

REPORT

IDENTIFICATION OF SOCIALLY AND
EDUCATIONALLY BACKWARD CLASSES

IN

THE MUSLIM COMMUNITY OF ANDHRA PRADESH

AND

RECOMMENDATIONS

BY

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BACKWARD CLASSES WELFARE

REPORT

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I

Introduction, Background and Approach

Government of Andhra Pradesh has, by GO Ms.No.21 dated 18th May 2007, Backward Classes (CZ) Department, entrusted to me the task of preparing and submitting a report on Identification of Socially and Educationally Backward Classes in the Muslim Population, taking note of the judgement of the Hon'ble Andhra Pradesh High Court in W.P. 832 etc. read with the judgement of the Hon'ble Supreme Court in the Mandal Case (Indra Sawhney) and the subsequent developments, and further materials and facts since available, so that necessary measures can be undertaken to widen opportunities for them in various schemes, including, particularly, educational institutions and public employment. In view of my close association stretching over the last more than five decades in Andhra Pradesh as well as all over India in various capacities, governmental, non-governmental and post-governmental and in view of my commitment to the cause of Social Justice and to the State and people of Andhra Pradesh, I have been part of, during most of my lifetime, I have accepted this task as a privilege. I am grateful to the Government of Andhra Pradesh for having acceded to my wish not to receive any remuneration for this work and for providing all possible facilities. The relevant antecedent events are well-known and do not need recapitulation here.

1.2 Andhra Pradesh has a long tradition of Social Justice directed towards the Scheduled Castes, Scheduled Tribes and the Backward Classes (Socially and Educationally Backward Classes / Other Backward Classes) including the Backward Classes belonging to the Minorities. The State, its leadership, its Administration, its institutions, its non-Governmental organizations and activists have a history of devoted service to this cause in the light of paramount human and social values and in keeping with the Constitutional mandates and principles. I have been a part of this mission in the State and at the all-India level. Apart from the posts of sub-Collector, District Collector etc. in Andhra Pradesh in the 1950s, I have gained specialised experience and knowledge covering the whole country in posts in Govt. of India relating to the Scheduled Castes, Scheduled Tribes and Backward Classes like Joint Secretary in the Home Ministry with the portfolio of Scheduled Castes and Backward Classes, Special Commissioner for Scheduled Castes and Scheduled Tribes in the

Constitutional machinery under Article 338, Secretary, Ministry of Welfare [when in 1990 the Mandal Commission's Report was processed for decision and the affidavits and other materials were prepared for the Mandal (Indra Sawhney) case], and after my retirement Member of the National Commission for Scheduled Castes and Scheduled Tribes, Member of the Expert Committee on Backward Classes appointed to formulate the criteria for identifying Socially Advanced Persons/Sections of Backward Classes in the light of the Supreme Court's directions and observations and for preparation of the Central (Common) Lists of Backward Classes, Member-Secretary, National Commission for Backward Classes, etc., altogether spanning more than half a century. During these periods, I have been Chairman of the Planning Commission's Working Groups on the Development and Empowerment of Scheduled Castes and Backward Classes in different Plan periods. During all this period, I have been associated with, have participated in and have guided voluntary and non-Governmental work for the Scheduled Castes, Scheduled Tribes, Backward Classes including those belonging to the Minorities and for other Weaker Sections in Andhra Pradesh as well as other parts of the country.

I hope the experience, knowledge and perceptions I have gained in this process at the State level as well as the All India level will be of practical and constructive use in the present task.

1.3 Identification of Socially and Educationally Backward Classes is the basis for reservation under Clause (4) of Article 16 and Clause (4) of Article 15 and now also under Clause (5) of Article 15, recently inserted by the 93rd Constitution Amendment and also other Social Justice measures for the mitigation and the eventual removal of backwardness. It is important, therefore, that such identification should be based on correct principles and criteria evolved on the basis of the social situation peculiar to this country and in accordance with the Constitutional provisions and mandates as elucidated by the Supreme Court and the State High Court.

1.4 The present task pertains only to the Socially and Educationally Backward Classes in the Muslim population in Andhra Pradesh. My approach to it is broadly guided by the following aspects:

- (1) The social structure of the Muslim society in Andhra Pradesh.
- (2) The guidance provided by the Supreme Court and the Andhra Pradesh High Court, in particular in the Mandal case (Indra Sawhney) judgement of the Supreme Court in 1992 and the Muslim community reservation (Archana Reddy) judgement of the Andhra Pradesh High Court in 2005 regarding the Constitutional provisions, their interpretation and their application.

1.5 In order to facilitate well-informed decisions and implementation in the present context, it will be useful and necessary to have a clear idea of the social ideology of Islam, the social structure of Islamic societies before Islam emerged in India, the social structure of Islamic society in India and in its various regions including Andhra Pradesh, whether social stratification has come into existence in the Islamic society particularly in India and Andhra Pradesh, and if so the nature of such stratification, the commonalities and diversities in different regions. My report seeks to examine all these issues on the basis of available studies and my own knowledge and experience and, against that background, analyse the Muslim society in Andhra Pradesh and its status.

1.6 My recommendations arise from this analysis. I have particularly sought to ensure that these are in accordance with the Supreme Court's and Andhra Pradesh High Court's observations in the two cases cited above and is consistent with the approach of the National Commission for Backward Classes in similar cases.

II

Social Ideology of Islam and Social Stratification in Muslim Societies

The first issue to consider is the social ideology of Islam and whether and if so when and how social stratification, contrary to its social ideology, arose in Muslim society.

2.2 Every religion has many facets – ontological, metaphysical, spiritual, doctrinal, ceremonial, ethical or moral and socio-ethical, etc. This is true of Islam also. This report, consistently with the terms of reference, is concerned, as part of the background for understanding the Muslim society of Andhra Pradesh, only with Islam's social ideology and socio-moral norms, along with objective social realities, primarily from the perspective of the traditionally disadvantaged and deprived, whom we now classify as Scheduled Castes (SC), Scheduled Tribes (ST), Socially and Educationally Backward Classes/ Other Backward Classes (SEdBC/OBC) in different religious communities of India, including Andhra Pradesh.

2.3 Islam is a revealed egalitarian faith. It stresses Equality, Devotion and Fraternity. It is against the concept of privileges based on birth. The worth of a man is based on his piety and conduct. The idea of Fraternity is central to the social ideology of Islam. It has come from the Prophet himself. In the Sermon of Arafat, one of his most important sermons, he said, "Know that all Muslims are brothers unto one another. Ye are one brotherhood ---- guard yourself from committing injustice".¹ Another Quranic verse reads as follows emphasising Equality and putting differences in their place and perspective:

“O mankind! We (God) created you from a single pair of male and female; and made you into peoples and tribes, that ye may know each other, not that ye may despise each other. Verily the most honoured in the sight of God is he who is the most righteous among you. ...”²

2.4 By this injunction, piety has been elevated above heredity as a criterion for the determination of a person’s status in society. There are a number of other exhortations and injunctions in the Quran which emphasise brotherhood of all Muslims. Thus, there is no doubt that Islam upholds the Egalitarian principle and instructs all believers that in evaluating an individual what matters is piety and adherence to the teachings of the Quran and importance should not be accorded in evaluating an individual to race, nationality or ancestry. Thus, the social ideology of Islam is no prop for any type of practice of inequality. Irrespective of social aberrations from the norm, this ideal and social ideology always retained its appeal and validity.³

2.5 M. K. A. Siddiqui of the Anthropological Survey of India whose research is specialised inter alia in social stratification among Muslims, notes that the concept of caste is fundamentally antithetical to Islamic ideology which stands for the perfect equality of all individuals and groups in the social and religious spheres.⁴ Siddiqui continues, “Early Islam brought about radical changes in the society under its influence and put its egalitarian principles into practice so that the traditional foundations of Arab hierarchy, as shown by Ibn-e-Khaldun, the philosopher-historian of the fourteenth century, were completely shaken Birth as a basis of superiority or inferiority was deemed absolutely irrelevant and piety alone came to be regarded as a criterion of individual distinction.... Koranic injunctions rendered immaterial the distinction of colour, race and religion”.⁵

2.6 A. R. Momin, sociologist of the University of Bombay whose research is specialised inter alia in Indo-Islamic tradition also bemoans that one of the basic

tenets of Islam relating to the equality and brotherhood of mankind was relegated to the background by its followers.⁶ “The prophet vehemently condemned all hereditary and ancestral privileges which divide mankind; yet, once Islam spread to various parts of the world, it soon developed elements of hierarchy and stratification”.⁷ As observed by the Arab historian Ibn-e-Khaldun, pre-Islamic Arabs were overly conscious of their ancestral status and privileges, an ethnocentrism which Khaldun terms as *asabiyyah*. “The Islamic message of egalitarianism struck at the roots of this ethnocentrism which was based on notions of ancestral purity. However, it could not be totally obliterated from Arab consciousness. Soon after the passing away of Muhammad, this deeply-entrenched sentiment reasserted itself and found expression in the emergence of groups claiming superior status on the basis of heredity and descent”.⁸ Another factor was the conversion of millions of people in the early centuries of Islam. Momin cites Manazir Ahsan Gilani⁹ who observed that large sections of people carried with them their traditional beliefs and practices when they were converted to Islam. These beliefs and practices were “deeply rooted in notions of superiority and inferiority”, leading to the re-emergence of such notions in Muslim society and the “creation of stratified social systems throughout the Muslim world”.¹⁰ Momin mentions contact with people like Iranians and the Spaniards who already had a well- defined system of hierarchy, as having particularly influenced the emergence of stratification among Muslims.

2.7 Imtiaz Ahmad, former Professor of Jawaharlal Nehru University, rightly refers to the sociological dictum that no society beyond the most primitive can be truly and fully egalitarian.¹¹ He cites Veblen¹² in support of this. According to Veblen, as societies generate economic surplus, some form of social stratification develops.¹³

2.8 The Arab society in which Islam evolved was relatively simple and did not have great differences of wealth, but there was some economic differentiation between ordinary Bedouins and the trading classes.¹⁴ As Islam spread outside its original territory, power groups proliferated inevitably.¹⁵

2.9 The early Muslim community was marked by simplicity and characterized by inspiration towards justice and equality, but after the expansion of early Muslim conquests and the stabilization of the early Muslim empire with the Umayyad Khalifs (AD 671 to 750), wealth and power grew, which was perceived as a departure from the simplicity of the early Muslim community and its inspiration towards justice and equality. Sufism began as a protest movement against this. The Sufis got their name from their garments of coarse woolen known as *suf*, which they wore as a symbol of their protest against wealth and power and as an assertion of their ideals of simplicity and justice and equality.

2.10 Ghaus Ansari, an early and oft-quoted pioneer in the study of Muslim society, traces the origins of inequality in Muslim society – as contra-distinct from Islamic social ideology – to the period even prior to its arrival in India.¹⁶ Social structure and social behaviour of Muslim society are not uniform in all countries. It has been to some extent coloured by the social structure and patterns of social behaviour existing in each country prior to the arrival of Islam and formation of Islamic societies. Ghaus Ansari particularly refers to the established and deep-rooted institution of social segregation in Persia. He cites reputed Persian Muslim scholars like Nasir-ud-Din at-Tusi, who preached the division of society and whose classification of society was the same as it was during the pre-Islamic Sassanian period. In his book *Akhlaq-i-Nasiri*, shortly before the fall of the Caliphate, at-Tusi considers that each of the social classes should be kept in its proper place.¹⁷ Ghaus Ansari cites also *Jami-i-Mufidi*, a seventeenth century work, which retains the same four-fold division of society as in pre-Islamic Persia, with a slight modification to give warriors precedence over priests. Nizam-ul-Mulk, a noted Persian statesman, in his *Siyasat Nama*, instructs his subordinates to maintain the people in their proper ranks.

2.11 M. K. A. Siddiqui makes the same point with some other details about stratification of Muslim society before its arrival in north India: "...with the passage of time and as Islam spread to distant lands, some sort of stratification re-appeared in Muslim society, though it took various shapes and forms according to the nature of

the adjustments which Islam made; on coming into contact with regional traditions and other civilizations, as also to the nature of its historical development. For example, veneration of the Prophet led to the development of a new criterion of nobility based on kinship with him. Such categorizations as 'Arab' and 'Ajam', 'Sarih' and 'Mawali' also led to conflicts which have sometimes resulted in the victory of the under-privileged, as for example the Mawalis in Iran who secured an equal status with the Arabs for themselves. This trend towards stratification was strengthened by the introduction of the practice of limiting marriage relationships within a specified range of kins known as *kufv*".¹⁸

2.12 Hasan Nishat Ansari, Head of the Department of History, SMD College, Magadh University, Punpun (Patna), Bihar, says that "the cult of 'high born' and 'low born' or 'forwards' and 'backwards' was propounded by the medieval ruling Muslim classes of Persia, Central Asia and Afghanistan., which was the main subject of Ziauddin Barani, the famous fourteenth century historian and political theoretician in his work 'Fatawa-e-Jahandari', completed in circa 1358-59 AD".¹⁹

2.13 M. Mohd. Irfan Basha²⁰ also explains the two aspects of the basic egalitarian principle of Islam and the development of social stratification in Muslim society. On the latter aspect, he points out that Islam originally developed in a nomadic socio-cultural milieu which had a tribal egalitarian character. The structure of these tribal groups was not highly stratified. At Madina, the nomadic economic base of Islam was exposed to the more complex mercantile and agrarian economy and social structure of Madina. As Islam expanded, the structure of Muslim society got affected considerably and "many of the structural and cultural characteristics that pre-existed in the societies before conversion to Islam were added on to its structure". In the course of its expansion, Islam came under heavy Persian influence in Iraq. Persian society was already stratified on a hierarchical principle. He cites Ghaus Ansari²¹ on the division of Persian society continuously since the Avesthan period to the last pre-Islamic period of Sassanian rule (3rd century to 7th century AD upto its defeat by Islamic forces in 650 AD) into four major groups, viz., priests, warrior, commoner and serf. In the Sassanian rule, bureaucracy became the third group and the fourth

group consisted of peasants and shepherds. According to him, although politically Islamic forces defeated Sassanian rule in 650 AD, yet **Muslim Society in Persia** had to compromise in the face of the established and deep-rooted institution of Persian social segregation and a **noted scholar of that period** Nasir-ud-din at Tusi preached

the division of society. It was in this altered state of its social organisation that Islam came to north India in the 12th century AD.

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23. III

24. Emergence and Growth of Muslim Society in India, South India and Andhra Pradesh

25.

26. 3.1 General Role of Sufis and Traders in the Spread of Islam

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28. 3.1.1 It was on account of the work of wandering Sufis that Islam expanded even beyond its political boundaries, mainly into Central Asia where a number of Turkish tribes accepted Islam, while continuing many pre-Islamic practices. Interestingly the Mongols who sacked Baghdad in 1258 bringing the Caliphate's classical period under the Abbasids of Baghdad (750-1258) to an end were not Muslims, but subsequently the conquerors became Muslims. Parallel to the Sufi efforts, traders introduced Islam in some other parts of the world. Thus, Islam traveled along the trade routes from Timbuktu to Sudan and upto Uganda.¹ Trade was also the vehicle through which Islam was introduced in the Kerala coast and Coramandel coast of South India and also Malaya and other parts of South East Asia. In South East Asia, Muslim traders settled and established rule through indigenous local leaders.² In Indonesia, pre-Islamic culture and beliefs are vibrant even today.³

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30. 3.2 Role of Traders in Kerala

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32. 3.2.1 In the Malabar region of Kerala, where Kozhikode was the centre of Arab-Muslim trade, they did not even establish their rule. Of the 12 princely kingdoms of Kerala, only one small principality namely, Arakkal centred round Cannanore/Kannur, had a Muslim ruler. The arrival of Arab Muslims in Kerala as traders was the earliest arrival of Muslims in India. In 629 AD, they built in Kodungallur (Marco Polo's Cranganore) a mosque which was perhaps the first in India. This Mosque was built according to local

architecture. This preceded by nearly a century the first arrival in India in 711 of a Muslim conqueror, namely, Muhammad bin Qasim.⁴

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35. 3.3 Role of Sufis and Traders in Tamil Nadu and adjacent Andhra Area

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37. 3.3.1 According to Susan Bayly,⁵ Islam took root in the Tamil country well before the waves of invasion from Central Asia which gave rise to the medieval Muslim Sultanates of North India. She says that “as in the commercial entrepots of South East Asia, the early spread of Islam was associated with the expansion of southern India’s wide ranging maritime trading networks. Arab traders and navigators settled along the Coramandel coast as early as the 8th or 9th century AD, and their numbers increased as the region began to play a central role in the international textile trade which linked South India to the entrepots of West Asia and the Indonesia archipelago”. At the same time, according to her “it is probable that the most important factor in the spread of Islam in south India was the influence of Sufis,.... whose activities are now seen to have been crucial in the expansion of Islam into South East Asia and many other regions of the Muslim world.... In South India too, Sufis from other parts of the Muslim world provided a focus for the transmission of Islamic ideas and teachings”. In support of this, she also cites a number of authorities of the spread of Islam in Anatolia, Indonesia, Africa, and in the context of India Bruce B. Lawrence.⁶ Susan Bayly concludes that “as in the Indonesian archipelago, the Sufi tradition was probably first introduced into south India by the early Muslim traders and navigators

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39. who began to make contact with the region from the 8th or 9th century onwards.” She notes that already in the 9th and 10th centuries, there were maritime Muslim communities all along the Coramandel coast with close links to the Middle East and Southeast Asia which created a Tamil-Arabic culture, parallel to the Malayalee-Mappila culture of Malabar (in north Kerala). From Susan Bayly, we learn that the chain of Muslim trading towns that grew up along the Coramandel coast, through the agency of incoming Sufis and the

West Asian trading people who supported them, extended upto Pulicat in the southern part of the present Andhra Pradesh. From the coastal areas the South Indian Muslim population spread into the Tamil hinterland and took root in the inland regions of the South as the early as the 13th to 14th century AD. "In inland South India too, trade and the Sufi tradition went hand in hand." Among the early hinterland localities of Muslim settlements, she mentions the town of Nellore. She calculates that by the year 1800, there were about 6,00,000 Muslims in the Tamil country. There were also substantial numbers of Muslims in the adjoining Telugu areas, especially along the coast and in hinterland centres such as Penukonda.

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41. 3.4 Role of Immigrants and Sufis in Konkan Area and in India as a whole

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43. 3.4.1 A. R. Momin notes that the first caravan of Arab migrants to the Konkan area of Western India took place in 699 A.D.⁷ In 714 a large group of Iraqi Muslims came to Konkan to escape persecution by Hajjaj bin Yusuf. This was followed by interaction between them and the local Hindu population, mainly the fisher-folk of Konkan. The progeny came to be known as Nawait, who are the ancestors of the Kokni Muslims. They are "quite proud of their supposedly Arab descent and on that count distinguish themselves from the other Muslims."⁸ On account of their foreign ancestry, Momin places them in the Ashraf category. They speak Kokni with a sizeable number of Arabic and Persian words.

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45. 3.4.2 According to Heredia, the spread of Islam in India as a whole is a story of gradual growth of the Islamic religion essentially through itinerant Sufis and traders who settled among the local indigenous population.⁹

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47. 3.5 Social Motivation and History behind Spread of Islam among Masses

48. 3.5.1 There are a number of theories and viewpoints about the process of the spread of Islam in India, especially in the north, which include the coercive effect following conquest, political patronage and the attraction of social liberation. This report is not concerned with all the theories and their evaluation, but only with that aspect which is important from the point of view

of the traditionally disadvantaged and deprived sections of the people. Looking at it from their point of view, it is seen from a number of studies that the urge among such sections to resist their degradation imposed on them by the traditional order known as the caste system and to improve their lot is a continuing story from ancient times to this day and the movement of a good number of them to Islam is part of that continuing story.

49. 3.5.2 Eaton¹⁰ has dealt with the process of conversion to Islam in India. After ruling out other explanations, he refers to social liberation as a more attractive and recent theory. But he expresses some doubt about this explanation because it may be a projection of our present values and concerns onto the perceptions and preoccupations of the people in the past and because Persian sources suggest that in the presentation of Islam by theologians, Sufis etc. the emphasis was on monotheism against polytheism and not the ideal of social equality.¹¹ This criticism does not appear to be well placed, for a number of reasons. What matters to an audience is not what the teachers and preachers state or emphasise. What matters to the audience is what they experience and perceive in their own life. To take a parallel, as Heredia¹² himself notes, Christian missionary efforts during the 18th-19th centuries to spread Christianity among upper castes in South India failed and they could attract only the lower castes and marginalized people who approached missionaries in different places seeking their help in various matters and resolve various problems which arose from caste-based discriminations. The early missionaries focussed on the upper castes in an apparent top-down model of social control and change derived from their own feudal past. They believed that if they won over the upper castes especially the Brahmins, they would be able to easily win over the lower castes. "However, the Savarna, the twice born high castes were far more resistant to missionary persuasions, and the strategy failed."¹³ The name of De Nobili is prominent in this failed strategy in what is now Tamil Nadu. "Attention then shifted to the Avarna, the lower castes".¹⁴ Heredia gives an account of the progress of Christianity among Paraiyahs and other depressed castes of Tamil Nadu; Madigas and Malas in Andhra; Mazhabi Sikhs and Churhas, Lalbegis and Chamars in the Punjab and Uttar Pradesh; Dheds in Gujarat; and Mahars and Mangs in Maharashtra from the 19th century continuing into the 20th

century.¹⁵ Heredia notes that “these castes were seeking new identities to shake off their oppression and take advantage of the opportunities opening up before them”.¹⁶

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51. 3.5.3 Another example, as Heredia notes¹⁷, is the way Christianity spread in tribal areas among the tribal population in the present States of Jharkhand, Chattisgarh, Madhya Pradesh, West Bengal and Orissa in a process that began in 1845. Outsiders had entered the tribal homelands as moneylenders and stayed on as landlords under the Moghuls. The East India Company, partly out of ignorance of traditional tribal land related laws and customs and partly because of avarice for revenue, introduced legal, administrative and revenue systems which led to tribal land alienation and massive tribal immiseration resulting in tribal rebellions like the Santhal rebellions which were ruthlessly suppressed by the colonial Government. The protestant Lutheran missionaries and Catholic Jesuit missionaries sided with the tribals. The Jesuit missionary from Belgium Constance Lievens (1856-93) studied the history of land possession in the area and defended the simple tribals in the court with considerable success in the teeth of the opposition of moneylenders and government officials. Another glorious name is that of the Jesuit missionary from Germany John Baptist Hoffmann (1857-1928) who continued and advanced Lievens’ work. In 1909, he started the Catholic cooperative society and a few years later a grain bank to provide the tribals with a safety net against the loan sharks who exploited them with exorbitant interest rates, a problem still with us in the 21st century. It is these interventions that brought the tribals of Central India enthusiastically to the churches and not the biblical precepts preached by the missionaries.¹⁸

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53. 3.5.4 Heredia himself notices that, like tribal peoples, “the backward castes too were oppressed and exploited in various degrees and in multiple ways. The worst were the ‘depressed classes’ or the ‘untouchables’ at the very bottom of the caste hierarchy, the outcastes who today are called ‘dalits’, the oppressed.” Describing the spread of Christianity among them, Heredia describes the labours of Vedanayakam Samuel Azariah (1874-1945), the first Indian to be ordained as the Bishop of Dornakkal of the Anglican church in

1912. He himself belonged to the Nadar caste, which is a listed backward class of Tamil Nadu and was the victim of untouchability till well into the 20th century. He worked tirelessly among the dalits or “untouchable” castes or Scheduled Castes of Andhra Pradesh.¹⁹ Heredia makes the following weighty observations: “Given the dominance of caste in traditional communities, collective movements across caste boundaries were a rational way of self-protection against caste structure. Isolated individual ventures could hardly survive such social compulsions, but groups did have a chance and were even able to preserve some of their cherished customs and old traditions in their new situation”.²⁰ He further notes that “most Christian converts in the 19th century in India were dalits and tribals”.²¹ He also notes that, “The religious conversion of subalterns involved a self-assertion that underscored a positive change in self-esteem. Moreover, it opened up prospects of better healthcare and education that could not have been unattractive to people long deprived of minimum human needs and basic human rights”.²² But he fails to draw the conclusion that the same could have happened in the case of conversions to Islam, making the social liberation explanation of conversion to Islam in the period anterior to the 19th century movements to Christianity the most plausible. The concept of social liberation need not be seen as a projection of our present values and concerns onto the people of the lower castes of that period. One handicap is that the movements to Islam of the lower castes are much less documented than movements to Christianity. Even so, there is other evidence which point in the

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55. direction. For example, there is a very interesting nugget in the Manual of the Kistna District 1883 (the present Krishna district, but at that time its boundary was much larger than the present Krishna district). This Manual records as follows: “Indeed if a convert comes from the lower or outcastes it is a social rise in life. Ramigadu, a Pariah or leather-worker in the village, who could not draw water from the well reserved for caste Hindus, becomes a Muhammadan, lets his beard grow, calls himself Abdul Hasan and draws water from the caste well unchallenged”.²³ It is not clear whether Ramigadu and Abdul Hasan refer to an individual or are generic names. Either way, it makes a point answering the doubt expressed by Eaton about the social

liberation theory of mass conversions to Islam in the medieval period. The fact that Persian sources suggest that emphasis was based on monotheism against polytheism in the presentation of Islam by religious preachers does not preclude the fact that those who moved to Islam perceived and were attracted by another aspect, viz., the access to relatively greater equality, respect and self-esteem. Another and more recent illustration is the dalit conversions to Islam at Meenakshipuram in 1981. Haunted by persistent humiliations and periodic pogroms as in the Ramanathapuram riots of 1959 and later, dalit families of Meenakshipuram in Tirunelveli district of Tamil Nadu, belonging to the Devendrakulathan community (earlier and commonly known as Pallan), mass-converted to Islam, 200 families in 19 Feb 1981 and 27 more on 23 May 1981. This wave spread to other villages of Tirunelveli, Ramanathapuram and Madurai, making a total of 1713 conversions, according to a report of the Tamil Nadu Government to the Study Group of Parliamentary Affairs on 13 August 1981. There is no reason to doubt that the same ethos as in Meenakshipuram of

56.

57. 1981 and in the Kistna district of the 19th century prevailed in the earlier conversions to Islam.

58.

59. 3.5.5 It may be useful to mention an episode from my personal experience 50 years back. As Sub-Collector of Ongole, I visited Chinnaganjam, hamlet of Peddaganjam in 1958 in order to find the solution to a complaint I had received that one community of SC was preventing another community of SC from drawing water from a drinking water well dug for the SCs by the Social Welfare Department. When I reached Chinnaganjam, I found that the people there especially SCs were in the midst of Cholera scare. I secured immediate attention and preventive service for them from the Health Department officials in the nearby sub-taluq headquarters Chirala. This predisposed them to take my words more seriously. I told them that I had responded to their request for the protection of the health of their children and in fairness they should equally respond to my request. I requested them that representatives of both the communities should draw and drink water along with me from the well in question. This was done. Thereafter, I wanted

them to go with me to the house of one member each of both the communities and partake of lunch along with me. Accordingly, we had two lunches in the two houses. Thereafter, I spoke to the people of all the village to see that all people including the SCs are free to avail themselves of all facilities in the village including equal entry into temples, which I knew was a problem area as it still is in many parts of the country including Andhra Pradesh. At that time, a group of Muslims who were present in the assemblage stood up and spontaneously said that there was no restriction in entry into their mosque and the SCs were welcome to go there along with me. It was then the time for the noon prayer. They warmly escorted me and the people of both the SC communities immediately to the mosque. I could see the emotional effect this had on the face of the SCs.

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61. 3.5.6 There is evidence to show that lower castes were straining at the leash even in the medieval period. There are also indications of protests against birth based or caste- based inequalities and thrust for equality. For example Krishnan has given a brief account of the stirrings and movements against and resistance to caste-based rigidities from the ancient times through the medieval period linking to the colonial and post-colonial modern period.²⁴ Citing Rhys Davids²⁵ Burton Stein,²⁶ Oppert²⁷ and Nilakanta Sastri²⁸, he describes this process in the following words: "In keeping with prevalent contemporaneous context, the earliest glimmerings we have of resistance to caste-based rigidities are linked with religion. Buddhism has been considered to be a counterpoint to Brahmin theories of caste. It is associated with a socially equalitarian character, ... Jainism was another such counterpoint. The towns of the Coromandel region, where artisan and trading castes were in greater strength, were bastions of Jaina and Buddhist influence during Pallava times and later. Oppert points out the link between artisan classes, who formed an important portion of the population of the towns, and the influence of Jains which were strongest in the towns. It is known that in the medieval period the artisan and trading castes tried to break loose from domination by the Brahminical social order supported by the Brahmins and dominant cultivating i.e., land-controlling groups. The Kalabhra or Kalavar, whose onslaught on the peasant peoples in the south, in the

rather obscure period before the 7th century, is referred to in terms comparable to memories of the Hun invasion of the north-west of India, are surmised by Nilakanta Sastri to have been a widespread tribe whose large-scale defection to Jainism and Buddhism resulted in a political and social upsurge lasting over some generations. Burton Stein interprets the 'Kalabhra interregnum' as the extension of non-peasant warrior control over the plains and attributes the attractiveness of Jainism to the Kalabhra warrior to the fact that it permitted him to achieve legitimacy and status without having to bow before the culture representing the alliance of Brahmins and increasingly dominant riverine peasants. The best known of the Kalabhras, Accuta Vikkanta, the Kalabhra ruler and conqueror of Madurai was himself, according to Stein, probably a Buddhist. Jainism and Buddhism had thus a practical egalitarian significance for those who did not want to accept the rigid caste-based socio-ideological frame which was advancing with the agricultural civilization".²⁹

62.

63. 3.5.7 Stein refers to "the periodically activated coalitions of the right- and left-hand castes among occupational social groups below the dominant land-controllers which came into prominence by the late eleventh century," and he says that these coalitions "served as a means for some lower peasant groups and more mobile artisan traders to combine.... against the dominance enjoyed by the powerful land-controlling peasantry, their dependents, and their allies, the Brahmans."³⁰ He refers to rare Chola records of agreements, like the one at Aduturai, Tiruchirapalli, probably of the time of the Chola ruler the Kulotunga III (A.D. 1178 to 1218), by lower caste people of the Valangai (right hand) and Idangai (left hand) divisions (the former comprising agrarian-centred groups and the latter comprising of artisan-traders), in some places at least, for resistance against the Brahmans and Vellalans who held the proprietary rights (Kani) over lands.³¹

64.

65. 3.5.8 Noboru Karashima, Professor Emeritus, University of Tokyo and Professor of Indian Studies, Taisho University, also makes similar analysis and points out that the Tamil inscriptions of the thirteenth to the fifteenth century indicated a challenge to the hegemony of the Brahmans and

Vellalas, the two groups were interdependent, by lower classes consisting of artisans, merchants and hill tribe soldiers formed into the social formations called valangai (right-hand) and idangai (left-hand), which were thus made up of lower classes. According to him, these two groups of lower classes were against the hierarchical caste system, but despite posing a challenge, they could not overturn the Brahminical ideology.³²

66.

67. 3.5.9 This period, Krishnan³³ notes, also saw the Tamil Bhakti movement from the mid 6th Century to the 10th Century, one aspect of which was the tendency towards dissent from the orthodox creed of Brahminical Hinduism, readiness to dispense with rituals, priests and the restrictions of gender and the castes, and protest against the Varnashrama code, drawing upon Narayanan and Kesavan.³⁴

68.

69. 3.5.10 Next chronologically came the Veerasaiva movement of Karnataka which came prominently to notice in the 12th and 13th Centuries under the remarkable leadership of Basavesara and is still, along with its institutions like Maths, an important part of the socio-religious and socio-cultural life of that region. Shortly after this, there was a simultaneous efflorescence of similar movements and traditions in different parts of the country, pointing to similar social and socio-cultural environment and contexts. They include:-

70. the Warkari tradition of Maharashtra from the 13th to the 16th Centuries

71. the Vaishnavite movement of Assam from the 15th Century

72. the Bhakti movement of the Hindi region from the 15th and 16th Centuries

73. the Vaishnavite movement of Bengal of the 16th Century

74. and, while not exactly part of the Bhakti movement, similar to it, the Sikh movement in the Punjab starting from the 15th century

75.

76. 3.5.11 The Tamil Bhakti movement³⁵ stretching from the middle of the 6th Century to the 10th Century, on the one hand represents the consolidation and extension of classical Hindu society in early medieval India and on the other contains elements of dissent and protest. Thirunavakkarasu or Appar,³⁶ one of the Saivaite Bhakti saints born in a non-Brahmin peasant family of Vellala caste..... proclaimed that caste and class were nothing to him and he

was prepared to worship even an outcaste and a leper [Equation of “outcaste” and “leper” is one of the indicators of a basic distortion in the thought process caused by the overwhelming prevalence of caste, a distortion which can be noticed even today] because God dwells in them. The widely acclaimed poetic compositions and hymns of Tamil Bhakti literature had a wide social base, the devotee-composers being from castes of all layers of society including some women and contained a tendency towards dissent from the orthodox creed of Brahminical Hinduism, readiness to dispense with rituals, priests and the restrictions of gender and caste, protest against the varnashrama code – but these features disappeared after the challenge of Buddhism and Jainism was beaten down, by means including violent persecution, of which the worst was the impalement of the heads of 8000 Jains by the newly converted Pandian King Nedumaran on the urging of a well-known Saivite saint, commemorated by an annual festival.³⁷ Thereafter, from the beginning of the 10th century, there was relapse to full-fledged orthodoxy.³⁸

77.

78. 3.5.12 The Virasaiva movement³⁹ which became prominent in Karnataka in the 12th and 13th Centuries AD and its ideology, spearheaded by Basaveswara, was the outcome of social unrest against Brahmin domination in that region and against social ethos associated with Brahminic Hinduism. Ramanujan⁴⁰ characterises it as “a social upheaval by and for the poor, the low caste and the outcaste against the rich and the privileged”. It took a forthright stand against social inequality, against caste exploitation and subordination of low castes and against ritualism sanctifying inequality and camouflaging exploitation and for a fraternal society free from caste and class.⁴¹ Basaveswara himself refused to undergo the ceremony of investiture of the sacred thread, inter-dined with all castes including “untouchables”, promoted marriages cutting across the caste barrier including the barrier of untouchability and denied the entire concept of pollution whether on account of birth or menstruation. Lower castes were mobilized and admitted to the Virasaiva fold and many of the Lingayat saints were from “untouchables” and other low castes.⁴² India’s pre-modern history has not seen a more thorough-going revolt against the Indian Caste System than this indigenous movement

under Basaveswara's leadership. But after him, its thorough-going social radicalism was not sustained. After the 17th century it fell a prey internally to the caste system.⁴³

79.

80. 3.5.13 The highlights of the Warkari tradition of Maharashtra were Dnyaneshwar (1275 to 1296), Namdeo (1270-1350), Eknath (1533-1597), Tukaram (1608-1750), Gora Kumbhar, Narahari Sonar, Savita Mali, Sona Nhavi, Joga Parmanand, Choka Mela, Banka Mahar. Many of them belonged to lower castes. Namdeo, Sona, Narahari and Joga Parmanand belonged to artisan castes/castes of artisan-like producers; Sona Nhavi belonged to a Service caste; — all of them now in the list of SEd.BC/OBC —, and Choka Mela and Bank Mahar belonged to Agricultural Labour Castes now in the list of SC. Tukaram and Savita Mali belonged to Peasant Castes. Only two belonged to the Brahmin caste. This is a very significant feature of the Warkari tradition shared with Bhakti and related movements elsewhere.

81.

82. 3.5.14 To the Vaishnavite movement of Assam, Shankar Deb (1449-1569) was what Basaveswara was to the Virasaiva Movement of Karnataka. The similarity goes beyond the charismatic personality and moral and ideological stature of the two. Both of them; were unique in that they set up independent institutions to maintain and continue their movements, — the Virasaiva Maths on the one hand and the Satras and Namghars on the other — and of all the pre-modern representatives of the Hindu Bhakti movement, they were the most thoroughgoing. Both of them struck at the root of caste separateness, viz., caste-based endogamy. Both of them encouraged inter-caste marriages – peaking in Karnataka in the marriage between Haralayya, an untouchable convert and Madhuvayya, a Brahmin convert to Virashaivism.⁴⁴ Just as Basava practiced anti-endogamic marriage by marrying the sister⁴⁵ of the Kalachuri King Bijjala, whose Prime Minister and Treasurer Basava was, similarly Shankar Deb consented to the marriage of his brother's son with the Koch Commander-in-Chief – the Koch being a tribal people who became Hinduised and are now in the list of SEd.BC of Assam, while being in the list of SCs in West Bengal.⁴⁶ Both these movements are notable for the relatively sustained impact they had on caste-society. The

leaders of both these movements were by birth members of upper castes, one of them Brahmin and the other non-Brahmin. Among the continuers of Sankara Deva's work, mention must be made of his nephew Anirodh Deb, founder of the Mayamaria Sect, who preached his religious ideas especially among people of "low" castes and of tribes.⁴⁷

83.

84. 3.5.15 The Hindi-speaking region⁴⁸ also gave rise to Bhakti saints most of whom were from lower castes, like Kabir (1398-1448), a Julaha or weaver (now Muslim SEd.BC), Rai Das (born 1415), a Chamar (now SC or Dalit), Singoji, a cowherd (now SEd.BC) in the 16th Century, Vakhana (died 1643), a Mirasi (now SEBC), Darya of Marwar (died 1758) in the 17th and 18th Centuries and Panodas (died 1773), a Mason (now SEBC) of the 18th Century. Bihar had its Dharmdas in the 17th Century-end.

85.

86. 3.5.16 All these movements had two broad characteristics in the social context. On the one hand their representatives criticized the caste system, hierarchy etc, with varying degrees of emphasis. Sometimes there is surprising similarities of imagery in their condemnation or ridicule of the caste-system and pretensions of high birth. For example, Namdeo asks:-

87. 'if milk given by cows of different colours is the same, how could the distinction between brahman and shudra stand scrutiny?'

88. Kabir asks —

89. 'if you milk black and yellow cows together will you be able to distinguish their milk?'

90. Generally they discountenance caste distinctions among saints and devotees in the religious context. But they did not carry this into secular life and did not have significant or sustained social impact with the limited exceptions of Basaveswara's and Sankar Deb's movements; consequently they could not effect social reform but there was plenty of dissent and protest. Within the limitations of contemporary contexts, this was significant. A good part of it was dissent and protest of or on behalf of lower and lowest castes, now categorized as SEd.BC/OBC and SC. They represented an alternative pole, contrary to the picture of deadened uniformity presented by those who had misrepresented/mistaken the "Great Tradition" to be the Only Tradition.

91.

92. 3.5.17 There have also been essentially secular challenges to the established dominant order. Evidence of this emerges for example in Burton Stein's⁴⁹ study of medieval South Indian State and Society. This is seen in the self-assertion of artisan-traders – the same sections who earlier showed a marked preference for Jainism and Buddhism – a self-assertion that grew with urbanisation though the challenge was at that time beaten down by the ideologists and custodians of the established dominant order.

93.

94. 3.5.18 Both these trends of religion-oriented and relatively secular-oriented phenomena of dissent and protest, unmistakably present through Indian history, though only recorded in patches and fragments, had features of incipient movements which in today's terminology can be termed as backward class movements.

95.

96. 3.5.19 Against this background, it should not be surprising that the persons of the same lower castes and untouchable castes, who were the main part of these movements including particularly the Veerasaiva movement, also moved to Islam wherever and whenever opportunity was available, whether quietly through Sufis and Muslim traders or under more congenial circumstances when the ruler and ruling classes were Muslims and thereby the pressure from exclusively upper caste ruling classes somewhat eased. Against this background again, there is no basis to share Eaton's doubt about the "more attractive and recent theory... of social liberation" on the ground that "this projects the present values and concerns on to a people's past perceptions and pre-occupations." People of the "untouchable" and other lower castes, as can be seen from the above background, did all along have the perception of the inequities of and arising from the caste system and were pre-occupied with escaping, even if partly, from that system and its rigours.

97.

98. 3.6 Social Identities in Indian Muslim Society

99.

100. 3.6.1 The general impression prevalent among Muslim scholars is also in accordance with the socio-historical accounts given above. Thus, the

editorial in Muslim India [Editor Syed Shahabuddin, formerly of the IFS and ex-MP] mentions as follows: "It is accepted that 90 to 95% of Muslim Indians are descendents of converts from Hindus".⁵⁰ Of them, 80-90% are from the lower castes of Shudras and Achyuts. Of these two, "in respect of conversions to Islam, the proportion of Achyuts can be presumed to exceed that of the Shudras because the former suffered severe disabilities under the Hindu order, had unclean occupations and possessed little in terms of social assets such as land'. Syed Shahabuddin's formula is that "the relevant proportion among Muslim may be worked out on the presumption of a decreasing stream of conversion as one goes up the caste ladder" and voices the generally accepted estimate of the foreign born immigrants and converts from high castes at about 10-15%.

101.

102. 3.6.2 In this context the testimony of Swami Vivekananda, who once lamented whether the ancient dictum of "atmavat sarvabhuteshu" was only for preaching, is of great significance. In one of his "Lectures from Colombo to Almora" titled "The Future of India" (1897) he observed as follows: "The Mohammedan conquest of India came as a salvation to the down-trodden, to the poor. That is why one-fifth of our people have become Mohammedans. It was not the sword that did it all. It would be the height of madness to think it was all the work of sword and fire. And one fifth... one-half... of your Madras people will become Christians if you do not take care. Was there ever a sillier thing before in the world than what I saw in Malabar country? The poor pariah is not allowed to pass through the same street as the high-caste man, but if he changes his name to a hodge-podge English name, it is all right; or to a Mohammedan name, it is all right.... Shame upon them that such wicked and diabolical customs are allowed;...."

