matak. (5) the Moran. (6) the Hajong. (7) the Siangpho, which were supported by the TRI and recommended by the RGI and the State Government. The area excludes the autonomous districts. There were about 32 other communities also. Many of the tea-garden and ex-tea-garden communities have, at present, been included in the OBC list.

15. While stating the position of Comprehensive Bill to be brought forward for inclusion of other communities in the country in the lists of SC/ST, the representative of the Ministry stated that the issue of revision of list was extremely complex and extremely sensitive. Since 1956, when the first list was revised, there have been several attempts at coming out with a consensus for the revision of list. But all these attempts have failed. There are nearly 1,200 petitions from all parts of the country which were pending with them. A decision would have to be taken in respect of each community, whether it should be included or not. This issue was under consideration and they were trying to work out the modalities. Once the modalities were decided, they would consider various cases. After that it would be possible to have a Comprehensive Bill. But he was not in a position to say how much time would be taken to complete the above process. However, he informed that a Tribal Commission was being constituted under Article 339(1) of the Constitution of India and various issues were being considered for working out modalities.

*The Committee then adjourned.*

**MINUTES OF THE FOURTH SITTING OF THE SELECT COMMITTEE ON THE CONSTITUTION (SCHEDULED TRIBES) ORDER (AMENDMENT) BILL, 1996**

The Committee sat from 1500 to 1630 hours on 24 October, 1996 in Committee Room No. 139, Parliament House Annex, New Delhi.

**PRESENT**

**Shri Amar Roy Pradhan — *Chairman***

**MEMBERS**

2. Shri Dwaraka Nath Das
3. Shri Lalit Oraon
4. Shri Phagan Singh Kulaste
5. Shri Paban Singh Ghatowar
6. Shri P.R. Das Munshi
7. Shri Pinaki Mishra
8. Dr. Jayanta Rongpi
9. Dr. Prabin Chandra Sarma

**SECRETARIAT**

1. Shri J.P. Jain	— <i>Under Secretary</i>
2. Shri P.L. Chawla	— <i>Assistant Director</i>

The Committee discussed their tour programme to Guwahati and Bongaigaon which was scheduled to be undertaken from 4 to 7 November, 1996. Most of the members of the Committee shown their inability to join the tour during the period from 4 to 7 November, 1996. After some deliberations, the Committee decided to undertake the study visit from 15 to 18 November, 1996 instead of 4 to 7 November, 1996.

3. The Committee also decided that after visiting Guwahati and Bongaigaon, two more visits might also be undertaken by the Committee to the following places in Assam for on the spot study in connection with the Constitution (Scheduled Tribes) Order (Amendment) Bill, 1996:—

- I. Silchar and Diphu
- II. Dibrugarh

4. The Committee further decided that members of the Committee particularly belonging to Assam might be consulted and their views taken about the selection of Organisations / Associations / Individuals who might be heard during the study visits of the Committee. The opinion of the Ministry of Welfare might also be invited in this regard.

5. The Committee authorised the Chairman to select the Organisations / Associations / Individuals, keeping in view the lists to be furnished by the members and the Ministry of Welfare, who should be heard during the proposed visits of the Committee.

*The Committee then adjourned.*

**MINUTES OF THE FIFTH SITTING OF THE SELECT COMMITTEE ON THE CONSTITUTION (SCHEDULED TRIBES) ORDER (AMENDMENT) BILL, 1996**

The Committee sat from 1525 to 1720 hours on 13 March, 1997 in Committee Room 'E', Parliament House Annexe, New Delhi.

**PRESENT**

**Shri Amar Roy Pradhan — *Chairman***

**MEMBERS**

2. Shri Dwaraka Nath Das
3. Shri Paban Singh Ghatowar
4. Shri P.R. Das Munshi
5. Shri Pinaki Mishra
6. Shri Uddhab Barman
7. Dr. Arun Sharma
8. Dr. Prabin Chandra Sarma

**SECRETARIAT**

1. Shri Ram Autar Ram — *Director*
2. Shri P.L. Chawla — *Assistant Director*

At the outset the Chairman welcomed the Members to the sitting of the Committee and apprised them of the progress of work done so far by the Committee.