103.

104. 3.6.3 Against this background of social turmoil and uneasiness in society with the lower castes struggling and straining to improve their position, contrary to the general and popular impression of social stagnancy in the pre-British period, it should not be difficult to perceive the movement of these social classes, structured as castes, to Islam. Equipped with this socio-historical background of medieval India, both northern as well as southern, it

is possible to see that Eaton's cautiousness about the theory of social liberation is not well founded. Indeed, in the early movements towards Buddhism and Jainism and the later movement towards Islam and the more recent movements to Christianity and Buddhism, the factor of social liberation was very important. It is also not difficult to see who were the subjects of these movements – they were the lower classes, structured as lower castes, who had reason to be dissatisfied with their position in the traditional caste structure.

105.

106. 3.6.4 The views of many scholars are convergent on the social identity of those who moved to Islam in India. Nadeem Hasnain says that “an overwhelming majority of Indian Muslim population come from the lower Hindu castes who have been coming into the fold of Islam to escape from social persecution and the oppressive socio-economic disabilities. They were also attracted and lured by the social egalitarianism of Islam”.⁵¹ According to him, “it is now historically established that most of the Muslims in India, did not come from Arabia or other regions from where the message of Islam came. Muslim traders represented the earliest phase of Islam in India and nomadic Sufi saints who were instrumental in attracting the oppressed and exploited lowest strata of Hindu society into the fold of Islam.”⁵² According to Ejaz Ali⁵³ “most of the religious conversion among the Hindus occurred in Harijan castes not from such backward castes as Yadav, Kurmi or Koeri”. Apparently, Ejaz Ali means by Harijan castes, not only the Scheduled Castes, but also the lower rung of backward castes excluding the upper rung of backward castes.

107.

108. 3.6.5 Iqbal A. Ansari, retd. Prof. Aligarh Muslim University says that, “the bulk of the present day Indian Muslims are of indigenous Scheduled Caste and other Backward Class origins whose social occupational structure has continued to perpetuate their educational backwardness”.⁵⁴ According to Ashfaq Hussain Ansari, “most of the minorities are converts from Hindu religion. They are called indigenous Muslims, Christians or Sikhs. They are mostly converts from Scheduled Castes or low caste Hindus. Very few of the Muslims claim that they are direct descendents from Arab, Iran, Turkey and

Egypt. Few converted Muslims claim that they are converted from upper caste Hindus".⁵⁵

109.

110. 3.6.6 According to Ashgar Ali Engineer, Director of Institute of Islamic Studies, Mumbai, "all Muslims in the medieval period did not belong to the ruling classes which were feudal in origin. Comparatively very few Muslims in India belonged to the upper classes. The vast majority of Indian Muslims were converts from amongst the Shudras of the Hindu society. Here we do not want to go into the controversy about coercive conversion. Suffice it may to say that such a stereotype is totally inadequate explanation of the complex process of conversion. It is more appropriate to say that conversions were by and large specially from amongst the Dalits of a voluntary and not of coercive nature. bulk conversion to Islam from amongst the Shudras, by and large account for general Muslim backwardness. These conversions took place because to these oppressed people Islam appeared to be much more democratic and egalitarian..... most of the conversions to Islam were from backward castes.....".⁵⁶

111.

112. 3.6.7 In Bengal

113.

114. 3.6.7.1 We have specific historical socio-anthropological and historical evidence for different parts of the country. Regarding Bengal we have the findings of Nripendra Kumar Dutt, former Principal, Sanskrit College, Calcutta and Jagadish Narayan Sarkar, Prof. of History in Jadavpur University. Dutt in his Origin and Growth of Caste in India (first published in 1931) has brought out the oppressive treatment meted out to Namasudras and the fact that the bulk of the Muslims in East Bengal are of Namasudra and Rajbansi origin (both now classified as major SCs of West Bengal).⁵⁷ Jagadish Narayan Sarkar in his Islam in Bengal (Thirteenth to Nineteenth Century) has also pointed out the historical fact that those who embraced Islam in Bengal were mainly from the Lower Classes, such as "the poor aborigines of eastern and deltaic Bengal,....fishermen, hunters, pirates and peasants,... the impure or unclean out-castes, popularly called the untouchables, spurned and neglected by the caste-proud Brahmanical Hindu-

Society”, who “adopted Islam to escape from social injustice or secure social status.”⁵⁸

115.

116. 3.6.7.2 Sarkar describes the Muslim conquest of Bengal, beginning with Ikhtyaruddin Muhammad ibn Bakhtiyar’s sack of Nadia (c. 203-04) and occupation of Lakhnauti-Gaur, the capital of the Senas of Bengal, ten years after Muhammad Ghori’s establishment of Muslim rule in Northern India (1193) as a very slow process.⁵⁹ In this context, Dr James Wise wrote that the Islamic armies “were welcomed by the outcaste Chandals and Kaibarrta”.⁶⁰ Sarkar says that initially, Bengal under Muslim rule was confined to a small area consisting of South East Mithila, North Radha, Barendri and North West Bagdi. It was only later that it extended to West Radha, Satgaon and Bang or East Bengal.⁶¹ He considers that “the view, generally held, that Islam was spread by the conqueroris not wholly correct”.⁶² While acknowledging that “the religion of Islam began to make headway in Bengal, consequent on and subsequent to the establishment of political Islam,”, he points out that “Bengal’s contact with the Muslims, especially in the field of trade, organisation and missionary work, began much earlier than the conquest in the 13th century..... Many Muslim saints or scholars are believed to have come even before the Muslim conquest”. He gives as examples the names of Baba Adam Shahid of Rampal, Shah Sultan Rumi, etc.⁶³ According to him, “thus, sometimes the missionary preceded the soldier, and activity of the former was no less significant than that of the latter.” He cites the views of Abdul Karim⁶⁴ for the fact that “the Muhammadan proseylitization of India did not begin with coercion and bloodshed; the first conversions were made by its saints.” Another important circumstance brought out by him, citing

117. Titus⁶⁵ is that Muslims were more numerous in north Bihar, the seat of Hindu and Brahmanical domination than around the old Muslim centres in south Bihar, Patna and Monghyr and in eastern Bengal Islam spread mostly in the villages. He cites Risley⁶⁶ for the view that the converts were recruited from the aborigines, for their manners and customs, physical appearance and retained caste distinctions are similar.

118.

119. 3.6.7.3 After citing various political, social and religious causes accounting for the progress of Islam in Bengal, Sarkar cites S. M. Ja'ffar regarding the constitution of the Muslim population. Ja'ffar came to the following conclusion:

120. "As now constituted the Musalmans represent groups drawn from the indigenous races more or less leavened by a strain of foreign blood derived from successive bodies of invaders or emigrants from the regions beyond the north-west frontier..... the majority of the Musalman population particularly in Bengal and South India are by race practically Hindus, pure and simple".⁶⁷

121.

122. 3.6.7.4 Based on the views of Ja'ffar, R.. C. Mitra⁶⁸ and W. W. Hunter⁶⁹ and the Census Report for India, 1911,⁷⁰ for Bengal,⁷¹ Sarkar sums up: "Those who embraced Islam came from different ranks in society, mainly the lower classes and occasionally from the higher. The lower classes adopted Islam to escape from social injustice or secure social status. To the poor aborigines of eastern and deltaic Bengal, --- fishermen, hunters, pirates and peasants, --- the impure or unclean out-castes, popularly called the untouchables, spurned and neglected by the caste-proud Brahmanical Hindu-Society, Islam came as a revelation with its message of monotheism and social equality and offered 'full franchise', and escape from the social disabilities and humiliations and opened avenues of progress".⁷²

123.

124. 3.6.8 In Kerala

125.

126. 3.6.8.1 Most probably Kerala is the first region of India where Islam appeared. Here, it came peacefully through traders. S. S. Nadvi asserts that "it is an open fact that long before the Muslims settled in northern India, there were colonies in southern India".⁷³

127.

128. 3.6.8.2 There are records showing that there was large scale maritime trade carried on by Arabs from South Arabia and Persians during the period after the 5th century. The Arabs were the carriers and merchants of the Indian ocean in which Kerala's location was strategic and Kerala was important as the source of pepper and other valuable products. Therefore, the Kerala coast was an important port of call for the Arab maritime

inter-coastal traders, though there was some decline in the 6th century according to Haurani.⁷⁴

129. "The history of Arabs on this ocean is one of expanding commerce, which reached its peak in the 9th century of Christian Era." With the appearance of Islam in Arabia, the Arab traders became the channel of its introduction in Kerala, apart from Muslim religious teachers. According to the tradition preserved in the Tofutul Mujahideen,⁷⁵ very soon after the death of the prophet, a group of 20 Muslims led by Malik Ibn Dinar arrived in 643 in Kerala with the intent of preaching Islamic religion. They were welcomed by the local rulers and founded the first Mosque at Kodungallur or Cranganore. A Muslim inscription in Pantalayini Kollam (present day Quilandy) dated Hijra 166 makes clear the spread of Islam long back in Malabar by conversion and by the settlement of Arab traders.⁷⁶

130.

131. 3.6.8.3 There is a slight variation about the precise period when an indigenous Muslim population came into existence. C. Achyutha Menon (1863-1937), Superintendent of Census Operations of Cochin State towards the end of the 19th century and early in the 20th century cites the Arab merchant Sulaiman, who wrote with knowledge in 851 AD that there were no Mohammadans in Cochin in his time. From this he feels that Islam could have obtained a footing in the Malabar area, which is to the north of Cochin, prior to Sulaiman's writing, i.e., prior to the 9th century.⁷⁷ But, there is no difference regarding the ethnic origin of the Muslims of Malabar as well as Cochin.

132.

133. 3.6.8.4 Commencing from the 12th century, the Zamorin of Calicut established intimate relations with Arab traders resulting in Calicut becoming pre-eminent in the trade of pepper and other spices and luxury articles popular in the west. An indigenous Muslim community grew up around the warehouses and settlements of the Arab Muslim traders stretching from Cannanore in the North extending to various towns of Malabar. The Mappilas of Malabar in Kerala were the descendents of the first Indian Muslims. Tofutul Mujahideen contains the testimony of Zainuddin of Ponnani about the peaceful co-existence of Muslims, who were not even one-tenth of

the population at that time, with the Hindu majority.⁷⁸ According to C. Achyutha Menon, “the early Muhammadans appeared to have been the offspring of the union between the Arab traders who would naturally come without their women, and the women of the lower classes of the Hindus and their ranks must have been swelled by conversions, chiefly from among low class Hindus”.⁷⁹ Speaking about Cochin (now mostly comprised in Ernakulam and Trichur districts), “of the Muhammadan population of Cochin, 80 % are the Mappilas, who are the descendents of the offspring of mixed unions or converts from the lower classes”, and “are the only Muslims indigenous to Cochin.” Another 15% are Ravuttans or Labbais from Tamil Nadu who are the Tamil counterparts of the Mappilas of Malabar and Cochin. The remaining 5% are “Muhammadan immigrants from the north and consist mainly of Pattans with a slight sprinkling of Sheikhs, Sayyids, Mughals, Hussains, Kacci Memons and Boras.” The majority of the Mappilas of Cochin, he found to be boatmen, fishermen and labourers of every description, while most of the rest are petty cultivators or traders, only a few here and there being substantial farmers or landholders. He says that the Mappilas “are as a class poor”.⁸⁰ This occupational description obviously fits in with their backward class (to use current terminology) origin.

134.

135. 3.6.8.4 The well known anthropologist Ananthakrishna Iyer writes that the Muslim population of that area are a community “composed of the descendent of the mixed union with very little of Arab blood and converts from the very lowest classes of Hindus. Large numbers of recruits came from the Thiyyas of Malabar, Ezhuvans of the (Cochin) State and also from the Pulayas, to whom the honour of Muslim brings enfranchisement from the disabilities of their own caste.”⁸¹ Logan, distinguished Civil Servant and the then Collector of Malabar district, records that the bulk of the converts to Islam were from the castes of the lowest stratum. He points out that “by conversion a Cheruman obtains a distinct rise in the social scale, and he is in consequence bullied or beaten the influence of the whole Muhammadan community come to his aid.”⁸² The Pulaya and Cheruman referred to by Logan and Ananthakrishna Iyer are synonyms of the same caste, which is included in the list of Scheduled Castes for Kerala and is the largest

scheduled caste of Kerala. Thiyya and Ezhuvan are regional variants of the same caste, which also suffered from “Untouchability” in the past and were consequently included among Depressed Classes in the Census of Travancore of 1921, but was able to struggle out of “Untouchability” by their own efforts by the Thirties of the 20th century and were therefore not included in the list of Scheduled Castes. The resultant post-conversion internal indistinguishability in terms of pre-conversion castes, along with perceptibility of general “low-caste” origin made it possible for certain parts of South India, like the princely States of Travancore and Mysore to perceive Muslims as a single backward caste. It is against this background that when, for example, as early as in 1915 the Maharaja of Travancore issued confidential circulars to the Heads of departments to give special consideration for “inadequately represented communities” in making appointments to certain categories of posts in the Government service, they contained the phrase “members of such communities as Ezhava, Muslim, etc., which are backward in education”. In the first formal order of reservation issued in Travancore on June 25, 1935, the “Muslim community” was specifically included. Even in the early 19th century, when the Regent Maharani issued orders permitting women of depressed communities to wear gold and silver ornaments, which were prohibited for them till then, the order referred illustratively to some such communities, and Muslim was one of them.⁸³

136.

137. 3.6.9 In Gujarat and West India

138.

139. 3.6.9.1 Taking another region of India, Satish C. Mishra⁸⁴ notes the existence of Arab traders settled in the important trade marts of Gujarat. Citing Bombay Gazetteer;⁸⁵ Majumdar⁸⁶ and Majumdar⁸⁷, Mishra points out that the Arab traders carried much of the sea-borne trade across the Indian ocean. Arab geographers and traders who came in the 9th and 10th centuries speak of the ancient colonies of Arab traders with centuries of history behind them.⁸⁸ From a lengthy bilingual inscription in Sanskrit and Arabic from Somnath Pattan which records the endowment of a mosque by a wealthy ship owner of that city named Firuz, who probably obtained the land, on which the mosque was constructed, as a gift from Raja Chhada, in AH 662/AD 1264,

Mishra notes that by the 13th century the Muslim community had proliferated in all parts of the region, growing out of its original limits of a trading one, now containing not only wealthy traders and particularly shippers and seafarers, but also indigenous occupational groups like oilmen, masons and a heterogeneous group of people with miscellaneous occupations. This was during the Rajput rule in Gujarat.⁸⁹ He also refers to several inscriptions testifying the presence of a considerable number of Muslim pirs in Rajput-ruled Gujarat. During the 12th and 13th centuries, according to him, the two Ismaili sects had spread in Gujarat. Thus, in Gujarat too, the emergence of Islam and Muslim communities was peaceful, associated with Arab traders and Muslim pirs and prior to the first Turkish invasion of Gujarat by Ulugh Khan and Nusrat Khan.

140.

141. 3.6.10 In Deccan and Andhra Pradesh

142.

143. 3.6.10.1 The earliest military foray of a Muslim ruler of the Delhi Sultanate into the Deccan was Alau'd din Khalji's first campaign against Devagiri, the Yadava kingdom in 1296, but Muslim society had emerged in the Deccan including the present Andhra Pradesh, then referred to as Tilang-Andhra, much before this. Small colonies of Arab traders had settled at various points in and near the ports in the coastal region from Thane to Bhatkal and further south from the eighth century onwards. Besides, the coastal settlements, a few Muslim missionaries and saints had taken their abode at various centres in towns and villages in the three kingdoms of Deccan (Devagiri of Yadavas, Warangal of Kakatiyas, Dwarasamudram of Hoysalas) and had gathered round them a cluster of devotees some of whom must have been new converts to Islam. A number of these holy men had come into the Deccan by way of Dabhol, Bhatkal and other ports on the western coast, while others, particularly those in eastern Maharashtra and Tilangana, came from North India.⁹⁰ Later, these centres developed into shrines which attracted many devotees both Hindu and Muslim. The dargahs of other Muslim saints who came into the Deccan in the fourteenth and fifteenth centuries, became holy places and acquired large following. The tomb of Siraju'd-din Junaidi who died at Gulbarga in 1379 at the ripe age of

111 became a centre for Urs soon after his death. The most important and widely venerated Sufi saint of the Deccan was Syed Muhammad Gesu Daraz whose mausoleum, a fine monument erected at Gulbarga by Ahmad Shah Wali, became a centre of pilgrimage for devotees spread far and wide. The dargah of Makhdum Shaikh 'Alau'd-din Ansari at Aland near Gulbarga grew into a sacred shrine soon after the Shaikh's death and the annual 'Urs held around it attracted a large number of devotees. Nikitin describes it as a place "where a fair is held once a year and whither people from all over the Indian country come to trade for 10 days... Horses are brought thither for sale... and all kinds of other goods. It is the best fair in the land of Hindustan; all wares are sold or brought there in memory of Shaikh 'Alau'd-din."⁹¹

144.

145. 3.6.10.2 For three hundred odd years after 1318 till the rise of the Marathas under Shivaji the whole of Deccan north of the Thungabhadra remained under the rule of Muslim Sultans. With this, a new aristocracy, largely Muslim, arose in the region. The aristocracy and the members of the ruling class were in two groups: the Dakhnis and the Gharibs or Newcomers.⁹² The beginning of the fourteenth century witnessed a large number of saints and holy men in the Deccan. These were Sufi divines of different orders. Legend has it that at the instance of Khwaja Nizam'ud-din Aulia of Delhi, a band of seven hundred Sufis left Delhi, came south and established themselves in various centres of the Deccan and further south. The leader of this band of missionaries was Muntajabu'd-din Zarzari Zar Bakhsh who himself settled on the outskirts of Daulatabad in a village later known as Khuldabad where he died on 7 Rabi I, 709 / 15 August, 1309. He is said to have married a girl named Sona Bal, the daughter of a petty local official of the Yadavas. On his death his elder brother Burhanu'd-din Gharib Shah was directed by Hazrat Nizamu'd-din Aulia to wend his way to the Deccan. A second wave of Sufi divines under Burhanu'd-din arrived in the Deccan in 1309 and spread all over the south. The mission of these Sufis was to propagate and spread Islam in the Deccan and further south.⁹³

146.

147. 3.7 Sum Up

148.

149. 3.11.1 To sum up, the major agencies of the spread of Islam in India were Muslim traders and Sufi preachers and saints. This is even more true of the Peninsula including Andhra Pradesh. The bulk of the people who adopted Islam and moved to the Islamic fold were those who belonged to the lower castes – the same castes which are now classified as Scheduled Castes and Socially and Educationally Backward Classes / Other Backward Classes in terms of the Constitution of India. But there is a difference of certain specificities between North India and South India including Andhra Pradesh which will be dealt with in another Chapter. Their prime motivation arose from the disadvantages, discriminations, indignities and humiliations they faced under the prevailing caste system and against which they had been struggling from ancient and medieval times in such ways as were open to them from time to time. In the ancient and medieval period, these ways included Buddhism and Jainism, later Islam and Christianity and Sikhism and most recently Ambedkarite Buddhism. These are indisputable and basic socio-historical facts. This is not to say that this is the only aspect of Islam and other religions in India. There are, no doubt, other aspects, but this is the aspect relevant to the Backward Classes and to the subject of this Study and Report.

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IV

Indian Caste System and Social Stratification

in Indian Muslim Society

4.1 As seen in Chapter II, while Islam is a revealed egalitarian faith, as Islam spread to other lands social stratification emerged in Muslim societies before it entered North India in the 12th century AD, India had already developed its own form of social stratification known as the caste system, which had common all-India features and also regional variations. One important issue, for a full background for a clear understanding of the Muslim society in Andhra Pradesh is the manner in which the Indian caste system affected Muslim society in India and in different regions of India. In this Chapter, I am examining the position in India as a whole and in the States north of the Vindhyas. In this Chapter, I am also taking a look at the situation in Bangladesh and Pakistan which share cultural traits with East India and North West India respectively. As Andhra Pradesh shares certain features with peninsular India as a whole, in the next Chapter V, I shall examine the position in the South Indian States before focusing on Andhra Pradesh in Chapter VI.

4.2 Influence of Indian Caste System on Muslim Society in India

4.2.1 Hasan Nishat Ansari, Head of the Department of History, SMD College, Magadh University, Punpun (Patna), Bihar says that “the cult of ‘high born’ and ‘low born’ or ‘forwards’ and ‘backwards’ was propounded by the medieval ruling Muslim classes of Persia, Central Asia and Afghanistan., which was the main subject of Ziauddin Barani, the famous fourteenth century historian and political theoretician in his work ‘Fatawa-e-Jahandari’, completed in circa 1358-59 AD”. In the same book, Barani advocated “abrogation of higher secular and ecclesiastical education to the downtrodden Muslims and strongly recommended elementary religious education alone for the so-called low born members of the Muslim society, thereby depriving them altogether of any opportunity to claim higher temporal and ecclesiastical status in the society and maintaining the supremacy of the so-called upper strata of Muslim society.”¹

4.2.2 According to Hasan Nishat Ansari, whose account tracing the origin of stratification of ‘high-born’ and ‘low-born’ in Islamic society to the medieval ruling Muslim classes of Persia, Central Asia and Afghanistan, has already been referred to at para 2.12, “when the Central Asiatic Muslims entered and settled in India they also brought the vice of High Lineage and Low Lineage and this to a great extent, together with Indian caste system had a direct impact on the Muslim society in complete derogation of the Islamic tenets of equality and fraternity among the human beings as a whole”.² The ironical interplay of caste and conversions is brought out by Heredia in the following words: “Conversions proceeded despite the resistance of caste, but caste survived in spite of conversion to Christianity, for caste was too strong a factor in Indian society , too firmly embedded in its socio-cultural and eco-political structures, to be overcome by either the egalitarian ideology of Christianity or Islam”.³

4.2.3 Kingsley Davis⁴ referring to the universal pervasiveness of Caste in India, has, while noting that the Hindu caste system is entirely incompatible with the tenets of Islam, referred to the continuance of caste custom among Muslims descended from converted Hindus, on the basis of various Census reports. Even in the region of the North-West where the foreign element among Muslims is the strongest and caste restrictions are weak, such Muslims have retained a great deal of caste custom. The Census of India 1921⁵ mentions that in 1911 it was estimated that 85% of the Punjab Muslims were of native stock and in the rest of India the proportion must be even greater. Davis's reference to the 1911 census is to Pandit Hari Kishan Kaul's opinion that only 15% of Muhammadans of the Punjab are really of foreign origin.⁶ In that Census, Gait adds that "of the 12 million followers of Islam in the Punjab, 10 millions showed by the caste entry (such as Rajput, Jat, Arain, Gujar, Muchi, Tarkhan and Teli) that they were originally Hindus. The number who described themselves as belonging to foreign races, such as Pathan , Baloch, Sheikh, Saiyid and Moghal was less than 2 millions, and some even of these have very little foreign blood in their veins."⁷ Davis continues that the great majority of Muslims in the sub-continent are descendants of Hindu converts. Therefore to Kingsley Davis it is natural that the caste system should permeate Muslim society and the mere change of religious allegiance cannot bring about a complete change in social life.

4.2.4 Kingsley Davis, based on the Census of India 1901⁸ notes the two main social divisions of Muslims, viz, Ashraf or Sharif and Ajlaf or Attraf. The first, meaning "noble" or "person of high extraction", includes all undoubted descendants of foreigners and converts from higher Hindu castes. Like the higher Hindu castes, the Ashraf considers it degrading to accept menial service or to handle the plough. The second, meaning "wretches", includes all other Muslims including the functional groups and low ranking converts. That Census report also refers to a third class called Arzal or "lowest of all", consisting of the very lowest castes such as the Halalkhor, Lalbegi, Abdal and Bedia, with whom no other Mohammadan would associate.

4.2.5 In view of this, it is not surprising that Census of 1901 listed 133 castes wholly or partially Muslim. A substantial number of them had large numbers of members, some of them millions. In the United Provinces in 1931, it was found that 14 castes accounted for 81% of all Muslims.⁹

4.2.6 Davis¹⁰ points out that “the presence in India of proselytizing religions that do not in principle recognise castes has two effects. First, it affords a means by which members of lower castes can partially lose the stigma attaching to their status. Second, by virtue of this possibility, it forces Hinduism itself to inaugurate certain reforms in order to meet the competition.....” In the Census of 1931, it was estimated that in Madras... which included the Andhra area of the present Andhra Pradesh and a part of the present Kerala etc., there was increase of 275000 Christians and about 170000 Muslims attributable to conversion, virtually all of them from the depressed classes. That Census estimated that over half of the natural increase of the depressed classes was absorbed by conversion to these two religions. The Census of 1931 for Punjab records that during the same period Hindu Chuhras decreased by 47% of which 16% became Muslim and the remaining 31% became Sikhs. “The non-caste religions of India thus do serve as a genuine, if only partial escape from low status” according to Davis.

4.2.7 The Census of 1911 gives the Punjab Superintendent’s estimates that during the previous decade “Hinduism has given 40,000 converts to Muhammadanism and nearly three times that number to Christianity. These defections are chiefly from the lowest castes such as Chuhra and Chamars”.¹¹ Chuhra under the revised name of Balmiki (where they are Hindus) and Mazhabi (where they are Sikhs) are in the list of Scheduled Castes of Punjab. So is Chamar with its synonyms Jatav, Ravidasi, Raidasi, Ramdasi.

4.2.8 The Bengal Provincial Census Report for 1901 points out that the Muslims of East Bengal are of Chandal (subsequently re-named as Namashudra) and in North Bengal of Rajbansi and Koch origin, which are considered by Hindus as out-castes. That report points out that the Islamic tenet of equality before God must have been attractive to them more than to Brahmins, Baidyas and Kayasthas who enjoyed high positions in the caste system. That Report draws the balance sheet of conversion from the point of view of these low castes as follows “The convert to Islam could not of course expect to rank with the higher classes of Muhammadans, but he would escape from the degradation which Hinduism imposes on him;the mosque would be open to him; I the mullah would perform his religious ceremonies, and, when he died, he would be accorded a decent burial. The Report talks of the aversion of educated Muhammadans to this source of conversion in the following words “the dislike that educated Mohammadans have for the theory that most of the local converts in Eastern and Northern Bengal are of Chandal and Koch origin seems to be due to the influence of Hindu ideas regarding social status, according to which these tribes occupy a very degraded position. While recounting some instances of forcible conversions, the Bengal Report’s conclusion is that very many of the ancestors of Bengal Muslims voluntarily became Muslims, in view of the rise in social status for low castes.¹²

4.2.9 Gait later became the Census Commissioner of India and the Report of the Census of India 1911 is authored by him. In this Report he mentions that the large proportion of Muslims in Bengal reducing the Hindus to a minority “is due, not to a large foreign element in the population, but to the wholesale conversions effected by the earlier Muhammadan invaders in the eastern part of the province, which was inhabited chiefly by various aboriginal tribes, such as Koch, Rajbansi and Chandal, who had never been fully Hinduised and were despised by their Hindu neighbours as unclean..... They were spurned by the high class Hindus as unclean, and so listened readily to the preaching of the Mullahs who proclaimed the doctrine that all men are equal in the sight of Allah, backed it as often was, by a varying amount of compulsion”.¹³ Gait estimated at that time that Bengal accounted for 36 % of the total Muslim population in India.¹⁴ In the present West Bengal, the list of

Scheduled Castes includes these communities, Rajbansi and Koch as synonyms, and Chandal under the non-derogatory name of Namashudra.

4.2.10 In a still earlier census, the Census of India 1881, which was the earliest regular census of India, in the volume for Bengal (which included the present West Bengal, Bihar, Orissa, Jharkhand and Bangladesh), in the Chapter titled Statistics of Religious Belief, there is a very interesting statement which indirectly shows that those who moved to Islam were mainly of the lower castes. The Census notes that in the Bihar area consisting of Patna division and Bhaugulpore division, the Hindu population is very high. It specifies Shahabad district with 92.51 % Hindus, which had earlier been the home of an emperor of India [the reference is to Sher Shah Suri] and explains this as follows: "Shahabad is the home of the Bengal Rajputs and their kindred castes, the Babhans, or 'military Brahmins' of Buchanan and other writers. This district, with those of Monghyr and Bhaugulpore, though they were occupied by Muhammadan garrisons and though Shahabad gave an emperor to Hindus and a dynasty to the Mughal Empire, were never subjected Mussulman proselytism; nor do they contain any appreciable proportion of aboriginal tribes. The same may be said of the other Behar districts which maintained a sturdy and independent population, in which the superior castes of Hindus form a large part, and which neither wanted nor were likely to accept the advantages which Islam offers to its converts".¹⁵ The implication is clear: the upper castes resisted Islam because it was of no advantage to them and it was the lower castes who found Islam attractive and advantageous to them. It may be mentioned that in the accounts of that period, the term aboriginal tribe refers not only to the Scheduled Tribes of today, but also to many of the present day Scheduled Castes and other lower castes. It is also to be clarified that Babhan is the earlier name for the present Bhumihars or Bhumihar Brahmins of Bihar and eastern U.P.

4.2.11 Before 1881, there was a census 1872, but not in the full form it took from 1881 onwards. This was the first information about the large number of Muslims in Bengal. Prior to that, it was believed that they were most numerous in Bihar. The large majority of Muslims, as seen from that Census, and confirmed by the 1881

census, particularly in eight districts of East Bengal (now Bangladesh), ranging from 65% to 81%, according to this census, attests “the wholesale conversion of an entire people”.¹⁶ The Census of 1881 summarises the explanation of the Census of 1872 for this in the following words: “In Bogra, Rajshahye, and Pabna, there was, at a time within historical memory, a wholesale conversion to Mahomedinism of the aboriginal or semi-Hinduised inhabitants of the country, suggested by the zeal, and supported by all the influence, of the Mahomedan Court at Gour, in the adjoining district of Maldah: Noakholly and Chittagong were long occupied by Mahomedan garrisons... : Backergunge and the other districts of the Dacca Division owed their large Mahomedan population partly to the Mohomedan troops, which long guarded their southern boundaries... partly to the neighbourhood of the Mohomedan Viceroy at Dacca and partly to some such wholesale conversion of the lower classes as took place in Bogra and Pabna”.¹⁷

4.2.12 Census of India 1921¹⁸ mentions that the Muhammadan population of the Madras Presidency increased during the decade by 3.7%, but in the East Coast North Division, which corresponds to the present Coastal Andhra region, and the West Coast Division, which is the present Malabar region of Kerala, the increase was considerably larger, being 6.3% and 5.7% In the former Division i.e. Coastal Andhra, the increase occurred principally in the Districts of Guntur and Nellore and chiefly in the Sheik tribe. In the West Coast i.e. Kerala's Malabar, the population of Mappilla increased by nearly 6%. According to this Census Report, “it is only reasonable to conjecture that this increase, which is more than double that of the population of the locality, is due to conversion”. These movements to Islam and also to Christianity can be understood in perspective when it is seen from the same Census Report that even Buddhism, in those pre-Ambedkarite days, increased its strength by about 75% in the decade mostly in Madras (now Chennai) and in the districts of North Arcot and Chingleput, from 697 to 1222, mostly converts from the depressed classes and fishermen.

4.2.13 That Census gives the strength of 6 Muslim groups in 1921 and variations from 1911. Of these, Labbai who are the third largest group had a fall of

3.9% in certain Tamil districts. This is only an apparent fall which “is accounted for by the common tendency of a Labbai as he rises in the social scale, to claim membership of the Sheik, Saiyad, Pathan etc. tribes (at that time castes and communities were indiscriminately referred to as tribes). The greatest increase was in Pathans in certain Tamil districts. The Mappillas’ increase is attributed at least in part to the conversion from the Cherumans – an “untouchable” caste which is now a Scheduled Caste. In this context, the Census observation about Mappillas is significant -- “Originally descended from Arab sailors who married women of the country, the majority of Mappillas today have next to no admixture of foreign blood; except in few cases, they are simply out-caste Cherumans who have turned to Islam in the hope of improving their social status, or the descendants of such converts.” This Census points to a decline in the number of Cherumans in 1911-1921, which was “accompanied by an abnormal rise in Mappillas and cause and effect were here deduced. Probably the same cause has produced the same result in this decade too....”¹⁹

4.2.14 For the Presidency as a whole, from the low percentage of growth of Depressed Classes population between 1921 and 1931 and high rate of growth for the Muslims, after making allowance for natural increase of Muslims, Yeatts, Superintendent of Census for Madras, deduces that about 1,70,000 or 2 ½ per cent of the 1921 total Depressed Classes have moved to Islam. In the table of variations of depressed classes, the communities of different regions of the Presidency have been listed including Madiga, Mala, and Adi Andhra, which pertain to the Andhra area and Arundhatiyar who may be of both the Tamil region and Andhra region.

4.2.15 The Census of India 1931 says that to the Mappilla community of Malabar “Hindu depressed classes largely contributed and, the Mappilla is still in contradistinction to his co-religionists in other districts, mainly a landworker... He seems to acquire added strength with Islam and an air of self-reliance that contrast favourably with Hindus of his own class”.²⁰

4.2.16 Yeatts also notes that compared to Christianity, "Islam's presence is more uniformly diffused, though, it has a marked point of concentration in the West and a marked area of weakness in the extreme North." By West, he refers to the Malabar area of Kerala and by extreme North, he refers to the two northerly districts of the Madras Presidency, viz., Ganjam and Visakhapatnam, the major part of which is now the three north coastal Andhra districts of Visakhapatnam, Srikakulam and Vizianagaram. The more uniform diffusion of Islam, according to Yeatts, "indicates its generally longer standing; with more of a Presidency element and less of importation."

4.2.17 Again, referring to the larger proportion of children among Muslims than among Christians and among both of them than among Hindus, Yeatts finds the real explanation of the disparity to be most probably social. He significantly observes that "Christians and Muslims alike have a much stronger proportional element from the lower strata of the population. Their conversions are mainly from the depressed classes. In every country the lower social elements... have a heavier juvenile element in their Sandburg ratio."²¹ This is another important pointer towards the fact that the Muslims in the Madras Presidency which included the present Andhra region were mainly from the depressed classes of the indigenous population. The high proportion of the age-group 0-5 in the Muslim population is noted as "a continuing feature since 1891", i.e, from the beginning of modern Census operations giving such demographic particulars. He also says that this feature was more marked in 1931 than 1891. This should indicate a further reinforcement of the causative factor, viz., greater movement of depressed classes towards Islam during that four decade period. In support of this explanation, Yeatts gives the average proportion of the age group 0-13 among Hindus of the depressed classes, non-Brahmin castes and Brahmins and observes as follows: "The result shows how much more fertile are the depressed classes than the other Hindu branches. If these people turn Christian or Muslim they do not change appreciably their mode of life or habits and their greater fertility feeds the new community instead of the old."²²

4.2.18 Another important factor incidentally emerging from this Census report is the candid admission that Christian communities are not able to free themselves from caste differences and prejudices, while among Muslim converts they disappear in a couple of generations “and origins are forgotten.” This is not entirely true but it is partly true about south Indian Muslim society including the Muslim society of Andhra Pradesh as will be explained later.

4.2.19 J. H. Hutton, scholar-administrator of India who was Professor, Social Anthropology in the University of Cambridge for 13 years, after 27 years’ service in the ICS during which he was the Commissioner of the Census of India 1931, says that when Muslims and Christians came to India, caste was in the air and the followers of even these egalitarian ideologies could not escape the infection of caste.²³ He points out that “even the change of religion does not destroy the caste system, for Muslims who do not recognize it as valid, are often found to observe it in practice, and there are many Muslim castes as well as Hindu”.²⁴

4.2.20 A. R. Momin²⁵ points out that new converts to Islam retained many of the cultural features of their old faith. C. A.O. von Nieuwenhuijze²⁶ notes this for Indonesia and Aziz Ahmad²⁷ for India. “Indian Muslim society has been conditioned to a very large extent by historical and socio-cultural forces operating in the Indian environment.... An overwhelming majority of Indian Muslims are descendents of early converts from Hinduism and most of them have retained many cultural features of their earlier faith. The Indian caste system, whose pervasiveness does not leave any aspect of Indian life unaffected, has also influenced the ethnic and religious minorities of the country like the Muslims”.²⁸ Scholars like Hutton,²⁹ N.K. Bose,³⁰ M. N. Srinivas,³¹ Louis Dumont,³² Imtiaz Ahmad³³ and M.K.A. Siddiqui³⁴ “have noted the existence of a caste-like stratification system among the Indian Muslims”. The features of the caste system found by them in the social structure of Indian Muslims include hierarchy, occupational specialization, endogamy and some restrictions on commensality, but doctrinal justification and sanction is absent in it. They trace the existence of caste among Indian Muslims to the acculturative influence of Hinduism. Dumont says that “the existence of caste among Indian Muslims is conditioned

primarily by proximity to the Hindu environment which predominates both generality and regionality”.³⁵

4.2.21 The stratification with which Turkish, Central Asian and Afghan people entered India and the Caste system in the air in India proved a lethal combination. The social history of the Muslim society in India can, in one of its aspects, be described as a continuing conflict between the overwhelming ambience of caste and the Islamic social ideology of equality, fraternity and egalitarianism. In this conflict, Islamic social ideology has been able to partly but not fully succeed. It has been able to mitigate but not eliminate caste. Imtiaz Ahmad draws the conclusion that caste does exist “as a basis of social relations” among Muslims but “its form has been greatly weakened and modified and it differs from the Hindu caste model in certain details”.³⁶

4.2.22 The well-known sociologist Louis Dumont has pinpointed the dichotomy of values arising from the dichotomy of Islamic ideology and actual social practices, when noting that “lying beneath the ultimate or Islamic values are other values presupposed by actual behaviour”.³⁷

4.2.23 Against this background, our focus is on how and to what extent the caste system infected Islamic society in different parts of India, how far Islamic ideology was able to modify, mitigate and overcome this infection of the Indian caste system as it affected Muslim societies in different parts of India, with a view to understanding the phenomenon of historically inherited social backwardness in the Muslim societies of different regions today.

4.2.24 M. K. A. Siddiqui³⁸ traces the earliest systematic notices of caste among Muslims. He notes that from the middle of the 19th century, a number of glossaries of castes and tribes of different regions of India have suggested the existence of a number of Muslim groups almost analogous to Jatis. He refers to the

glossaries prepared by Elliot,³⁹ Ibbetson,⁴⁰ Risley,⁴¹ Crooke,⁴² Nesfield,⁴³ Thurston,⁴⁴ Anantha Krishna Iyer,⁴⁵ Rose⁴⁶ and Russell and Hiralal.⁴⁷ A number of social scientists like Hutton,⁴⁸ N.K. Bose,⁴⁹ and M.N. Srinivas⁵⁰ too have in their writings suggested the existence of some caste attributes in Muslim societies in India. The next stage was synchronic or diachronic studies of Muslims in different villages and regions of India by Ghaus Ansari,⁵¹ Zarina Ahmad,⁵² Raghuraj Gupta⁵³ and a few others, who reported the presence of caste or caste-like features among Muslims of Uttar Pradesh.⁵⁴ There have been subsequent studies and analyses also right upto the current years which I shall refer to as we proceed.

4.2.25 At this stage, it will be enlightening to recount the relevant portions of the Census Report for 1901 for the province of Bengal, which have been cited by Dr. Ambedkar and by the Supreme Court in its landmark Mandal case judgement. “The Mahomedans themselves recognize two main social divisions, (1) Ashraf or Sharaf and (2) Ajlaf. Ashraf means ‘noble’ and includes all undoubted descendents of foreigners and converts from high caste Hindus. All other Mahomedans including the occupational groups and all converts of lower ranks, are known by the contemptuous terms, ‘Ajlaf’, ‘wretches’ or ‘mean people’: they are also called Kamina or Itar, ‘base’, or Rasil, a corruption of Rizal, ‘worthless’. In some places, a third class, called Arzal or ‘lowest of all’, is added. With them no other Mahomedan would associate, and they are forbidden to enter the mosque or to use the public burial ground.

4.2.26 Within these groups there are castes with social precedence of exactly the same nature as one finds among the Hindus.

I. Ashraf or betters class Mahomedans.

- (1) Saiads
- (2) Sheikhs
- (3) Pathans
- (4) Moghul

(5) Mallik

(6) Mirza

II. Ajlaf or lower class Mahomedans

(1) Cultivating Sheikhs, and others who were originally Hindus but who do not belong to any functional group, and have not gained admittance to the Ashraf Community, e.g., Pirali and Thakrai.

(2) Darzi, Jolaha, Fakir, and Rangrez.

(3) Barhi, Bhatiara, Chik, Churihar, Dai, Dhawa, Dhunia, Gaddi, Kalal, Kasai, Kula Kunjara, Laheri, Mahifarosh, Mallah, Naliya, Nikari.

(4) Abdal, Bako, Bediya, Bhat, Chamba, Dafali, Dhobi, Hajjam, Mucho, Nagarchi, Nat, Panwaria, Madaria, Tuntia.

III. Arzal or degraded class.

Bhanar, Halalkhor, Hijhra, Kashi, Lalbegi, Maugta, Mehtar⁵⁵

4.2.27 Dr. Ambedkar refers to this Census Report while acknowledging that Islam speaks of brotherhood, but deploring that “caste among Musalmans has remained”.⁵⁶ According to Dr. Ambedkar, “similar facts from other provinces of India could be gathered from the respective census reports”, but the facts for Bengal are enough to show that the Mahommedans observe not only caste but also untouchability. He sums up that “the Muslim society in India is afflicted by the same social evils as afflict the Hindu society”.⁵⁷ M.K.A. Siddiqui found the situation in metropolitan Calcutta even in 1973 similar to what it was in Bengal in 1901.⁵⁸

4.2.28 Ghaus Ansari was one of the earliest to pioneer a study on caste and stratification among Muslims of north India.⁵⁹ He categorized Muslim castes into three categories, viz., Ashraf, Ajlaf and Arzal.⁶⁰ Ghaus Ansari’s three-fold framework

draws upon the census reports of 1901 onwards and has been broadly followed and endorsed by various scholars who have studied Muslim society in different parts of India on the basis of their studies and observations, and most recently by the Prime Minister's High Level Committee For Preparation of Report on Social, Economic and Educational Status of the Muslim Community of India (Chairperson: Justice Rajindar Sachar), set up in March 2005, in its Report of November, 2006.

4.2.29 The category of Ashraf includes the upper classes of Indian Muslims who claim to be descendents of early Muslim immigrants consisting of Syed, Sheikh, Mughal and Pathan and descendents of upper caste Hindu converts like Muslim Rajputs. There are instances of converts from upper castes who pass off as part of communities like Sheikh. An example of this is the case of Sheikh Siddiquis of Allahabad, Uttar Pradesh studied by Imtiaz Ahmad who finds them to have been originally Kayasthas.⁶¹ In the course of the 20th century they succeeded in building up a new status identity for themselves as descendents of the first Caliph Abubaker Siddique and their Hindu Kayastha origin has been obliterated by an interesting two-fold social process.

4.2.30 Ajlaf consists of numerous artisan and other occupational castes, which have rightly found place in the Socially and Educationally Backward Classes or Other Backward Classes (SEd.BC/OBC) lists of and for many States of India. Arzal includes castes of the lowest category, analogous to the Hindu "untouchable" castes like the Muslim Mehtar whose traditional occupation is civic sanitation (sweeping and "scavenging") work who have been included in the list of SEd.BC/OBC in Andhra Pradesh as late as in 1972 and castes like Faqir who have not yet been included in the Andhra Pradesh list but have been included in the lists of and for States like Uttar Pradesh and, by the name of Darvesu, included in the Karnataka list.

4.2.31 Ashgar Ali Engineer⁶² points out that when members of the numerous Jatis based on professions like “Julahas (weavers), Khatiks (those slaughtering animals), Dhobis (washermen), Rangrej (dyers), Pinjaras (carders), Malis (gardeners or who grew and sold fruit and vegetables), Gorkans (grave diggers), Tambolis (those selling betel leaves and nuts), Hajjams (barbers), Lohars (iron smiths), Suthar (carpenter) and so on”, converted to Islam these professions were not given up by them. This account indicates the social sources of conversion in north India, but requires some modification for peninsular India including Andhra Pradesh as I shall explain later. “Thus what changed for them was the religion but not their social status..... These converted Muslims were generally looked down upon by the Muslims belonging to the ruling classes” or “the upper class Muslims..... known as Ashraf (i.e., those of noble origins)”. He also, like many other scholars, notes that those belonging to the lower castes were known as Ajlafis (or of low origin) or, contemptuously, Kamins.⁶³ Most of them were artisans from small middle classes and small and marginal peasants from rural areas.⁶⁴ The artisanal predominance is again a matter true of north India, but needs modification in respect of south India. While noting that conversion to Islam would have automatically introduced some changes in the social organisation of the converts “as a result of interaction with the principles of Islamic faith”, Imtiaz Ahmad recognizes that “it was almost natural that converts to Islam who had earlier operated within the caste system brought their pre-conversion conceptions of the social system and retained their earlier caste identities.”⁶⁵ This statement again is fully reflective of the north Indian Muslim social situation but will need some notification in respect of south India including Andhra Pradesh, as will be elaborated later.

4.2.32 Nadeem Hasnain corroborates the views of Engineer and Imtiaz Ahmad when he says that “in most of the cases, the people embracing Islam gave up their religious faith, but not the caste that was brought forward even to a new socio-religious milieu”.⁶⁶ Pointing to the “interface between ideology and social structure in the context of caste”, he sums it up that “it would be apt to say that while Islam may not be having caste or caste-like groupings, the Indian Muslims do have”. Hasnain considers it to be “undisputedly true that there are groups of people among

the Muslims who are organised more or less like the Hindu castes”, but less rigidly so, because of Islamic ideology which “theoretically at least permits marriage between different classes of believers.”

4.2.33 With reference to North India, and particularly Bengal and Bihar, J. N. Sarkar⁶⁷ points out that while Islam teaches brotherhood and social equality, the Indian Muslim came to imitate the caste distinctions of the Brahmans and the exclusiveness of the Rajputs. According to him, the earliest reference to the following social differentiation among the Muslims is found in Insha-I Mahru, containing a proclamation in the time of Firuz Tughluq (1353):-

- (i) The Sadat, Ulama, Mashaikh, and similar others.
- (ii) Khans, Maliks, Umara, Sadrs, Akabir, Maarif
- (iii) ‘Train and suit’ of No. (ii)
- (iv) Zamindars, Muqaddams, Mafruzman (mafruzian?) madkan (Malkan?) and such like.
- (v) Hermits, saints and gabrs (probably fire worshippers or any infidel).⁶⁸

4.2.34 According to Sarkar, “Casteism came to have ‘a complete practical ascendancy’ over the Muslims in certain areas and created subdivisions with prohibitions regarding inter-marriage and inter-dining. The Sayyids, Shaikhs, Mughals and Pathans formed the Ashraf (aristocratic) class, but intermarriage was unusual, not only among them, but even within the same order. Thus there was no intermarriage among the four or five quams of the Mughals of Purnea”.⁶⁹

“ Besides social distinctions, there also grew up occupational caste distinctions, as among the Hindus. Each trade formed a separate caste. Buchanan found 38 low professional tribes in Bihar and Patna (e.g., weavers, tailors, lace-

makers, etc.) Elsewhere in Bihar and Bengal, caste was deeply entrenched and numerous occupations were outside the pale of caste".⁷⁰

4.2.35 It will be useful to take note of some of the regional observations and specific local studies by various scholars which are illustrative of the social situation of Muslims in different parts of the country, after which I shall bring to light an important difference between north India and south India including Andhra Pradesh which has been little noticed and which I have explained elsewhere.

4.3 Social Stratification in Bengal

4.3.1 Kolkata (Calcutta)

4.3.1.1 The same situation, as described in the Census 1901, and cited by Dr. Ambedkar, was found to continue even in 1973 in the study of Bengali Muslim Life by M. K. A. Siddiqui.⁷¹

4.3.1.2 In cosmopolitan Calcutta at the time, Muslims formed 12.70 % according to the 1961 census. They were from different linguistic and geographical regions of India and other parts of the subcontinent. Besides regional and linguistic affiliations, they were also divided into a number of groups on the basis of factors such as common descent, common occupation or common origin. M. K. A. Siddiqui lists and categorizes the following ethnic groups of Muslims, classified on the basis of their regional background or occupational pattern:

I. Foreigners

1. Afghans:

(i) Jalalabadi

- (ii) Qandhari
- (iii) Ghaznavi
- (iv) Mazarsharifi

- 2. Iranians
- 3. Arabs
- 4. Tibetan, Chinese and others

II. Indians (including those from the rest of the subcontinent)

1. North-West Region

- (i) Pakhtoon
- (ii) Peshawari
 - (a) Sayyad (pir)
 - (b) Awan (muleteer)
 - (c) Kakazai (tribal)
 - (d) Kalal (transporters)
 - (e) Kashmir Peshwari (traders)
- (iii) Kashmiri (divided into a large number of occupational subgroups)
- (iv) Panjabi
 - (a) Rajput
 - (b) Jat

2. Western Region

(i) Rajasthani

(groups wearing ghaghra of specified colours):

(a) Shekhawati (red skirt – nilgar)

(b) Madi (black skirt – nilgar)

(c) Manihar (bangle-makers)

(d) Sonar (goldsmiths)

(e) Lohar (blacksmiths)

(f) Dhobi (washermen)

(groups not wearing ghaghra):

(g) Besati (hawkers and traders)

(ii) Gujarati

(Sectarian-cum-ethnic groups):

(a) Dawoodi Bohra (traders)

(b) Imami Ismaili Shia (traders)

(Groups sharing sects with others):

(c) Halai Memon (traders)

(d) Kachi Memon (traders)

(e) Sunni Bohra (traders)

(f) Athna Ashari Bohra (traders)

3. Southern Region

- (i) Tamils
 - (a) Maraykar (seafaring traders)
 - (b) Rawther (horse-riding traders)
 - (c) Labbai (agriculturists, servants, religious functionaries, etc.)

- (ii) Malayali

- (a) Thangal – Sayyads (very few in Calcutta)
- (b) Musaliyar
- (c) Mapilla
- (d) Rawther
- (e) Keyie

4. Northern Region (Consisting of the valleys of the Ganges and the Yamuna, extending from Haryana to U.P., Bihar and the Gangetic delta)

- (i) Groups claiming foreign origin (having no traditional occupation and not organized on the basis of caste panchayat – represented in all sects and most regional groups)
 - (a) Sayyad
 - (b) Sheikh
 - (c) Mughal
 - (d) Pathan

(ii) Groups of indigenous origin (recruited from superior ruling and fighting castes coming from particular areas with some sort of caste organization, often taking the shape of formalized associations)

(a) Qaum-e-Panjabian (Delhi)

(b) Qaum-e-Panjabian (Anwla)

(c) Rajputs

(d) Jats

(e) Maliks

(iii) Groups with traditional occupations (with traditional caste organization of varying strength)

(Groups that do not pursue traditional occupations in Calcutta but continue to do so elsewhere):

(a) Momins (Ansari) (weavers)

(b) Ranki (Iraqi) Kalal (distillers)

(Occupational groups that continue to pursue traditional occupations though they have adopted other occupations and generally have a strong caste organization):

(c) Darzi (Bengali and non-Bengali – tailors)

(d) Kharadi (wood workers)

(e) Qasab or butchers (Qureshi)

(f) Chik (butchers of goat & sheep)

(g) Rai (greengrocers)

- (h) Besati (peddlers of stationery articles, etc.)
 - (i) Mansuri (cotton carders)
 - (j) Churihar (Shishgar – glass bangle-makers and dealers)
 - (k) Nikari (fish-mongers)
 - (l) Dafali (drum-makers; priests of several castes and guardian-worshippers of special spirits)
 - (m) Hajjam (barber as well as surgeon)
 - (n) Dhobi (washermen)
 - (o) Mirshikar or Chirimar (trappers and dealers in birds)
 - (p) Mirasi (musician)
 - (q) Qalandar (mendicant)
 - (r) Fakir (beggars and mendicants [Shah])
 - (s) Patua (painters)
- (Pastoralists – dealers in animals and dairy farmers):
- (t) Sheikhjee (khatal owners and dealers in milk, or dairy farmers)
 - (u) Meo (dairy men and dealers in milk)
 - (v) Ghosi (khatal owners and dealers in milk)
- (iv) Groups engaged in 'unclean' occupations (on the borderline of Islam and Hinduism)
- (a) Lal Begi (sweepers)".⁷²

4.3.1.3 His list covers the decisive bulk of the Muslim population of Calcutta, though a few smaller groups may still have remained unidentified. Separate population figures were not available for each group. But the most numerically dominant was the Momin, followed by Rai and Qasab or Qureshi. The Imami Ismaili Shia, the Mirshikar, the Mirasi and the Nikari were among the smaller groups. The Dawoodi Bohra and other Gujarati groups and the Quam-e-Punjabia and Ranki were economically more dominant. Ranki had a monopoly of the trade in hides and skins. Momins had in recent years attained substantial economic progress. The ethnic groups are variously called qaum, biradari, jat or zat and jamat. These terms have various meanings but “they are applied by the groups strictly in the sense of Jati”.⁷³ By Jati, Siddiqui understands, as defined by B. S. Cohn,⁷⁴ “a named group usually spread over a wide territory roughly occupying, vis-à-vis other such categories, the same position in the caste hierarchy of a region. Member of a Jati have roughly the same traditional occupation and may have such rituals and myths in common”.⁷⁵ The different terms reflect regional and linguistic variations for the same social concept.

4.3.1.4 Siddiqui clarifies the nature of these ethnic groups as follows: “The groups are of the nature of descent groups with or without occupational specialization. Even those members of a group who give up their traditional occupation to adopt a new one are bound together on the basis of their former occupational background and express unity with those sections of their group that continue to pursue their old calling. Each group has a name which its members use as a surname – a practice observed more frequently in the urban setting than elsewhere. A conscious attempt to adopt a suitable surname where it did not exist earlier is an interesting feature of many groups, such as butchers, cotton carders and grocers. Some other occupational groups have decided to adopt the surnames of groups in the higher stratum. Thus, the Maliks from Bihar have started claiming Sayyad as their title, and the Churihar and, even the Chirimar, have resolved to adopt Siddiqui as a title. Surnames are symbols of equality of status within the group and of prestige outside the group”.⁷⁶ Siddiqui notes that “Islamic Great Tradition does not attach significance to ascription of status and stresses the egalitarian mode of

inter-relationships". But the "structure of Muslim society ... is mainly based on a number of ethnic groups whose members are recruited on the basis of birth". Crucially he finds that, "It is impossible for an individual to be legitimately called a Sayyad, a Momin, a Rai, a Qureshi, or a Lal Begi without having been born into the respective group".⁷⁷ He concludes that "these are, therefore, closed groups in the form of jatis, known variously as qaum, beradari, jamaat or zat. Most of them have their own stories of origin and generally perform common rituals in the form of fatehas, urs or taziyas, etc."⁷⁸

4.3.1.5 On the crucial issue of endogamy, Siddiqui finds that, "Each ethnic group is endogamous and it is from amongst one's own group that actual or potential kins come. Class considerations enter into the establishment of marriage relationships, particularly where material advancement is not uniform, but marriages among subgroups are allowed by most ethnic groups. Inter-ethnic marriages, in spite of any similarity in class status, are severely discouraged. It is only at the higher levels, i.e., groups of the first block, that intermarriages take place more frequently, particularly among the smaller sects like the Shias or Ahmadias. At all other levels it meets with discouragement ranging from mere disapproval to ostracism depending upon the strength of the jati panchayat. Some sort of sanctity is attached to the purity of descent as is evident from the use of such terms as *sudh* as against *birre* or *birrahe*, i.e., of mixed descent. The *sudh* or pure among all groups enjoy greater prestige than the *bisser* or mixed ones. The *sudh* and the *bisser* or *birre* have no other alternative but to remain within their subgroups. Hypergamy is allowed among the groups of the first category, particularly the Sayyads and Sheikhs. But their progeny do not get the full status of their father and are known as 'Sayyadzada' or 'Sheikhzada'. They are supposed to establish kinship only with people of similar status. The material prosperity of such people in a city often appears to make good for the inferiority of their status but the social stigma is not removed easily. The belief in the purity of descent presupposes that a violation of descent is impure or polluting. In spite of the emphasis on egalitarianism, the collective conscience is unfavourably disposed towards inter-ethnic marriages and generally disapproves of them, though, of course, in varying degrees at different levels".⁷⁹ Siddiqui also refers to the

presence of jati councils or caste councils. He sums up the position in this regard as follows: "In short, the caste panchayat is a must for all groups that follow a 'clean' or 'unclean' traditional occupation and are generally capable of asserting themselves effectively. It is also present among the groups drawn from superior Hindu castes though it is not very strong; while it is absent from groups of the first category".⁸⁰

4.3.1.6 Regarding commensality, "there is a good deal of laxity in inter-dining between the higher and the inter-mediate classes", but restriction exists with regard to the groups engaged in "unclean" occupations. The following are Siddiqui's findings in this regard: "The idea of pollution in matters of interdining is limited to 'clean' castes who will not dine with 'unclean' ones. Restrictions in interdining either among the groups in the first three categories or in respect of each other are not generally observed and are stated to be non-existent. Members of groups within these categories do not eat or drink with the Lal Begis. The latter can, however, receive all sorts of food from the former. The Dafalis, who work as priests for the Lal Begis, or the Qalandars, who sometimes live in their neighbourhood, refuse to accept food or water from the Lal Begis....".⁸¹ He ascribes the laxity in inter-dining, with the above exception, to the "egalitarian influence of the Islamic Great Tradition" and factors of cosmopolitan urban life.

4.3.1.7 Despite certain problems, Siddiqui finds it possible to observe the presence of a fairly consistent system of ranking. According to him, "the basic elements of a system of ranking similar to the caste system are present". He gives the perceived ranking in the following table:⁸²

Ethnic Groups with/without Caste Organization Hierarchically Shown

Hierarchical Groups without Groups with Groups with

Order	Caste Organiza- tion	Formalized/ Weak Caste	Traditional Caste/Secta- rian Organization of Organizations Considerable Strength
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(1)	(2)	(3)	(4)
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I	Sayyad Sheikh Mughal Pathan		
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II.	North- Western Region Kashmiri	Northern Region (Gangetic Valley and Delta) Qaum-e-Panjabian (Delhi)	
	Northern Region (Gangetic Valley and Delta) Mallock	Qaum-e-Panjabian(Anwala) Panjabi (Rajputs)	

	Southern Region	North-Western Region	Western Region
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(Tamil)	(Peshawari)	
Maraykar	Awan	Dawoodi Bohra, Imami Ismaili,
Rawther	Kakazai	Shia
Labbai	Kalal	
	Kashmiri	
	Peshawari	
	Southern	
	Region	
	(Malayali)	
	Musaliyar	
	Mapilla	
	Rawther	
	Keyei	
		Western region
		Memon(Kachi)
		Memon (Halai)
III	Northern Region	Northern Region
	(Gangetic Valley and	(Gangetic Valley
	Delta)	and Delta)
	Momin (Ansari)	Qureshi
	Ranki (Iraqi)	Chik
	Darzi	Rai
	Nikari	Mansuri

Patua

Churihar

Besuti

Hajjam

Dhobi

Mirshikar

Dafali

Qalandar

Fakir

(Shah)

Sheikhjee

Meo

Ghosi

Western Region

Nilgar

(Shekhawati and Madi)

Manihar

Sonar

Lohar

Teli

Dhobi

IV

Northern Region

(Gangetic Valley and

Delta)

Lal Begi

(Sweeper)

4.3.1.8 Siddiqui observes that, the positions of the first or the highest and the last or the lowest of the four categories or blocks are agreed to by more or less common consent, and the “position of the two inter-mediate blocks also become clear when you take into consideration the generally agreed principles on which the hierarchy is based – descent and nature of occupation”.⁸³ Certain occupations are rated higher and others are rated lower. Groups traditionally linked to the occupations of ruling and fighting occupy the next highest position after the first. “Groups with fixed traditional occupations implying varying degrees of manual work and suggesting a large measure of dependence on other are assigned a low position in the social hierarchy. There is confusion in the hierarchical position of each group vis-à-vis others in the category but the position of the category as a whole is not much in dispute. Their influx in disproportionately large numbers into the city and the enormous swelling of their ranks tells its own story of suppression and depression both socially and economically. Considerable numbers in each group in this category, having freed themselves from the traditional bondage, have gained economic prosperity and due to changes in the political set-up have assumed the leadership of Muslim society. Yet, in spite of this change, their position of clients in relation to the pirs of the first category and the stigma of service to others attached to their traditional occupation, past or present, remains. The Lal Begis, however, passively accept the lowest position in the last category on account of their being unclean and they often experience difficulty in getting their dead buried in the common Muslim burial ground”.⁸⁴

4.3.1.9 Siddiqui notes that though there is initial resistance to recognition of the existence of a hierarchical order, in practice it is followed: “The suggestion of the existence of an hierarchical order is generally overtly denied due to the influence of the Great Tradition, but it is observed in their covert behaviour as well as in certain aspects of the system of beliefs. However, when the anomalies between ideal and practice were pointed out, the Muslim respondents agreed about the real situation”.⁸⁵

4.3.1.10 Siddiqui sums up the dichotomy of the ideal and the actual as follows: "The Muslim society in the field of our observation obviously exemplifies the meeting point of two systems – the cultural ideology of Islam and the social ideas of caste stratification, characterizing the pan-Indian civilization. The former prevails within the obligatory and tabooed ranges of the Shariat and the latter within the secular realm of socio-economic inter-relationships beyond the two ranges where the Shariat does not positively enforce a specified code of conduct. These two systems of a basically divergent nature interact in a way so as to make each adaptive of the other. Thus, the model of the society that emerges out of the interaction of the two systems does not bear perfect identity with the system of caste, yet the model has roughly harmonized some of the main structural features of caste and is obviously a variant of the caste system".⁸⁶

4.3.1.11 Siddiqui also recalls the social situation in Bihar, since he belongs to a village in the suburb of Bhagalpur. He recalls the existence of a hierarchical pattern existing among Muslims there which could not be explained in terms of Islam alone. Each of the many ethnic groups in that village occupies a tola or locality and observes strict endogamy and restricted commensal relationships.

4.3.2 Rural West Bengal

4.3.2.1 Ranjit K. Bhattacharya⁸⁷ studied 13 villages in Birbhum district of West Bengal and thus gives a picture of Muslim society in rural West Bengal complementing the urban metropolitan picture given by Siddiqui. He found seven ethnic groups among the Muslims of which the highest ranking undisputedly is Sayyad, and the lowest undisputedly are Shah Fakir, Momin and Patua or Poto. In between are the Sheikh, Pathan and Moghul. Each of these ethnic groups was locally referred to by the Muslims as a Jat. The Shah Fakirs are religious mendicants. The Momins, originally from Bihar, traditionally are weavers, but in the area of Bhattacharya's study are agricultural labourers. Their women also are either

agricultural labourers or itinerant vegetable sellers. The Patuas or Potos are engaged in the traditional occupation of painting Hindu Gods and Goddesses used for ceremonial worship. Their women are itinerant traders in cosmetics. These three, even while engaged in their traditional occupation (except Momins who do not practice weaving here) also depend on agriculture. The other four are not linked with any specific traditional occupation and live mainly by agriculture. Out of the total number of 568 Muslim families in these thirteen villages the Sheikhs are preponderant being 482 or 85%, the Shah Fakir are 24, Patua 14 and Momin 4 and together these three bottom groups constitute 42 families or 7.4%. The Moghuls and Sayyads are only 2 each while the Pathans are 40. Both the Moghuls are rich landowners, while both the Sayyads are very rich landowners. The Patuas and the Shah Fakir are mostly landless, while all the Momins are landless. The Sheikhs present a mixed picture of a considerable number of landless poor agricultural labourers, a considerable number poor small peasants and some well to do landowners. The Sayyads are the richest in the area. The Shah Fakirs, Momins and Patuas are poor. Many Sheikhs are not better off than them and belong to the class of agricultural labourers, and lived in wretched huts. But, cautions Bhattacharya, "wealth is not a determinant of ethnic status. A redeeming feature is that Muslims of all castes, high and low, can enter the Mosque and can perform prayers shoulder to shoulder in the same row and a lower caste person who comes earlier may stand in the front row before a high caste person who arrives later. Bhattacharya points out the differences between the caste system among Hindus and the ethnic groups among Muslims, to a great extent, related to the socio-religious ideal of equality. He sums up that, "Considering all this, the non-varna-based, situationally derived inter-ethnic stratification of the Muslims in rural West may be regarded as a system of inter-ethnic stratification analogous to the Hindu caste system."⁸⁸

4.3.2.2 There are restrictions in commensality and inter-dining in respect of Shah Fakirs, Patuas and Momins, while there is no such restriction among the other four. But, the Muslim ethnic groups are endogamous. Inter-group marriages are rare. Bhattacharya finds that "local Muslims unlike Hindus of the area do not categorically decry such unions", but "such unions were considered somewhat

derogatory to the members of the higher status group involved in such inter-ethnic unions". Bhattacharya sums up the position as follows: "In fact, inter-ethnic marriages seldom take place and local Muslim ethnic groups may conveniently be regarded as endogamous units".⁸⁹

4.3.2.3 Another account of Bengal comes from Uma Guha. In her account of a village in West Bengal, she found three levels of Muslim jatis there, which "are very much akin to those of the parallel Hindu castes of the village". Of the three, Sheikh are the highest. They are completely endogamous. Fishermen are the lowest. Cultivators come in between. The Muslim fishermen are not allowed to take water from the tanks used by the higher Muslims nor are they allowed to enter the village mosque.⁹⁰

4.4 Social Stratification in Bangladesh (Earlier East Pakistan, East Bengal)

4.4.1 Mary Jane Beech, O.J. Bertocci and L. A. Corwin have made a review of village studies in East Pakistan, now Bangladesh, which they conclude as follows: "in summary, the Muslim caste-like groups are much like their Hindu counterparts , especially among the specialists and menials. Nevertheless, if the Muslims group are to be called castes, it must be recognized that they are part of a considerably more flexible system of social stratification".⁹¹

4.5 Social Stratification in Uttar Pradesh

4.5.1 Zarina Bhatti,⁹² SP Jain,⁹³ and Imtiaz Ahmad⁹⁴ have studied the Muslim society in different parts of Uttar Pradesh. Zarina Bhatti has studied the Muslim society in a village in an old zamindari settlement in the Oudh region of Uttar Pradesh, about 8 miles from the town of Barabanki and 25 miles from Lucknow. Muslims, according to her, entered the Oudh region through conquest. Subsequently, conversions added to their numbers. After seven centuries of rule by the Sultanate and Moghuls from Delhi and Governors and Nawabs of Oudh, the British annexed it and formed the United Provinces of Agra and Oudh, the present Uttar Pradesh. The British revenue settlements retained the land ownership structure and the dominant economic power of the landed gentry with the pre-existing landowners, a large number of whom were Muslims. The zamindars cultivated their lands through tenants-at-will and sharecroppers. Focusing on Muslim society, Muslim zamindars were of higher caste status while their Muslim tenants as well as other occupational groups, who were mostly Hindu converts, retained their pre-conversion caste status in the village hierarchy which conformed to the Hindu caste society. Thus, "Although contrary to Muslim ideals of social equality, a society of rigid social stratification akin to the Hindu caste system functioned effectively wherever relations between various groups were well-defined and regulated on the basis of occupations, the nature of occupations determining to a large extent the hierarchical position of each caste with the dominant caste at the apex of the whole structure".⁹⁵ Drawing upon the works of K. M. Ashraf,⁹⁶ K. A. Nizami⁹⁷ and M. Yasin,⁹⁸ she points out that, "the structure of Muslim society in India did not at any time exhibit the Islamic ideal of social equality. An elaborate system of social stratification had been in practice from the very beginning of Muslim rule in India. Greater honour and respect was paid to the foreign ruling classes than to those of Indian extraction. People invented foreign ancestry for themselves in order to improve their social status... Historians confirm the importance of foreign ancestry during the period of Mughal rule. It provided the basis for greater honour and respect and the highest claim to social status...".⁹⁹

4.5.2 According to her, the entire Muslim society is divided into two major sections, viz., Ashrafs and non-Ashrafs. "The Ashraf castes are: the Sayyads, the

Sheikhs, the Moghuls and the Pathans. All four castes claim higher status than the non-Ashraf castes by virtue of their foreign descent. The non-Ashrafs are all alleged to be converts from Hinduism".¹⁰⁰ There is commensality between all four Ashraf castes, but not between them and the non-Ashraf castes. On endogamy, her finding is that Sayyads and Sheikhs intermarry and so do Moghuls and Pathans, but marriages between the first two and the latter two are not accepted socially. In the village of her study, with a pseudonym of Kasauli, the Sheikhs, through the subcaste of Kidwais, dominate numerically and economically and in terms of local political power. There is only one lineage of Sayyads and none of the other Ashrafs. She lists 18 non-Ashraf castes, following specific occupations and related to each other hierarchically in the following order:

“Julahas (weavers),

Mirasis (singers),

Darzis (tailors),

Halwais (sweetmeat makers),

Manihars (hangle-sellers),

Nais (barbers),

Bakar Kasabs (butchers dealing in mutton only),

Kasabs (butchers dealing in mutton and beef, and also in hides and skins),

Behnas (cotton carders),

Behen-Kasabs (a mixed caste, with butchers and cotton carders),

Telis (oil-pressers),

Kabariyas (vegetable sellers),

Gujars (dairy-men),

Kasgars (potters),

Dhobis (washermen),

Faqirs (landless labourers who also watch graveyards and beg for food),

Nats (acrobats), and

Banjaras (gypsies)".¹⁰¹

4.5.3 In between, there is one caste, namely, the Sipahi caste, who claim to have been soldiers in the Muslim armies and do not have any specified occupation, but some of them cultivate land though they do not like to be called cultivators and others are domestic servants of the dominant castes. Their position is ambiguous and are either on the lower fringe of the Ashraf or the upper fringe of the non-Ashraf.

4.5.4 The dominant caste, namely, Sheikhs of the Kidwai sub-caste have a superior status in relation to all the non-Ashraf castes. Each non-Ashraf caste is bound to an occupation and the status inter se of the non-Ashraf castes is based on the nature and grading of the occupations, for which there seem to be two criteria. "First, and perhaps more important, is a certain socially accepted notion of purity or impurity, cleanliness or uncleanness in terms of which the contents of an occupation, including materials handled, can be measured. Second is the proximity, in a physical sense, of the occupation to the Ashraf castes".¹⁰² She gives the following illustration of four of these communities:

"Nuts, who skin dead animals and make drums, find a place close to the bottom of the scale while Julahas and Darzis are at the top. Dhobis, who must wash soiled clothes, are closer to the Nats than to the Julahas. Mirasis, on the other hand, have a rank next only to the Julahas mainly because of their

proximity to the Ashrafs. They are singers and their women dance to provide entertainment. This precise function is also performed by the Nats, and their women also dance to entertain, but while the Mirasis sing and dance only for the Ashrafs, the Nats do it for the public at large. The distinction makes the Nats cheap and the Mirasis exclusive.”¹⁰³

4.5.5 The Kidwais consists of one dominant lineage and four other lineages. The Kidwais, prior to the UP Land Reforms and Zamindari Abolition Act, 1950 used to let out their land for cultivation to tenants and sharecroppers, both Hindus and Muslims. The Hindu tenants were principally cultivators, while the Muslim tenants had their specialised occupations along with which they supplemented their income from their small plots. The relationship of superiority and inferiority, with some modification, has continued between the Kidwais, especially the dominant lineage, and the non-Ashraf castes, in spite of the Act and various modern market-related economic changes.

4.5.6 Imtiaz Ahmad¹⁰⁴ has made a deep analysis of the social groups of Muslims. According to him, the Ashraf is a primary status division. Within this division are the secondary divisions of Sayyads, Sheikhs, Pathans and Moghuls. Thus, they are sub-categories of the primary theoretical category of Ashraf. Each of these four sub-categories is divided further into segments on the basis of marital links and geographical identification. It is these segments which are geographically bound that are units of endogamy and it is these segments that should be considered as the Muslim equivalent of Hindu endogamous castes.¹⁰⁵

He concludes that “Once it is recognized that the real unit of endogamy is not the primary or the secondary category, but a further segment of the latter defined by marriage and geographical location, it would also become clear that the character of endogamous grouping among the Muslims is not particularly different from that which prevails among the Hindus”.¹⁰⁶ Thus, according to him, it is not correct to call Sayyads, Sheikhs, Pathans and Moghuls castes. The four upper Muslim groups,

referred to as Ashraf, a term which along with Ajlaf was evolved out of the initial attempts of the Census Commissioners to arrange Muslim castes into a hierarchy and has been continued in theoretical discussions of subjects, correspond to the higher Hindu castes. The non-Ashraf Muslim social groups correspond to the lower Hindu castes. The lower Hindu castes as well as the non-Ashraf Muslim social groups are strictly and rigidly endogamous. The higher Hindu castes and the upper Ashraf Muslim groups are generally endogamous but do occasionally combine endogamy with hypergamy under certain circumstances as part of a strategy of status elevation by groups within the community. "Hypergamous marriages either do not occur at all among lower groups, whether they are Hindu or Muslim, or if they occur at all, they are generally stigmatized".¹⁰⁷

4.5.7 Imtiaz Ahmad then examines the Sheikh category more closely. Literally, the word Sheikh means chief or leader and it is used in its Arabic form as an honorific title, head of a tribe, lineage or family. In the Indian sub-continent, this term has come to specifically connote a status group and refers to persons who claim to have descended either from the Arab tribe of Koraish or from one of the close associates of Prophet Mohammad. "In India, such persons are generally supposed to be of noble birth, and along with Sayyads, Pathans and Moghuls are distinguished from the converts of indigenous origin. Like the Sayyads, Pathans and Moghuls, the Sheikhs also occupy a fairly high social position within the idealized scheme of social hierarchy among the Muslims"¹⁰⁸ and together these four "are considered" to constitute a category of social group somewhat analogous to the dwija caste among the Hindus. For this analogy, Imtiaz Ahmad draws upon the Report of the Census of India, 1911 by E. A. Gait. These four groups are collectively referred to as Ashraf. Pointing out that the tendency to consider Sheikhs as a single homogeneous caste is erroneous, he shows that they are "a congeries of a large number of separate sub-groups each of whom shares certain characteristics of a caste".¹⁰⁹ The members of all these sub-groups "emphasise their foreign origin either by tracing their roots to one of the historic personages or tribes of early Islamic Arabia or by identifying themselves with a place in Arabia or Persia, or by claiming

descent from a person who supposedly came from the heartland of Islamic civilization into India”.¹¹⁰

4.5.8 Here, he uncovers an important aspect of the Sheikh category which, as will be shown later, is of particular importance in understanding social stratification in Muslim society in Andhra Pradesh. Imtiaz Ahmad says “... the number of Sheikhs in the country as a whole raises serious doubts about the fact that all Sheikhs are actually of foreign origin”. To prove this point, he refers to the Censuses of 1901 and 1931. In 1931, the total number of those claiming to belong to the Sheikh caste was more than 13 lakhs. This is 150% more than the number of such claimants in 1901. But, there were no immigrations from Arabia during the period between 1901 and 1931. Therefore, this remarkable increase is only because of various mobile groups of Muslims claiming to be Sheikh as a means of raising their status and their claim being slowly and gradually recognized. It was relatively easier to claim and sustain the Sheikh identity than to claim and sustain other higher identities like Sayyad. He cites Gait’s observation in his Report on the Census of India, 1911, that the Sheik category is comparable to the Kshatriya category among the Hindus in this regard and groups have frequently staked a claim to Sheikh-hood in order to raise their status in the social hierarchy of Muslim society.¹¹¹ This category has remained “open and fluid”. But, in his view it would be futile to make a distinction between “genuine Sheikhs” and “spurious Sheikhs” because the claim of a group which is considered to be spurious at one time, is later recognized by others and thus becomes “genuine”. This is a continuous process.

4.5.9 As an example of this process, Imtiaz Ahmad describes the case of the Sheikh Siddiquis of Allahabad whose claim to be the descendents of Abu Bakr Siddique, the first Khalif, secured recognition only during the third quarter of the twentieth century. In fact, they are converts from the Hindu Kayastha caste. Over the generations, this group succeeded in completely obliterating its Hindu ancestry and creating a new genealogy from Abu Bakr Siddique and a new superior identity in Muslim society. Imtiaz Ahmad traces in detail the economic changes that facilitated

the upward mobility efforts of Sheikh Siddiqis in Muslim society, the migrations, the creation of a genealogy of foreign origin, abandonment of their pre-conversion Hindu practices like pankti and charava, changes in dress, especially of women, “Islamization” and, finally, marriages of their sons and daughter in their new locales as a special strategic tool of upgradation. He defines Islamization as “the process or processes of adoption or spread of those cultural or social elements which a particular group may have come to recognize as the basis of its self definition as a Muslim group of high social standing in the course of its social history.”¹¹²

4.5.10 In a separate paper entitled “Sanskritisation, Islamization and the Indian Society”, Imtiaz Ahmad¹¹³ has pointed to the two sides of Islamization. One he calls structural aspects because it results in positional changes for the members of the mobile group. The other side is the cultural aspect which involves the attempt of a group which distinguishes itself from non-Muslim groups through gradually projecting an Islamic image. Another scholar, Cora Vreed–de-Stuers¹¹⁴ theorises two parallel processes which she calls Ashrafization and Islamization. She uses the term Ashrafization to denote attempts at social climbing by groups or individuals through hypergamy and adoption of the way of life of higher classes. She reserves the term islamisation for the process by which groups and individuals wishing to distinguish themselves from non-Muslims, rid themselves of the so-called un-islamic customs and practices. To Imtiaz Ahmad, these are only two sides of the same process of Islamization. He particularly details the strategy of marriages adopted by the Sheikh Siddiqis who migrated from their earlier home in Allahabad to Lucknow, differently for their daughters and for their sons so as to secure the objective of collective upgradation to facilitate the sustainability of their claim to be superior Sheikhs. He dates their first marriage allegiance outside their original caste to three generations earlier. This, according to him, is a standard strategy of upwardly mobile groups in their search for a new status identity and mentions the similar example of Mainpuri Chauhan Muslims, a convert Rajput caste in Rasoolpur village, who claimed the status of khanzadas¹¹⁵ and reinforces this claim through marriages into other castes of Pathan status.

4.5.11 The instances of status upgradation through the Sheikh-hood described for Uttar Pradesh by Imtiaz Ahmad pertains to upper Hindu caste groups who became Muslims like Kayasthas and Rajputs. This route and the label of Sheikh do not seem to have been used, except in a rare reported cases of a few individuals, by Hindu lower caste groups who adhered to Islam and transported themselves with all their bag and baggage, with their artisanal and other identifiable occupations and occupational caste names, to the non-Ashraf or Ajlaf category. Their separate identities remained known and patently visible in the Muslim society, as for example, seen in Zarina Bhatti. Their efforts at status upgradation remained limited to adoption of synonymous names, harking back to different Muslim saints or pirs like Julahas adopting the name Ansari so that they are known as Julaha-Ansari or Ansari (Julaha) to distinguish them from Ansaris who belong to the Ashraf category, or Muslim Nai/Hajjam who are Muslims adopting the name Salmani which is now recognized as a synonym of Nai or Hajjam, or Muslim Luhar adopting the name Saifi. Imtiaz Ahmad's statement that the "Sheikhs who would rank below the Sayyads according to the logic underlying the Ashraf-Ajlaf dichotomy occupied a position equal to the Rajput Muslims".¹¹⁶ In Andhra Pradesh also, the Sheikh route and label was used, but more widely than in north India and apparently by converting Hindu social groups whose rank in the hierarchy was much lower than that of north Indian Rajputs and Kayasthas, as we shall see in a subsequent chapter.

4.5.12 S. P. Jain¹¹⁷ studied "Caste Stratification among Muslims in a Township in Western Uttar Pradesh" for his Ph.D thesis in 1967. The town with the pseudonym Kabir Nagar is in the north-west corner of the Rohilkhand division of Uttar Pradesh. The town displayed an intermixture of rural and urban features. Muslims constituted 62% of the population according to 1961 census out of a population of 18,133. Jain has listed 13 Hindu castes and 17 Muslim castes in the town. The Muslim castes listed by him are the following:

“1. Ansari, 2. Barhai, 3. Chaudhry, 4. Darzi, 5. Dhuna, 6. Ghosi, 7. Halwai, 8. Kalal, 9. Kasai, 10. Kazi, 11. Khatik, 12. Luhar, 13. Mahgir, 14. Nai, 15. Sheikh, 16. Sayyad, 17. Teli”

4.5.13 The different castes in both religious groups to a great extent were residentially segregated. A number of residential areas are known by the name of the particular caste which predominates in those areas. Jain arranges the seventeen groups in the rank order of status as given by Muslim respondents and Hindu respondents by the median of the judgements, which is summarized in the following table:-

Median Judgements given to Muslim Castes by Muslim and

Hindu Respondents

<u>By Muslim Respondents</u>		<u>By Hindu Respondents</u>	
Muslim castes	Rank Order	Muslims Castes	Rank Order
Sheikh	1	Chaudhry	1
Chadhry	2	Sayyad	2
Sayyad	3	Sheikh	3
Ansari	4	Kazi	4
Kazi	5	Ghosi	5

Ghosi	6	Ansari	6
Halwai	7	Halwai	7
Barhai	8	Barhai	8
Darzi	9	Darzi	9
Luhar	10	Luhar	10
Dhuna	11	Dhuna	11
Khatik	12	Nai	12
Nai	13	Teli	13
Teli	14	Khatik	14
Kalal	15	Kalal	15
Mahgir	16	Mahgir	16
Kasai	17	Kasai	17

4.5.14 He then categorise them into four status categories as follows:-

Muslim Caste Stratification in Kabir Nagar

Strata	Castes
Upper	Chaudhry, Sayyad, Sheikh
Upper-Middle	Ansari, Kazi, Ghosi, Halwai
Lower-Middle	Barhai, Darzi, Luhar, Dhuna
Lower	Khatik, Nai, Teli, Kalal, Mahgir Kasai

Occupationally, nearly half of the upper category were agriculturists and about a quarter unskilled manufacturers. The majority of the upper middle, lower middle and lower categories were skilled manual workers reflecting their traditional artisanal or other occupational specialization as can be seen from their caste names. More than a quarter of the lower category were unskilled manual workers, followed by the upper category, of whom about a quarter were in unskilled manual labour.

4.5.15 Educationally speaking, illiteracy was widespread in all the four categories, but was worse in the middle categories compared to the upper category and was total in the lower category. Educational attainment was low, but in high school and above level the upper category was better than the other categories.

Among the 21 Muslim political leaders, 18 were from the upper category of Chowdhury, Sayyad and Sheikh and the remaining 3 were from upper middle category, 2 Ansaris and 1 Kazi.

Of the 12 Muslim social leaders, 10 were from the upper category and one each of Ansari and Kazi from the upper middle category. There was no leader, political or social, from the lower middle or lower categories.