Therefore, the Committee took oral evidence of the following:—

**A. National Commission for SCs & STs (From 1525 to 1555 hrs.)**

1. Smt. Asha Das, Secretary
2. Shri Tripurari Rai, Research Officer

**B. Registrar-General & Census Commissioner, India  
(From 1600 to 1620 hrs.)**

1. Dr. M. Vijayanunni, R.G.I.
2. Shri S.P. Sharma, Dy. Registrar-General (C&T)
3. Dr. M.K. Jain, Dy. Registrar-General (SS)

**C. Ministry of Welfare (From 1620 to 1720 hrs.)**

1. Shri K.K. Bakshi, Secretary
2. Shri A.K. Choudhary, Joint Secretary
3. Shri R.K. Shrivastava, Director
4. Shri P.L. Yadav, Research Officer.

A verbatim record of the evidence was kept.

3. After the evidence, the Committee deliberated on the future programme of action on drafting of the report. The Committee also decided that the next sittings of the Committee might be held on 10 & 11 April, 1997 for discussion on the draft report and the Bill to be reported upon to the House.

*The Committee then adjourned.*

**MINUTES OF THE SIXTH SITTING OF THE SELECT COMMITTEE ON THE CONSTITUTION (SCHEDULED TRIBES) ORDER (AMENDMENT) BILL, 1996**

The Committee sat from 1500 to 1650 hours on 10 April, 1997 in Committee Room 'E', Parliament House Annexe, New Delhi.

**PRESENT**

Shri Amar Roy Pradhan — *Chairman*

**MEMBERS**

- 2. Shri Dwaraka Nath Das
- 3. Shri Phagan Singh Kulaste
- 4. Shri Paban Singh Ghatowar
- 5. Shri Pinaki Mishra
- 6. Shri P. Kodanda Ramaiah
- 7. Shri Uddhab Barman
- 8. Dr. Arun Sharma
- 9. Dr. Prabin Chandra Sarma
- 10. Shri S.K. Kaarvendham

**REPRESENTATIVES OF THE MINISTRY OF WELFARE**

- 1. Shri K.K. Bakshi — *Secretary*
- 2. Shri A.K. Chaudhary — *Joint Secretary*
- 3. Shri R.K. Shrivastava — *Director*
- 4. Smt. P. Tripathi — *Financial Advisor*
- 5. Shri A. Chaturvedi — *Deputy Secretary*
- 6. Shri P.L. Yadav — *Research Officer*

**REPRESENTATIVES OF THE MINISTRY OF LAW & JUSTICE**

- 1. Shri Z.S. Negi — *Joint Secretary,*  
*(Legislative Counsel)*
- 2. Shri S.D. Singh — *Assistant Legislative Counsel*

**SECRETARIAT**

- 1. Shri J.P. Ratnesh — *Joint Secretary*
- 2. Shri Ram Autar Ram — *Director*
- 3. Shri P.L. Chawla — *Assistant Director*

2. At the outset, the Chairman welcomed the Members of the Committee as well as the representatives of the Ministry of Law and Justice and the Ministry of Welfare to the sitting of the Committee.

3. The Committee, thereafter, had the general discussions on various paras of the draft report circulated to the Members of the Committee.

4. The Committee exchanged their views on the various suggestions made by the members of the Committee themselves and also heard the views of the officials of the

Ministries of Law and Justice and Welfare. After considering the views as suggested by the members and representatives of both the Ministries the Committee unanimously modified para Nos. 18, 21 and 24 of the draft report as per Appendix enclosed.