4.5.16 From his study, Jain draws the following conclusions:-

“(i) there does exist a pattern of caste hierarchy among the Muslims of Kabirnagar; (ii) people do recognize this pattern of stratification; and (iii) caste stratification directly influences access of persons to particular occupations, education and leadership positions.”¹¹⁸

4.5.17 Zarina Ahmad¹¹⁹ describes an incident in which an expensively dressed wife of a prosperous person of the Manihar jati who had just returned to the village after long absence and was a guest at a wedding in an Ashraf family and was seated at a table with Ashraf ladies who did not recognize her social identity. One of the Ashraf women recognized her half way through the meal and all of them stood and refused to continue to sit at the same table with the Manihar woman, who then had to sit on the floor and continue her meal. Mandelbaum says that these Muslim ladies were doing what Hindu ladies of high jati would also do in like circumstances.¹²⁰

4.6 Social Stratification in Punjab Pakistan

4.6.1 Various studies of villages of West Pakistan (now Pakistan) attest to the continuance of traditional social groupings and practices even after partition. Zekiye Eglar¹²¹ has described a Punjabi Muslim village of Gujrat district, West Pakistan (now Pakistan), in which, a child learns the caste he belongs to from the time he begins to speak and tells it when he gives his personal name. Very early, the child also learns that he can marry only within its own caste. In that village, high rank is closely and immediately bound to the ownership of land. Very few artisans or people of service caste own any land at all. Status within the land-owning group depends upon the amount of land possessed by each family. It is also noteworthy that Mukhtaran Bibi, now respectfully referred to as Mukhtaran Mai, who was subjected to gangrape in village Meerwala in Multan district, in Pakistan, and faced the situation with great courage and fortitude and has become an icon of the struggle for women's elementary rights, belongs to the Gujjar community, which is landless and her tormenters belong to the landholding Jat community.

4.6.2 Inayatullah¹²² has studied a Punjabi village in Gujranwala district of Pakistan. The dominant caste there are Muslim Jats, who are the landowners. Inayatullah reports that "the first question to be asked from a visitor is about his caste, as this

information decides whether he is to be given a cot to sit on or to seat himself on the ground; and whether a special meal is to be cooked for him, or whether ordinary food would be sufficient.” Mandelbaum cites this to show that even in Pakistan, “Muslim villagers continue the lifestyle of their ancestral Hindu groups.”¹²³ Inayatullah mentions that there are some thirteen artisan and labour jatis among the village Muslims, which are mainly endogamous though occasionally there is hypergamy by landowners who take specially attractive brides from the artisan and labour jatis. Inayatullah describes everyone’s pride in and loyalty to his jati and Mandelbaum comments that “conversion to Islam has not dampened pride in jati traditions.”

4.7 Social Stratification in Jharkhand

4.7.1 Hasan Ali¹²⁴ has studied another part of north India, then in southern part of Bihar and now in Jharkhand. He himself belongs to Ranchi and noticed that “while Islam envisages perfect equality among its followers, the society I inhabited was organised on the basis of separate endogamous groups, known locally as beradaris, which bore resemblance to caste”. He defines beradari as “the local term used to denote endogamous Muslim descent groups having a common traditional occupational background”. The term “zat” or “jati” is used by local Muslims as well as Hindus to denote an endogamous ethnic group. The Muslims “prefer to use the term beradari, to denote both the ethnic component of the society and the local units of larger ethnic groups embracing a wider region”. He says that it is widely used among the Muslims, both in the rural and urban areas. It is also extended to mean the entire ethnic group beyond the local context. Though Beradari “is not exactly identical to what is meant by the term caste, yet in its inner structure it exhibits the fundamental characteristics of caste – membership is determined only by birth, the group boundaries are maintained through endogamy, and group councils and occupational specializations are present”. Hasan Ali refers to the endogamous Muslim beradari groups as ethnic groups. He selected, for detailed study, a Muslim dominated village Itki about 25 km northwest of Ranchi city and Hindpidi, a Muslim dominated centrally located zone of Ranchi city. His study extended from 1967 to

1969. Of the Itki population of 1587, 77.13 % are Muslims. In Hindpidi, there were roughly 1000 Muslim households. There are seven ethnic groups in Itki. Their traditional and present occupation and strength as given by Hasan Ali is as follows:-

Muslim Ethnic Groups in Itki

Muslim Ethnic Group	Traditional Occupation	Present Occupation	Population
Iraqi (Kalal)	Liquor Distillation	Agriculture, Business.	613
Ansari (Momin)	Weaving	Agriculture, Business, Weaving.	424
Dafali	Drum-making & Mujawari	Agriculture, Business.	161
Pathan	Not wedded to specific Occupation	Service	11
Sayyad	Not wedded to specific Occupation	Service	5
Faqir (Shah)	Mendicancy	Mendicancy	9
Churihar	Glass bangle-making	Service	1

4.7.2 In Hindpidi, there are 12 endogamous ethnic groups. Of them, the largest is Darzis or Idrisis (tailors), followed by Ansaris. The other Muslim ethnic groups are Iraqi or Kalal (I may clarify that the word Iraqi has nothing to do with Iraq, but refers to the Arabic word for distillation), Pathan, Sayyad, Rai or Kunjra,. Gaddi, Daffali, Bangi or Halalkhor, Nai, Hawari or Dhobi and Chik.

4.7.3 The position regarding the traditional occupations of the urban ethnic groups in Hindpidi is given by Hasan Ali as follows:

Ethnic groups	Traditional Occupation	Traditional occupation
		Followed / Subsidiarily
		Followed / Not Followed
Sayyads	Not wedded to specific occupation	
Pathan	,,	
Iraqi	Liquor distillation	Followed subsidiarily
Ansari	Weaving	Not followed
Idrisi	Tailoring	Followed
Gaddi	Milk-selling	,,
Rai	Vegetable and fruit selling	,,
Chik	Meat-selling (mutton)	,,
Dafali	Drumming and mujawari	Not followed
Dhobi	Laundry	Followed
Nai	Barbering	Followed

4.7.4 About the difference between the ideal and the actual and between the superficial and the real, the observations of Hasan Ali are worth quoting because these dichotomies appear everywhere:

“Both in the village as well as in Ranchi town, a visitor’s first impression is normally of a marked egalitarian mode of social interaction in contrast to the caste-ridden Hindu villages. The local Muslims also emphasized the egalitarian aspects in such a way that it tended to obscure the hierarchic aspects of inter-beradari interactions.

4.7.5 The obviously egalitarian nature of inter-beradari interaction during religious activities made me come to the conclusion in the early phase of my fieldwork that masawat, i.e., equality of all Muslims, was practiced and not just preached. My respondents, while denying the presence of caste stratification, indicated the existence of a dichotomous division of their society in terms of amir (rich) and garib (poor). They maintained that rank was judged and determined among the Muslims at the level of the individual and according to whether an individual led his life in accordance with the Shariat or not. In support of the theme of ideal equality of all Muslims, a few of the informed respondents even quoted a Koranic verse reiterating the equality of all believers.

4.7.6 Thus local Muslims in general tended to deny the existence of caste among them even to a Muslim investigator and insisted that the beradari groups did not constitute castes. They asserted that there was no caste in Islam and claimed that all Muslims, irrespective of their beradari affiliation, could say namaz together and that they did not observe commensal restrictions among them. My informants tended to gloss over the practice of endogamy and, whenever it was mentioned, they

maintained that there was no formal restriction on inter-ethnic marriages and that, in fact, Islam encouraged it. The existence of an inter-beradari hierarchy was also, at first, denied. Thus, local Muslims very frequently emphasized the 'ideal' egalitarian concept of society, conveniently overlooking the fact that a social hierarchy was, indeed, prevalent among them. Also, it was also observed that their reiteration of the ideal concept of equality was not altogether baseless. In fact, it has a considerable functional value which is reflected in some of the socio-religious aspects of their life. Their ideal model is, of course, wholly true so far as the religious sphere is concerned but is not so to the same degree in the other spheres of social life. However, when the anomalies between the 'ideal' and the 'practice' were distinctly shown, they admitted the social fact of their 'operational model' – the practice of endogamy, considerations of high and low, and inter-beradari commensal distance maintained by some groups in relation to certain others.”¹²⁵

4.7.8 Hasan Ali finds that though endogamy is contrary to the spirit of Islam, it “is strictly followed among the Muslim ethnic groups, both in the rural and urban settings and tends to approximate to the norm of caste endogamy. This is a most important factor upholding beradari consciousness and maintaining the distinctiveness of the group among the various Muslim ethnic categories..... inter-beradari marriages are discouraged despite similarities in caste status. ...instances of inter-beradari marriages have been remarkably few.... Of the 186 Muslim families in Itki consisting of 1224 individuals and comprising seven ethnic groups, only three cases of inter-marriage were recorded upto the period of the study, one each in 1960, 1966 and 1968”. These few cases “were not arranged marriages but the result of personal choice.” Regarding the phenomenon of hypergamy, he says that, “the prevailing notion among the local Muslims, is that a Sayyad can marry a girl of any other ethnic group, but the reverse is not possible”. Of the three inter-beradari marriages only one can be called hypogamous, between an Ansari boy of Itki and a Pathan girl of Delhi where the wedding took place. The hypergamous rights of those enjoying superior status is discernible in attitudes as a vague notion but very rarely found in actual notion. In Itki as well as in Hindpidi strictly ethnic endogamy is seldom violated. “Though among the Muslims the attitude towards inter-marriage is not rigidly linked with the notions of purity and/or impurity of caste/beradari, it seems that

the notion that inter-ethnic marriages result in the impurity of the caste holds good to some extent even among the Muslims also".¹²⁶

4.7.9 Hasan Ali gives details about the existence of beradari Panchayats for the various ethnic groups, either within the area or linked with Panchayats over a larger area. Sayyads are the only exceptions who do not have a panchayat.

4.7.10 Hasan Ali also observes "the broad distinction in the styles of life between those ethnic groups with a higher status and those with a lower one" For example, "a strict observance of the rules of the Shariat as also pardah is positively correlated not only to the ethnic groups of higher status but also to the higher classes irrespective of their ethnic background, both in the village and in the city." Certain rules regarding inter-commensal distance are found to be maintained by ethnic groups of higher status in relation to lower ones like the Bhangis and Shahs or Faqirs. Even when Bhangis abandon scavenging as their occupation, they face inter-commensal discrimination. Hasan Ali mentions the example of drummers, known as 'band party group' among the Bhangis who have given up scavenging and are still served food separately at social ceremonies sponsored by other Muslim groups. But, it is noteworthy that there is no discrimination in the religious sphere even against the Bhangis, who have never been debarred from entering a mosque or shrine nor discriminated against in the line formation for namaz. In the religious sphere again, any individual, irrespective of his ethnic group, can become a religious specialist, whose religious services can be received by any one of any group. Muslims of other ethnic groups were observed attending funeral ceremonies of Bhangis but rarely their socio-religious ceremonies in their houses.

4.7.11 In Ranchi city, the stigma attached to the Iraqi occupation of liquor distilling is extended to the Iraqi beradari as a whole, including those who have given up that occupation. The commensal relationship of the higher ethnic groups with the

other lower groups of Nais and Dhobis is much less rigid as compared to the Bhangis.

4.7.12 Regarding institutionalized inequality or hierarchical gradations, in which each caste is ranked in relation with the others, which is one of the major characteristics of the caste system, Hasan Ali finds among Muslims that while it is totally absent in the religious sphere, in the non-religious spheres it exists without the rigidity of the Hindu caste system. Both in the village and the city, “the Muslims tend to classify the community into ethnic groups consisting of three broad hierarchical blocks – high, middle and low”. These three ranked orders “have emerged on the basis of a broad consensus despite ‘class divisions’ cutting across the ethnic groups. There is no dispute regarding the block position of each ethnic group, but there is controversy regarding the relative ranks of the groups in the middle block. Sayyads are assigned the highest position by virtue of their descent from Prophet Mohammad through his daughter Fatima and her husband Ali. There is similar unanimity about the lowest rank being assigned to the Bhangis and where the Bhangis are absent (as in Itki) to the Shahs or Faqirs. The Pathans with their ruling and fighting background are assigned the position immediately after the Sayyads in the top block. In the middle block are the Iraqi, Ansari, Dafali in both Hindipidi and Itki, Idrisi, Rai, Gaddi and Chik in Hindipidi and Chudihar in Itki. There is controversy regarding inter se ranking in this middle block. By close probing, he found that the middle block is divided into three sub-blocks or rankings. The highest sub-block consists of Iraqis and Ansaris in both Hindipidi and Itki. In Hindipidi, Idrizis, Rais and Gaddis are placed in the second sub-block; and Chiks and Dafalis in the third. In Itki, Dafalis and Chudihars are placed in the second sub-block and there is no third sub-block. There is considerable jostling for inter se superior position among the groups in each sub-block of the middle block.

4.7.13 The conflicting claims of status primacy in the middle block and sub-blocks is mainly based on the general rating of the traditional occupation as more respectable or less respectable, whether and the extent to which the occupation brings about personal contacts with the higher classes in society, both Muslim as

well as Hindu, whether a less respectable occupation has been given up long enough to be obliterated from memory, whether the alternative occupation chosen is itself respectable or not, whether and the extent to which the women of the ethnic group observe purdah, etc. Hasan Ali gives illuminating examples of this. He also notes the correspondence between low status in the hierarchy as of Rai, Dhobi, Shah/Faqir and Bhangi, lower standard of education and lower style of life.

4.7.14 At the same time, the concept of brotherhood of all Muslims remains as an ideal, has a significant functional value and has a moderating if not corrective effect on the hierarchical inequalities. Hasan Ali rightly notes that “certain religious functions or duties are of such a nature that they constantly obliterate the notion of high and low and promote ‘equality’. For example, during namaz, qurankhani, milad and funerals no discrimination is normally practiced on group basis. No discrimination is observed in the line formation during namaz and any able Muslim, irrespective of his ethnic status, may become the Pesh Imam and lead the congregation in prayer.” But, he also finds that “in certain social spheres the operational model is not fully consonant with the ideal model of Islamic brotherhood. The Muslim ethnic groups, in terms of functional ethnographic groups, approximate in fact to the Hindu model of castes.”

4.7.15 He concludes that “the beradari system, or inner-ethnic stratification, of the local Muslims is comparable to the Hindu caste system though the two are not exactly similar. The egalitarian influence of the Islamic Great Tradition has considerably modified and simplified its form which marks a departure in certain details from the Hindu caste system. It approximates the Hindu caste system most in the sphere of endogamous functional groupings. It deviates farthest from the Hindu model in its relatively diffused hierarchy, general lack of the concept of pollution, absence of a priestly caste and lack of ideological support for an elaborate hierarchy. The beradari or caste system of the local Muslims may be regarded as a structural variant of and analogous to the Hindu caste-model”.¹²⁷

4.7.16 M. Mohd. Irfan Basha¹²⁸ also analyses stratification in Islamic society in India. “When Islam came to India from the north in 12th century AD, its social organization had already changed. The ideal of Islam in the concepts of equality and brotherhood remained as it is to this day; but in practice there have been several social grades within the society. ‘The 12th century Muslim conquerors of India were distinctly divided into priests (including missionaries), nobility (ruling family and administrators) and all others including soldiers, merchants and artisans. Muslim priesthood in India in its earlier stages was not hereditary while the rule of succession among the nobility was generally from father to son. Gradually, the Muslim priesthood also acquired the rule of hereditary succession’.”

“This is further so, the elites who were the bearers of the great tradition of Islam in India and constituted the uppermost segment of the Islamic society did not come from amongst the indigenous converts to this religion. Most of them were of foreign descent and belonged to the social hierarchy of the Ashrafs, or the four major immigrant groups of the Muslims called Sayyad, Shaykh, Mughal and Pathan. Out of these four groups, the Sayyads and the Shykhhs belong to the nobility of Islam, which has traditionally been occupying religious offices. They are ‘considered the descendents of early Islamic nobility and thus they are regarded as sacred almost like the Brahmins in the Hindu tradition’. The Mughals and Pathans, on the other hand have by tradition been warriors, feudal aristocrats and rulers. Although this pattern of occupational differentiation had often significant exceptions, yet the fact remained that these four upper groups, which later evolved a caste like structure, together were the bearers of the great tradition of Islam in India. Many changes that were subsequently introduced in this tradition should, therefore have close association with changes in the socio-economic conditions of this social sub-structure of Islam.”

4.7.17 About the process of conversion of local people and retention of local customs and beliefs Irfan Basha quotes Davis: “The spread of Islam had been a gradual process as the number of people of foreign descent, who came through conquest or as missionaries (both from north and south) was not considerably high,

it was all the more necessary to win over the support of the local people either by converting them or by pacifying them. This necessity implied some sort of compromise with the local customs and beliefs. Therefore, on the one hand the Muslims, because of socio-cultural compulsions and partly because of their present strategy adopted local rituals and practices while allowing the converts to retain most of their habits and customs. It is not surprising that many of the nominal converts retained much of the former religion, and that indeed Islam underwent considerable Hinduisation in India. Because of the conversion and because of the interbreeding between Muslim men and Hindu women the Muslims became racially indistinguishable from the Hindu population. Even the Muslim rulers were in many cases descendants of Hindus having Hindu mothers and grandmothers. Complete Islamisation was neither practicable nor possible. This impact of their Hindu neighbours and most of their Hindu relatives were great. The belief structure remained as usual even though they changed their religion to Islam".¹²⁹

4.8 Social Stratification in Kashmir

4.8.1 T. N. Madan, Social anthropologist, has given us very interesting insights into the social structure of the Muslims of Kashmir.¹³⁰ His observations are based primarily on a village called Utrassu-Umanagri in the Southern district of Anantnag, 12 miles east of the Anantnag town and also a few other villages in the district and in the central district of Srinagar. Both these districts are perceived to be culturally similar and account for a little more than 2/3rds of the population of Kashmir proper, while the Northern district of Baramulla is said to be culturally somewhat distinct in several respects. His account is thus generally descriptive of the rural areas of the major part of Kashmir comprised in these two districts. His account is based on his field work in Kashmir in 1957-58 as a scholar at the Australian National University and, thereafter, his several visits to the area in different periods upto 1975. The early immigrant families fall into three categories, Arabs, Mughals and Pathans. The first include Sayyids and Shaikhs, but Shaikhs have come to mean the overwhelming majority of the Muslims of Kashmir who are converts from Hindus and Buddhists who existed prior to the arrival of Islam. Lawrence¹³¹ notes, on the basis of the Census of

1891 that in Kashmir the great mass of the village people come under the head Shaikh, and are descendants of original Hindus. This is a feature significant for understanding the social structure of Muslims in Andhra Pradesh and the nature of the Sheikh category in Andhra Pradesh as I shall explain later. Madan also observes that it is likely that some Shaikh, particularly in urban areas, may be descendants from immigrants. Lawrence's book and the 'Imperial Gazetteer of India: Jammu and Kashmir 1909' authored by him are invaluable sources of information. Lawrence himself extensively toured the valley during the 1890s in his capacity as Settlement Commissioner.

4.8.2 In the nineteenth century, there was another stream of Muslim immigrants in the valley called Gujar or cowherds and Bakarwal or goatherds. They speak among themselves a non-Kashmiri dialect called Paryum which literally means alien. I may add that Gujars and Bakarwals are nomadic or semi-nomadic pastoral groups and have been included in 1991 in the list of Scheduled Tribes drawn up by Government of India for the State of J&K. There is no comparison in status between these two and the early immigrants whose origin is traced to Arabs, Mughals and Pathans, who have family names like Baig, Mausodi and Sayyid. The surnames among Shaikhs are Bhat, which is the most widely prevalent, Kaul, Naik and Ryosh etc. There is a category of surnames which either directly refers to one's hereditary family occupation or indirectly through association such as Khair or a blacksmith (khar), Navid (barber), Vagay or Gur, i.e. milkman.

4.8.3 The term zat is used with different meanings in different contexts. When used as a part of a person's name, zat has the meaning of either birth or hereditary occupation. The actual occupation or means of livelihood of an individual could be different from the hereditary occupation or traditional calling indicated by the surname. The actual work which is a means of livelihood is referred to as Kor or indicated by the word kasb meaning skills. Madan underlines that "people rarely move from one skilled occupation to another, though agriculture is deemed to be

open to all".¹³² Agriculturists are called Zamindar and non-agricultural artisan groups are collectively designated Nangar which literally means those in search.

4.8.4 According to Census 1941, cited by Madan, Sayyids formed 7% of the Muslim population of Anantnag district, Pathans 3%, Mughals 1% and Rajputs 2%. The first three are the groups of foreign descent and together account for only 11% of the Muslim population. The Rajputs, though not of foreign descent are taken to be part of the upper group of Muslims or Ashrafs. Together they account for only 13% of the Muslim population. The rest are undisputedly of indigenous origin and include the various named occupational groups which have intergenerational continuity and are listed below, and also Shaikhs which has become an omnibus category, though formally Shaikhs as such are included in the Ashraf group.

4.8.5 Madan gives a detailed account of the social structure of Muslims in Utrassu-Umanagri, which is a large village with a population of 2644 persons, of whom 2122 or 80% are Muslims. Of the Muslims, 1352 or 64% comprising 232 households are natives and 770 are the late-immigrant Gujars and Bakarwals.

4.8.6 Of the native Muslims, 728 or 121 households are agriculturists – peasant proprietors or proprietors-cum-tenants. The remaining 111 households or 624 persons are in the traditional category of Nangar. Generally, as in this village, Nangar are less numerous than the zamindars and account for anywhere between 1/3rd to less than 1/2 of all native Muslim households. Madan gives an analysis of households of traditional occupations¹³³ as follows:

	Occupational category	Number of Households
1.	Zamindar (landowner-cultivator, tenant)	121
2.	Nangar	
	(i) Dob (washerman)	2

(ii) Dosil-Chhan (Builder-caarpenter)	8	
(iii) Domb (traditionally, messengers of revenue officials)	2	
(iv) Dun (cotton carder)	6	
(v) Gur (milkman, cowherd)	5	
(vi) Hakim (Physician)	2	
(vii) Jalakhodoz (rug maker)	1	
(viii) Kandur (baker)	2	
(ix) Kanyul Shakhsaar (basket weaver)	10	
(x) Khar (blacksmith)	6	
(xi) Kral (potter)	4	
(xii) Navid (barber)	6	
(xiii) Puj (butcher)		3
(xiv) Sech (tailor)	6	
(xv) Sonur (silversmith)	1	
(xvi) Tabardar, Arikash (woodcutter, sawer)	10	
(xvii) Teliwoni (oilpresser)	3	
(xviii) Thonthur (coppersmith)	2	
(xix) Vatul (cobbler)	3	
(xx) Wovur (weaver)	19	
(xxi) Mallah (religious functionary)	10	
Total:	232	

All the names of the Nangar group, except the Domb, are directly descriptive of skilled work of some kind or of non-skilled but specialised services. The Domb have a traditional calling, but their name does not originate in it. They seem to be descendants of a low caste, may be of the Domba mentioned in early historical accounts of Kashmir. Most of the Nangar are stable groups following their respective hereditary occupations. But some of them represent the emergence of relatively recent skills like bakers, rugmakers and tailors who had no predecessors in that

village. Only some of the weavers are weavers by birth. Most of the weaver households have a second occupation of breeding of silkworms, sericulture and silk weaving being a centuries old occupation of Kashmir. The late-immigrant Gujar and Bakarwal, of whom the former preceded, mostly continue their traditional occupation with seasonal migration.

4.8.7 In other villages and in the Anantnag town, Madan also came across the following occupational categories:

- (i) Aram (vegetable gardener);
- (ii) Band (minstrel);
- (iii) Barbuz (grain parcher);
- (iv) Gada Hainz (fisherman);
- (v) Hainz (boatman);
- (vi) Kawuj (attendant at Hindu cremation sites)
- (vii) Sangtarash (stone-cutter);
- (viii) Torkachhan (wood carver);
- (ix) Vonya (grocer).

4.8.8 The 1941 Census report lists Potters, Blacksmiths, Carpenters and Oilpressers, and groups of all the rest together as Shaikh unless they happen to be Sayyid, Mughal, Pathan or Rajput.

4.8.9 Madan says that, "occupations such as the above are widespread and stable categories in rural Kashmir and, therefore, are employed by the people themselves as indicators of socio-cultural identity". He also notes that "the various Nangar groups, however are characterized by a low degree of occupational mobility

and a high incidence of endogamous marriages. Only 9% of adult Muslims of the village are in skilled or specialist occupations other than those indicated by their *zat*. A count of marriages among the Nangar, spread over two generations, revealed a little under two-thirds of them to be endogamous.”

4.8.10 On the basis of the facts seen in the major part of Kashmir and their analysis, Madan reaches the conclusion that notwithstanding the teachings of the Koran, “in actual practice, the Muslims of rural Kashmir attach crucial importance to the fact of birth in the determination of a person’s nature and his legitimate socio-cultural identity. Whether this is an Islamic notion or not, it certainly accords well with Hindu belief”.

4.8.11 Regarding the teachings of Koran, Madan refers to the statement that all believers are called brothers (Koran 49, 10) and a hadith, i.e. a saying attributed to the Prophet Muhammad that genealogies count for nothing among Muslims. But, citing W.Robertson Smith,¹³⁴ Madan points out that “it is well known that Islam was never able to eradicate earlier social inequalities among Arabs”. He also cites Intiaz Ahmad¹³⁶ and K.M Ashraf¹³⁷ that birth as a principle of status honour was considerably important in the early Muslim society in India.

4.8.12 Some of the conclusions that Madan tries to reach indicate the dilemma of social analysis of the Muslim society. On the one hand, he sees that “both Muslims and Pandits recognize the notion of *zat* as the crucial factor in identity specification and in determining an individual’s natural or moral conduct. But he says that the Kashmiri Muslim social order should not be seen merely as a modified system of caste in view of the Muslims’ self-description based on Islamic ideology. Yet, he considers it erroneous to discuss Kashmiri rural society solely in terms of a system of economic classes based on occupation. He sums up that “the Pandit identity is intrinsically a caste structured or related one, the Muslim is not so, and, again, the Kashmiri one is.”

4.9 Social Stratification in Maharashtra

4.9.1 Khojas of Bombay

4.9.1.1 J. C. Massellos of University of Sydney, Australia and a scholar of Indian history who has done research in the social and political history of Bombay city during the 19th and 20th centuries has made an interesting study of the Khojas of Bombay.¹³⁸ They are “the descendents of Lohanas and, possibly to a lesser extent, of other Hindu trading castes”. They were converted to Islam in the fifteenth century. They became particularly mobile from that time. Earlier, they were engaged in petty retailing and hawking. Then, they graduated to trade and commerce in the 30s and 40s of the eighteenth century and, thereby, grew into prosperity in the later part of the nineteenth and twentieth century. They are today a prosperous, tightly-knit and well-organised body. The trajectory of their progress is similar to that of a number of Bania-Vaisya castes and their counterparts in other regions, particularly Tamil Nadu. Over the centuries they spread out of Sind, now in Pakistan and Kutch and Kathiawad (now part of Gujarat). From the late eighteenth century they moved to Bombay as well as overseas centres of trade like Zanzibar and Muscat.

4.9.1.2 From the point of view of stratification of Muslim society, the existence of Khojas as an exclusive community, preserving its boundaries through strict endogamy, enforced through their institution of Jamaat, the congregation of adult males of the town or district. Massellos cites the evidence tendered by parties and witnesses in one of the numerous celebrated law suits of the nineteenth century in the High Court of Judicature at Bombay, involving Khojas, which said that the Jamaat was “nothing but a caste meeting, like a caste meeting of the various Hindoo castes” The role of the Jamaat was wide and it was “a watchdog over the identity of the caste. No Khoja marriage was valid unless it had been approved by the Jamaat and the Jamaat on no account ever sanctioned a marriage of a Khoja woman to a non-Khoja man. There was less strictness about Khoja men marrying outside the caste but “such marriages were nevertheless also rare”. “There was no available instance during 19th century of a Khoja male marrying into even the very similar

Memon caste. The only instances of exogamy that could be cited were with African and Georgian female slaves. In such cases, the offending males seem to have been ex-communicated and certainly the offsprings were denied caste privileges and were prohibited from inheriting properties from their father. By such means, the Jamaat maintained the exclusive and closed character of the caste. For a Khoja to be denied access to the use of the properties and facilities of the Jamaat which included a burial ground, a mosque, cooking utensils needed for caste dinners, Jamaat khana or council hall for meetings was a major hardship. Control over these and the power of excommunication which included social ostracization and loss of intermarriage privileges were a potent weapon in enforcing the exclusive and closed character of the community through strict endogamy and other means.

4.9.2 Social stratification in Weaving Towns of Western Maharashtra

4.9.2.1 A. R. Momin¹³⁹ studies stratification in Muslim society in another area of West India, namely, Bhiwandi, a flourishing industrial township in Thane district, about 30 miles from Bombay and with a population of nearly 80,000 according to the 1971 census. It is a centre of small scale powerloom industry. Muslims constitute about 60% of the population. Their main ethnic groups are two, namely, Kokni Muslims and Momins. There are also other groups such as Deccanics, the Memons, Khojas and Bohras who are recent immigrants and whose numbers are small.

4.9.2.2 The Kokni Muslims share the same language or dialect and cultural features, but they have four levels of ranking and stratification. This is reflected not only in the rules of marriage and commensality but also the burial of the dead. There are separate demarcated areas reserved for families high in the hierarchy in their graveyards. Momin lists them in his table titled "Muslim Castes in Bhiwandi". The four ranked strata of Kokni Muslims as listed by him are

(1) Those with the following surnames:

Faqih

Khalib

Bubere

Patel

Narvil

Qazi

Tase of equal rank

Muallim

Agha

Farid

Hani,

Sayyad

They distinguish themselves from the rest and are regarded as the topmost on grounds of purity of descent and ancestral nobility.

(2) Those with the following surnames:

Chivne

Quraishi

Bolinjkar of equal rank

Bhoje

Jairuni, etc.

(3) Wazahs or Wajas who have the following surnames:

Muqri	Traditionally a weaving sub-caste. Some
Gorekhar	of them formerly used to sell dry fish,
Bobde	considered a lowly occupation. Until
	recently they were considered to be the
	the lowest in the hierarchy, almost to the
	extent of being outside the group.

Lived in separate Mohallas. Considered to be backward. Until a few years ago, no inter-marriage between them and other Kokni Muslims. Recently those Wazah boys who have acquired wealth and education and have thereby raised their social status are able to get brides from other Koknis. Till very recently they did not observe Purdah. Non-observance of Purdah is considered a mark of backwardness.

(4) Teli who have the surnames

Agaskar, and	The lowest rung among Kokni Muslims.
Sheikh	Oil pressers. Came to Bhiwandi from neighbouring villages. No intermarriage between them and other Konkanis, though they share the same language/dialect, rituals and customs.

4.9.2.3 Adoption of the lifestyle, dress and manners of the higher groups including adoption of purdah, which is referred to as Ashrafisation by Vreede-de-Steurs, but which Imtiaz Ahmad considers to be only one aspect of Islamization, in an effort to upgrade social status, is seen among the lower groups, especially Wajahs. Ghaus Ansari calls such groups pseudo-Ashrafs. This process is also seen in the attempt of the Telis to give up many of their former Hindu cultural practices and rituals.

4.9.2.4 Till recently endogamy was strict among the four sub-groups. Now the higher groups have begun to give their girls to Wajahs who have become wealthy and educated, but there is no inter-marriage with the Telis or Momins.

4.9.2.5 Generally, the Kokni Muslims are engaged in rice cultivation, dairy farming and forestry. Recently, following setbacks in landownership and through cooperativisation of forest contracts, some Koknis have taken to the powerloom industry attracted by the economic progress of the Momins. The Momins had in the meanwhile graduated from their inherited handlooms to the new powerlooms introduced in 1928 by an enterprising Momin. Contact with Englishmen in pre-Independence forest business led to westernization of style of living among them. Powerlooms brought about a new level of industrial activity. Education spread first among Koknis and then among others. The process of islamization, namely, shedding of un-Islamic belief customs and rituals, a process noted by Mandelbaum¹⁴⁰ and Yogender Singh¹⁴¹ emerged among Bhiwandi Muslims in the 1920s. Under the influence of all these factors, endogamic barriers among Kokni Muslims with the exception of Telis have begun to relax, but not between Koknis and Momins. Occupational mobility has also come into existence. The attitude towards caste distinctions and caste privileges have become less rigid. Momin refers to the process of the adoption of powerlooms by the Koknis as an example of Ashrafization.

4.9.2.6 The Momins of Bhiwandi are the descendents of the Julaha/Ansari/Momin caste of weavers of U.P. Many people of that caste fled to Bombay, Bhiwandi, Malegaon, Dhulia etc. to escape the post-1857 colonial terror. Interestingly, Basheer Adeb of Malegaon who is now 91 years old and has written a book on Malegaon's history says that his grandfather Kallu Haji and his two sons Mohamad Usman and Mohamad Sultan fled not only from the East India Company's terror but also exploitation by the zamindars. He records that the weavers did not have even the right to name their own children. That power was exercised by the

zamindars who typically branded low caste children with degrading likes Buddhu, Chedan, Kallu, Kallan, Kaddhu etc. Kallu Haji had the temerity to exercise his own right and gave dignified names to his sons and named them Usman and Sultan. The furious zamindar tied his grandfather to a tree and lashed him for this breach of conduct.¹⁴² This and the British terror drew him and others like him to Bhiwandi, Malegaon etc. This incident gives us insight into the humiliation that the caste system imposed on the lower and the labouring castes or communities or groups irrespective of religion.

4.9.2.7 A. R. Momin notes that the Momins were placed in the Ajlaf category in U.P. and on migration carried their caste structure with them to Bhiwandi. Within the community, in Bhiwandi, there were two strata. The first, namely, Phulpuri, which is the largest and economically better off, is the highest, and has a separate Phulpuri jamaat. The rest consist of ten sub-divisions or jamaats, whose names indicate their place of origin in U.P., each with its own caste council and caste head or sardar and having a collective jamaat called Chaorasi jamaat. In recent years, most of the caste councils have become defunct. The Momins speak Purbi or Hindustani.

4.9.2.8 Momin lists the following other groups of Muslims in Bhiwandi which have separate existence:

(1) Those similar to Momins in dialect, style of living, customs and rituals and generally having their own separate caste councils or jamaats.

(a) Dherphurre or Murgiwale

Dealers in poultry, low down in the hierarchy of Muslim population.

(b) Qureshis or the butcher caste

(c) Hajjam or barbers

They are continuing their traditional occupation and their women customarily bathe the brides and wash utensils at weddings.

(d) Bhishti or water carriers

Retained their traditional occupation with some exceptions.

(e) Shias of weaver caste

Very similar to Momins, occupationally, culturally and linguistically. Formerly, there used to be marriages between these Shias and the Sunni Momins. This has stopped. The weaver caste of Shias now marry among themselves, have separate mosque and graveyards and caste council. There are two endogamous sub-divisions among them, based on and named after place of origin in U.P.

(f) Mulki or Bhaiya

New migrants from U.P. who provide the labour force to the powerloom industry. Considered lowly by Momins as well as Koknis.

(2) Deccanis

Migrants from the Deccan. They have three sub-divisions:

Sayyads,	The first two inter-marry.
Sheikhs and	But, neither intermarry with
Quraishis	the Quraishis, who have their
	caste councils and caste heads.

(3) Memons Few in number.

(4) Khojas Each exists as an

(5) Bohras endogamous group.

4.10 Social Stratification in Gujarat

4.10.1 In another region of the West India, Satish C. Mishra has made a study of Muslim communities in Gujarat.¹⁴³ He has listed 130 Muslim castes with a population more than 100. Out of them, 36 (discounting the duplication) communities are estimated to have a population of 1000 and above, another 12, between 500 and 1000, 25 more between 100 to 500, and the rest below hundred each. These are not definitive numbers but only give a relative idea. The estimated indicative population figures for the first 36, given in Appendix B, is as follows:

1.	Shaikh	65,000	20. Sindhi	3,500
2.	Sunni Vohra	52,000	21. Hajam	3,000
3.	Pathan	23,000	22. Pinjara	2,700
4.	Momin	22,000	23. Mughal	2,500
5.	Da'udi Bohra	21,000	24. Kasbati	2,000
6.	Ghanchi	19,500	25. AliaVohra	2,000
7.	Malek	19,000	26. Kumbhar	2,000
8.	Garasia	17,000	27. Dhudhwala	2,000
9.	Syed	12,000	28. Baluch	1,800
10.	Fakir	10,000	29. Makrani	1,800
11.	Musalman	7,500	30. Behlim	1,700
12.	Mansoori	7,000	31. Kureshi	1,600
13.	Khatki	6,500	32. Mirasi	1,500
14.	Chhippa	5,500	33. Khatri	1,400
15.	Kadia	5,000	34. Khokhar	1,250
16.	Sipahi	5,000	35. Dhobi	1,000

17.	Tai	5,000	36. Jat	1,000
18.	Memon	4,500		
19.	Patel Vohra	4,500		

4.10.2 A full list of the 130 also in Appendix-B is given below:

1.	Shaikh	66.	Jamad.
2.	Sunni Vohra	67.	Bhoi
3.	Pathan	68.	Dalmadi
4.	Momin	69.	Marwadi
5.	Da'udi Bohra	70.	Abdal
6.	Ghanchi	71.	Madari
7.	Malick	72.	Mulla
8.	Garasia (Molesalam)	73.	Kharadi
9.	Syed	74.	Shekhda
10.	Fakir	75.	Dhuldhoya
11.	Musalman	76.	Od
12.	Mansoori	77.	Der
13.	Khatri	78.	Banarsi
14.	Chippa	79.	Chhuwara
15.	Kadia	80.	Usmani
16.	Sipahi	81.	Musla
17.	Tai	82.	Tantgara
18.	Memon	83.	Daligara
19.	Patel Vohra	84.	Gandharp
20.	Sindhi	85.	Naita or Nawaita
21.	Hajam	86.	Asti
22.	Pinjara	87.	Nilgar

23.	Mughal	88.	Javeri
24.	Kasbati	89.	Sikligar
25.	Alia Vobra	90.	Teli
26.	Kumbhar	91.	Kamsara
27.	Dudhwala	92.	Lohani
28.	Baluch	93.	Bhand
29.	Makrani	94.	Mewati
30.	Behlim	95.	Baghban
31.	Kureshi	96.	Panjnigara
32.	Mirasi	97.	Sabali
33.	Khatri	98.	Khilji
34.	Khokhar	99.	Morkash
35.	Dhobi	100.	Darji
36.	Jat	101.	Mansi
37.	Nagori	102.	Rabari
38.	Khojah	103.	Kalal
39.	Ghasoora	104.	Kagdi
40.	Ghori	105.	Faruqi
41.	Multani	106.	Ansari
42.	Kasai	107.	Chopda
43.	Arab	108.	Hijda
44.	Bhatti	109.	Alabbi
45.	Bhishti	110.	Turk
46.	Rangrez	111.	Bhil
47.	Sumra	112.	Guliara
48.	Suleman Vohra	113.	Nagar
49.	Khanzada Pathan	114.	Nagar

50.	Ranma	115.	Kharwa	
51.	Bhatiara	116.	Awan	
52.	Luhars	117.	Ghorkhodia	4.10.3
53.	Nayak	118.	Gavli	These have
54.	Maniars	119.	Dhat	been compiled
55.	Kazi	120.	Beldar	from a study of
56.	Soni	121.	Deredar	the National
57.	Suthars	122.	Gakkar	Register of
58.	Silat	123.	Lodi	Citizens
59.	Kalaigar	124.	Miyana	maintained in
60.	Nalbandh	125.	Nakum	different
61.	Babi	126.	Sindhwa	Municipal and
62.	Mochi	127.	Nat	taluka
63.	Chhakda	128.	Momna Patidar	headquarters
64.	Barot	129.	Harasi or Havani or Hapani	and thus they
65.	Sidi	130.	Bhanderi	are self-
				declarations.
				Field work
				could be done
				only in some

towns and talukas. He gives the following account based on the national register and field work.

Shaikh Most numerous. Much more in towns than in villages. Occupation: agriculture in villages and petty trade and govt. and private services in towns. In Surat, 80% of Shaikhs are in zari making. A number of them were Pesh-imams in local mosques. In towns, about one third of them were educated upto primary level. As pointed out by Imtiaz Ahmad with regard to UP, Mishra says that the term is an omnibus term" which covers a number of persons of heterogeneous origin as well as some distinct communities, like the zari makers of Surat who have taken over this surname. From the estimated indicative population figures, their percentage in Muslim population seems to be in the range of 18%. This

omnibus nature seems to be much more true of Andhra Pradesh as will be explained in another chapter.

Sunni Vohra Mainly a trading community with agriculture as main occupation in rural areas. Nearly 50% are literate, and comparable to Syeds in this regard. Rapid progress in education in recent years. A good number of them have migrated to South Africa, Rhodesia (now Zimbabwe etc.), Burma and other countries as traders.

Pathan In towns, engaged in occupations like govt. and private services and small trade. Largely engaged as watchmen. In rural areas, they have their own villages where they are mainly cultivators. Only a quarter of them are literate. Some of them are teachers and in religious service.

Momin Mainly a labouring community. In some parts, they are primarily an agrarian community.

Da'udi Bohra A prosperous trading community. Only a very few of them are in any other calling. Good standard of education. Nearly three-fourths have had at least primary education.

Ghanchi Traditionally oilpressers and oil merchants. Many of them still follow their traditional calling. Some have taken to miscellaneous professions, especially shop keeping. One-third literate. Higher education unusual. The name of the community is based on their traditional occupation. Godhra is their traditional hometown, but a large number came from Saurashtra and now their concentrations are in Vadodara and Panchmahals.

From later field work, Mishra found that a number of them have taken over the surname Shaikh. This, as I shall explain later, is a pointer to understand the Muslim social structure in Andhra Pradesh.

Malek An agrarian community engaged in industrial labour in towns. Literacy about 1/4th. Higher education scarce. A poor and backward community. Not able to achieve occupational diversification.

- Bedasia** Agriculturists in villages and mill workers and labour in towns. Less than a quarter literate. Resemble Maliks in poverty and backwardness. Their names indicate Rajput origin. Majority poor, but some Rajput landowning families are very well-off and are part of the upper castes among Muslims.
- Syeds** Mainly engaged in govt. and religious service. Fairly high standard of education. Nearly half literate. Higher education also relatively high. Economically among the better class Muslims.
- Fakirs** Traditional occupation begging. Now many of them have settled as cultivators. A poor cultivating community. Follow miscellaneous trades in towns. Education low. Less than a quarter literate. Higher education also low.
- Mansoori** The source of this name is Mansoor al-Hallaj, a hero of the Prophet's times. This name has taken over by sections of Ghanchis and Pinjaras. The traditional occupation of Pinjaras is to separate cotton from cotton-seeds and make it suitable for spinning or for making quilts and mattresses. Most of them follow their traditional occupation. Small numbers of both the Mansooris and Pinjaras follow miscellaneous trades. Educationally and economically backward. I may add, they are the same as the Dudekulas of Andhra Pradesh.
- Khatki** Traditionall butchers. Also engaged in labour and private service. A poor and backward service community. Only 1/5th literate. Only 8 people have reached high school.
- Chhippa** Traditionally dyers. Also taken to trade. Educationally backward. Only a quarter literate.
- Kadia** Name derived form their traditional profession of masonry, bricklaying and other house construction work. Labourers. Little education. Poor community.

- Siphai Agricultural community. In towns engaged mostly in private service and miscellaneous occupations. Low education. Less than 1/5th literate. Poor community.
- Tai Traditional occupation weaving. In recent times they have taken to numerous other trade. Educational standard low. Only a quarter literate. Improved in recent times.
- Memons Well-known trading community. Analogous to Khojas and Vohras. Memon tradesmen and shopkeepers are found in every Gujarat town. Prosperous trading community. Next to trade, main occupation is service. Over 1/3rd literate.
- Patel Vohra Part of the larger Sunni Vohra community. A large number of Sunni Vohras call themselves Patel.
- Sindhi Engaged in service, both government and private, especially in the police and like departments. Such service is the first preference. Follow other callings also. Educationally backward. Only about 1/5th literate. Poor community.
- Hajjam Muslim barber community. By and large have retained their original profession. Education low. Only a quarter literate.
- Pinjara A craftsman community. Cotton threshers. Also taken to miscellaneous callings like oil selling, small trade and private service. Large number of the have adopted the Mansoori surname in north Gujarat. Poor and backward community. Less than 1/3rd literate. Ghandchi and Pinjari are close to each other and may have a common origin.
- Mughal First preference Government service. Next private service and trade. One of the four Muslim communities of foreign origin. Literacy not high and only a 1/4th literate. Relatively, higher education greater.

- Kasbati Mainly agrarian, similar to Maliks and Kharasia. Very low in literacy. Poor and backward community.
- Alia Bohra Splintered away from Daiudi Bohra in 17th century. Exclusively traders, and similar to other Bohras.
- Kumbhar Muslim potter community. Still following traditional calling. Education negligible. Poor and backward community.
- Dudhwala Main occupation, selling of milk. In recent times, taken to driving Ghoda Gadi, horse carriages and lately autorickshaws and taxis. Also follow other miscellaneous calling like small shop keeping, private service etc. Education standard low.
- Baluch Agrarian. Also work as labourers and in little paid callings. Educational standard low. Poor community. Different from peripatetic Baluch traders whose number has fallen after partition.
- Makrani Chiefly engaged in agricultural labour and small trade. Educationally backward. Generally poor. On par with Sindhis, Kasbathis and Sipahis.
- Dehlim Agrarian community like the Maliks and Gharasias. Also found in petty trade and butchers' work. About a quarter literate. Poor community.
- Kureshi Name derived from the tribe to which the Prophet belonged. Mostly butchers. Also engaged in other petty trade and service. Seems to be a section of the Khatki community which has adopted the new surname under urge for social rise. Educationally a little better than the Khatkis. Nearly 1/3rd of Kureshis literate compared to 1/4th of Khatkis.
- Mirasi Traditionally dancers and singers. Many of them still follow the calling of begging and singing. Others have taken to petty service, labour and other little paid callings. Educationally backward. Less than 1/6th literate. Poor community.

- Khatri Engaged in retail trade of cloth and handspun yarn. Economically well-off. Educationally advanced. More than a half literate. In good numbers in higher education.
- Khokhar Mainly engaged in agriculture and, in towns, labour. Low in education. Less than a quarter literate.
- Dhobi Service community. Has retained its traditional calling. Very few in any other profession. Education low. Only a quarter literate.
- Jat A poor community of agricultural labourers. Very low in education. Only 2.2 % literate. Many employed as village watchmen.
- Nagori Main occupation is labour in both village and town. Educationally backward. Only a quarter literate.
- Khoja Well known Shia Ismaili community. Engaged almost exclusively in trade. Economically prosperous. Educationally advanced.
- Ghassora Rural community. Engaged in agriculture and agricultural labour. Educationally very backward.
- Ghori Mainly agriculturists. Comparable to Maleks.
- Multani Mainly engaged in private service, trade and cattle breeding. Very good educational standard.
- Kasai A splinter of the Khatki community. But, Khatkis are mainly urban and Kasais are rural. Traditionally butchers. In addition to traditional calling, also engaged in labour and service. A poor and educationally backward community.
- Arab Urban community. Largely engaged in police and armed forces in princely Indian states in the past. Now in miscellaneous occupations, especially small shops, restaurants and bakeries. Educationally fairly well advanced. About a third literate. Also, some higher education.

- Batti Mainly agriculturists and labourers in northern regions. In the south, also engaged in trade. Educationally better in the south.
- Bhishti Water carrier community, mainly in rural areas and small towns. Main profession service as water carriers and domestic servants in Muslim households. Very few literates. Poor community.
- Rangrez North Indian dyers. Most of them follow profession of dyeing. Nearly half literate. Some have higher education also.
- Sumra Agrarian community like Maliks and Behlims, but educationally better than them.
- Sulaimani Branched off from Shia Bohra community in 16th century. Economically and educationally very advanced. Predominantly engaged in trade. Also taken to government service. A prosperous and progressive community.
- Khanzada Pathan Mainly engaged in service and small trade. Education fair. A closed group and their endogamous unit is distinct from other Pathans.
- Ranman Labour community. Very low education. Poor community.
- Bhatihara Mainly urban. Often employed as cooks. Name of the community derived from the profession of cooking. A north Indian caste.
- Luhars Mainly rural. Engaged in blacksmithy and other labour. About a quarter literate.
- Nayak Agricultural community. Almost no literacy.
- Maniar Traditionally bangle sellers. Now also engaged in other small trade. Commercial community. Fairly good in education.
- Soni Craftsman community. Goldsmiths. Educationally fairly good.
- Suthar Another craftsman community. Nearly a half literate.
- Silat Another craftsman community. Engaged in stone-cutting. Low in education.
- Kalaigara Craftsman community. Main occupation is treating utensils with a white polish to give it a silver sheen. Poor community. Very low in educational level.

- Nalband Traditionally shodders of horses' feet. Still engaged in the same work. Nearly a third literate. May be a section of the blacksmith community.
- Babi A Pathan community to which the ruling houses of Palanpur, Cambay and Junagarh belonged to. Excluding affluent sections associated with ruling families, rest of the community are poor and agricultural. Some of them work as Khatkis or butchers. Only about a quarter of them literate.
- Mochi Cobblers by tradition. Poor and backward community. About 40% literacy.

Barot Traditional recorders and genealogists of Rajput families. Also taken to service and small trade, and are also small landholders. Educationally fairly placed. Nearly a third literate.

Sidi Mainly a service and labouring class of African origin. A poor community. About a third literate.

Jamad An agriculture and labouring community. Very low in education.

Boyi Formerly mainly domestic servants. Now taken to miscellaneous professions, mainly labour. Nearly a fourth literate.

Daimadi Labouring community. Very low in education.

Marwadi Mainly an urban community, engaged in private service and trade.

4.10.4 Mishra also gives detailed accounts of many of these communities.

4.11 Stratification in Sindh Pakistan

4.11.1 For an adjoining area of Pakistan, namely, Sindh, there is a study of a Muslim village of Dadu district by John J. Honigmann¹⁴⁴ There are about twenty-

seven ranked groups in that village, four of which are the highest, which of course include the Sayyid. These four have produced a large number of scholars, teachers and government officials bringing great renown to the village. Pride of rank and drive to maintain the past standard acts as motivation for them towards modern achievement. Also required to maintain their status are observance of standards like seclusion of women, endogamy for girls, limited hypergamy for boys, and noble ancestry, which means that the men of the group have long been wealthy, respected and learned and free from the need to do manual labour. It is seen from Honigmann that Muslims do not employ the term caste with the meaning it possesses for Hindus. In Honigmann's Sindhi village, the term used is pat, which according to Mandelbaum points up the parallel usages. Honigmann explains that "The leading families of Pat refer to themselves as constituting four or five 'castes' (English-speaking villagers and public records used the words 'tribe', zat and 'community' interchangeably with 'caste'), ... Such castes are ideally endogamous, marriage into a known family bearing the same surname being preferred."¹⁴⁵

4.12 Mandelbaum's Overview

4.12.1 We can turn to David Mandelbaum who has given an overview of Muslim society in India in Chapter 29 "Social Aspects of Introduced Religions" of his book *Society in India*.¹⁴⁶ He says, in the introduction of the four scriptural religions Islam, Christianity, Zoroastrianism and Judaism, merchants seem to have been instrumental. Merchants came to India from abroad, settled in small colonies, prospered and attracted converts. Out of these four, Islam and Christianity became more widely accepted after rulers of these religions conquered large territories. "Emulation of the temporal rulers and the persuasive power of their resources had something to do with this acceptance though some became converts for essentially spiritual reasons and others were converted because of a desire for social regrouping." The converts, according to Mandelbaum, "became jatifed ... and re-entered the typical struggle for social mobility". According to him, "village Muslims and Christians carry on their social relations in ways that are generally similar to those followed by their neighbours of other religions". But he also says that "religious

affiliation does make for certain social differences as well as broad similarities". Specifically about Muslims, he says that. "Though their doctrine and their popular theory assert that all Muslims are equal, the actual social practices of Muslim villagers usually parallel those of their Hindu neighbours". He then says that "Muslims in all regions of India class themselves into endogamous, hereditary groups which are ranked in relation to each other.... Hereditary occupations are usually attributed to each group; members of each traditionally participate in jajmani relations with families of other jatis in their locality. Where Muslim untouchables exist, they are so treated by both Hindus and Muslims.... A Muslim group in a village maintains its internal cohesion much as does a similar Hindu group. In some regions the same term is used for a Muslim as for a Hindu jati.... In all, it is not misleading for our present purposes of social analysis, to speak of Muslim jatis". At the same time, he points to important social differences like free interdining of Muslims of all groups "except possibly the local Muslim untouchables", worship in the same mosque, collective participation in ceremonies and absence of the concept of permanent pollution, looser endogamy, greater latitude for hypergamous marriages, easier social percolation, and great scope for secular power in gaining higher rank.

4.12.2 Referring to some of the studies which have been reviewed by me, he compares the division between the Ashraf and Ajlaf to the Hindu dichotomy between the twice-born varnas and other Hindus. About Ashraf, he sums up as follows: "Those who are called Ashraf are usually held to be descendents of distinguished foreign, non-Indian, ancestors. They are traditionally the landowners, the civic and religious leaders, the wealthier and more purely Islamic among the Muslims of their locality. According to Ansari, four 'classes' (i.e, jati-clusters) of Ashraf are found in Uttar Pradesh, of whom the highest are the Sayyad, 'princes'. This line is believed to have come from the daughter of the Prophet and her husband, the fourth Caliph of Islam. Sayyads are further divided into some twenty sections; endogamy is common within each section but is not mandatory. Next are the Shaikh, 'chiefs', believed to be descended from Arab ancestors who were among the first followers of the Prophet. Marriages may be contracted between families of their sections and Sayyads, but rarely with families of the two other high groups, the Mughals and Pathans. The two

are reputedly descended from Mongol and Afghani conquerors in India....”¹⁴⁷ About the last category referred to as Arzal, by many scholars as noted above, and who are nowadays referred to, sometimes, as “Dalit Muslims”, Mandelbaum sums up as follows: “At the bottom of the Muslim ranking are those Muslims who do scavenging, sweeping, and other menial tasks. In Uttar Pradesh they are commonly descended from converts who retained their former jati name, occupation, poverty, and disabilities. Muslims of higher status do not ordinarily take food from them. Sometimes they are not allowed to worship inside the village mosque but must stand and pray outside.... They are treated in much the same way as their Hindu counterparts. However, a high Muslim may choose to take food from them or worship with them without incurring the kind of penalties that a high-ranking Hindu might suffer from such transgression”.¹⁴⁸ He largely draws upon Ghaus Ansari¹⁴⁹ for this.

4.12.3 Mandelbaum’s analyses that the middle rank among Muslims of UP include Muslim Rajputs and “clean occupational castes”. By clean, he refers to non-untouchable castes. As noted above, the trend among most scholars is to count Muslim Rajputs along with Ashraf and not with Ajlaf. He cites the observations of Zarina Ahmad that in the villages she studied no members from an Ashraf group would marry a non-Ashraf.¹⁵⁰ Citing Ansari¹⁵¹ and Misra¹⁵² he sums up that “Muslim artisans provide services on the same conditions as do their Hindu counterparts and manage their jati affairs quite alike a comparable jati of Hindu artisans.”

4.12.4 From the studies of Inayat Ullah¹⁵³ and Honingmann,¹⁵⁴ Mandelbaum sums up that in West Pakistan (now Pakistan) villages “social relations are hierarchically arranged in the generally pattern followed by most people on the subcontinent. Mobility drives, both in the traditional and modernized modes, are also broadly similar among Muslims and others of each region”.¹⁵⁵

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V

Social Stratification in South Indian Muslim Society

5.1 Significance of South Indian Stratification for Andhra Pradesh Study

5.1.1 While Andhra Pradesh shares features of stratification common to all of India, there are more commonalities between Andhra Pradesh and other South Indian regions. Therefore, before coming specifically to Andhra Pradesh it would be useful to take a look at the stratification of Muslim society in available studies of South India.

5.1.2 There are two sociological studies of South India, one regarding Moplahs of the South West Coast of India comprising Malabar Region in Kerala and the adjoining Mangalore Taluk of South Kanara district of Karnataka by Victor S. D'Souza, Professor, Sociology, Punjab University¹ and the other on Lakshadweep Muslims by Leela Dube, Director, Indian Council of Social Sciences Research²

5.2. Stratification in Malabar Region of Kerala and Dakshina Kannada of Karnataka

5.2.1 Victor D'Souza, like other scholars, traces the beginning of the Moplah community from the unions of Arab sailors and traders in the past with Hindu women of the Kerala coast belonging to different castes. "But the large increase in the population of the community was due mainly to conversions".³ The converts belonged to different Hindu castes. "Although the cementing bond of Islam created a new sense of fellow feeling among all Moplahs, it has not eliminated the old differences".⁴

5.2.2 Victor D'Souza finds the following social divisions which form a social hierarchy:-

(1) Thangals – This is a small section which traces its ancestry through the progeny of the Prophet's daughter Fatima. They are the same as the

category known as Sayyads elsewhere. By virtue of their descent, they are held in the highest esteem by all Moplahs.

(2) Arabis or Arabs – This is also a small group who are descended from the union of Arab men and local women but have retained their Arab lineage. They occupy a position of high status in Moplah society, next only to Thangals, by virtue of their Arab lineage. Almost all Arabis are in the coastal regions of Malabar and Mangalore.

(3) Malabaris This is the main body of Moplahs. They share the typical mother-right custom with large sections of Hindus of Kerala. “It is a well authenticated fact that the Moplahs belonging to the interior of South Malabar are mostly converts from among the low caste Hindus, such as the Cherumars”. Moplahs are densely spread in the villages as well as towns of the interior South Malabar. There are very few Moplahs in the interior of North Malabar. In the coastal area of Malabar there is a large number of converts from among the Hindu castes like Thiyars and Mukkuvans (who are in the list of Backward Classes) and Nairs. There are further sub-divisions of varying social status among the Malabaris.

(4) Pusalars – This word literally means new people. They are late converts from among the Hindu caste of fishermen called Mukkuvans. Because of their relatively late conversion and their low occupation of fishing, which they still continue, they have a low status in Moplah society. They are spread all along the coastline. Numerically, they are the second largest section, after the Malabaris. They are also characterized by further sub-divisions of varying social status, as is the case with Malabaris.

(5) Ossans – They are barbers among the Moplahs. Their occupation is comparatively very low. Their womenfolk act as hired singers on social occasions like weddings as are the Nais of Bihar and Dafalis of Jharkhand. They are ranked the lowest among the five groups of Moplahs.

5.2.3 These groups and their sub-groups are endogamous. In rare cases, inter-marriages take place. But such rare inter-marriages are strictly of hypergamous nature. The male of a superior group can marry the female of an inferior group but not vice versa. A Thangal male can marry a woman from any other group of Moplahs but a Thangal woman cannot marry a non-Thangal man. An Arabi male can marry any non-Thangal woman. But an Arabi woman can marry only an Arabi male or a Thangal male. This hypergamous custom is followed down the line. If a woman belonging to higher group marries a man from a lower group, she and her children lose their group membership. But the group status of a man from a higher group who marries a woman from a lower group remains intact. But even hypergamous marriages are excluded between sections whose social distance is very great.

5.2.4 There is a co-relation between the size of the Mehr and the social status of the group, taking each locality as unit – the higher the amount of Mehr, the higher is the group's status in a given locality.

5.2.5 “People belonging to higher groups do not mix with those from the lower groups on equal footing. When they are invited to social functions, the Thangals and Arabis have to be provided with separate seating arrangements and have to be served separately”, as a mark of distinction. In their presence, men of lower status groups cannot sit down. In the presence of women of high rank, the women of lower status groups cannot stand up. The former has to be treated with special consideration by the latter. They have always to be addressed as Bibis. In their presence, this title should not be used for women of lower social groups, who have to remove their footwear when sitting down.”

5.2.6 “On ceremonial occasions, only people of higher ranks are entitled to carry specially decorated umbrellas. They alone can make use of carpets during the Nikah (nuptial) ceremony and so on”.

5.2.7 “When the social distance between sections is every great, not only are hypergamous marriages excluded but all social and even religious intercourse is curtailed. In such cases the sections even have separate mosques, separate religious organizations and separate burial grounds”.

5.2.8 Victor D’souza examined the stratification patterns specific to different parts of Malabar and also to Mangalore. In Tellicherry, the main sections of the Moplahs are the Malabaris and the Pusalars. They form water-tight compartments. The Pusalars lived in segregated residential quarters and have a mosque there for their daily prayers but even for Friday prayer, the two have separate jami mosques, which is also true for a number of other places. The kazis, who solemnize their marriages and the burial grounds, are also separate. The Pusalars of Tellicherry have two main endogamous divisions, one of which is considered superior. In the past, there were no inter-marriages between these two. Recently, there are a few hypergamous marriages. Among the Malabaris of Tellicherry, the highest section Keyis have a separate mosque for their daily prayer, a separate burial ground and a separate kazi at social functions. They are provided with separate seating and eating arrangements and are accorded differential treatment by other Malabaris. In the past, men of the Keyi tharavads were big merchants and bankers. In Calicut, the highest section of Malabaris is called the Koyas. Among Manjeri Malabaris, there are three endogamous groups of different status.

5.2.9 In Cannanore, the Arakkal tharavad has the highest status. Prior to British rule, the head of Arakkal tharavad was the ruler of the territory around Cannanore which was called Arakkal, with the title of Sultan Ali Rajah, a title still enjoyed by the head of that tharavad. Other members of the tharavad use the title Ali Rajah. Among the Moplahs of South Kanara, there are two main sections viz., Pusalars and Byaris. As in Malabar, Pusalars have a separate social life and religious organisations. Byaris correspond to the Malabaris of Malabar and

constitute the main body of the Moplahs of South Kanara. There are two divisions among them. The superior one consists of four clans collectively called Talakars, i.e. those entitled to eat from a common dinner plate. They are treated deferentially in various ways by the other Byaris. Women of Talakars cannot marry outside the group on pain of themselves and their children losing their group membership. A Talakar man may marry a woman from outside without affecting his group status, but his wife and children will not have the privileges of the group like sitting at a Tala.

5.3 Social Stratification in Lakshadweep Union Territory

5.3.1 Leela Dube examines “the system of interdependent, hierarchically graded, and exclusive and exhaustive groups that has existed, under Islam, for centuries” in the Laccadive group of four inhabited islands and the Amindivi groups of five inhabited islands, together called the Laccadives or Lakshadweep islands.⁵ Prior to Islam, they were Hindu settlers from the Kerala coast. This territory was ruled by the Arakkal Muslim rulers through their agents. The early settlers, according to island tradition, belong to the three castes or levels in the caste hierarchy of Kerala, viz., the Nambudiri Brahmins, the Nairs and the Thiyyars. These migrations seem to have taken place around the ninth and tenth centuries AD. Their language is an archaic form of Malayalam. At that time, Kerala had already developed a rigid caste system operating within a feudal structure. Before the coming of Islam to the islands, a socio-economic system closely approximating to that in Kerala adapted itself to the new ecological and demographic situation in the islands.

5.3.2 Conversion of the islanders to Islam is attributed to an Arab missionary Ubaidulla, probably between the thirteenth and fourteenth centuries. Muslim Arab traders were an important factor in this process. Leela Dube expresses the view that under the influence of Islam, many small caste groups amalgamated

and blended to form only three or four groups. This is an important clue to the evolution of the Muslim social structure in Andhra Pradesh as will be discussed later. These three or four groups were characterized by caste-like features like endogamy, hierarchical gradation and participation in a common system of rights and privileges and corresponding disabilities, pattern of social distance and deference structure, which are carry-overs from the socio-economic system their ancestors from the Kerala mainland had brought with them. From the middle of the nineteenth century, British officers provide us with explicit references to the presence of caste-like groups in these islands. In his reports of 1846-1848, Robinson noted that it was remarkable that Hindu caste prejudices and caste distinctions had survived through six hundred years. He found four castes in Amandipi corresponding to the castes in Malabar.⁶ The distinguished Collector of Malabar, William Logan, in Appendix xxi of his landmark Malabar Manual,⁷ mentions about the Laccadive islands that, "The people are organized after the Hindu fashion into three simple classes or castes:

- (1) Karnavar (doers, agents) consisting of the families of principal people who monopolize boat-owning;
- (2) Malumis sub-divided into (a) Malumis proper (pilots or sailors), and (b) Urukars (boat people) employed formerly as common sailors, but now in various occupations; and
- (3) Melacheris (climbers) who are the tree climbers and toddy-drawers and universally dependent on the higher classes".

5.3.3 According to him, while some of the principal inhabitants claimed descent from Nairs and even the Nambudiris, the Melcaheris are apparently the descendants of the Thiyyars and the Mukkuvans or fishermen. He mentions the following main castes in Kavaratti and Androth:

- (1) Karnavars sub-divided into Karnavars proper and Thanakapirantha Kudiyans (less wealthy cultivators).

(2) Malumis (pilots and sailors) sub-divided into (a) Malumis proper and (b) Urukars.

(3) Melacheris (tree-climbers)

5.3.4 The Karnavar men had the title of Koya, which is derived from the Arabic word Khoja, meaning 'the respected'. The Imperial Gazetteer of India, 1908, states about the people of Laccadive islands that, "... they are divided into three main castes: Karnavars or Koyas, the aristocracy, who claim descent from Nambudiris and Nairs and originally monopolized land and boat owning; Maalumis or Urukars, the sailor caste, who sailed the Karnavar's boats, were allowed small holdings of land on various conditions of service on their lords' lands and in their boats, and Melacheris or climbers, the serfs, who plucked coconuts, tilled their lords' land, rowed their boats and so on. Maalumi is derived from the Arabic word Maallim, meaning the leader of a sailing group and has come to mean the sailor caste. Melacheri literally means those who work high above, which refers to their coconut tree-climbing occupation. Melacheri could also refer to the fact that their area of habitation is generally in the west or southwest of the island; Melacheri means west in the island language. The Melacheri occupation of coconut climbing, plucking and toddy-tapping was considered demeaning and all others including the Maalumis refrained from this work. All hard and sustained labour of every type is allotted to the Melacheri, like carrying loads, working as crew hands, thatching the roofs, house building, fishing, husking the coconut, making copra and jaggery, etc. Barbers, blacksmiths, servants of the mosque, goldsmiths, and sawyers were all drawn from the Melacheris. Some Koyas and Maalumis recently have also taken to sawing.

5.3.5 R. H. Ellis⁸ in a short account of Laccadive islands and Minicoy islands in 1924, gives a similar account of classes in Kalpeni, Kavaratti and Androth, and describes Agatti as a Melacheri island. Amini, Kavaratti, Androth and Kalpeni are known as Tharavad islands. The four islands of the Amindivi groups are known

as Melacheri islands. There was no intermarriage between the three groups. In Amini, he found four classes, viz., Tharavad, Tanakampranavar, Kudiyati (who are the same as Maalumis), and Melacheri, accounting respectively for 5%, 35-40%, 5% and 50-55% of the population. But K. P. Ittaman⁹ gives different figures for 1962 for Amini island – 31 % Koyas, 53.68 % Melachari, 12.10 % Maalumis.

5.3.6 Tharavads and Tanakampranavars could intermarry. These two seldom had marriages with Kudiyati. Marriage between the first two and the Melacheri was strictly prohibited. Intermarriage between the third and fourth was allowed. Even at the time of the study, marriages between the Koyas and Melacheris were strongly disapproved.

5.3.7 All economic and political powers were in the hands of the Koyas. The islands were never self-sufficient and had to develop a pattern of regular trade with the mainland. Odams (big sailing-crafts) were therefore an important resource. Ownership and control over these and over land and right to trade devolved on the two highest castes, Nambudiri Brahmns and Nairs before Islam, and Karanavars or Tharavads after the society became Muslim. The Thiyyars and the Mukkuvans before Islam and the Melacheris after the arrival of Islam became the labouring classes. Of the two unprivileged groups, viz., Malumis and Melacheris, the former, who refrained from tree-climbing, coconut-plucking and toddy-tapping had a somewhat higher status. In addition, religious learning, priestly functions, and the handling of religious law on special occasions were also the exclusive prerogative of the top group as a carry over from the past, though not in keeping with Islamic social values. This group had total monopoly of economic, administrative and religious power, exercised total control over the others and with particular severity on the Melacheris. The group distinctions were maintained by various social discriminations and markers of degradation and humiliation. The economic system was sustained through this social system which ensured differential access to political, religious and economic power and privileges. There might have been many other small caste groups. All these seem to have been amalgamated and blended in the Melacheri caste.

5.3.8 From the last decades of the nineteenth century, the Melacheris began to struggle against the stranglehold of Koyas in various matters like monopoly ownership of odams, ownership of lands and coconut trees and leases on unfair terms, holding of privileged traditional official posts and against disabilities like denial of the right to wear shirts, sandals, silk garments and to use umbrellas and the requirements to remove the upper cloth when encountering a Koya and requirement to cover the mouth with fingers when talking to Koyas. Support of the British administration was hesitant, halting and partial. By their struggle, including revolts, defiance, sustained efforts to better their conditions and appeal to the governments, over almost half a century, they have been able to get over many of their disabilities. There were a number of disputes over social disabilities between Koyas and Melacheris especially after 1933. Melacheris began to wear sandal and walk on public paths, infuriating the Koyas. They celebrated a wedding in 1933 with fireworks, prohibited for them, provoking Koyas to physical violence and withdrawal of facilities to Melacheri tenants and servants, including restraint on Melacheris from drawing water from wells owned by Koyas. Many tanks and wells owned by Melacheris were destroyed. Many tenants were evicted. Melacheris were beaten by the Koyas for wearing sandals. At last in 1934, the Collector intervened, derecognizing the discriminatory social customs. In 1949, twelve Melacheris jointly purchased an Odam for which registration was objected to by the Karnavars of the council of elders who were all Koyas. Koyas indulged in arson, against Melacheri coconut sheds and assaults and sunk their Odam when they set sail. In 1950, the Melacheris put up resistance against their long-standing religious disabilities. They were not allowed to participate in Bitha, the recitation of devotional songs at the time of rathib, which used to be conducted in two mosques. It stand to the credit of the two Kavaratti Thangals or Sheikhs who owned these mosques that, when approached, they agreed to teach Bitha to the Melacheri young men. They rejected the protest of the Koyas and refused to allow distinctions against Melacheris in this regard as they were against the principles of Islam. But, Koya anger against the breach of established custom continued to express itself. In 1957, taking advantage of changes in the economic system and administrative set up, the Melacheris brought their own Kazi instead of the official Kazi of the Koya community to conduct

the funeral prayer for a Melacheri in the Jamiyyat mosque. The Koyas prevented the Melacharis from burying the corpse there.

5.3.9 Many other events of the saga of the Melacheri struggle for elementary rights against Koya domination and monopoly are related by Leela Dube. They show that the trajectory of such social struggle in Lakshadweep was very similar to the struggle of the lower and untouchable castes of Kerala against similar domination and monopoly by upper castes – the difference of religion and the fact that the Sultan Ali Rajah of North Kerala were the rulers before the British took over made no difference in this, though the stand of the Kavaratti Thangals regarding the right to learn and sing Bitha stands in refreshing contrast, and this is attributable to Islamic ideology.

5.4 Social Stratification in Tamil Nadu

5.4.1 Suburb of Metropolitan Chennai

5.4.1.1 Mattison Mines, anthropologist at the University of California, has studied social stratification among Muslims in Pallavaram, a suburb of the metropolitan city of Chennai.¹⁰ There are four social divisions among Muslim Tamils, viz., Ravuthar, Labbai, Marakkayar and Kayalar. Kayalar seems to be a subdivision of Marakkayar. Kayalars and Marakkayars are found primarily along the Coramandel coast. Labbais and Ravuthars predominate in the interior, Ravuthars mainly in the south and Labbais mainly in the north of the state. All these groups in Pallavaram mention that their primary occupation is that of merchants. He feels that these are not hierarchically ranked and all the four are of approximately equal status. But he also notes that the Kayalars are generally given lower status than the other subdivisions because they are merchants dealing in raw and salted hides and in scrap and this is considered undesirable. Elsewhere, though not in Pallavaram, Labbais also deal in leather. The effect of this in the larger society of Tamil Nadu

Muslims is not discussed by Mines. He feels that the common business occupation in Pallavaram makes them more or less equal, apart from the effect of Islamic ideology of equality. However, he notes that the egalitarian ideology does not seem to apply in the realm of matrimony. Most marriages are within the same group. Most Muslim Tamils consider the group identity to be important in selecting a spouse. In the cities, intermarriages do occur, but they are rare. Such marriages raise some eyebrows, but there is no ostracisation. He attributes the rarity of inter-group marriages to factors other than endogamy. Referring to the studies of Indian scholars who have pointed out the presence of caste hierarchies among Muslims, often paralleling the Hindu system like Uma Guha¹¹ Ghaus Ansari,¹² D'Souza¹³ etc., he expresses the view that in north India and in the Deccan and in Malabar, highest ranks are accorded to Muslims who claim foreign origin, viz., Sayyads, Sheikhs, Mughals and Pathans, who are collectively called Ashrafs in north India. He says that in this regard, the Muslim in Tamil Nadu are different from the Muslims in north India, the Deccan and the Malabar coast.

5.4.1.2 Imtiaz Ahmad is not convinced of Mines' explanation about endogamy among Tamil Muslims and about the absence of hierarchy when Mines himself finds that the Kayalars have lower status. Further, the picture of Tamil Muslim society does not seem to be complete since his study does not seem to cover Sayyads, Sheikhs, Ansars, Pathans etc. who are also present among Muslims in Tamil Nadu and, at the other end, communities like Dudekula do not find place in his study.¹⁴

5.4.2 Social stratification in Tamil region

5.4.2.1 Susan Bayly gives us a more fuller picture of social stratification in Muslim society of Tamil Nadu.¹⁵ At the outset, she brings out the difference between the ideal and the real: "The ideal says that all Muslims are one; the reality is that over many centuries Muslim faith and the practice have come to be shaped and modified by dynamic regional cultures and by the changing social and political

context in which they have taken root.” Regarding one basis of status in Muslim society, she says that “even today the south’s highest ranking Muslim lineages are those who can claim descent from the region’s early Arab migrants.” Of the different communities in Tamil Nadu, she speaks of Maraikkayar, Labbai, Rowther, Pathan, Navait, Bohra, Khoja and Memon. After speaking about Maraikkayar as consisting of elite Muslim trading families, she says that “all other Tamil speaking Muslims in the south came to be referred to as Labbais,” who included “coastal fishermen and pearl divers as well as large numbers of hinterland cultivators, weavers and other artisans, and petty traders including people engaged in trades such as fish-selling and leather-making”. About the status of Labbais, who thus encompass the bulk of the Tamil Muslims, she says that their occupations “were considered ritually polluted according to conventional Brahminical social ranking schemes”. This phrase is significant because it shows that the status of a Muslim community or group depends partly on the norms and practices of elite Muslim groups as well as the status norms and practices of the majority Hindu community. Thus, on the one hand, the Labbais are hit by the Brahminical social ranking scheme and, on the other hand, the Tamil Maraikkayar of their own religious community “have long stigmatized all these other Muslims as being ‘mere converts’ to Islam, and therefore, of lower social standing than the Maraikkayar with their claims of descent from the first Arab settlers in Tamil Nadu. The Hanafi’i weavers and fishermen who actually reside within the Muslim coastal towns are kept at the fringes of the elite social and religious life of the Maraikkayar mohullas.” This attitude even extends to adjoining Sri Lanka where apart from a minority of Maraikkayar traders, the Tamil speaking Muslims are mostly fishermen and pearl and chank divers from south India who were also regarded as low ranking converts. Bayly clarifies that the views regarding Muslims in Sri Lanka appear in replies to an early British investigation into the ‘Laws and customs of the Mahomedans and Moormen’ of Ceylon near about 1815, in which respondents included the ‘headmen of Labais and Marcairs’ Elsewhere she refers to the Labbais as “low-status hinterland and coastal Labbais.”

5.4.2.2 About Pathans, locally referred to as Puttani Tuluker, she says that Pathan military and trading people were settled in the south by the late eighteenth century. Apart from the Maraikkayar and the lower ranking Tamil Labbais, were the

Pathans and the other Dakhni Urdu speaking Muslims, who immigrated to Tamil Nadu and formed a small minority in the Muslim society of Tamil Nadu. They claim to be descended from solidiers, officials and literary men in service to the Muslim ruling houses of the Deccan. She refers to “high ranking Navaiyat service families” who had entered Mughal service during the later seventeenth century and then settled in the new claimed imperial areas of the south. They are considered to have originally migrated from West Asia and first settled along the Konkan coast during the thirteenth century AD. Many Navaiyats rose to prominence as merchants and state officials under the Adil Shahi sultanate of Bijapur. Navaits rose to powerful positions in Tamil Nadu where they were appointed to Mughal military and administrative offices at the end of the seventeenth century. It was at that time that Urdu- and Dakhni-speaking Muslim settlers and many Pathan military men came to the Tamil region from north India and the Pathan-ruled Nawabis of Cuddapah and Kurnool. She refers to Rowther or Ravutan as titles taken in more recent times by some Tamil-speaking Muslims recruited locally by Tamil Hindu rulers. In the context of the emergence of Rowther she observes that “during the nineteenth century many Muslims came to regard any claim to martial ancestry – however unfounded – as being more prestigious than simple Labbai status”

5.4.2.3 To Bohras, Khojas and Memons she refers as among groups which “were more closely organised for large scale international trade and replicated the organisation of the tightly-knit Gujarati-Hindu mercantile caste”, unlike the Tamil Maraikkayar who had the limitation of being a much smaller and more diffused population who could never secure tight grip on the seaborne export trade of southeastern India.

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VI

Social Stratification in Andhra Pradesh Muslim Society

6.1 Sources of Information for Andhra Pradesh

6.1.1 I have described the patterns of social stratification in Muslim societies in different regions of India in some detail so that it becomes possible to better appreciate the social structure of Muslims in Andhra Pradesh. As observed by a number of scholars, research into and studies of the actual social structure of the Muslim society in India and different regions of India and the actual functioning of the social system are rather scarce and of relatively more recent origin, for various reasons. Of the regions of India, Andhra Pradesh is one of the least studied. This lacuna is substantially overcome by the picture of Muslim social stratification in India as a whole and particularly in the South, with which Andhra Pradesh shares many cultural traits. Among the sources of direct information on Andhra Pradesh are the District Manuals and the District Gazetteers of the pre-Independence period as well as the post-Independence period. The former are particularly enlightening. The pre-Independence Manuals and Gazetteers cover both Andhra as well as Telengana districts. The Census Reports, especially of 1921 and 1931, also provide some valuable insights. There are two classic works which have compiled information about castes and tribes of Andhra Pradesh and South India, which are basic sources

of reference. One of the is E. Thurston's Castes and Tribes of Southern India, first published in 1909 and reprinted in 1975. The other is its counterpart for Hyderabad Syed Siraj Ul Hasan's work on the same subject for the Hyderabad State, first published in 1920 and reprinted in 1989. Recently, some considerable information which updates old information has become available from the 'People of India' series of the Anthropological Survey of India. One of the anthropologists actively associated with that project is Shaik Abdul Azeez Saheb, who himself, I am aware, belongs to the Chittoor district of Rayalaseema. Saheb has also written an article in 2003 in an issue of the Economic and Political Weekly on the ethnographic profile of the Dudekula Muslims in the course of which he gives a picture of Muslim communities/groups in Andhra Pradesh. The People of India has not only drawn upon the classic sources of Thurston and Syed Siraj Ul Hasan, but also updated the information and authenticated the existence and the conditions of the different Muslims communities/groups.

6.2 Pre-Independence Andhra District Manuals and Gazetteers

6.2.1 The District Manuals and District Gazetteers of the pre-Independence period give us some idea of the groups/sections/communities/castes of the Andhra districts of Madras Presidency as well as the Telengana districts of Hyderabad State. The oldest of these are the Manual of Bellary District (a part of which is now in the Anantapur and Kurnool districts of Andhra Pradesh), the Manual of North Arcot District (which included the present Chittoor district of Andhra Pradesh), Manual of Kistna District (which included the Guntur district also) and the Manual of Kurnool District.

6.2.2 The Manual of Bellary District, 1872 by John Kelsall, MCS, Acting Sub-Collector, North Arcot, mentions five classes of Muhamedans, namely, Syuds, Shaikhs, Pathans, Moghuls and Lubbeys.¹

6.2.3 The Manual of North Arcot District, 1881 compiled by Arthur F. Cox MCS, Assistant Collector, North Arcot District refers to divisions of Mahomedans and lists nine of them, viz., (1) Dudekula, (2) Sheyk, (3) Syuds, (4) Pathans, (5) Moghuls, (6) Labbay (7) Navayats, (8) Arabs, (9) Mapilahs. Of Dudekula who are in the Tamil as well as Telugu areas, more commonly known as Panjaris in the Tamil area, both terms meaning cotton cleaning, Cox mentions that “they were original Shayks”.² This is an indication of the wide sweep of the category of Sheikh in Andhra Pradesh.

6.2.4 The Manual of the Kistna District 1883 by Gordon Mackenzie, MCS³ has the reference to the conversion to Islam of Ramigadu, apparently a Madiga because he is referred to as a leather worker and the consequence of that conversion, which has already been noted earlier.

6.2.5 The Manual of Kurnool District 1886 compiled by Narahari Gopalakristnamah Chetty, Deputy Collector, Pyapali, Kurnool while describing the caste of Katikavandlu who sell mutton, says that they are either Marathas or Musalmans. Some of them are called Sultani Butchers.

6.2.6 A little later than these are the District Gazetteer of Anantapur, District Gazetteer of Vizagapatam, District Gazetteer of Cuddapah, the Godavari Manual and the Bellary District Gazetteer.

6.2.7 The District Gazetteer of Anantapur 1905 by W. Francis, ICS mentions Dudekulas, Labbais and two other groups/communities. About Dudekulas, Francis says they are 13% of Musalmans. Labbais are very rare. Francis refers to a community called Mondu Tulukar who are usually stone cutters and live in hamlets by themselves in the south-west of Madakasira taluk. They cannot marry with other Musalmans. The fourth is an unnamed community near Rolla which is also in the

Madakasira taluk which is described as a small community of priests to Labbais who call themselves Muhamedans but cannot intermarry with other Musalmans.⁴

6.2.8 The District Gazetteer of Vizagapatam, 1907 also by W. Francis, ICS specifies two groups of Muslims. One of them is known as Jamayats who live in isolated settlements, claim to be descendents of soldiers who came from Hyderabad and settled down and married local Poroja women. The other community mentioned is the Dudekula.⁵

6.2.9 The District Gazetteer of Cuddapah, 1915, by C.F. Brackenburry, ICS says that many of the Musalmans are in very needy circumstances and occupy a low place in the social scale. Many of them are weavers and the majority are engaged in trade. He specifies Dudekulas whose traditional occupation is the cleaning of cotton, but with the setting up of factories, many of them have taken to weaving or agriculture. Brackenburry contains the further detail that they form nearly 17 percent of the total Muslim population of the district. Of the other sects, as he calls them, Sheikhs are the most numerous and, according to him, constitute more than 5/8ths of the District's Muslim population which works out to 62.5%, which is significant in understanding the Muslim social structure in Andhra Pradesh.⁶

6.2.10 The Godavari Manual 1915 gives a glimpse of the social level to which high-ranking Muslim officers belonged. Referring to the endowments processed by the Government Arts College at Rajahmundry in the district for the benefit of Muhammadan students in the college, it mentions a Boarding House Fund collected by the late Saiyid Ali Saheb Bahadur, a retired Deputy Collector, and devoted to the provision of scholarship to poor Muslim students. His name indicates that he was a Saiyid.⁷

6.2.11 The District Gazetteer of Bellary, 1916 by W. Francis, ICS mentions six sections or sub-divisions, as he calls it, of Muslims. According to Francis, a majority of them “call themselves Shaikhs or Saiyads (these terms are very loosely used nowadays) and foreign sections such as Moghals and Pathans are rare”. The Dudekulas “as elsewhere in the Ceded Districts”, which are the Rayalaseema Districts, are described as numerous. The sixth section mentioned by him is the Butcher (Khasayi).⁸

6.3 Post-Independence Andhra District Gazetteers

6.3.1 After the formation of Andhra Pradesh the District Gazetteers were revised in the 1960s and 1970s for which a State Editor was appointed. These Gazetteers also throw some light on the social structure of Muslims, which, along with the District Gazetteers and Manuals of the pre-Independence past, give some continuing picture.