*The Committee then adjourned.*

## APPENDIX

Para No.	Existing Para	Modified Para
18	<p>After considering the above facts the Committee find that there is good indication about the tribal origin of the Koch Rajbongshi in Assam. They possess most of the tribal characteristics among them. Moreover, Registrar-General of India has also raised no objection to include Koch Rajbongshis in the list of Scheduled Tribes of Assam. The Committee also find that in Meghalaya the Koches are notified as Scheduled Tribes which was a part and parcel of erstwhile Assam. As such there is adequate justification for inclusion of Koch Rajbongshi Community in the list of Scheduled Tribes of Assam. Keeping in view all these aspects, the Committee feel that there is need to bring the Koch-Rajbongshi people out from their age-old primitiveness, bondage of shyness and backwardness by including them in the list of Scheduled Tribes so that they may come in the mainstream of the public life. However, the Committee are of the view that some other lower castes/communities have also adopted this name and would claim to be treated as members of the referent Scheduled Tribes on inclusion of Koch Rajbongshi in the list of Scheduled Tribes. To avoid such a situation, the Committee suggest that adequate safeguards could be taken into the notification itself by making it explicit that only those members of Koch Rajbongshi Community who belong to the distinct tribal groups as already listed by the Ministry of Welfare would be treated as the members of Koch Rajbongshi Scheduled Tribes.</p>	<p>After considering the above facts, the Committee find that there is good indication about the tribal origin of the Koch Rajbongshi in Assam. They possess most of the tribal characteristics among them. Moreover, Registrar-General of India has also raised no objection to include Koch Rajbongshis in the list of Scheduled Tribes of Assam. The Committee also find that in Meghalaya the Koches are notified as Scheduled Tribes which was a part and parcel of erstwhile Assam. As such there is adequate justification for inclusion of Koch Rajbongshi community in the list of Scheduled Tribes of Assam. Keeping in view all these aspects, the Committee, therefore, recommend that the Koch Rajbongshis should be included in the list of Scheduled Tribes so that they may come in the mainstream of the public life. The Committee suggest that adequate safeguards should be provided in the Bill itself by making it explicit that only those members of Koch-Rajbongshi community who belong to the distinct tribal groups as already listed by the Ministry of Welfare would be treated as the members of Koch Rajbongshi Scheduled Tribes.</p>

Para No.	Existing Para	Modified Para
21	<p>At the same time, the Committee also feel that if the Koch-Rajbongshis are included in the list of Scheduled Tribes, a large number of people would be entitled for reservation benefits by diluting existing 15 per cent reservation quota of the Scheduled Tribes (10% of plains and 5% of hills) which would create a lot of repercussion/dissatisfaction/resentment among the original tribes who are comparatively less advanced. The Committee find that presently there is 15% reservation for Scheduled Tribes (10% for plains and 5% for hills) 7% for Scheduled Castes and 17% for Other Backward Classes. The total reserved quota thus comes to 39%. As per the Supreme Court verdict, a state cannot have more than 50% reservation. The Committee observe that in view of the Supreme Court verdict, there is still scope of increasing the reservation quota by 11%. The Committee are of the opinion that the Government may explore the possibility to increase the adequate quota of the Scheduled Tribes. The quota reservation may be decreased from the Other Backward Classes list, if necessary, as a large chunk of the Koch Rajbongshis Chutias and others would be transferred from OBC list to the ST List. This proportional quota can also be added with the ST list. The Government may also explore the possibility of creating separate reserved quota for Koch Rajbongshis to ensure that the original tribes are not affected.</p>	<p>The Committee have noted the views of the State Govt. of Assam contained in their letter No. TAD/ST/59/97, dt. 17.3.1997 (Annexure-A) sent to Central Government. It stated that a large number of Medical seats had gone to Koch Rajbongshis community in 1996-97 because of their comparatively advanced status vis-a-vis of other Scheduled Tribes (plains) of the State. The Committee also feel that if the Koch-Rajbongshis are included in the list of Scheduled Tribes, a large number of people would be entitled for reservation benefits by diluting existing 15 percent reservation quota of the Scheduled Tribes (10% of plains and 5% of hills) which would create a lot of repercussion/dissatisfaction/resentment among the original tribes who are comparatively less advanced. The Committee find that presently there is 15% reservation for Scheduled Tribes (10% for plains and 5% for hills) 7% for Scheduled Castes and 17% for Other Backward Classes. The total reserved quota thus comes to 39%. As per the Supreme Court verdict, a state cannot have more than 50% reservation. The Committee observe that in view of the Supreme Court verdict, there is still scope of increasing the reservation quota by 11%. The Committee are of the opinion that the Govt. may explore the possibility to increase the adequate quota of the Scheduled Tribes. The quota reservation may be decrease from the Other Backward Classes list, if necessary, as a large chunk of the Koch Rajbongshis Chutias and others would be transferred from OBC list to the ST list. This proportional quota can also be added with the ST list. The Government may also explore the possibility of creating separate reserved quota for Koch Rajbongshis to ensure that the original tribes are not affected.</p>