6.3.2 Among the Gazetteers of the post-Independence period, the District Gazetteer of Cuddapah (revised edition) 1967 by B. H. Sivasankaranarayana, State Editor, District Gazetteers, mentions that the social pattern of Muslim life in the district is similar to that of the entire region. He notes the contradiction that “Islam knows no caste, but there are what may be called racial divisions among the Muslims of the locality”. He refers to three such divisions namely Dakhani, Mughal and Pathan. He finds intermarriages between the first and the latter two are rare, but “this inhibition is now fast disappearing”. He also says that “caste system on a professional basis has also permeated the lower grades of the Muslim population”.⁹

6.3.3 Of the other District Gazetteers of the post-Independence period for the Andhra districts, the District Gazetteer of Anantapur (revised edition), 1970 by B. H. Sivasankaranarayana, gives more details about Muslims and Muslim groups than

other District Gazetteers. He says that the Muslims of the District can be classed as Syeds, Sheikhs, Pathans, Moghuls, Labbais. "The Sheikhs are reportedly more numerous in the district than the Syeds and the Pathans who come just a little below in the number of population." He also refers to Dudekulas or Pinjaris, some of whom have taken to oil-pressing. Labbais are referred to as a mixed community of Hindu converts to Islam and are rather rare in the district. Mondri Turakalu mentioned by Francis in 1905 finds mention now also. Their locality also is the same, namely, Rolla in Madakasira Taluk. While Francis found them to be stone-cutters, the present Gazetteer mentions stone-cutting as also bangle-selling as their occupation. According to earlier records, they were also beggars and obstinate in not leaving the house unless alms were given. I may add that the prefix "Mondi" seems to refer to that. Such disrespectful names were given to a number of indigent castes. Group-A of the Andhra Pradesh list contains names like Veeramushti (Nettikotala), also a beggar community, Pichikuntla (who have been recently given the more dignified name of "Vamsharaj" on their request), Mondivallu, "Mondibanda", "Banda" who are also nomadic beggars. This Gazetteer also refers to traditional matrimonial restrictions among Muslims. "Muslims also observe certain traditional restrictions based on caste relationship. Syeds, who claim to be descendents of the Prophet, do not offer their daughters in marriage to the other Muslim sects, although such restrictions are now slowly relaxed".¹⁰

6.3.4 The District Gazetteer for Kurnool 1974 mentions Shaik, Syed, Moghul, Pathan, Lubbay, Moplah, Arab and Dudekula as the important groups of Muslims and gives information that the Shaiks outnumber the others.¹¹ The District Gazetteer for Chittoor mentions Shaik, Syed, Moghul, Pathan and Dudekula as the important groups of Muslims and like the Kurnool Gazetteer mentions that the Shaiks outnumber the others.¹² Both these Gazetteers also state that except the Dudekulas, the other Muslims were not confined to any occupation and worked in all walks of life.

6.3.5 The District Gazetteers of the coastal districts like the East Godavari Gazetteer 1970 and the Krishna District Gazetteer 1977 also mention the same four important groups of Muslims, viz., Shaik, Syed, Moghul and Pathan and give the information that the Shaiks outnumber the others. Further, they point out that generally speaking the Muslims are not to be found confined to any particular profession and are to be found in almost all walks of life.¹³

6.3.6 The Nellore District Gazetteer¹⁴ and the Visakhapatam District Gazetteer¹⁵ of the same period, and the West Godavari Gazetteer 1979¹⁶ also agree on these particulars. In addition, the Visakhapatam Gazetteer, the Srikakulam Gazetteer 1979¹⁷, and the West Godavari Gazetteer specify Dudekulas.

6.3.7 The Nellore District Gazetteer mentions about Dudekulas as a cotton cleaning group, and Lubbeys. The Guntur District Gazetteer¹⁸ gives some more details and specifies that the greater part of the Muslim population is said to have descended from Hindu converts. It also mentions that the Dudekulas are numerous in Guntur district as in Rayalaseema, apart from the four groups of whom Sheikhs are the most numerous as mentioned by other coastal District Gazetteers of the post-Independence period.

6.4 Pre-Independence Telengana District Gazetteers

6.4.1 Coming to the Telengana districts, during the Nizam's period, the District Gazetteers of Nizamabad, Karimnagar, Nalgonda, Warangal (which included Khammam), Mahbubnagar and Adilabad, all for 1340 and 1345 F., corresponding to 1931 & 1936 AD, all by Mazhar Husain, Director of Statistics, and all published in 1940, have a table titled 'Statistics of Chief Castes', based on the Census of 1340 F. (1931 AD). All of them list, under the column 'Caste', under the sub-head 'Muslim',

Moghal, Pathan, Sheikh and Syed with their respective district populations. [p. 34 in all these Gazetteers] Of the total population of all these four, the population percentage of each community in the different districts are as follows:

	Sheikhs	Syed	Pathans	Moghuls
Nizamabad	73	18	6	4
Karimnagar,	62	29	6	4
Nalgonda	74	15	5	5
Warangal	73	14	8	5
Mahbubnagar	80	11	7	2
Adilabad district	49	18	17	16

[Compiled from the District Gazetteers of Nizamabad, Karimnagar, Nalgonda, Warangal, for the years 1931 & 1936, published in 1940]

In all these districts, Muslims not included in these four communities are negligible or next to nil.

6.5 Post-Independence Telengana District Gazetteers

6.5.1 Among the Andhra Pradesh District Gazetteers revised in the 1970s and 1980s, i.e, after the State of Andhra Pradesh was formed, the District Gazetteer for Mahbubnagar 1976, the District Gazetteer for Medak 1976, the District Gazetteer for Warangal, and the District Gazetteer for Khammam, all mention Sheikh, Syed, Mughal and Pathan as the important groups of Muslims and state that the Shaikhs outnumber the others.¹⁹ The other District Gazetteers of Telengana districts are in agreement on this, but give some additional facts. The District Gazetteer of Adilabad

1976 mentions three more groups, viz., Kacchi, Khoja and Laddaf.²⁰ The last is a synonym of or group related to Dudekula. The District Gazetteer for Nalgonda mentions two groups other than the usual four, viz., Bhoru and Dudekula.²¹ The Hyderabad District Gazetteer 1983 refers to Shaik, Syed, Mughul and Pathan as important racial groups.²² Further it mentions Bohras as the only prominent trading community of Muslims and Khojas and Memons as the other Muslim trading communities. The Arabs are mentioned as immigrants among the Muslim population along with Pathans who were recruited in the Nizam's forces. The Laddafs are also mentioned. It refers to Turks, Arabs and Iranians as foreigners. Almost all these Gazetteers mention that the Muslims are not confined to any single profession and are found in all walks of life.

6.6 Thesis on Muslims of Rayalaseema

6.6.1 Some light is thrown on the social structure of Muslims in Rayalaseema by M. Mohd. Irfan Basha's Thesis of 2005 titled "Socio-Economic Conditions of the Muslims of Rayalaseema", Department of Islamic Studies, Osmania University, under the Supervision of Prof. Muhammad Ahmadullah, Head of the Department. In Chapter 1 the scholar makes a very important statement about the Indian Muslims as a whole: "Even a cursory look at the ethnic origin of the bulk of Indian Muslims and their ethnography will indicate that the backwardness of this community is historical, going back to the period when they got converted to Islam".²³ The area of his study, Rayalaseema, comprising four districts, has the largest percentage of Muslim population, i.e, 12.5% among the three regions of Andhra Pradesh, which as a whole has a Muslim percentage of 9.17. The ten Telengana districts which were longest in the Nizam's dominions have, at 12.43%, a little less than Rayalaseema. The nine districts of coastal Andhra have only 4.54% of Muslims. Citing Tarachand,²⁴ he brings out the fact that the arrival of Muslims in South India pre-dated the conquest of South India by Allauddin Khilji. He also mentions the influence of Sufis like Hazrat Baba Faqrudin of Penukonda (Anantapur district) and Hazrath Nathad Shah Vali of Tiruchirapalli (Tamil Nadu) who

converted some of the lower caste Hindus especially the carder-weaver community of Dudekulas.

6.6.2 Following the process of local conversions and retention of customs and practices by the converts, Basha says that “there are numerous such Muslim groups in the Rayalaseema region who are converted from different Hindu castes, like for example Dudekulas and other Muslims in rural Rayalaseema, whose entry into the fold of the new faith was not through inducement or external pressure, but through self-interest and an imitative action, under the influence of Sufis and saints It was thus partly the direct age-old contacts with the Hindu community and partly large-scale conversion of Hindus especially from lower castes, which resulted in the development of some of the elements of castes among the Muslims. The new converts, though accepted the theoretical foundations of Islam, could not erase out the deep-rooted customs and traditions of their original caste society. The Muslims after a long cultural contact acquired them from the Hindus. Thus after emphasizing the democratic nature of the teachings of Islam, the author of the imperial Gazetteer of India, 1908, observes ‘In India, however caste is in the air, its contagion has spread even to Mohammedans and we find its evolution proceeding characteristically on Hindu lines’. We, therefore, find that there are some groups and classes of people among the Muslim population in Rayalaseema also, who depict caste like features, which are organized in a different manner, but unlike the Hindu castes.”

6.6.3 About the source and motivation for conversions to Islam, Irfan Basha points out that “Islam’s liberating stance, holding out a promise for their social elevation, its egalitarian principles assuring them equality of their social status with the most honoured, have been among the potent factors to attract the lowly, the downtrodden, craving for a status, befitting human beings, which was otherwise denied to them under the emergent social organisation in the country. A number of ethnic groups, though not all, which entered into the fold of Islam, belonged to the economically poor and socially depressed sections of the Indian society, and formed part of the traditionally stratified society, which had strict hierarchical norms. They

had suffered subservience and isolation for millennium".²⁵ At the same time, he realistically points out that the social stratification and inequalities among Muslims within and in relation to the non-Muslim community cannot be overlooked. "The Muslim social structure in Rayalaseema ...shows signs of inequalitarianism both on the basis of caste and class. This can be explained in terms of acculturation and assimilation on the basis of native culture".²⁶ According to Irfan Basha, "the Muslims of the region can be classed as Syeds, Shaikhs, Pathan, Quresh and Dudekulas or Pinjaras".²⁷ But, he claims that "they are not hierarchically ranked castes. All subdivisions are of approximately equal status".²⁸ He also points out that there is no recognition of untouchability among the Muslims and inter-dining freely occurs at feasts. While pointing out that there is nothing to prevent intermarriage among Muslims with strangers, he observes that in Rayalaseema "the laws of endogamy and exogamy still have force, at least in some subsections of Muslims like Sayyids, who want to strictly maintain the purity of descent and some occupational groups like Dudekula, Khasaab, Dhobi etc. who also prefer endogamy". The reference to Dhobi as endogamy adds one more to the list of subdivisions of Muslims. Though most of the respondents do not know the Ashraf, Ajlaf concepts, he observes that "some sections (eg., Syed community) feel superior to others. The upper class/strata of Muslims, especially Sayyids, tried to maintain their identity by practising a sort of endogamy among themselves". According to his findings, it is only the Syed community which seems to want to preserve the purity of blood.

6.7 S.A.A. Saheb's Profile of Social Hierarchy of Muslims in Andhra Pradesh

6.7.1 Of the various social groups of Muslims in existence in Andhra Pradesh, only Dudekula or Pinjari or Nurbash has been known, identified and referred to since a long time. Two recent accounts of social groups of Muslims of Andhra Pradesh are that of Shaik Abdul Azeez Saheb²⁹ and that contained in 'People of India' series Volume of Anthropological Survey of India on Andhra Pradesh.³⁰ Saheb mentions that "the Indian Muslims also have caste-like groups" but he distinguishes them from Hindu caste in that Muslim caste lack an ideological

frame comparable to the traditional Hindu varna model and does not have the tendency towards rigid elaborateness characterized by institutionalized inequality or hierarchical relations found in the Hindu caste system. According to him, “the Muslim castes are occupationally and culturally different”. He has studied 14 Muslim groups in Andhra Pradesh, viz, Syed, Shaik, Pathan, Habbi, Khureshi, Attar-saibulu, Atar, Gair-e-Mehadi, Chekketakare, Borewale, Garadi, Hazam and Fhakhir-budbudki and Dudekula. About their status, Saheb has the following to say, “These are formed on the basis of their traditional occupation and are endogamous. In social hierarchy the Syeds occupy the top place, since they form the traditional clergy. They claim that they are the true descendants of the prophet. Shaiks claim the second place, who are believed to be a ruling class. The Pathans claim the third position. They are said to be the descendants of those warriors, who sacrificed their lives for the propagation of Islam. The Labbais occupy the fourth place. They get their lower status because they are the descendants of Arabs, who came to India for trade and not to propagate Islam. They also married native women and settled in India. In the fifth place are the Khureshi, the descendants of the Khuresh tribe of Arabia, to which the prophet belongs. Attar-saibulu, the perfume (Attar) traders, come next. Atar, who sell petty domestic items used at the time of festivals of Muslims and Gair-e-Mehadi are below them. They are considered a Shia sect. The Chekketakare who are traders in mortar vehicles, Borewale who are the palm leaf weavers and Garadi, jugglers are placed in the sixth place. At the lowest level come the Dudekula the cotton cleaners, barbers (hazam), and mendicants (Fhakhir-budbudki). The Dudekula are placed in the last category because they use a thread made out of the intestinal tissue from the dead cattle, while cleaning cotton. Since they work touching dead cattle, they occupy a lower place in the hierarchy and are not eligible for marriage alliance with the above said Muslim groups.

6.7.2 He gives the following diagrammatic presentation of the social hierarchy of Muslims in Andhra Pradesh:

Social Hierarchy of Muslim Castes in Andhra Pradesh



I – Syed



II – Shaik



III – Pathan



IV – Labbai



V – Khureshi, Attar-Saibulu, Atar, Gair-e-Mehadi



VI – Chekкетakare, Borewale, Garadi

VII – Dudekula, Hazam, Fhagir-budbudki

6.8 People of India (A.S.I.) List of A.P. Muslim Communities/ Groups

6.8.1 'People of India',³¹ in its publication in 2003, lists and describes 391 communities in Andhra Pradesh. Out of them 24 are Muslim communities. These are the following:

(1) Arab, (2) Attar Saibulu, (3) Bohara, (4) Chakketakare, (5) Dhobi Muslim/ Muslim Dhobi/ Dhobi Musalman, (6) Dudekula/ Panjikutti, (7) Faqir/ Fhakhir Budbudki, (8) Garadi/ Garadi Muslim, (9) Gosangi Muslim, (10) Hajam/ Nai/ Navid, (11) Irani, (12) Khatik/ Khatik Muslim/ Kasab, (13) Labhai/ Labbi, (14) Mehtar, (15) Mughal/ Moghal, (16) Noor Basha, (17) Pathan, (18) Qureshi/ Kureshi/ Khureshi (19) Shaik/ Sheikh, (20) Shia Imami Ismailis/ Khoja, (21) Siddi and (22) Syed/ Saiyed/ Sayyad/ Mushaik, (23) Borewale, (24) Guddi Eluguvallu.

Out of these 'Khatik / Khatik Muslim / Kasab' and 'Qureshi / Kureshi / Khureshi' are the same.

6.8.2 The 'People of India' listing has been referred to by the A.P. High Court in its judgment of 2005 in the Archana Reddy case.³² Each of these has been studied by different scholars who have also referred to previously existing studies about them including Census reports, Edgar Thurston's classic 'Castes and Tribes of Southern India' first published 1909, reprint 1975, Cosmo Publications and its counterpart for Hyderabad Syed Siraj Ul Hassan's 'The Castes and Tribes of H.E.H. The Nizam's Dominions', Hyderabad State, first published 1920, reprint 1989, Asian Educational Services, New Delhi and Madras etc. The following briefly is a description of each of them, to the extent relevant to their social status along social, educational as well as occupational and economic parameters.

6.9 People of India Description of A.P. Muslim Communities/ Groups

6.9.1 Syed/Saiyed/Sayyad/Mushaik

6.9.1.1 This community has been studied by Shaik Abdul Azeez Saheb.³³ He has referred to the two earlier works, viz., 'The Mysore Tribes and Castes' by H. V. Nanjundayya and L. K. Anantha Krishna Iyer³⁴ and 'Muslims of Calcutta. A Study in Aspects of their Social Organisation' by M. K. A. Siddiqui.³⁵ Saheb refers to them as "an endogamous Muslim group. They are also known as Mashik and Mullahs and, according to Nanjundayya and Iyer, as Pirzada". Saheb says that in Chittoor District, they are called Nadimguruvulu by the Hindus. "They claim that they are descended from Huzur Sollelahu Alaihu vo sollem (the Prophet of Islam).... They are considered superior being the direct descendants of the Prophet Muhammad through his daughter and cousin Ali, and treated as religious teachers of the Muslim community. Even today some of them are religious teachers in Madarasas/Markhas (Urdu schools) and mosques (masjid).....The community's self-perception is very high and they are placed at the top of the Muslim social hierarchy." Their males have the titles of Mir, Amer, Din and Shah and they also use Syed as a surname. The female suffix is Be or Bibi or Begum. They are found in all parts of India. In Andhra Pradesh, they are concentrated in all the urban centres and are sparse in the rural areas.

6.9.1.2 Their marriages "are controlled by the rule of endogamy.....There are no intercommunity marital exchanges among the Syed".

6.9.1.3 They "are traditionally religious teachers. Their primary occupation is teaching the religious doctrines and the practice of Islam.....They are traditionally employed as peshimams (priests) in mosques.....They act as religious specialists to other endogamous groups of the Muslims". Some of them are employed as lecturers, scholars, government servants, doctors and engineers. Some are engaged in business. Those of them who own land get it cultivated by share-cropping tenants. I may mention here that this is a characteristic noted by scholars of other regions in respect of Syeds and other upper groups and this is in line with the norms of Hindu upper castes' behaviour in this respect.

6.9.1.4 The top status which is accorded to Syeds by the People of India Study of S .A.A. Saheb is a matter on which there is unanimity in all regions and on the part of all scholars.

6.9.1.5 There is no doubt that socially they are advanced and that they are not a socially backward community which can, in terms of the Constitution of India and Supreme Court judgements clarifying the Constitutional position, be included in the list of Socially and Educationally Backward Classes for the purpose of reservation in employment and education and for special measures for advancement mandated by the Constitution. On account of this social reality, wherever Syeds have made Requests for inclusion in the list of Backward Classes to the National Commission for Backward Classes in terms of Section 9 of the National Commission for Backward Classes Act, 1993, their request has been rejected and wherever Muslims as a whole have made Request for such inclusion, in States other than Andhra Pradesh, the National Commission has, while advising Government of India to so include them, specifically excluded certain social groups or communities of Muslims which are not socially backward and one of such excluded groups or communities is Syed.

6.9.2 Shaik/Sheikh

6.9.2.1 This group has also been studied for the People of India by Shaik Abdul Azeez Saheb.³⁶ He has cited three references; two of them are the same as for the Syed. In addition, for Shaik, he refers to Satish C. Mishra's 'Muslim Communities in Gujarat'³⁷ which I have already referred to while examining the social structure of Muslim society in Gujarat. Saheb starts with the important opening observation that "the Muslims of the State as in other parts of India, are divided into many endogamous groups, viz., Shaik, Syed, Moghul, Pathan, Khureshi, Gair-e-Mehdi, Bohra, Khoja, Memon, Mopila, Marakkayar, Labbe, Dudekula, Nadaf, Julaha,

Hajam and Dhobi” and that the hierarchical differences among them “are based mainly on their traditional occupations”. He makes another important factual observation, which gives a more complete picture of Shaiks than available in his paper in the Economic and Political Weekly which I have referred to above. This statement is that “there are several endogamous groups who claim to be the Shaiks”. He also cites Siddiqui who points out that “Shaik is apparently very misleading, for it is generally applied to a large number of endogamous groups of varying backgrounds, wedded to different occupations..... In India quite a number of groups assumed the surname of Shaik to indicate respectability of their status. This could have been either at the time of conversion in preference to their Hindu surnames, or later in course of a ‘Social mobility movement’ of the kind they were accustomed to during their pre-Islamic past”. I have pointed out this phenomenon which has come through particularly in respect of Kashmir, Gujarat and Bengal. It is significant that when referring to “traditional inter-community linkages” that “exist between the Shaik and other communities”, Saheb mentions Darzi Muslims who tailor the clothes for all the communities, viz. Reddi, Naidu, Mala and Madiga”. In the description of Dhobi Muslim/Muslim Dhobi in People of India [ibid Pop.545-548], S S Sastry has mentioned that they use the title Shaik with their names though they are not immigrants. These facts are at variance with Saheb’s statement in the context of A.P. that Shaik comes next to Syed in status and the position of Shaik in his diagrammatic presentation in his EPW paper seems to be out of place and seems to be a generalization based on the traditional standard North Indian situation. I shall elaborate this aspect later.

6.9.2.2 The title used for males is “Saheb” and that for females “Bibi”. Shaik is used as a surname. Saheb observes that there are among them persons in the posts of engineers, doctors, central government servants, entrepreneurs, professors, scholars, social scientists, teachers, administrators, lawyers, ministers, etc.

6.9.2.3 Educationally, Saheb observes that generally boys are educated after school level and nowadays some of them are going for higher education.

6.9.2.4 Shaik/Sheikh needs further analysis which I shall take up later on.

6.9.3 Mughal/Moghal

6.9.3.1 This group has been studied for People of India by S.S. Sastry. He also cites as a reference 'The Mysore Tribes and Castes' of H. V. Nanjundayya and L. K. A. Iyer which has been referred to earlier. Their name is derived from Mongol. They are said to be the people who invaded India after the campaigns of Ghengiz Khan. According to Nanjunddaya and Iyer, most of the Mughals are the descendants of the followers of Babar or those who were attracted to India by his successors. There are two groups among them viz., Persian and Chagatai. They are found throughout Andhra Pradesh. Men use titles like Mirza, Amirzada (leader born) and Baig and females use titles like Begham, Khanam. They are ranked next to Syed and Shaik and above the Pathan. The mention of Shaik in this context is a generalization of the North Indian situation based on the customary ranking and would need to be modified in the A.P. context as I shall explain later.

6.9.3.2 They are endogamous but have started marrying into other Muslim divisions like Shaik.

6.9.3.3 Among the occupations of Mughals, are agriculture, Government and private service, factories and workshops, petty business, trade, poultry, skilled and industrial labour etc. A few of them have occupied important positions in Government. Some of them work as clerks, teachers, administrators, engineers, doctors and in defence services etc. As cultivators, their holdings are small but they employ lower caste people in their agricultural operations. Some of them are very good in modeling, carving, engraving, cloth and leather embroidery, drawing etc. Political leadership has emerged at village, Mandal and State level.

6.9.3.4 There is no doubt that socially they are advanced and that they are not a socially backward community which can, in terms of the Constitution of India and Supreme Court judgements clarifying the Constitutional position, be included in the list of Socially and Educationally Backward Classes for the purpose of reservation in employment and education and for special measures for advancement mandated by the Constitution. On account of this social reality, wherever Muslims as a whole have made Request for inclusion in the list of Backward Classes to the National Commission for Backward Classes in terms of Section 9 of the National Commission for Backward Classes Act, 1993, in States other than Andhra Pradesh, the National Commission has, while advising Government of India to so include them, specifically excluded certain social groups or communities of Muslims which are not socially backward and one of such excluded groups or communities is Mughal.

6.9.4 Pathan

6.9.4.1 This group has been studied for People of India by Shaik Abdul Azeed Saheb.³⁸ They are descendants of migrants from Afghanistan during the pre-British period. The name means those who succeeded in war and they were warriors under the ruling local Nawabs. Those who settled down in Deccan are known as Dakkani Pathan. They use Khan as the title. There are various subgroups among them and these are Kabuli Pathan, Mayani Pathan, Afghani Pathan, Niyaji Pathan, Kakad Jai Pathan, Mugal Pathan, Yusuf-Pathan, Gouri Pathan, Dakani Pathan, Sarwani Pathan, Deshmukh Pathan and Mehadiwi Pathan based on lineage and territory of origin. Some of them use Kabuli, Afghani, Irani, Yusufhi, Mughal, Deshmikh, Gauri and Dekkani as surnames. They are concentrated in urban centres throughout the State like Hyderabad, Visakhapatnam, Vijayawada, Kurnool and Cuddapah and are sparse in rural areas.

6.9.4.2 “The community’s self-perception and their perception by other communities at the regional level is high”.

6.9.4.3 They were traditionally warriors. Nowadays, some of them own land which they lease out to share-coppers. The majority of them are engaged in businesses, trade, money-lending etc. Some of them are self-employed in automobiles and transport. A very few of them are in Government services. There are business men and white collar job-holders among them. They are also in the political fields. There are post-graduates and professionals among them.

6.9.4.4 There is no doubt that socially they are advanced and that they are not a socially backward community which can, in terms of the Constitution of India and Supreme Court judgements clarifying the Constitutional position, be included in the list of Socially and Educationally Backward Classes for the purpose of reservation in employment and education and for special measures for advancement mandated by the Constitution. On account of this social reality, wherever Muslims as a whole have made request for inclusion in the list of Backward Classes to the National Commission for Backward Classes in terms of Section 9 of the National Commission for Backward Classes Act, 1993, in States other than Andhra Pradesh, the National Commission has, while advising Government of India to so include them, specifically excluded certain social groups or communities of Muslims which are not socially backward and one of such excluded groups or communities is Pathan.

6.9.5 Irani

6.9.5.1 This People of India study is by S. S. Sastry.³⁹ The only reference cited by him is Thurston.⁴⁰ They are also known as Beluchis. A majority of them are

settled at Hyderabad. They trace their migration to the period of Nadir Shah's invasion. They are divided into lineages or Kabilas.

6.9.5.2 They are endogamous.

6.9.5.3 They are mainly businessmen and Government servants, employed as clerks, bank officers, administrators, etc. There are among them entrepreneurs, businessmen, scholars, creative artists, officers, administrators, engineers, doctors and soldiers among others. Both boys and girls are going for education and many study upto the post-graduate level.

6.9.5.4 There is no doubt that socially they are advanced and that they are not a socially backward community which can, in terms of the Constitution of India and Supreme Court judgements clarifying the Constitutional position, be included in the list of socially and educationally Backward Classes for the purpose of reservation in employment and education and for special measures for advancement mandated by the Constitution.

6.9.6 Arab

6.9.6.1 This group has been studied by N. V. K. Rao.⁴¹ He has cited as reference Mohamed, Abdul Majid.⁴²

6.9.6.2 They are migrants from Arabia and first came to places in Gujarat like Surat, Bhavnagar and Ahmedabad. They came to Hyderabad only 200 years back during the rule of Nasir-U-Dowla, Nizam the IV. They were employed in the infantry of the Nizam as they are noted for their fighting qualities and bravery and have a knack for handling daggers known as jambirs. At present they are in Hyderabad city

and its suburbs and in Ranga Reddy, Medak, Adilabad and other districts of the Telengana region. Rao estimates their present population at about 2.5 lakhs as against 2,394 males and 470 females in 1911 according to the Hyderabad State Census of 1911. They are locally known as Chavus meaning 'chief' in Turkish. They have titles like Saifulla, Yedulla and Saif Jung. There are three divisions among them referring to their original place of origin in Arabia and "two social divisions viz., Sayyad (Priests) and Shaik (leader).... They consider themselves as a superior community..... At the regional level, the other communities regard them highly in the social order." They are endogamous.

6.9.6.3 Their occupations are business, trade, industry and Government and private services. Some of them are switching over to settled cultivation. There are businessmen, scholars, artists, teachers, administrators, engineers and doctors from this community. They have expertise in arts and crafts like carving, engraving, drawing, wall painting, mat weaving, basketry, embroidery and silver and gold thread art. Of late, there is a rise in the number of industrial labourers among them. Political leadership has emerged.

6.9.6.4 They have taken to formal education for both boys and girls.

6.9.6.5 There is no doubt that socially they are advanced and that they are not a socially backward community which can, in terms of the Constitution of India and Supreme Court judgements clarifying the Constitutional position, be included in the list of Socially and Educationally Backward Classes for the purpose of reservation in employment and education and for special measures for advancement mandated by the Constitution.

6.9.7 Bohara

6.9.7.1 This community has been studied by K Ravi for people of India.⁴³ Thurston⁴⁴ is cited as the reference.

6.9.7.2 They are Muslim traders who migrated from Gujarat. Their name is derived from the Gujarati word Vyavahar meaning business and trade. Most of them are said to be converted from Hindus, a number of centuries ago. They belong to the Ismailia sect. They have titles like Mulla, Shaik and Amil. They have surnames based on their occupations and their past place of origin. They live in their own mohallas in Hyderabad, Secunderabad, Visakhapatnam and Kurnool. The Boharas are divided in two main sects viz. Shia or trading Bohara and Sunni or cultivating Bohara and a number of divisions based on occupation etc. Each of these divisions is endogamous. The Daudi Bohara who belong to a numerically dominant sub-division are mainly involved in business and trade dealing generally in hardware, price-goods, drugs and stationery. Some educated Boharas are employed in Government and private services as doctors, teachers, engineers, lawyers, and executive managers. Some are self-employed. Some are traditionally involved in weaving skull caps.

6.9.7.3 They are very advanced in education and both boys and girls study upto college level. Even women are well educated and some of them go for jobs as doctors, teachers and clerks.

6.9.7.4 Thurston notes that they “consider themselves to be so superior to the other sects that if another Muslim enters their Mosque, they afterwards clean the spot which was occupied by him during his prayers.”

6.9.7.5 There is no doubt that socially they are advanced and that they are not a socially backward community which can in terms of the Constitution of India and Supreme Court judgements clarifying the Constitutional position, be included in

the list of Socially and Educationally Backward Classes for the purpose of reservation in employment and education and for special measures for advancement mandated by the Constitution. On account of this social reality, wherever Muslims as a whole have made request for inclusion in the list of Backward Classes to the National Commission for Backward Classes in terms of Section 9 of the National Commission of Backward Classes Act, 1993, in States other than Andhra Pradesh, the National Commission have, while advising Government of India to so include them, specifically excluded certain social groups or communities of Muslims which are not socially backward and one of such excluded groups or communities is Bohara.

6.9.8 Shia Imami Ismailis/Khoja

6.9.8.1 This has been studied for People of India by K Ravi.⁴⁵ His reference is Russell and Hiralal.⁴⁶

6.9.8.2 This is a trader community living in the urban area of Andhra Pradesh. The name Khoja is from the Sindhi word Khwajah which means trader. According to Russel and Hiralal, Khwajah is a Turkish word meaning a Lord. They are self-perceived to be converted from Lohana, the Hindu trader caste of Sindh. In India, they are in many States like Gujarat, Maharashtra, Andhra Pradesh, Karnataka, Tamil Nadu and Goa. In Andhra Pradesh, they inhabit Telengana towns like Nizamabad, Adilabad, Karimnagar, Warangal, Mahbubnagar etc. They have spread to many countries of the world and are counted in 25 different countries of Asia, Africa, the Middle-East, the Far-East and in the West. Ravi estimates their present population in Andhra Pradesh at about 15,000.

6.9.8.2 The Khojas have two groups viz., Isna Ashari and the Ismailis. The latter group is predominant. They have surnames based on occupations and

ancestors. The latter are in the Sindhi style. They are economically well-off. Other Muslim communities and neighbouring Hindu communities consider them to be economically forward.

6.9.8.3 Their traditional and present occupation is business, trade and industry. They have active links with the daily market. Some of them are engaged in Government services and in self-employment. There are entrepreneurs, businessmen, scholars, teachers, engineers and doctors among them and they are also in defence services. Nowadays even their women are participating in economic activities and there are teachers, doctors among them. Both boys and girls study upto college level. They have set up a number of philanthropic institutions.

6.9.8.4 There is no doubt that socially they are advanced and that they are not a socially backward community which can, in terms of the Constitution of India and Supreme Court judgements clarifying the Constitutional position, be included in the list of Socially and Educationally Backward Classes for the purpose of reservation in employment and education and for special measures for advancement mandated by the Constitution. On account of this social reality, wherever Muslims as a whole have made request for inclusion in the list of Backward Classes to the National Commission of Backward Classes in terms of Section 9 of the National Commission for Backward Classes Act, 1993, in States other than Andhra Pradesh, the National Commission has, while advising Government of India to so include them, specifically excluded certain social groups or communities of Muslims which are not socially backward and one of such excluded groups or communities is Khoja.

6.9.9 Mehtar

6.9.9.1 This community has been studied for People of India by S.S. Sastry.⁴⁷ The references cited by him are Thurston, Syed Siraj Ul Hassan;⁴⁸ the Report of Census of India in 1901;⁴⁹ Census of India 1961⁵⁰ and Census of India 1981.⁵¹ The name Mehtar means a prince or a leader or a great man. It is a name given ironically

or in compensatory consolation to the community engaged in sweeping and “scavenging”. According to Syed Siraj Ul Hassan, those Mehtars are called Lalbegi, who are the followers of the patron-saint Lalbeg, is considered to have been Ghazi Miyan and a saint much worshipped in Punjab among the Lalbegis wherever they are. By faith, Mehtars may be either Muslim or Hindu. This report is concerned with Muslim Mehtars. According to the Census Ethnographic Notes on Mehtar, Mahar, Mang, Mang Garodi, Dhor and Dakkal (Dakkalwar), out of the 533 sweepers and scavengers in the Hyderabad Municipal Corporation in 1966-67, 93 were Muslim by faith. This gives an idea of the proportion of Muslim Mehtar/Lalbegi in this traditional occupational community. In assessing the population of the community, it must be remembered that among Muslims, as among Hindus, all members of an “occupational community” are not engaged in the traditional occupation, and among Hindu as well as Muslim members of communities of “sweepers and scavengers”, actually engaged in the occupation, not all, often not even a majority, are on the rolls of Municipal bodies. Their population was 4,553 in 1981 Census. It is well known that this community is treated as “untouchable” and they are the worst victims of this practice. Russell and Hiralal⁵² cites Greeven who gives several sub-divisions of Mehtars of which Lalbegis are the most important. Another group of Muslims are called Shaikh Mehtars. Russell and Hiralal have mentioned that many sweepers have become Muhammadans and Sikhs as “a method of revolt against the menial and debased positions of the caste” and “to acquire status which may elevate them above the utter degradation of the caste”. Most of the Mehtar of Andhra Pradesh are migrants long back from Delhi, UP and Haryana. Those of Adilabad are known as Halalkhor.

6.9.9.2 Siraj Ul Hassan⁵³ describes Lalbegis as “a class of Muhammadan sweepers, whose customs are partly Hindu and partly Muhammadan”. He also observes that “no respectable Muhammadan will marry, eat or associate with the Lalbegis. They are not admitted into the public mosques nor bury in the public graveyards. Their touch is regarded as being ceremonially unclean by all respectable classes of Hindus.”

6.9.9.3 When Muslim backward activists and scholars like Ashfaq Hussain Ansari of Gorakhpur, Ali Anwar and Dr. Ejaz Ali of Patna and Ibrahim Quereshi of Madhya Pradesh speak of “Dalit Muslims”, a term which has come in vogue in recent years, they refer first and foremost to the Muslim community of Mehtar/Lalbegi/Halalkhor.

6.9.9.4 In the three-fold categorization of Muslim communities/groups which was brought into prominence by the Census Report of 1901, this community is included in the category of Arzal derived from the Arabic word razil which means very low.

6.9.9.5 Mehtar i.e. the Muslim community of Mehtar has been included in the list of Backward Classes in Andhra Pradesh, rightly though belatedly.

6.9.9.6 This community represents one pole of the Muslim society of which the other pole is Syed.

6.9.10 Gosangi Muslim

6.9.10.1 This community has been studied for People of India by G. Paddaiah.⁵⁴ Paddaiah describes this community as “a small section of Muslim community living around Muslim burial grounds. They constitute the poorest section of the Muslims. Their profession is begging. The Gosangi Muslim are also known as Phakeer Sayebulu. Nowadays, the youth and the middle aged of this community do all sorts of odd jobs to eke out a living. The older people, especially the widows, are destitute because nobody in the community really cares for them. Many people of this community live on the alms given by the kith and kin of the dead on visits to

the burial ground”. Paddaiah estimated their population to about 5000-10,000. According to him, they have been living in their present habitat from a long time.

6.9.10.2 “The community’s self-perception is low..... At the regional level, the perception of the Gosangi Muslim by other communities is also low”.

6.9.10.3 The Gosangi Muslims are endogamous, “but they have commensal and marital relations with Ganta Sayebulu and Dudekula Sayebulu”. I may mention that the last named community has been in the list of Backward Classes in Andhra Pradesh and Tamil Nadu and prior to that in the list for the Madras State.

6.9.10.4 According to Paddaiah, though they realise the value of formal education, “they cannot afford to send their children to Schools”.

6.9.10.5 I should point out here that Gosangi are included in the list of Scheduled Castes for Andhra Pradesh, but Gosangi Muslim has been lost sight of in the listing of Backward Classes.

6.9.10.6 A community which is clearly deserving to be included in the list of Socially and Educationally Backward Classes or Other Backward Classes or Backward Classes (SEdBC/OBC/BC) of Andhra Pradesh.

6.9.11 Faqir/Fhakir Budbudki

6.9.11.1 This has been described for People of India by Shaik Abdul Azeez Saheb.⁵⁵ He describes them as a “nomadic minority Muslim community of Andhra

Pradesh” with synonyms like Ghanti Fhaker, Ghanta Fhakerlu, Fhaker Budbudki and Turaka Budbudiki. About 100 years back they were known as Ghanta Saheb (Ghanti Fhaker) and were going with the Hindu Budbudki to villages begging for alms. By intercaste marriages between them they became to be known as Fhaker Budbudki. They are endogamous. A significant statement made by Saheb is that “nowadays, they are making alliances with the Shaik Muslims”. This points to the resilience and amplitude of the Shaik category which I shall elaborate later.

6.9.11.2 Their traditional occupation is begging for which they go in the traditional dress. Syed Siraj Ul Hassan under the head ‘XIX Budbudke’⁵⁶ describes them as “a very low class of beggarsthey are both Hindus and Muhammadans. Both classes are periodical wanderers, going on their rounds of mendicancy during the dry season, and returning to their homes when the rains set in.” They are very backward in education and most of them are illiterate.

6.9.11.3 Budbudki are included in the list of Backward Classes of Andhra Pradesh by the name Budubukkala but not the Muslim community of Fhaker Budbudki. They are a clearly deserving case for inclusion in the Andhra Pradesh list of BC.

6.9.12 Attar Saibulu or Attarollu

6.9.12.1 They have been studied for People of India by Shaik Abdul Azeez Saheb.⁵⁷ He describes them as “an occupational group of the Muslim community” which is endogamous and whose “traditional occupation is preparing and selling the perfume known as attar.....They are easily identified as they generally carry a glass frame box on their shoulders containing the attars and aggarbattis..... due to lack of knowledge in the traditional technique of preparing attar, youngsters are shifting towards the preparation of aggarbattis (incense sticks) and started small scale

industries". Manufacture of agarbattis has become their secondary occupation. In recent times, they are not preparing attar in the indigenous method but buying it from cities like Bangalore and Bombay and selling it on retail basis. There is little education of girls among them.

6.9.12.2 About their status, Saheb states that "self-perception of the community at regional level is low. The Hindu communities consider them as inferior to them in the local social hierarchy".

6.9.12.3 They are a clearly deserving case for inclusion in the Andhra Pradesh list of BC.

6.9.13 Chakketakare

6.9.13.1 They have been studied for People of India by Shaik Abdul Azeez Saheb.⁵⁸ He describes them as "a small Muslim community distributed in all parts of Andhra Pradesh" whose "name is derived from their occupation of making the chakke (grinding stone). They have synonyms like Kakkukotte Zinka Saibulu, Chakkitakanevale, Terugadu Gontalavaru, Thirugatigantla, Rallaku Kakku Kottevaru, or Saibulu, and Pattar Phodulu. Their ancestors were very good artists and experts in stone carving who used to carve on the temple stones, houses etc. They are now more into stone-cutting and breaking it into required sizes. Men, women and children are engaged in this work for their livelihood.

6.9.13.2 Their literacy rate is very poor. Though they value education, there are many drop-outs on account of their poor economic conditions.

6.9.13.3 In some respects they seem to be comparable to the Hindu Backward Class of 'Odde, Oddilu, Vaddi, Vaddelu' who are included in the Andhra Pradesh list of Backward Classes.

6.9.13.4 They are a clearly deserving case for inclusion in the Andhra Pradesh list of BC.

6.9.14 Dhobi Muslim/Muslim Dhobi/Dhobi Musalman

6.9.14.1 They have been studied for People of India by S S Sastry.⁵⁹ He has cited as references Syed Siraj UI Hassan⁶⁰, Nanjundayya and Iyer,⁶¹ Thurston⁶² and Rajgopal.⁶³ Citing Hassan, Sastri says that they are called Turka Chakla or Turka Sakala, Turaka Chakali in Telangana District and, citing Thurston, he says that they are also called Tulukka Vannan in the erstwhile Madras Presidency and, again citing Thurston, they are called Tsakalas, Sakalas or Chakalas in the Andhra area.

6.9.14.2 A significant fact Shastri mentions is that a majority of them belong to the Shaikh division and use the title Shaikh with their name. Based on the Krishna District Gazetteer he says that in this District, the Shaikhs outnumber the other endogamous Muslim groups. He says that Dhobi Muslims are endogamous. The 'Encyclopaedia of World Muslims'⁶⁴ mentioned in Andhra Pradesh High Court judgement in the Muslim Community Reservation [Archana Reddy] Case also mentions that in Andhra Pradesh Dhobi Musalman are also known as Sheikh Musalman.

6.9.14.3 Their women have a role in economic activities like agricultural operations and animal husbandry and are also experts in cloth embroidery and leather embroidery.

6.9.14.4 They value education but boys drop out after secondary level due to economic reasons. Most of the girls drop out at primary or secondary level. Only the rich among them go for higher education upto post-graduate level.

6.9.14.5 Dhobi who are Hindu are included in the A.P. list of Backward Classes by the name of Rajaka, and in the lists of Backward Classes or in the lists of Scheduled Castes (wherever they have been found to be victims of untouchability) in all States by various local names. Muslim Dhobis are also included in the list of Backward Classes of a number of States like U.P., Bihar, Delhi etc.

6.9.14.6 They are a clearly deserving case for inclusion in the Andhra Pradesh list of BC.

6.9.15 Garadi/Garadi Muslim

6.9.15.1 They have been studied for People of India by Shaik Abdul Azeez Saheb.⁶⁵ He has cited as references Thurston⁶⁶ and the Report of the A.P. Backward Classes (Anantharaman) Commission 1970.⁶⁷

6.9.15.2 They are a small community who are also known as Garadi Saibulu, Pamulavallu, Kani-kattuvallu and Garadollu. Their traditional occupation is known as Garadi Vidyalu i.e. entertaining the public by means of magical show, comedy, dialogues and Kanikattu vidyalu. Thurston describes them as “a class of mendicants in the Telugu country and Mysore, who are snake-charmers, practise sleight of hand and perform various juggling and mountebank tricks”.

6.9.15.3 They are endogamous.

They are mostly illiterate and do not have steady jobs. Their children drop out from schools because of their poor economic conditions.

6.9.15.4 Communities providing traditional entertainment and earning thereby, which is a form of mendicancy, are included in the list of Backward Classes or in the list of Scheduled Castes (depending on whether they have been found to be victims of “untouchability” or not) in all States.

6.9.15.5 They are a clearly deserving case for inclusion in the Andhra Pradesh list of BC.

6.9.16 Hajam/Nai/Navid

6.9.16.1 They have been studied for People of India by Shaik Abdul Azeez Saheb⁶⁸ who has referred to Thurston.⁶⁹

6.9.16.2 He describes them as a small Muslim group which is also called Nai Muslim and Navid. Their occupation is that of Hajam (barbers). They are endogamous. They are very backward in education and most of them are illiterate.

6.9.16.3 Hindus with the same traditional occupation are included in the AP List of BCs by the name Nayi-Brahmin. Communities whose traditional occupation is hair-dressing and related work are included in the lists of Backward Classes in/for all

States by their local names. Muslim Hajam and their synonyms like Salmani are included in the BC lists of a number of States like Uttar Pradesh and Delhi.

6.9.16.4 They are a clearly deserving case for inclusion in the Andhra Pradesh list of BC.

6.9.17 Labbai/Labbi

6.9.17.1 They have been studied for People of India by Shaik Abdul Azeez Saheb.⁷⁰ Apart from Thurston,⁷¹ he has cited as reference Susan Bayly.⁷²

6.9.17.2 They are Tamil-speaking Muslims, native to Tamil Nadu. Though in Andhra Pradesh, as Saheb says, they are a numerically small community, they are the major Muslim community in Tamil Nadu and have been considered by many scholars to be the counterparts of Malabar's Mappilahs. They are experts in skin and hide tanning and processing and trade, which is their traditional occupation. Their subsidiary occupations are business, beedi manufacture, hardware, textile shops and cement dealership. Child labour exists in the community.

6.9.17.3 According to Saheb, they are "economically very sound" and therefore "the self-perception of the community in the local social hierarchy is high" and they are "educationally advanced". They are urban oriented.

6.9.18 Siddi

6.9.18.1 They have been studied for People of India by Mohd. Yusufuddin.⁷³

6.9.18.2 They are also called Habshi and Jasi and they call themselves Yaba. Habshi is derived from Abyssinia (at present Ethiopia) from where they came to India. They were in the service of the Raja of Wanaparthi in Mahboobnagar district who later gifted them away to the Nizam. They served as the Nizam's bodyguards and guards of his palaces. They live in their locality of Hyderabad and their population is estimated at about 3300. Though of foreign origin, they are, unlike Syed, Pathan etc., not of what is considered to be "prestigious" foreign origin. They originally belonged to the black 'race' of sub-Saharan Africa and have the distinct appearance of that 'race'.

6.9.18.3 At present, their main occupation is rickshaw-pulling and petty trade. Most of their children are employed as casual labourers and are engaged in petty business. They are economically and educationally backward. Their formal education is mostly upto the primary level.

6.9.18.4 The Presidential notification for Gujarat includes them in the list of Scheduled Tribes for Gujarat. In Karnataka, where also they live and among whom there are Muslims, Christians and Hindus, after detailed public enquiry and examination of documents, the National Commission for Backward Classes tendered their advice to the Government of India to accept their request and include them in the Central list of Backward Classes for Karnataka. Accordingly, the Government of India included them in that list. Siddis are also included in Karnataka's State list of Backward Classes.

6.9.18.5 They are a clearly deserving case for inclusion in the Andhra Pradesh list of BC. This is the only community of foreign origin which deserves such inclusion.

6.9.19 Dudekula/Panjikutti

6.9.19.1 They have been studied for People of India by Shaik Abdul Azeez Saheb.⁷⁴ His references are Thurston,⁷⁵ Nanjundayya and Iyer,⁷⁶ Report of the AP Backward Classes Commission 1970,⁷⁷ and Q. H. Khan.⁷⁸

6.9.19.2 Their traditional occupation is cotton-cleaning or cotton-carding. Their synonyms include Pinjara, Pinjari, Naddaf, Noor Basha and Nurbaf, Nurbash, Panju Kotti, Ladaff. They have also taken to occupations like petty trading and construction. Some are in agriculture, and in Government services as teachers, clerks etc. There are also women of the community who work as teachers and clerks in Government service.

6.9.19.3 The Report of the Backward Classes Commission 1970 mentions about Dudekula (Laddaf, Pinjari and Noorbash), that most of this class of Muslims are converts from lower ranks and mentions cotton- ginning, making of beds and pillows, nawar-weaving etc. as their traditional occupation. The establishment of cotton mills has adversely affected their profession. All the members of the family including women and children have to work throughout the day to make both ends meet. On the basis of projections from the Census, their population was estimated at 1,33,196. The Commission felt that this figure is an under-estimate as many of them could not have admitted in the Census that they belonged to this class. They were also found to be educationally very backward. In his article in EPW, Saheb⁷⁹ recounts a legend, told in the form of a local Telugu poem by an elderly Dudekula man bringing out the low esteem and low self-esteem of the community.

6.9.19.4 It is believed that the Dudekulas are the descendents of those Hindus who got converted to Islam by the Muslim Muslim Sufi saint, Bava Faqrudin who took his abode in Penukonda in Anantapur District.

6.9.19.5 They are looked down upon both by other Muslims and Hindus and in view of this and its educational backwardness, the Commission recommended that it merits inclusion in the list of BCs.

6.9.19.6 This is a community which has been rightly included in the Andhra Pradesh list of Backward Classes. The full entry is “Dudekula, Laddaf, Pinjari or Noorbash”.

6.9.20 Noor Basha

6.9.20.1 They have been studied for People of India by Md. Azeez Mohidden.⁸⁰

6.9.20.2 He has cited as references Nanjundayya and Iyer,⁸¹ Anantapur District Gazetteer 1970 and the Report of the Backward Classes (Anantharaman) Commission, 1970.⁸²

6.9.20.3 Their description is more or less the same as given for Dudekula as in fact this is only a synonym or related group of the same community. He has also noted that with the help of reservation for Backward Classes, political leadership has emerged within the community upto Mandal Panchayat level. There are some teachers, white-collar job-holders and businessmen among them but very few doctors, engineers and administrators. In villages, boys of the community study upto school final and in towns upto degree level.

6.9.21 Qureshi/Kureshi/Khureshi

6.9.21.1 They have been studied for People of India by Shaik Abdul Azeez Saheb.⁸³

6.9.21.2 According to him, this is a small Muslim butcher community with synonyms like Khasab, Marati Khasab. To elevate their status, the butcher community of Andhra adopted the name of Qureshi and thereby seeking to trace their origin to Mecca and Madina, Qureshi being a trading and mercantile community of Mecca to which the Prophet of Islam belonged. I may add that this is true not only of this community of Andhra but also of other States. Another aspect that I would mention here is that this type of psycho-semantic self-upgradation is a common practice in the sub-continent, cutting across religious communities.

6.9.21.3 A further fact I would add is that Muslim Katika who are sub-divided into Chinna-katika and Pedda-katika has been noticed in Telangana and is also the same as Qureshi.

6.9.21.4 Their traditional and present occupation is kasab or butchery. They are educationally backward and mostly illiterate.

6.9.21.5 They are distributed in Palamaner, Tirupati, Cuddapah, Damalcheruvu and Chittoor areas of Andhra Pradesh, Srirangapatnam, Bangalore and Channapatnam areas of Karnataka and Vellore, Vaniambadi, Salem and Madras areas of Tamil Nadu.

6.9.22 Khatik/ Khatik Muslim/Kasab

6.9.22.1 This community has been studied for the People of India separately by Md. Azeez Mohidden,⁸⁴ but this is the same as Qureshi/Kureshi/Khureshi described above. According to Mohidden this community calls itself Khatik, Katke or Kasab, but are popularly referred to as Kasab and Khatik by Muslim and Kasai by Hindus. The name means butcher. The Muslim Khatik is divided into two endogamous groups, viz., Chota Kasab or Bakar Kasab (goat/sheep butcher) and Bada Kasab or Gayi Kasab (beef butcher). They are distributed throughout the State, particularly major towns and cities. Gayi Kasabs are concentrated in Kurnool, Guntakal, Cuddapah, Hyderabad city and outside Andhra Pradesh in Bellary, Arakonam, Madras and Pondicherry. Mohidden records that a number of them use Khatik as initials but most of them suffix the title Qureshi. Regarding the spread of the Sheik category, the finding of Mohidden that many Gayi Kasab use Shaik as their title is significant. Very few of them are in white collar-jobs. Political leadership has emerged at local levels.

6.9.22.2 Quresh (Muslim Butchers)" was included in the Andhra Pradesh list of Backward Classes by GO No.166 dated 15th July 1986 on the basis of the recommendations of the second Backward Classes (N.K. Muralidhara Rao) Commission 1982 which reported that the butchers among Muslims suffer from the same disabilities as the Hindu butchers viz., Katika and Are-Katika, who had already been included in the list, and their profession is treated as unclean. The Commission noted that they are looked down upon in the society of Muslims and in social status they are on par with Are-Katika and Katika who are Hindus. They are also educationally backward. On this basis, their inclusion was recommended by the Commission and acted on by the Government. The GO of 15th July 1986 had also increased the reservation of the Backward Classes to 44% in the place of the previous (and the present) 25%, thereby raising the total reservation for all the reserved categories much above 50%. The High Court of Andhra Pradesh struck down the GO of 15th July 1986 on the ground of exceeding the 50% limit, by its judgement dated 5.9.1986 in Writ Petition No. 9457 of 1986. Following the judgement, the status quo ante prior to the GO was restored in respect of Backward

Classes by Government Memo No.1551/P2/32-83 dated 24.10.1986. Thereby this community which was one of the 9 communities newly added on the recommendation of the Muralidhara Rao Commission was unintentionally left out. This needs rectification by their re-inclusion in the list. The Commission has recorded that their population was reported to be about 5 lakhs out of the total population 35 lakhs of all Muslims in the State according to the 1971 Census.

6.9.22.3 It is also to be noted that the National Commission of Backward Classes, by its Advice No.A.64/67/2002 dated 4-7-02 advised the Government to include 'Quresh (Muslim butchers)' in the Central list of Backward Classes for Andhra Pradesh along with 'Are-Katika and Katika' as follows, "62, Arekatika, Katika, Quresh (Muslim butchers)". The Government of India accordingly included this community in the Central list of Backward Classes for Andhra Pradesh. This was on the request of All India Jamait-ul-Quresh, Andhra Pradesh, General Secretary, Mohd. Yaqoob Qureshi Bol. The NCBC also noted that they had been included in the Central list in respect of many other States like Karnataka, Maharashtra, Madhya Pradesh and Uttar Pradesh.

6.9.23 Borewale

6.9.23.1 This community has been described in Anthrpological Survey of India's People of India series India's Communities, Volume "All Communities: A-G" as a "numerically small community concentrated in the Rayalaseema districts of Andhra Pradesh".⁸⁵ It is also known as Deera Pakheerulu or Dheera Pakher. Traditionally nomadic mendicants. Recently they have shifted from their traditional occupation of begging to making mats with palm leaves. Bore means mat. Their subsidiary occupation is wage labour. They can be identified by the musical drum called Deera with they use while seeking alms, and by their peculiar traditional dress. They are endogamous.

6.9.24 Guddi Eluguvallu

6.9.24.1 A nomadic community who entertain people with a bear. They are also called Elugubantuvallu. Their traditional occupation was to entertain people with the help of the bear at fairs. Sharpening sickles and knives, catching snakes, petty trade, agricultural labour etc. are their present day occupations. This is clearly a socially and educationally backward class.

6.10 Encyclopaedia of World Muslims List of A.P. Muslim Communities/ Groups

6.10.1 The 'Encyclopaedia of the World Muslims: Tribes, Castes and Communities',⁸⁶ referred to by the AP High Court in the Muslim Community Reservation (Archana Reddy) Case, 2005 has identified 750 Muslim tribes, castes and communities in the world, of which 246 Muslim groups are Indian. Out of them, 90 are in the northern, 73 in the western, 35 in the eastern, 20 in the central, 20 in the southern and 8 in the northeastern regions of India. According to the Encyclopaedia, apart from these there are some groups which have undergone changes of their identity altogether. There are 24 entries in the AP List of the Encyclopaedia. They include instances of duplication and combination like a conglomerate of Saiyad, Mughal and Pathan. It is interesting that these three are shown as a conglomerate while Sheikh is shown as a separate entry. Almost all these communities/groups are the same as those listed above on the basis of the 'People of India' volumes. The two notable omissions which are in the Encyclopaedia list is "Guddi Eluguvallu" also known as "Elugutuantuvallu".

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87. VII

88. Identification of

89. Socially and Educationally Backward Classes among Muslims

90. – General Principles and Judicial Decisions

91. – Findings of Social Backwardness

92.

93.

94. 7.1 Constitution and Social Justice

95.

96. 7.1.1 The Constitution of India contains a number of provisions which form an integrated whole in order to minimise and remove the inherited centuries-old social order of India which has institutionalized inequality on the basis of birth and brought about differential distribution of advantages and disadvantages to the members of different such birth-based groups, referred to as the Indian Caste System, of which an important marker and feature is “Untouchability”.

97.

98. 7.1.2 These measures can collectively, and in the Indian context appropriately, be referred to as Social Justice measures, which cover economic, educational and social measures and measures pertaining to representation in the political structure and governance, and especially in respect of SCs and STs, preventive and punitive measures against “Untouchability”, and Atrocities. Reservation in employment and education is one important part of this integrated package. These measures are crucial for the survival and full development of the Indian democratic State and Rule of Law and for the growth of the Indian economy to its fullest potential. Obviously, these Social Justice measures, intended to remove inequality and establish a regime of Equality, constitute an integral part of the basic structure

of the Constitution, and an integral part of one of its most important features, viz., Equality.

99.

100. 7.1.3 The people whom these measures are intended to directly cover are the very people who have been adversely affected and discriminated against by the traditional centuries-old social order. The Constitution specifies three categories of such people. One is the Scheduled Castes, identified in terms of Article 341 on the basis of the criterion of “Untouchability” and consequent extreme social educational and economic degradation, discrimination, deprivation and exploitation in all spheres. Another category is that of the Scheduled Tribes, identified in terms of Article 342 on the basis of geographical remoteness, isolation, separate cultural traits and other tribal features and consequent extreme social, educational and economic discrimination, deprivation and exploitation. The other category is that of the Socially and Educationally Backward Classes (SEdBC) referred to in different States as Socially and Educationally Backward Classes (SEdBC) or Other Backward Classes (OBC) or Backward Classes (BC), sometimes interchangeably, identified in terms of Article 340. In this report, the term SEdBC will, except where the context requires otherwise, generally be used. This category-name explains the criterion of their identification. In the context of the present Report, it is only the category of SEdBC that is relevant, in relation to Socially and Educationally Backward Classes of Muslims.

101.

102. 7.2 Social basis of inclusion of Muslim communities/groups in SEdBC List

103.

104. 7.2.1 The criteria for identification of SEdBC is free from any religion-related stipulation and any caste or community or group which fulfills the criteria can be and should be included in the lists of SEdBC irrespective of the religion followed. Accordingly, all Central and State lists include such classes of Muslims also. This is based on the following aspects of social reality which have emerged from the chapters in which I have examined social stratification in Indian Muslim society in different regions of India:-

105. (1) The overwhelming majority of the Indian Muslim population is of Indian origin, and those who are or claim to be descendents of immigrants from outside India constitute a small minority;
106. (2) The overwhelming majority of the Indian Muslim population of Indian origin belong to / are from the same castes/ communities which have been subsequently classified as Scheduled Castes and Backward Classes among Hindus. In other words, those who adopted Islam in India are mostly from the “untouchable” and other lower castes, who were the disadvantaged and deprived under the traditional social order of India and constituted the labouring classes, employed on adverse terms based on customs/ customary law, wage-employed or self-employed. The Islamic social ideology of Equality and Fraternity and its regular practical application in certain spheres like prayer in the mosque was particularly attractive to them.
107. (3) Islamic social ideology being based on the principle of Equality, after acceptance of Islam, a number of caste identities have been obliterated, while some caste identities have continued to exist.
108. (4) The extent to which caste-like identities continue to exist in Indian Muslim society varies from region to region.
109. (5) Where and to the extent individual backward caste identities have been obliterated, again in varying extents in different regions, such identities have merged or conflated into a larger collective identity like Moplah in Malabar of Kerala, Labbai in Tamil Nadu and Sheikh in regions like Andhra Pradesh and Kashmir. The collective social backwardness of all those previous backward identities have continued in the larger identity that emerged by such merger and conflation.
110. (6) Even though the lofty principle of Equality and Fraternity was a fundamental feature of Islamic social ideology, social stratification in Muslim society, arising from social conditions, thus has been and is a reality which cannot be ignored and has to be duly taken into account in the preparation Backward Class list.

111.

112. 7.3 Commissions’ and Governments’ Approach to SEdBC of Muslims

113.

114. 7.3.1 Here, I propose to examine the manner in which different Commissions and different Governments have dealt with the Socially and Educationally Backward Classes of Muslims.

115.

116. 7.3.2 Central Commissions

117. (a) First Backward Classes Commission of Central Government, 1953-55

118.

119. 7.3.2.1 The Backward Classes Commission, set up by Government of India in 1953 and submitted its report in 1955 and which, after its Chairman, is known as the Kaka Kalelkar Commission, and among its members had a senior Muslim leader Abdul Quaiyum Ansari, received representations from some Muslim organisations asking that all Muslims should be treated as backward and be given educational aid and adequate representation in Government service. The report of the Commission says that "it would not be fair or just to list all Muslims as SEEd.BC. Officially, Muslims do not recognize any caste. It must be said to the credit of Islam it did not compromise its position in the matter of untouchables. All Muslims drawn from any stock or community were regarded as equals both in the Mosque and dinner parties. They did not recognize social distinctions as is done in the case of caste groups in the Hindu society. Gradually, however, Islamic society in India succumbed to the influence of caste and lost its pristine purity. The racial distinction of Mughal and Pathan, Sheikh and Syed has been maintained though without any sense of social inferiority. There are certain professions, however, that are regarded as inferior even by the Muslims. The sense of high and low has gradually permeated Muslim society and today there are a number of communities amongst them that are suffering from social inferiority and consequent educational backwardness. We have recognized this deterioration that has overcome Muslim society today and added the names of such backward communities found among them in the list of Other Backward Classes"¹

120.

121. 7.3.2.2 In none of the States and Union Territories of India, did the Kalelkar Commission treat either Muslims as a whole, or for that matter Christians as a whole, or members of any other religious community as a

whole as a backward class. In the Kalelkar list of OBC for States like Uttar Pradesh, Bihar etc. a number of Muslim communities like Ansar, Julaha, Momin (weavers), Dhunia, Naddaf, Mansoori (cotton- carders), Kunjra/ Rain (vegetable-sellers), Kassab (butchers), Churihar/ Manihar (bangle-setters), Dafali (drummers), Darzi/ Idrisi (tailors), Mirasi (musicians and singers) Halalkhor (sweepers and scavengers) and a number of castes/ communities which included Muslims also, were included, accounting for a major part of the Muslim population of those States. This was facilitated by the fact that the groups which moved to Islam in the States of the North were of artisans and other occupational communities constituting the major part of the Muslim population in each such State and carried with them their traditional occupations and related social status and occupation-based caste names. But in southern States where this was not the pattern of conversion, the Kalelkar approach had limitations, which were partly overcome in a different way. Thus the Kalelkar list for Madras included 'Mappila' which brought in the bulk of the Muslim population of Malabar and 'Labbai' which covered a substantial proportion of the Muslim population in Tamil Nadu. But this method was not applied to Andhra or to the Hyderabad State or even to Mysore. The only Muslim community found in the Andhra area was Dudekula, who account for only a small proportion of the Muslim population of Andhra. The list for Hyderabad State also had only 'Laddaf', 'Dudekula', (Muslim weavers, cotton carders), 'Pinjara/ Pinjari' (which are the same as Dudekulas), 'Qasa, Qassab, Quraishi' (butchers), 'Fager' (Semi-nomadic beggars), Sangtarash (stone carvers), 'Mehtar (Muslim)' (Muslim scavengers) and Hajjam (Muslim barbers); which together accounted for only a small proportion of the Muslim population of the State. The list for Mysore contained only 'Darzi' (tailors and dyers), Qasai (butchers), Labbai and Pinjari.² This, according to my analysis, was because major artisan and occupational communities of the Southern States had not, as happened in the north, wholesale or a large scale or to a significant extent, taken to Islam and, therefore, there were no entries in the lists for Southern States similar / corresponding to the Muslim artisan and other occupational communities of North India which account for the bulk of the Muslim population in north Indian States, and found place in the lists for those States. But, so far as the

Malabar and Tamil regions are concerned, a major part of their Muslim population was covered by the inclusion of Mappila and Labbai.

122.

123. 7.3.2.3 There is not much point in speculating the cause of this factual difference between the Muslim communities of the North and South in respect of artisan and other occupational communities. Suffice it to say that, in my view, this might have been caused by the fact that in the South the movement associated with the Left-hand castes (to which artisans mostly belonged) and Right-hand castes (to which major peasant castes belonged) had ameliorated the condition to such an extent that, while they still continued to suffer from backwardness and disadvantages, they did not feel the urge for such a drastic change as moving to Islam, when it appeared in the region, in the North such ameliorative pre-Islamic changes were absent. An illustration of this is the fact that in the North, including the Delhi belt, generally Hindu weaver castes have been and are treated as “Untouchables” and therefore, are rightly included in the List of SCs. In Gujarat, for example, the largest SC community is Vankar, which literally means “weaver”. In the South weaver communities like Sale, Devanga, etc. have not been treated as “Untouchables” and therefore, do not figure in the SC Lists, though there are very small weaver-groups among SCs like Male-Sale in parts of Andhra region and Netakani (a section of Malas) in the Telengana region, perhaps harking back to a distant past prior to the ameliorative movements of the medieval period.

124.

125. 7.3.2.4 The fate of the Kalelkar Commission’s report has been well-covered and commented on by the Supreme Court’s landmark judgement in the Mandal case³ and need not be discussed here.

126.

127. (b) The Second Backward Classes Commission of the Central Government, 1979-1980

128.

129. 7.3.2.5 The Report of the Backward Classes Commission which was set up by Government of India in 1979 and submitted its report in 1980 and, after its Chairman, is known as the Mandal Commission, said with regard to OBCs among non-Hindu communities that “there is no doubt that social

and educational backwardness among non-Hindu communities is more or less of the same order as among Hindu communities. Though caste system is peculiar to Hindu society yet, in actual practice, it also pervades the non-Hindu communities in India in varying degrees. There are two main reasons for this phenomenon: first, caste system is a great conditioner of mind and leaves an indelible mark on a person's social consciousness and cultural mores. Consequently, even after conversion, the ex-Hindus carried with them their deeply ingrained ideas of social hierarchy and stratification. This resulted in the Hindu converts inadvertently acting as Trojan horses of caste system among highly equalitarian religions such as Islam, Christianity, Sikhism etc. Secondly, non-Hindu minorities living in predominantly Hindu India could not escape from its dominant social and cultural influences. Thus, both from within and without, caste amongst non-Hindu communities received continuous sustenance and stimulus".⁴ The Commission draws upon the observations of two social scientists regarding Muslim society, viz., Dr. Harjinder Singh and Dr. Imtiaz Ahmad: "... Sayyads and Sheikhs are the priestly castes like the Brahmins and the Mughals and Pathans, famous for their chivalry, are equal to the Kshatriyas.... There are occupational castes who are considered lower castes in the hierarchy... Thus castes are hereditary names based on their occupation and there is basic tendency among them to practice endogamy... They are descendents of the members of the Hindu clean castes who have been converted to Islam either in groups from different castes or as whole castes".⁵ By the term "clean castes", a term which I am not happy about, is meant castes not treated as "Untouchables".

130.

131. 7.3.2.6 On the same point Dr. Imtiaz Ahmed observes, "There is a notion of hierarchy among the Muslims, though it is hard to say how far the criterion of the ranking among them can be said to conform to the Hindu model... It is clear that caste exists as a basis of social relations amongst them (Muslims) but, its form has been greatly weakened and modified as it differs from the Hindu models in certain details".⁶

132.

133. 7.3.2.7 After considering various aspects, the Mandal Commission evolved the following “rough and ready criteria” for identifying non-Hindu OBCs:

134. “(i) All untouchables converted to any non-Hindu religion, and

135. (ii) Such occupational communities which are known by the name of their traditional hereditary occupation and whose Hindu counterparts have been included in the list of Hindu OBCs. (Examples: Dhobi, Teli, Dheemar, Nai, Gujar, Kumhar, Lohar, Darji, Badhai, etc.)”⁷

136.

137. 7.3.2.8 The first criterion helped to effectively identify the “untouchable” converts to Christianity because their conversion to Christianity was relatively recent and better documented and, more importantly, they continue to be identifiable in the field at the village and mohalla level, as members of a Hindu “untouchable” caste and Christian converts from that caste continue to live in the same basti or locality, continue to have similar occupational profile and are treated exactly the same way, irrespective of difference of religion, by upper caste Hindus and their counterpart Christians and continue to be subjected to “untouchability” and other forms of discrimination and to atrocities. There is no need to discuss converts from “untouchable” castes to Sikhism since they were even before the Mandal report, covered by the SC list and converts to Buddhism also were so covered by SC lists from 1990. But, this criterion was inefficient in identifying converts from “untouchable” castes to Islam though there is a general belief that a substantial proportion of the Indian Muslim population were from such castes and there is some indicative evidence in that direction as discussed in the chapters in which I have examined stratification in Muslim society in different regions including Andhra Pradesh. It is to the credit of Islam, as pointed out by the Kaka Kalelkar Commission, that “untouchable” castes have lost their separate identity in Muslim society and only a very few castes like Halalkhor which account for a very miniscule proportion of the Muslim population in north India are still mentioned as suffering from the disabilities associated with “untouchability” and even that not in the mosque.

138.

139. 7.3.2.9 The second Mandal criterion was very efficient in identifying the Socially and Educationally Backward Classes of Muslims in North India because the bulk of the Muslim population in the northern region belong to such occupational communities as the examples mentioned indicate. But this method is of limited applicability to the South where the bulk of the Muslim population do not, to a significant extent, belong to artisan and other occupational communities, and conversions were from “untouchable” castes and other low castes which were generally below the level of the artisan and similar occupational communities and did not have specific, specialised occupations, as the term is commonly understood. These South Indian castes, in the main, were mostly castes of former agrestic slaves/ serfs, and labourers, agricultural wage-labourers, other labourers, tenants-at-will, and small peasants. Though they had an occupation viz. agriculture (though at different levels and in different capacities) the term “occupational” as used in India excludes agriculture and refers to non-agricultural occupations each of which is associated with a specific caste or community unlike agriculture which is “open” to all (though the level at which different castes/ communities work is not “open”). In Kerala and Tamil Nadu the identification of communities like Mappila and Labbai as SEd.BC and their inclusion in the lists for Tamil Nadu and Kerala was able to cover the major part of the Muslim population in those States in a manner appropriate to the Southern social context and social situation. But, this did not happen in Karnataka and Andhra Pradesh.

140.

141. 7.3.2.10 Regarding Uttar Pradesh and Bihar the Mandal list was even more thorough-going than the Kalelkar list. But the Mandal list for Andhra Pradesh included only Dudekula, Laddaf, Pinjari, Nurbash, Mahtar (Muslims), Katika, Kasai. Some of the Kalelkar entries for Andhra and Hyderabad State (relevant to the Telengana region) do not find place in the Mandal list for Andhra Pradesh.

142.

143. 7.3.2.11 The Mandal list for Karnataka has relatively better coverage than Andhra Pradesh as it contains Muslim entries like Bagwan, Tamboli (Muslims); Ansari, Julai (Muslims); Beri (Muslims); Chapparband,

Chapparbanda (Muslims), Darzi (Hindu and Muslims), Darvesa, which is the same as Faqir; Dhobi (Muslims); Faqir (Muslims); Nadafs, Ladafs, Dhunya, Mansuri, Pinjar or Pinjari (Muslims); Nalband (Muslims); Qureshi (Kassab) (Muslims); Sweepers (Muslims); Takaras (Muslims); and Zargar (Muslims). But all these together covered only a limited proportion of Karnataka's Muslim population though less limited than the Mandal List entries for Andhra Pradesh. This was substantially rectified by the National Commission for Backward Classes (NCBC) after its Public Hearings on the application of the Muslim community of Karnataka, which already was since long in the State list. In Kerala, the identification and listing of 'Mappila' covered

144.

145. the bulk of the Muslim population of the Malabar Cochin region, but the Muslims of Travancore, though all along in the State list, were left out, which too was substantially rectified by the National Commission for Backward Classes.

146.

147. 7.3.3 State Governments and State Commissions

148.

149. (a) Pre-Independence State/Provincial Initiatives

150.

151. 7.3.3.1 Independently of the Centre, many State Governments have taken initiative to identify and list SEd.BC in the respective States for State purposes. The southern States which had a tradition of identifying listing of S.Ed.B.C and providing reservation and other Social Justice measures for them since well before Independence, beginning with Kolhapur in 1902, through Mysore, Madras and Bombay Presidencies upto Travancore in 1935 and Cochin in 1936, revised their lists or prepared fresh lists after the Constitution. In these southern lists Muslims were substantially covered, except in Andhra Pradesh.

152.

153. (b) Sachar Committee's/NSSO's all-India and inter-State comparative picture

154.

155. 7.3.3.2 The Prime Minister's High Level Committee For Preparation of Report on Social, Economic and Educational Status of the Muslim Community of India (Chairperson: Justice Rajinder Sachar) or Sachar Committee has, based on NSSO data, given the proportion of Muslim population which has been covered by the respective State lists of Backward Classes. The NSSO methodology has got certain limitations on account of which these figures cannot be taken as accurate and are often under-estimates. But, they are indicative. The figures for the southern States and some other major States is given below:-

156.

157. Percentage of Muslim Population in 2001 and SEd.BC Muslim Population Figures in 1999-2000 and 2004-05

	Population	Muslim	% of SEd.BC Muslims and General Muslims among Total Muslim Population
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State	(2001) (Millions)	population (2001) (%)	S.Ed.BC Muslim		General Muslim i.e. non-SEdBC Muslim	
			1999-2000	2004-05	1999-2000	2004-05
			India	1028.6	13.4	31.7
AP	76.2	9.2	10.7	19.5	89.3	80.5
Karnataka	52.9	12.2	56.8	52.7	43.2	47.3
Tamil Nadu	62.4	5.6	83.2	93.3	16.8	13.8
Kerala	31.8	24.7	89.8	99.1	10.2	0.9
UP	174.7	18.2	44.4	62.0	55.6	38.0
Bihar	109.9	15.9	40.6	63.4	59.4	36.6
Jharkhand	-	-	-	61.7	-	38.3
Uttaranchal	-	-	-	53.2		46.8
Delhi	13.9	11.7	45.1	21.6	54.9	78.4
Rajasthan	56.5	8.5	24.2	55.8	75.8	44.2
MP	81.2	5.2	36.8	48.3	63.2	51.7

158.

159. [Compiled from Appendix Table 1.1, in "Social, Educational and Economic Status of Muslim Community of India: A Report" by Prime Minister's High Level Committee, Cabinet Secretariat, Govt. of India, November, 2006.]

160.

161. The figures for many States like Uttar Pradesh, Bihar, Madhya Pradesh and even Karnataka are all understatements. The proportion of Backward Classes among Muslims in these States is much more than shown in the above statement. The proportion for Uttar Pradesh, Bihar, Jharkhand and Madhya Pradesh should in fact be in the range of 80-85% or even more. The proportion for Karnataka is in the range of Kerala and Tamil Nadu. There is no objective basis for a fall in the proportion in Karnataka or in Delhi between the two periods. Generally, the figures for 2004-05 is more than for 1999-2000 because of a correction process in the NSSO's methodology and in its source of information and this process of correction is yet to be completed, and when this methodological correction is completed, when some BC communities which are yet to be identified in some States like West Bengal and Andhra Pradesh are included, the figure for India of SEd.BC of Muslims is likely to be in the range of 80% or even a little more. In this context the following observation of Hasnain is relevant: "Though we do not have any separate census enumeration for Muslim OBCs, those engaged in advocacy for them

claim their population to be of the order of 80-82 percent of the total Muslim population of India".⁸

162.

163. 7.3.3.3 However, with all these imperfections, these figures are indicative. And it can be seen that the figure for Andhra Pradesh stands out and is out of line with and far below that of the neighbouring States and the other major States.

164.

165. (i) First Backward Classes Commission of Tamil Nadu, 1969-1970

166.

167. 7.3.3.4 Coming now to some of the Backward Classes Commissions, the Backward Classes (Sattanathan) Commission of Tamil Nadu, which was set up in 1969 and submitted its report in 1970, has devoted some space for Muslims. The Commission says that it faced difficulties in respect of two classes, viz., Muslims and Christians. In the list that existed then, there were three entries of Muslims, viz., Mappilla, Dudekula and Labbai. Out of them Mappilla and Dudekula referred to certain special classes of Muslims – Mappillas being the Muslims of Malabar, some of whom are also in Tamil Nadu, and Dudekula is a Telugu Muslim community of cotton-carders or cotton-cleaners of Andhra Pradesh and Tamil Nadu. The Commission was first puzzled by the exact connotation of the term Labbai. The Census Report of 1921 and earlier showed that this term was intended to cover all Tamil-speaking Muslims as distinguished from Urdu-speaking Muslims. The Census 1921 recorded the Muslim population under four heads, viz., Labbai, Sheikh, Syed and Pathan. Thurston also confirms that Labbai covers Tamil-speaking Muslim. According to the Commission, the term Labbai has been colloquially used for a very long time to describe the Muslim population of Tamil Nadu whose ancestors, at one time or the other, were converted to Islam either by missionary efforts or by contact with Arab traders and settlers. The Muslims who came later from the north in the wake of invasions by Muslim rulers of the north were of foreign origin or of mixed descent and called themselves Sheikhs, Syeds and Pathans. These three were separately shown in the early Census reports and the Tamil Muslims were referred to as Labbais. The Census Report of 1881, which was the earliest modern systematic census, describes the Labbais as follows: "Found

chiefly in Tanjore and Madura. They are Mappillas of the Coramandel coast, that is to say, converted Dravidians or Hindus, with a slight admixture of Arab blood.” The Census report of 1891 describes the Labbais and other Muslims as follows: “The Muhammadans of this Presidency are mostly of Dravidian origin, but a few are descendents of Pathan and Moghul immigrants and present the unmistakable type of features found in those races in Upper India. These and a small proportion of the indigenous Musalmans speak Hindustani or Deccani, but the majority retain the vernacular of their ancestors, Tamil in the case of Labbais, and Malayalam in the case of the Mappillas”.⁹

168.

169. 7.3.3.5 The Commission noted the claim that about 85-90% of the total Muslim population of Tamil Nadu come within the broad heading of Labbai. The term Labbai had been in the list of Backward Classes from the very beginning, and the vast majority of Muslims have been able to get the benefit of reservation and other concessions under this term. The sum and substance of the representation before the Sattanathan Commission, particularly from the non-Labbai Muslim population, was that the Muslim community in its entirety should be included in the list of Backward Classes.

170.

171. (ii) The Second Backward Classes Commission of Tamil Nadu

172.

173. 7.3.3.6 The Tamil Nadu Second Backward Classes (Ambasankar) Commission 1985 notes in a separate chapter on Muslims in its report¹⁰ that the Muslims of Tamil Nadu may be generally described as converts from the Hindu community and that they exist in the State under different names, sects, groups, etc., prominent among them being Labbais. Of the Muslims, the communities Labbai, Dudekula and Mapilla are among the original entries in the list of Backward Classes. Among Labbais only people having Tamil as their mother tongue were initially included. Subsequent to the Sattanathan Commission, Labbais having Urdu as their mother tongue were also included in 1973. The entry “Dakkani Muslim” who are Muslims of Deccan origin, was included in the list in 1974. ‘Rowthar’ and ‘Marakkayar’, according to this Commission, are generally occupational

names, within the main Labbai community. In order to remove the difficulties of those calling themselves as Rowthar and Marakkayar in getting Community Certificates as Labbai, these two entries were also included in the list, under/with Labbai in 1982. Thus, when the Ambasankar Commission was formed, in the consolidated list issued by the State Government in 1980, there were six communities of Muslims in it.

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|------|---|--|
| 174. | (1) Dudekula | |
| 175. | (2) Mapilla | |
| 176. | (3) Labbais, whether their spoken language is Tamil or Urdu | The entry covering the three was 'Labbais including "Rowther" and "Marakkayar" (whether their spoken language is Tamil or Urdu)' |
| 177. | (4) Rowthar (as part of Labbai) | |
| 178. | (5) Maraikayar (as part of Labbai) | |
| 179. | (6) Dekkani Muslim | |
| 180. | | |
| 181. | | |
| 182. | | |
| 183. | | |
| 184. | | |
| 185. | | |

186. 7.3.3.7 After this, the following ten communities of Muslims were outside the list, and they were considered as forward:

- | | |
|------|--|
| 187. | (1) Pathan (Pattani) Khan |
| 188. | (2) Kaka (excluding Mapillas and whose mother tongue is Malayalam) |
| 189. | (3) Syed |
| 190. | (4) Sheik |
| 191. | (5) Mir |
| 192. | (6) Dawood |
| 193. | (7) Ansar |
| 194. | (8) Nawab |
| 195. | (9) Katsu (Sait) |
| 196. | (10) Mymen (Sait) |

198. 7.3.3.8 According to the Commission's survey the communities included constituted about 90% of the Muslim population and those treated as Forward communities accounted for only 10%.

199.
200. 7.3.3.9 The Commission received certain demands made on behalf of the Muslims. They included:

201. (1) There is no caste system at all among the Muslims, since Islam forbids any such division prohibiting intermarriages, inter-dining etc. They are

a religious community and should therefore be treated as such. The Muslims are one and inseparable without any community, group etc. within them. Marriage alliance, etc. are taking place more frequently within the different groups in recent times. Hence all the other remaining communities of Muslims should also be declared as backward.

202. (2) Sheiks and Pathans are part of Dekkani Muslims.

203. (3) Among Muslims, preference should be given to Tamil speaking members.

204. (4) The Urdu-speaking Muslims may be considered for the balance vacant seats/benefits as they are considered to be relatively advanced.

205.

206. 7.3.3.10 The Commission's report ended with separate recommendations of the Chairman and of the majority members. On the issues raised in respect of Muslims, a note of the Chairman which is part of its recommendations cites the Mandal Commission and its quotations from the books edited by Imtiaz Ahmad¹¹ and Dr. Harjinder Singh¹² to show that most of the Muslims are converts from Hindu community and there are different groups among them. The note says that declaring Muslims as a whole as backward without reference to the various groups in it, by ignoring the existing realities, would be outside the terms of reference of the Commission. The Commission examined the factual position of the status of those forward communities which had requested for inclusion in the list of Backward Classes. They included Sheik and Ansar among the Muslims who had made such claim. But, the Commission did not examine the condition of other Muslim groups like Pathan and Kaka, who did not make any such request or claim. The list of Backward Classes recommended by the Chairman based on the data gathered by the Commission included 'Ansar' and 'Sheik'.¹³

207.

208. 7.3.3.11 The recommendation of the majority members¹⁴ contains nothing about the issues raised in respect of Muslims.

209.

210. (c) Tamil Nadu State Government's list after Ambasankar Commission

211.

212. 7.3.3.12 The Backward Classes list issued by the State Government in 1985 subsequent to the Ambasankar Commission's report included the two communities of Muslims which were indicated to be backward by the data of that Commission, viz., Ansar and Sheik, and also Syed.