Para No.	Existing Para	Modified Para
24.	<p>The Committee also looked into the demand of Tea-Garden or Ex-Tea Garden workers for their inclusion in the list of Scheduled Tribes. The Committee note that this term does not indicate any particular community but an Umbrella of a class. Most of these workers were brought by the British in Assam from the States of Bihar, West Bengal, Madhya Pradesh, Orissa, Maharashtra, Andhra Pradesh and Karnataka etc. to work as labourer in the Tea-Gardens. All these workers belong to different communities. The Committee feel that most of these workers might be much more backward in many respects. They might be living below the poverty line and possessing all the tribal characteristics.</p>	<p>The Committee also looked into the demands of other communities, particularly, tea garden workers. These workers were brought to Assam by the then British Plantation Owners as bonded labour from other States such as Bihar, West Bengal, Madhya Pradesh, Orissa etc. These workers belong to different communities in the States of their origin. Many of them hail from groups who are either socially or economically backward in their States. Their ancestors must have belonged to those social groups and those groups have been classified in those States as either SCs or STs or OBCs.</p>

The Committee further observe that the Tea-Garden and Ex-Tea Garden workers belong to different communities and most of the communities are not originally from Assam, but these people have been settled in Assam for more than a century or so. The Committee, recommend that the Government of Assam might under take a survey and identify such communities and grant them ST status in case they are enjoying that status in the following States:—

1. All States of the Undivided Assam
2. West Bengal
3. Bihar
4. Orissa
5. Madhya Pradesh
6. Maharashtra
7. Andhra Pradesh
8. Karnataka

IMMEDIATE

**GOVERNMENT OF ASSAM  
DEPARTMENT OF WELFARE OF PLAINS TRIBES & BACKWARD CLASSES  
DISPUR, GUWAHATI - 781006**

No. TAD/ST/59/97/5

Dated Dispur the 17th March, 1997

**From** : Shri P. P. Varma, IAS  
Commissioner & Secretary to the Government of Assam.

**To** : Shri A. K. Choudhury,  
Joint Secretary to the Government of India  
Ministry of Welfare  
New Delhi - 110 001.

**Sub.** : Select Committee on Constitution (ST) Order (Amendment) Bill, 1996.

**Ref.** : Your D.O. letter dated 5th March, 1997.

Sir,

With reference to the above, I am directed to submit the comments of the State Government on the points mentioned in your above quoted letter as follows:—

1. In the MBBS of 1996-97, 32 (thirty-two) seats were reserved in the three Medical Colleges under the State Government in the State for students belonging to the Scheduled Tribes of the plains districts of the State, commonly known as ST (Plains). Against the 25 (twenty-five) seats out of them, twenty-five candidates belonging to the Koch Rajbongshis community [which is now listed against Scheduled Tribes (Plains) in the State of Assam] have been admitted to the Course. The reason for this situation is the comparative advanced status of Koch Rajbongshis vis-a-vis other ST (Plains) of the State, and it may result into similar situations in future, where the major part of the benefits for ST (Plains) are utilised by the people belonging to Koch Rajbongshis community.
2. Koch Rajbongshis community in Assam had been treated as OBC till its recent inclusion in the list of ST (Plains). They have been benefited like other sections of the society by the process of development during the last fifty years and it will not be correct to say that they have become backward during this period so as to claim ST status.
3. In reference to the criteria of primitiveness, distinctive culture, geographical isolation, shyness regarding contact with other communities at large and overall backwardness, the situation is more acute in the hill districts of Assam and less so in the plains districts of the State. It is in view of this that since the beginning, the communities listed as Scheduled Tribes in the hill districts of the State of Assam have been listed separately from the communities listed as Scheduled Tribes in the plains districts of Assam.

Yours faithfully,

sd/-

(P. P. Varma)

Commissioner & Secretary to the Government of Assam.

**LIST OF SOME OF TEA GARDEN TRIBES OF ASSAM WHO ARE NOTIFIED AS  
MORE OTHER BACKWARD CLASSES OF ASSAM WITH INDICATION OF THEIR  
STATES OF ORIGIN WHERE THEY HAD SCHEDULED TRIBES STATUS**

MOBC in Assam	States of Origin
1. Asur	: Bihar/West Bengal
2. Bhumji/Bhumij	: Bihar/West Bengal
3. Badia/Bauri	: West Bengal/Orissa
4. Baiga	: West Bengal
5. Bhil/Telenga	: Andhra Pradesh
6. Binjia	: Bihar
7. Birhar	: Bihar/West Bengal
8. Birijia	: Bihar/West Bengal
9. Choro	: Bihar/West Bengal
10. Dhanwar	: Madhya Pradesh
11. Ganda	: Orissa (Gondo)
12. Gorait	: West Bengal/Orissa
13. Korwali	: West Bengal
14. Korwa/Korua	: M.P./Bihar/West Bengal
15. Kol	: M.P.
16. Kharia	: M.P./West Bengal
17. Khorwar	: West Bengal
18. Koya	: M.P.
19. Lodha/Lodhi	: West Bengal
20. Mahali/Mahli	: West Bengal/Orissa
21. Mahli	: Bihar/West Bengal/Orissa
22. Mal Paharia	: West Bengal
23. Panika/Turi	: M.P.
24. Nagasia	: West Bengal
25. Gonds	: A.P./M.P./West Bengal
26. Mondas/Munda	: A.P./Bihar/West Bengal
27. Saver/Sowar/Sooha	: Bihar
28. Santhals or Santhal	: Bihar/West Bengal
29. Orena/Oraon	: Bihar/Orissa
30. Bhuyan/Ghatowar	: Ghatowal/Bhulin Bihar (M.P.)
31. Bhatta	: Bhattra (M.P.)
32. Baijara/Banjara	: Banjara (Bihar)
33. Chickbarik/Baraik	: Chickbarik (Bihar)
34. Kowar	: Kawar (Orissa)
35. Kumhar	: Kamar (M.P.)
36. Kashan/Kisan	: Kisan (Bihar)
37. Lahar/Lohar	: Lohara (W.B.)
38. Madari	: Mandari (Orissa)
39. Manki	: Mankidi (Orissa)

MOBC in Assam	States of Origin
40. Mirdhar/Mirdha	: Mirdhas (Orissa)
41. Nagbansi	: Nagwunshi (M.P.)
42. Parja/Proja	: Porja (Orissa)
43. Pradhan/Biswal	: Biswal/Pardhan (Orissa)
44. Karmakar or Kamar	: Kamar (M.P.)
45. Sahora/Soaria/Sabar/Saharia	: Saharia (M.P.)
46. Kondh/Khandh/Kondhpan	: Khands (Orissa)
47. Pan/Pano	: Phans (M.P.)
48. Kurmi/Mahato	: Choudhary — Bihar/West Bengal
49. Chorei	
50. Sakacheep	
51. Rupini	
52. Aimol	
53. Ranglong (or) Halam	

**MINUTES OF THE SEVENTH SITTING OF THE SELECT COMMITTEE ON THE  
CONSTITUTION (SCHEDULED TRIBES) ORDER (AMENDMENT) BILL, 1996**

The Committee sat from 1530 to 1800 hours on 5 May, 1997 in Committee Room 'C', PHA.

**PRESENT**

Shri Amar Roy Pradhan — *Chairman*

**MEMBERS**

2. Shri Dwaraka Nath Das
3. Shri Paban Singh Ghatowar
4. Shri Pinkai Mishra
5. Shri P. Kodanda Ramaiah
6. Dr. Jayanta Rongpi
7. Dr. Arun Sharma
8. Dr. Prabin Chandra Sarma

**REPRESENTATIVES OF THE MINISTRY OF WELFARE**

1. Shri K.K. Bakshi — *Secretary*
2. Shri A.K. Choudhary — *Joint Secretary*
3. Shri R.K. Shrivastava — *Director*
4. Shri P.L. Yadav — *Research Officer*

**REPRESENTATIVES OF THE MINISTRY OF LAW & JUSTICE**

1. Shri Z.S. Negi — *Joint Secretary and Legislative Counsel*
2. Shri S.D. Singh — *Assistant Legislative Counsel*

**SECRETARIAT**

1. Shri J.P. Ratnesh — *Joint Secretary*
2. Shri Ram Autar Ram — *Director*
3. Shri P.L. Chawla — *Assistant Director*

2. At the outset, the Chairman welcomed the Members of the Committee as well as the representatives of the Ministry of Welfare and the Ministry of Law and Justice to the sitting of the Committee.

3. The Committee, thereafter, had the general discussions on draft report circulated to the Members of the Committee. The Committee heard the views of the officials of the Ministries of Law and Justice and Welfare and also exchanged their views on the various suggestions made by the members of the Committee themselves.

4. The Committee observed that the Bill involves a sensitive issue and the State of Assam is inhabited largely by tribal population, where many communities have made their claims for inclusion in the Scheduled Tribes List and there are other communities who are against its inclusion. The Committee were of the view that all the points raised by the people of Assam and the comments received in writing and views expressed by eminent personalities for and against the inclusion of Koch-Rajbongshis community in the List of Scheduled Tribes might be incorporated in the Report.

5. The Committee also deliberated on the question of presentation of the Report to the House. The Committee were to present their Report to the House in the last week of the

Budget Session, 1997. Keeping in view the time factor involved in deep study further and to redraft the Report, the Committee felt that it would not be possible for them to complete the work and present their report to the House by the stipulated date, i.e. by the last week of the Budget Session, 1997. The Committee, therefore, decided to seek further extension of time for presentation of the Report by the last day of the last week of the Monsoon Session, 1997.

*The Committee then adjourned.*

**MINUTES OF THE EIGHTH SITTING OF THE SELECT COMMITTEE ON THE  
CONSTITUTION (SCHEDULED TRIBES) ORDER (AMENDMENT) BILL, 1996**

The Committee sat from 1500 to 1745 hours on 5 August, 1997 in Committee Room 'B', PHA.

**PRESENT**

Shri Amar Roy Pradhan — *Chairman*

**MEMBERS**

2. Shri Dwaraka Nath Das
3. Shri Lalit Oraon
4. Shri Phagan Singh Kulaste
5. Shri Paban Singh Ghatowar
6. Shri Pinaki Mishra
7. Shri Uddhab Barman
8. Shri P. Kodanda Ramaiah
9. Shri S.S. Palanimanickam
10. Dr. Jayanta Rongpi
11. Dr. Arun Sharma

**REPRESENTATIVES OF THE MINISTRY OF WELFARE**

1. Shri K.K. Bakshi — *Secretary*
2. Shri A.K. Choudhary — *Joint Secretary*
3. Shri R.K. Shrivastava — *Director*
4. Shri P.L. Yadav — *Research Officer*

**REPRESENTATIVES OF THE MINISTRY OF LAW & JUSTICE**

1. Shri Z.S. Negi — *Joint Secretary and Legislative Counsel*

**SECRETARIAT**

1. Shri Ram Autar Ram — *Director*
2. Shri P.L. Chawla — *Assistant Director*

2. At the outset, the Chairman welcomed the Members of the Committee as well as the representatives of the Ministry of Welfare and the Ministry of Law and Justice to the sitting of the Committee.

3. The Committee, thereafter, considered their draft Report and after considering the views as suggested by the members and representatives of both the Ministries, the Committee adopted the report by majority with certain modifications on the basis of which the Bill was amended as per Appendix enclosed.

4. The Chairman announced that the Minutes of Dissent to the Report, if any might be sent by the Members of the Committee to the Lok Sabha Secretariat by 1600 hours on Thursday, 7 August, 1997 at the latest.

5. The Committee authorised the Chairman and in his absence Shri Paban Singh Ghatowar to present the Report to the House on 12 August, 1997.

6. The Committee also decided that the evidence taken by the Committee might be laid on the Table of the House and the Memoranda and representations on the Bill received by the Committee also be placed in Parliament Library for reference by Members of Parliament.

*The Committee then adjourned.*