213.

214. (d) Mandal and Central (Common) lists for Tamil Nadu, National Commission for Backward Classes' Advice and Central Government's Decision

215.

216. 7.3.3.13 These three communities, viz, Ansar, Sheik and Syed were not included in the Mandal List for Tamil Nadu and, therefore, did not find place in the Central List of Backward Classes for Tamil Nadu prepared in 1993 by the Expert Committee on Backward Classes, of which I was also a Member, on the basis of the principle of commonality between the State List and the Mandal List, which principle had been upheld by the Supreme Court in its landmark Mandal case judgment, and notified by the Govt. of India in 1993. According to the procedure laid down by the Supreme Court and incorporated in the National Commission for Backward Classes Act, 1993 (NCBC Act), the State Government of Tamil Nadu made a request to the NCBC for inclusion of these three communities, viz., Ansar, Sheik and Syed in the list of Backward Classes for Tamil Nadu. The Commission, according to the detailed procedure laid down by it, on the basis of the principles of objectivity, transparency and speed, held a public hearing after publicity through the media. In spite of that publicity and the specific request to the State government to ensure the presence of at least one member each from these communities at the public hearing, no member or representative of any of these communities appeared before the Bench. The NCBC studied the report of the Ambasankar Commission and found that their social status was not tested on the basis of the criteria regarding social backwardness as they had been taken to be forward communities. Thus, the important stipulation that a community should first and foremost be found to be socially backward had not been fulfilled in this case. The NCBC also studied the Mandal Commission's report, the study report on the Muslims of Karnataka submitted to the NCBC by the Ananthakrishna Iyer International Centre for

Anthropological Studies (AICAS), Palakkad, Kerala and the People of India survey and also the data furnished by the State Government. The State Government's data showed inter alia that the population of Sheik is 1,19,446, that of Syeds 93,396, and that of Ansar 2,366. The Sheiks were concentrated in Madras, North Arcot and Dharmapuri districts, the Syeds in Madras and North Arcot districts and the Ansars in Chegalpattu district. From the data of literacy and occupational profile furnished by the State Government, the NCBC concluded that none of these three was shown to be socially backward or educationally backward and all of them were socially advanced. This in conjunction with the available literature on these communities led to the NCBC's Finding that they do not constitute socially and educationally Backward Classes and its Advice to the Government of India to reject the request for their inclusion.¹⁵ In accordance with the Supreme Court's directions incorporated in the NCBC Act, whereby the Advice of the NCBC is ordinarily binding on the Government of India, the Request was rejected by the Government of India.

217.

218. (iii) The Nagan Gowda Committee of Karnataka, 1960-61

219.

220. 7.3.3.14 By the re-organisation of States, 1956, the Karnataka State was formed in which large areas of Hyderabad, Bombay and Madras and the Coorg territory were added to the Mysore State. Each of those regions had its own list of Backward Classes. A uniform list of Backward Classes for the entire new State was issued in 1959 but was quashed by the High Court. Thereupon the Nagan Gowda Committee was formed in 1960 to suggest criteria for determining which sections of people should be treated as Socially and Educationally Backward. Inter alia, the Committee observed that the caste system of Hindu society had influenced to some extent the creation of high and low castes even among Muslims and Christians. About Muslims specifically, the Committee said as follows: "A view has been expressed that Muslims cannot be considered as socially backward and that only a few sections among them like Mapilla, Pinjari, Chapparband, Laddaf, Kasab (Kasai), Katharga, Dudekula, Labbe and Pindare can be considered as socially backward. But a majority of the members of the Committee agreed

that the Muslim community as a whole should be classified as socially backward".¹⁶

221.

222. 7.3.3.14 Among the Backward communities recommended by the Nagan Gowda Committee in 1961 were Muslim, Chapparband, Dudekula, Hajam (Hajama), Labbe (Laddaf), Mapilla (Mopla), Quassab (Qusai, Quaraishi, Katharga), Pinjari, Sangtarash, Julahi. On the basis of Committee's recommendations, the State Government issued a unified list of Backward Classes for Karnataka in 1962, in which Muslims and all these Muslim communities were included. This list was however quashed in the judgement of the Supreme Court in the well-known Balaji case¹⁷ on grounds which had nothing to do with Muslims specifically.

223.

224. (iv) First Backward Classes Commission of Karnataka, 1972-75

225.

226. 7.3.3.15 Thereafter, after a long interregnum, the Karnataka Backward Classes Commission was set up in 1972, known as the Havanur Commission after its Chairman. Muslim representatives of Karnataka represented before the Commission seeking the inclusion of Muslims as a backward class. In its report of 1975, the Commission took the view that "Muslims in toto cannot be considered to be socially backward in the conventional sense known to Hindu society". Though the Muslim student average in SSLC Pass in the reference year was below the State average and, therefore, as a community they were educationally backward, the Commission felt it could not designate them as educationally a Backward Classes as the Constituent Assembly did not think of religious minorities as coming within the meaning of expression 'Backward Classes'. The Commission found the Muslim community to be in a way impoverished compared with the Hindu castes treated by the Commission as socially and educationally backward. The Commission included some Muslim communities in the list of "Backward Tribes" which is a sub-category of the list of OBCs recommended by it. The Commission made it clear that the reservation for Muslims as a whole cannot fall within the scope of clause (4) of Article 15 and clause (4) of Article 16. It could be done only by a classification under Article 14 in the light of the Supreme Court judgement of 1975 in State

of Kerala and Another vs. N M.Thomas and Ors.¹⁸ The Commission also cautioned that if the claim of the Muslims that the entire Muslim community should be treated as backward and reservation in proportion to their population be made were accepted, the entire Hindu community of 86 percent may justifiably claim backwardness with a reservation to the extent of 86%. After realizing that the Muslims do not come within the meaning of the term Backward Classes, except the known and readily distinguishable sections among them, whom the Commission has treated as backward tribes, Muslim leaders requested the Commission to recommend to the State Government to try for Constitutional amendment. The Commission found that the representation of Muslims in services was gradually decreasing, they did not have adequate representation and their grievance that after Independence their educational level and representation in services was declining, to be apparently genuine. Therefore, it recommended to the Government to classify Muslims as a distinct and separate category, which seemed to it to be permissible under Article 14, in view of the N.M. Thomas judgement and provide reservation not exceeding 6% for them.¹⁹

227.

228. 7.3.3.16 The Commission summarized its views on Muslims as follows:

229. “Muslims in toto cannot be considered a backward class. The Commission has, however, treated some known and readily identifiable sections of Muslims as Backward Classes who are declared by the Government either as Denotified Tribes or as Nomadic Tribes. The inclusion of those tribes in the list of “Backward Tribes” is because of the ruling of the Supreme Court in Balaji case.....

230.

231. 7.3.3.17 Muslims as a religious minority could be treated as a special group for purposes of reservation in educational institutions and representation in Government services under Article 14. We, therefore, recommend that Muslims be treated as a special group on ground of their religion and language under Article 14, and facilities extended to the Backward Classes be extended to them also. However, reservation in

educational institutions and Government services should not exceed 6 per cent.”²⁰

232.

233. 7.3.3.18 The list of OBCs recommended by the Havanur Commission, under the sub-categories of Backward Communities, Backward Castes and Backward Tribes, separately under Article 15(4) and Article 16(4) does not include ‘Muslims’ as an entity. It includes certain specific Muslim communities like Chapparband, Darvesu. The OBC List issued by the State Government of Karnataka in 1977 included Muslims as a whole as well as in the identified Muslim groups/ communities.

234.

235.

236.

237. (v) Karnataka State Government’s List after Havanur

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239. 7.3.3.18 The Second Backward Classes Commission (Venkataswamy) of Karnataka in its report in 1986 has taken note of the Havanur Commission recommendation regarding Muslims and also records that the then Chief Minister Devraj Urs thought it fit to include the Muslims as a whole in the category of Backward Communities, which is a category of the OBC list issued in 1977.²¹ In doing so, the State Government was only continuing the status-quo ante.

240.

241. (vi) Karnataka High Court’s Judgment on Muslims in State List, 1979

242.

243. 7.3.3.19 This list was challenged in the High Court of Karnataka in Somasekharappa and Ors vs the State of Karnataka. In its judgement of 1979, which upheld the Government’s order but striking down certain entries in the list, applying for the first time the Doctrine of Severability to BC Listing, the High Court specifically considered the Government’s decision to include Muslims in the OBC list under a sub-category of it, though not recommended by the Havanur Commission. It upheld this aspect of the Government order and the list in the following words: “The fact that they are a religious minority is no ground to exclude them from the list of Backward Classes. The

Government in our opinion was perfectly justified in listing the Muslims in the list of Backward Classes”.

244. (vii) The Second Backward Classes Commission of Karnataka

245.

246. 7.3.3.20 In the list recommended by the Venkataswamy Commission, Muslim was included along with the following synonyms, sub-castes and related caste groups:-

247. 1. Muslim / Mussalman
248. 2. Bagwan
249. 3. Chapparband
250. 4. Darvesu / Makandar
251. 5. Fakeera
252. 6. Hanafi
253. 7. Jathagera
254. 8. Kalal
255. 9. Katugaru / Kasai
256. 10. Labbe / Laddaf / Nadaf
257. 11. Madari
258. 12. Mapillai / Maplas / Kak
259. 13. Byari
260. 14. Mohamdiya
261. 15. Momin
262. 16. Pathan
263. 17. Pendar
264. 18. Phoolamali
265. 19. Pinjar
266. 20. Qureshi / Kureshi
267. 21. Sayyad
268. 22. Shafai
269. 23. Shaik
270. 24. Shia
271. 25. Sunni

272.

273. (viii) Karnataka State Government's List after Venkataswamy Commission

274.

275. 7.3.3.21 The report of the Venkataswamy Commission was, however, rejected by the Government on grounds which do not need discussion here, but in the list then issued in 1986, categorizing the Backward Classes into five Groups, Muslims were continued in Group C (without the synonyms/sub-castes and related caste groups being mentioned) along with six other communities, and the specific Muslim communities earlier included were continued in other Groups as considered appropriate by the

Government. The Government also ordered the appointment of the Karnataka Third Backward Classes Commission.

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282. (ix) Third Backward Classes Commission of Karnataka

283.

284. 7.3.3.22 The report of the Karnataka Third Backward Classes (O. Chinnappa Reddy) Commission 1990, which was set up under the Chairmanship of Justice (Retd.) O. Chinnappa Reddy and was a one-Man Commission, quotes the following from the first interim report of the State Minorities Commission presided over by Sri R.H. Goodwala: "The conditions of the Mohallas where Muslims live is proof of their poverty They are dens of filth and dust without any sanitary facilities. They live in old and dilapidated mud houses untouched by the civil authorities. Thus slums of Bangalore and other places are inhabited mostly by Muslims and Scheduled Castes. In cities, they generally live in congested places having narrow lanes and by-lanes which serve to protect them in time of communal riots. These localities are well known for insanitation and their health hazards. According to a study conducted by G. Thimmaiah of the Institute of Social and Economic Change, which covered the period 1974-75, 56.5% of the Muslim population in the State was below the poverty line compared with 31.4% among Christians and 45.2% among Hindus. Only the Scheduled Castes, 58.4% and the Scheduled Tribes 66.3% had a high population living below the poverty line. By this study it has been concluded that Muslims are very close to the Scheduled Castes as far as economic conditions are concerned. The study has also revealed that inequality of income is highest among Muslims when compared to other religious groups".²² Thereafter, the Chinnappa Reddy Commission has given its own observations, drawing upon Justice Chinnappa Reddy's own visits to Villages: "Two striking things about the Muslim community in Karnataka are the extreme economic and cultural poverty of the vast majority of the members of the community and the wide gap that separates the rich and the poor members of the community. In the villages that I had occasion

to visit, the living conditions of the Muslim community were invariably miserable much more than most other communities, 0.487% of the population appeared at the SSLC examination while 0.2578% of the population of the community passed the SSLC examination. These figures are low as against the State average of 0.77 % and 0.39 %. In regard to admission to professional colleges and post-graduate institutions their performance was in no way better. Despite the reservation in their favour, they were able to secure 5.7% only of the total number of seats as against their population of 11.6744%. Similarly, in the matter of recruitment to the services, despite the reservation, they were able to secure 7.8336% before 1986 and 7.3201% after 1986. From the SSLC statistics, it is found that large numbers of this community are drawn from the labour group. It was noticed that there were quite a few members of the Muslim community among the learned professions. The number in the learned professions is attributable to the Hakims practicing Unani medicine in the rural areas, without possessing any Degree. The picture presented by the Muslim community as a whole is that of a Socially and Educationally Backward Class".²³ In the list recommended by that Commission, Muslims was included in Category-II.

285.

286. (x) Karnataka State List after Chinnappa Reddy Commission

287.

288. 7.3.3.23 In the List of Other Backward Classes issued in 1994 by the State Government after the Chinnappa Reddy Commission's recommendations, Muslim was included in Category-II (More Backward), Category-I being 'Most Backward' and Category-III 'Backward', as three parts of the OBC list. In Category-II there were 114 entries and Muslim was one of them. In addition, specific communities like Chapparband (Muslim), Darvesu, Nalaband were continued in the list in Category-I (Most Backward). By another order later in 1994 itself, Categories II and III were further sub-divided and in Category- II-B (More Backward) Muslim was included along with "Buddhists" and "SC Converts to Christianity", with a sub-reservation of 6% out of a total of 57% for all SEdBC/OBC, which was in addition to the reservation for SC and ST. Separate entries like Darvesu, Chapparband (Muslim) and Nalaband were continued in Category-I (Most Backward).

289.

290. 7.3.3.24 In still another order in the same year, necessitated by the Supreme Court direction to keep the total reservation for all the three to 50%, the Categories were slightly modified and this time only "Muslim" was kept in Category-II (B) and reservation of 4% was fixed for this Category. Buddhists who were earlier in Category-II(B) with Muslims were transferred to Category II(A) with 101 entries and SC Converts to Christianity who were also earlier in Category-II(B) with Muslims were transferred to Category-I which had 89 entries. Certain Muslim communities which were separately included in Category-I like Chapparband (Muslim), Darvesu, Nalaband were continued in the same category. Pinjara was also separately included in this category.

291.

292. (xi) Mandal and Central Lists for Karnataka and Central Government's Decision

293.

294. 7.3.3.25 The Central List of Backward Classes for Karnataka, prepared and notified in 1993 on the basis of the principle of commonality, did not include Muslims as they were not in the Mandal List. Further, certain specific Muslim communities did not also find place as they were not included in the State List as it existed in 1993 or the Mandal List or both. The Muslims and other such communities applied to the NCBC requesting for their inclusion in the Central List of Backward Classes in accordance with the NCBC Act.

295.

296. 7.3.3.26 The NCBC conducted two public hearings in respect of the Requests for the inclusion of Muslim, Bagwan and Pandara in 1997 and 1998 after publicity through the media according to its prescribed procedure. It heard the individuals, organisations, associations and other who appeared and expressed differing views, studied the Supreme Court's judgement in the Mandal case and the available literature on the subject, including the reports of the various Commissions, information reported to be contained in the People of India project (Karnataka volume not yet published at that time, but its listing was mentioned in the AICAS (Ananthakrishna Iyer International Centre for Anthropological Studies) report), L. K. Ananthakrishna Iyer's, C. Hayavadana Rao's and R.E. Enthoven's accounts, the Census Reports and the report of the AICAS and found 'Baghban, Bagban, Bagwan' as synonyms

of Full-Mali; and 'Pandara, Pandar, Pendara, Pendari Pindari' as socially and educationally backward. It also found that Cutchi Memon; Navayat; Bohra or Bhora or Borah; Sayyid; Sheik; Pathan; Mughal; Mahdivia/Mahdavi; and Konkani or Jamyathi Muslims to be not socially backward, and Other Muslims excluding these nine to be socially and educationally backward and tendered Advice to the Government of India to include 'Baghban, Bagban, Bagwan' as synonyms of Full-Mali; Pandara and its variants; and Other Muslims excluding the nine communities mentioned above in the Central list of Backward Classes for Karnataka. The Government of India issued notification accordingly. After similar public hearings, Pinjara, Pinjari, Nadaf, Ladaf, Dhunia, Mansoori, Dudekula and Siddi were also included.

297.

298. 7.3.3.27 Some of the facts and views that emerged in the public enquiries regarding Muslims are relevant to Andhra Pradesh also and will be mentioned while discussing the position on Andhra Pradesh and the recommendation for Andhra Pradesh.

299.

300. (xii) Kerala Lists and Backward Classes Commissions of Kerala (1965, 1970 and 1986)

301.

302. 7.3.3.28 Kerala is another State where, from the outset, Muslims have been included as a specific category among Other Backward Classes (OBCs) with separate reservation percentage out of the total percentage of reservation for all OBCs. The position of Muslims as a backward class and as a community considered to be deserving special consideration has a continuity from 1915 in Travancore and in Cochin, subsequently in the United State of Travancore-Cochin, and after States' reorganization in the Kerala State. Leaving aside the pre-Independence situation, soon after the Constitution of India was adopted and the erstwhile Princely States of Travancore and Cochin were unified as the United State of Travancore-Cochin, that State Government constituted a Committee in 1951 and, on the basis of its recommendations, specified eight sub-categories of Backward Classes, one of which was Muslim, for whom reservation was provided with separate sub-quota for each category. This pattern with some modification was continued after 1956 when the Kerala State was formed. The major

change after 1956 was that there were certain entries applicable to one region but not to the other. So far as Muslims are concerned, the entry for the Travancore-Cochin region was 'Muslim' while the entry for Malabar region was 'Mappila'. A unified list for Kerala was issued in 1978 in which Mappila and Muslim were separately entered. Subsequently, in 1994, Muslim and Mappila were made into a single entry as synonymous to each other. Through reports of the Kumara Pillai Commission, 1965 and the Backward Classes Reservation (Nettoor P. Damodaran) Commission, Kerala, 1970, the position regarding Muslims and Mappila has continued except for this change in 1994. The first of these Commissions of which the Chairman was Justice J. Kumara Pillai, former High Court judge, came to the conclusion that the Muslim community of Kerala is socially and educationally backward. It said that "although there are a few cases of wealthy persons among the members of this community, speaking generally, Muslims as a whole appeared to be very backward".²⁴ Based on anthropological studies, it noted that most of the Muslims were from Thiyya or Choka and other low castes and a considerable part of the community are fishermen, agricultural labourers, peddlers and daily wagers. The next Commission placed Muslims in Group-2. It found that a very large section of this group of citizens is socially and educationally backward on account of occupational stigma, being fishermen, agricultural labourers, peddlers and daily wage earners, and other factors.²⁵ A third Commission was constituted in 1986 with Justice P. Narayana Pillai, Retd. High Court Judge, as its Chairman. This Commission also expressed the view that the Muslim community continues to be backward.²⁶

303.

304. (xiii) Mandal and Central List, NCBC's Advice and Central Government's Decision

305.

306. 7.3.3.29 Mandal Commission's list for Kerala contained only the entry of Mappila. In accordance with its consistent approach and practice of not including any religious community in toto as a backward class, Muslim was not included in the Mandal list for Kerala. Therefore, the Central list of Backward Classes for Kerala also included only Mappila and did not include Muslim. The State Government as well as a large number of Muslim organisations applied to the NCBC requesting for the inclusion of Muslims.

307.

308. 7.3.3.30 The Commission held four public hearings in different parts of the State after the usual wide publicity through media. It studied the available literature, the reports of the different State Commissions, the history of reservation in Kerala and its earlier constituent parts in so far as it related to Muslims, and the data furnished by the State Government as well as Muslim organisations. It also studied the report of the Ananthakrishna Iyer International Centre for Anthropological Studies (AICAS), the premier social science research institute in Kerala, which had been commissioned by it to study whether the Muslims in Kerala are a single homogenous community or whether there are any identifiable inter-generationally continuous social/occupational groups within the community, known by distinct names and if so, whether any or all of them is/ are socially backward. AICAS reported that it was able to identify 9 non-Mappila Muslim communities of Kerala and gave their names and the districts where they are found, viz., Bohra, Cutchi Memon, Dakhni Muslims or Pattani, Lebba, Marakkayar, Muslim-(Maythor), Navayat (Bhatkali), Rawthar and Turukkan. Out of them it found five to be not socially backward. Bohra is a small and prosperous trading community immigrated from Gujarat to which "the term backwardness either in its economic or its social context in Kerala has no meaning or relevance". According to the AICAS, Cutchi-Memon, immigrated from Sindh, is "the most affluent single community in the State" and has "a dominant presence in the social life and they are educationally much advanced." Navayat (Bhatkali), immigrated from coastal Karnataka, is also a generally affluent large-scale trading community, educationally advanced and at the top of the Muslim hierarchy. Turukkans segmented into Sheikhs and Syeds; and Dakhni Muslims, essentially Pattan; are also socially high. The bulk of the Muslims of Travancore and Cochin States belong to Muslim-(Maythor). They are Muslim converts "exclusively from the lower castes". A good majority of them are petty traders, hawkers and petty contractors, educationally less advanced than some of the backward communities in the State and with inadequate share in Government jobs. They, Labbe, Rawthar and Marakkayar, the last being mainly Muslim converts from the Hindu fishing community, are socially and educationally backward. Accordingly, the Commission found that the

social groups of Bohra, Cutchi Memon, Dakhni Muslims or Pattani, Navayat (Bhatkali) and Turukkan are not socially backward and the rest of the non-Mappila Muslims are socially backward and tendered its Advice to include Other Muslims excluding these five in the Central list of Backward Classes and the Government of India ordered and notified in accordance with the Commission's Advice.

309.

310. (xiv) Backward Classes Commission of Gujarat (1976) and Gujarat State Government's List

311.

312. 7.3.3.31 Before coming to Andhra Pradesh, a general overview of the position in States other than those in South India would be useful. The Commissions of those States and the State Governments identified specific communities or social groups of Muslims which were socially and educationally backward. None of them recommended or treated Muslims or any other religious community as a whole as socially and educationally backward. Thus, to give two illustrations, of say Gujarat and Madhya Pradesh, the Report of the Socially and Educationally Backward Class (Bakshi) Commission of Gujarat, 1976, of which the Chairman was Justice A. R. Bakshi, Retd. High Court Judge, and had among its members a well-known economist and former Vice Chancellor and a well-known professor of sociology, identified a number of specific communities of Muslims and also communities which were partly Muslim. Among such communities are –

313. Defer (a principally Muslim nomadic community);

314.

315. Faquir or Fakir (a mendicant community living close to the burial grounds and mosques);

316.

317. Ghanchi (a large Muslim community traditionally of oilpressers and now engaged in agricultural labour, miscellaneous labour, carriage driving, hawking, vending etc.), which is the local name for Teli;

318.

319. Julaya (Garana), also known as Tariya and Tari (a Muslim community traditionally of weavers and now beedi workers, vegetable sellers, hotel boys and plyers of handcarts);

320.

321. Jat (Muslim), a nomadic Muslim community mainly of cattle-rearers;

322.

323. Miyana (Muslim), a Muslim de-notified (ex-criminal) tribe;
- 324.
325. Pinjara, a Muslim community of cotton carders, now engaged in miscellaneous labour work also, who are the same as Dudekula of Andhra Pradesh;
- 326.
327. Sandhi (Muslim), a denotified tribe.²⁷
- 328.
329. (xv) Backward Classes Commission of Madhya Pradesh (1983) and Madhya Pradesh State Government's List
- 330.
331. 7.3.3.32 The Mahajan Commission of Madhya Pradesh in its Report of 1983 has recommended 29 communities of Muslims for inclusion in the list of S.Ed.BC of the State.²⁸ Many of them are artisan communities like
- 332.
333. Julaha, Momin (traditionally Muslim weavers),
- 334.
335. Pinjara and its (traditionally cotton carders), who are the
336. Synonyms same as the Dudekulas of Andhra Pradesh;
- 337.
338. Luhar (traditionally blacksmiths);
- 339.
340. Mochi (traditionally shoe-makers),
- 341.
342. Teli (traditionally oilpressers);
- 343.
344. Badhai (carpenters);
- 345.
346. Rangrej (dyers);
- 347.
348. Chhipa (block printers);
- 349.
350. and other occupational communities like
- 351.
352. Hajjam (traditionally barbers);
- 353.
354. Dhobi (traditionally washermen);
- 355.
356. Bhishti (traditionally water carriers);
- 357.
358. Hela (sweepers and scavengers),
- 359.
360. Qasai (traditionally butchers);
- 361.
362. Manihar (traditionally bangle sellers), similar to Gajula
Balijas of Andhra Pradesh.
- 363.

364. (xvi) General Position in North Indian Lists

365.

366. 7.3.3.33 These are illustrations of the north Indian approach of Commissions and State Governments. Many of these communities were also included in the Mandal list and, therefore, found place automatically in the Central list. Those who were left out made requests to the NCBC, which, after public hearing, enquiry and study of literature and available data, tendered Advice to the Government for inclusion of those who were found by it to be socially and educationally backward classes. The All-India Backward Classes Federation (HQ Bhopal) has compiled a list of 103 Muslim communities/ groups which have been included in the Central Lists of SEdBC for different States. Even this compilation may not be exhaustive. There is no census of the population of the communities/groups of Muslim SEdBC and their proportion in the total Muslim population of each State. The NSSO's estimation has got methodological limitations and therefore its figures, mentioned in the Sachar Committee, are underestimates. The broad impression I gathered from leaders, representatives and activists of Muslim Backward Classes in north Indian States is that in these States about 80 to 85 percent of the Muslim population has come within the lists of SEdBC/OBC. This is also in keeping with Hasnain's estimate of Muslim Backward Class population.

367.

368. 7.3.4 Methodological Difference in North Indian and South Indian Listing and NCBC's Methodology

369.

370. 7.3.4.1 The broad methodology in the north Indian State was to start with those which are clearly Socially Backward Classes. This methodology was able to cover the bulk of the Muslim population of north India who are backward, but has not been and will not be appropriate for Southern States on account of a significant difference between the pattern of conversions to Islam in the two parts of the country. As can be seen from the picture of social stratification and the structure of Muslim society in different regions as explained in Chapter IV to VI and as observed by the National Commission of Backward Classes in its Findings and Advices in respect of Muslims in Karnataka and Kerala, the groups who moved to Islam in north

India were mainly artisans and artisanal castes and other occupational castes. They are the same castes which now find place in the socially and educationally Backward Classes and Scheduled Castes of Hindus. After conversion, their occupational pattern and other features have remained the same as before the conversion and they have retained the same social identity and often the same community name often based on the name of the traditional occupation. No doubt there is this difference that the practice of “untouchability” towards SC converts to Islam seems to have disappeared or got attenuated, and where it still exists it got limited to very small groups like Halalkhor; and that within the mosque and generally in the religious sphere no caste difference is followed; and on account of the basic principle of equality in Islamic doctrine, the occurrence of caste-based or caste-like practices lost part of their rigours and rigidities. Since the constituents of the bulk of the populations of the Muslim religious community of north Indian states like U.P., Bihar and Madhya Pradesh retained their original link of traditional occupation, social identity and often even the community name, the mere process of identifying each such group having inter-generational continuity and identity, upward until the limit of or the line of backwardness was reached, and adding them up led to the inclusion of the bulk of the Muslim population, leaving those who were not socially and educationally backward groups. In these States neither the State Commissions or the State Governments, nor the Mandal Commission included Muslim communities or groups like Syed, Sheikh, Pathan, Moghal, Bohra, Cutchi Memon, Khoja, etc., who together cannot constitute more than 15 to 20 per cent of the total Muslim population of those states. This can be called the “bottom-upward approach”.

371.

372. 7.3.4.2 On the other hand in the South, artisans and the artisanal castes and other occupational castes have generally and significantly not moved to Islam. Conversion to Islam seems to have been from castes now known as Scheduled Castes and a number of other lower castes which are now known as the Backward Classes, so that the Muslim community has taken the shape of a community of agriculture and other and miscellaneous labourers though there are sections of them who are merchants, traders and the like. Against this background, the “bottom-

upwards approach” adopted in north Indian states, of adding up every identifiable Muslim backward community/group upto the limit of backwardness has not been possible in south India. It is perhaps for this reason that Kerala and Karnataka have, since the very beginning of the preparation of lists of SEdbc/OBC, adopted the practice of including the entire Muslim community in their respective State lists, perceiving them as clearly backward collectivities in their entirety. This perception was a natural outcome of the process of conversion in the south and the social composition which moved to Islam in the South. In these states and particularly in Kerala and Karnataka the perception and treatment of Muslims as a backward class harks back to the pre-Independence period. At the same time it cannot be denied that there are, in the South, social groups which are inter-generationally continuous and known by their distinctive names, whose social profile does not go with social backwardness as conceived in the Constitution of India and as further clarified by the Supreme Court. Such groups, however small their size and however limited their proportion in the total Muslim population of the State, are definitely non-backward. The NCBC therefore calculatedly and logically adopted a top-downwards methodology in the south Indian states, particularly in Kerala and Karnataka, of identifying and excluding such definitely non-backward communities/ social groups and including the rest of the Muslims in the Central Lists of SEdbc/OBC of the respective States. At the same time, those specific communities of Muslims at the lower end of the spectrum which retained their link with traditional occupations, ranking low in hierarchy of occupations (Dr. Ambedkar’s term coined in 1916) and retaining the related identity like Darvesu were also included in the Lists.

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377. 7.3.5 Early Lists of Andhra, Hyderabad and Andhra Pradesh

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379. 7.3.5.1 Andhra Pradesh seems to have fallen between the two stools. In Tamil Nadu, the inclusion of Labbai at the initial stage virtually meant the inclusion of the Muslim population excluding at that time the small non-backward groups of Syed, Pathan, etc. The inclusion of Dudekula and Mappila along with Labbai including its sub-groups ensured that no part of the

socially backward among the Muslims was left out. In the Malabar region of Kerala, the inclusion of Mappila by itself had the same effect. In Andhra Pradesh, neither Labbais nor Mappilas exist except as small immigrant populations.

380.

381. 7.3.5.2 When the Andhra state was formed on the 1st October 1953, it inherited the list maintained by the composite Madras state, which was continued with some modifications. When Andhra Pradesh was formed it inherited the Andhra list of Backward Classes and the Hyderabad list of Backward Classes. Thus after 1st November 1956, there were two lists, one for the Andhra area and the other for the Telengana area. A combined list, issued on 21st June 1963, was struck down by the High Court in Shri Sukhadev and Ors Vs Government of Andhra Pradesh. A new list of Backward Classes was issued on 29th July 1966. This list was also struck down by the High Court and by the Supreme Court in its judgement in State Government of Andhra Pradesh and Others Vs P. Sagar. In all these lists, the presence of Muslims was limited to the Dudekula community.

382.

383. 7.3.6 The First Backward Classes Commission of Andhra Pradesh, 1968-1970

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385. 7.3.6.1 The first Backward Classes Commission was set up in 1968 initially with Justice Manohar Pershad, ex-Chief Justice, Andhra Pradesh High Court as Chairman, replaced on his resignation with Shri K.N. Anantaraman, I.C.S.

386.

387. 7.3.6.2 A number of representations were received by this Commission from several Muslim organizations urging the inclusion of the entire Muslim community as backward. The following are the comments of the Commission on the Muslims:

388. "It is not correct to say that Muslims as a class in this State are socially and educationally backward. All Muslims drawn from any stock of community are treated as equal. The traditional caste distinction never existed among the Muslims. There was social equality among all the individuals. Unlike in the Hindu society, there was no restriction on choice of occupations among the

Muslims. Some families are continuing the occupations chosen by their ancestors and they are usually called by their trade name like Dudekula, Kasab, Darzi, Momin, Mochi etc. The Muslims did not recognize social distinctions as was done in the case of caste groups in Hindu society. There was no segregation of communities as such among them. Gradually, however, due to historical and other reasons, the sense of high and low has permeated the Muslim society also. Certain occupations have come to be regarded as inferior even among the Muslims and today there are a few distinct classes among Muslims who are suffering from social inferiority due to occupation and poverty. Therefore, social backwardness among the Muslims has to be determined with reference to their hereditary occupations and poverty and without reference to caste".²⁹

389.

390. 7.3.6.3 The Commission found only two classes of Muslims who could be classified as socially and educationally backward, namely, 'Mehtars (Scavengers)' and 'Dudekula (traditionally engaged in cotton-ginning, making of beds, pillows, nawar-weaving etc.)' along with its synonyms Laddaf, Pinjari, Noorbash. About these two communities, the following are the remarks of the Commission:

391.

392. "Mehtar (Scavenger): Their hereditary occupation is scavenging. They are economically very backward. They are looked down upon with disdain and contempt by other Muslims. Practically they do not have relationship with other Muslims. They rarely inter-dine with others. ... The social status of this sub-sect is very low due to their profession. As this community is already included in the scheduled castes, they need not be included in the list of Backward Classes.

393.

394. Dudekula (Laddaf, Pinjari or Noorbash): Most of this class of Muslims are converts from lower ranks. They are also known as Laddaf, Pinjari and Noorbash. The traditional occupation was cotton-ginning, making of beds, pillows, nawar-weaving etc. The cotton mills have adversely affected their profession and they became economically poor. All the members in the family – women and children will have to work throughout the day to make both ends

meet and they cannot devote any time for education. Though they generally follow Muslim traditions, they observe Hindu traditions also in some respects. They are treated as a separate class even by the Muslims and they are not allowed to intermarry with the other Muslims. They are looked down low in society, both by the Muslims and Hindus. The population of this community as projected from the census reports is 1,33,196. The student population in the X and XI classes is no doubt not unsatisfactory, but from the impressions we gained during the tours and from the personal knowledge of the members, this community is educationally very backward. The projected population figures do not give a correct assessment of the situation as we felt that a good few of them would not have admitted that they belonged to this class during census. As this community is looked down even by the other sections of Muslims and is educationally backward, it merits inclusion in the backward classes list".³⁰

395.

396. 7.3.7 State List after Anantaraman Commission

397.

398. 7.3.7.1 The last sentence about Mehtar was a misunderstanding. The Mehtar in the SC List did not include Muslim Mehtar on account of the Proviso to clause 3 of the Presidential Order. On account of this misunderstanding, Mehtar was not included in the list recommended by the Commission. Therefore, the list of Backward Classes issued in 1970 by the Government accepting the Anantaraman Commission recommended List in toto did not contain Mehtar and contained only one entry of Dudekula and its synonyms/ sub-groups/ related groups. This oversight was noticed later and the Government included Mehtar (Muslim) also in 1972. Thus there were two communities of Muslims in the A.P. List.

399.

400. 7.3.8 Second Backward Classes Commission of Andhra Pradesh, 1982

401.

402. 7.3.8.1 The second Backward Classes (N.K. Murlidhara Rao) Commission 1982 of Andhra Pradesh received representations from Dudekula and others already included in the list that they should be continued as BC. The Commission recommended the continuance of Dudekula and its

synonyms/sub-groups but it recommended the deletion of Mehtar Muslims on the same ground as mentioned by the Anantaraman Commission. The Qureshi (Muslim Butchers) community pleaded for their inclusion. The Commission noted that the Hindu Butchers, namely, Katika and Arekatika had already been included on the basis that their profession is being looked down upon and they are educationally backward. The Butchers among Muslims suffer from the same disabilities and their profession is treated as unclean. They are looked down upon in the society of Muslims. In social status they are on par with Arekatika and Katika, and there is no difference between them and Qureshi either in social status or educational backwardness. Therefore, the Commission recommended the inclusion of this community in the List. According to the Commission, their population was reportedly 5 Lakhs as against the State's Muslim population of 35 Lakhs as per the 1971 Census.

403.

404. 7.3.8.2 About the question of inclusion of 'Muslims' in the List of Backward Classes, the Commission observed as follows:

405. "...There is no caste system in the Muslim religion. The Muslim brother-hood is a sign of equality of members in the Islamic religion. There is no social segregation among the groups of Muslims. Before Mosques, all Muslims can offer their prayers jointly without any discrimination and without superiority and inferiority complex. Every Muslim is at liberty to follow any profession of his liking without any barriers. Except a few Muslim sects already included in the Backward Class list and the Muslim butchers who are proposed for inclusion now the other sects among the Muslims are enjoying equal social status and therefore there is no social backwardness among them. The Kaka Kalelkar Commission appointed by the President of India under Article 340 of the Constitution had a Muslim member Mr. Abdul Quayyim Ansari. The said Commission decided that Muslim community as such was not to be treated as a Backward Class. Muslims in toto cannot be considered to be 'socially backward' in the conventional sense known to the Hindu society. This Commission entirely agrees with the above view. For any class of citizens to be treated as Backward Classes, they should satisfy the twin criteria of social and educational backwardness as indicated in Article 15(4) of the Constitution of India. Since there is no social

backwardness among Muslims either in relation to various sects in their community or because of treatment by other religious groups like Hindus, Christians and Parsis, there is no legal justification for including all the Muslims in the list of Backward Classes”.³¹

406.

407. 7.3.9 State List after Muralidhara Rao Commission

408.

409. 7.3.9.1 In the Government Order that was issued in 1996, Quresh (Muslim Butchers) was included. The Government again noticed the error regarding ‘Mehtar (Muslim)’ and continued this community in the list.

Thus three communities came into the list but when later in the same year, the High Court struck down the G.O. on the ground that the revised percentage of reservation for the Backward Classes took the total for SC, ST and BC to 65% as against the limit of 50%, the Government restored the status quo ante, on account of which Qureshi went out of the list unintentionally.

410.

411. 7.3.10 Mandal and Central Lists and NCBC’s Advice and Central Government’s Decision

412.

413. 7.3.10.1 Thus, two communities namely, ‘Dudekula, Laddaf, Pinjari or Noorbash’ and ‘Mahtar (Muslim)’ remained in the State list and both these were included in the Mandal List also and therefore in the Central List of Backward Classes for Andhra Pradesh drawn up in 1993 on the basis of principle of commonality between the State List and the Mandal List for the State.

414.

415. 7.3.10.2 Request for inclusion of Muslims in the Central List was received by the NCBC from a number of organizations. It was stated by the request makers that “the entire Muslim community is educationally, economically backward and therefore they are also socially backward and hence the entire Muslim community should be included in the list of Backward Classes”. The full bench of the Commission which held a public hearing on 7th December 1999, suggested to the representatives present, that since the Muslim community is not a socially homogenous class only such communities/groups among them who are socially backward can be

considered for inclusion and they may come forward with the names of such specific groups/communities among them. They however persisted with their demand for inclusion of the entire Muslim community.

416.

417. 7.3.10.3 One of the memorandums was different from the above requests and sought the inclusion of professional/vocational groups among Muslims who are engaged in the same occupations as the professional groups of Hindus who are already included in the list. This representation referred to the recommendation of a Cabinet Committee of 1988 for the inclusion of Muslims (who are backward economically and educationally); and a Cabinet Sub-Committee of 1990 which recommended that "Muslims and Christians ... whose annual income does not exceed Rs.36000 should be included in the category of Backward Classes". It pointed out that most of the Backward Classes in Andhra Pradesh are professional groups such as carpenters, goldsmiths, blacksmiths, weavers, shepherds, fishermen, toddy tappers, tailors, potters, barbers, washermen, stone-cutters etc. But those eligible for reservation belonging to these groups hail from the majority community and therefore they wanted equality in this regard by inclusion of corresponding Muslim professional/vocational groups and also wanted the inclusion of Muslims on the basis of the criterion of social, educational and economic backwardness, restricting such inclusion to Muslims with family income in the range of Rs.24000 to Rs.36000 per annum. But this request maker did not furnish any list of such professional/vocational groups among Muslims and the other socially and educationally backward Muslims. During the public hearing, the Commission also received application for inclusion of Quresh, Mewafarosh and Muslim Katikas. From the State representatives it was learnt that the names of the following groups/ sections among Muslims had been given to the State Commission of Backward Classes for consideration of inclusion.

418.

1.	Momin	(Muslim weavers)
2.	Qureshi (Khassab)	(Muslim butchers)
3.	Mansoori (Laddaf, Dudekula)	(Cotton weavers)
		[Laddaf, Dudekula already

		included in the Central List]
4.	Chudi Farosh	(Gajula, Bangle-makers, sellers)
5.	Sangatarash, Kachi	(Stone cutters)
6.	Dhobi (other than SC)	(Washermen)
7.	Darzi	(Muslim tailor)
8.	Lohar	(Muslim blacksmith)
9.	Badhai	(Muslim carpenter)
10.	Kassar	(Muslim barber)
11.	Sonar	(Muslim goldsmith)
12.	Saigalgar	
13.	Muslim Kalaigar	
14.	Hajjam	(Muslim barber)
15.	Mochi (other than SC)	(Shoe cobbler)
16.	Boriabab	(Muslim mat maker)
17.	Naqqash	
18.	Meva Farosh	
19.	Rangrez	(Muslim colour dyer)
20.	Oade	(Muslim Mason)
21.	Fakir	(Muslim beggar)
22.	Attar	(Muslim scent seller)
23.	Behesti	(Muslim carrier)
24.	Medari	(Muslim Garodi)
25.	Sabzi Farosh	
26.	Nalband	
27.	Pulhare	(Flower seller)
28.	Teli	
29.	Hammal	(coolly)
30.	Mir Shikari	
31.	Sadakar	(Silver smith)

419.

420. 7.3.10.4 The Commission took note of the report of the Anantaraman Commission and Muralidhara Rao Commission. It also noted that the Anthropological Survey of India series titled "India's communities"³² has attested to the existence of the following Muslim castes/ communities in Andhra Pradesh:

421.

S.No	Caste/Community	Occupation(s) given
1	Arab	Business, trade & Govt. and private service
2	Attar/Attar Saibulu	Traditional perfume sellers.

		Business is their tradition and present occupations. They are dealers and wholesale traders of general merchandise.
3	Bohra	The Sunni Bohra are traditionally agriculturists and the Daudi Bohra are mainly in business and trade.
4	Borewale	Traditionally nomadic mendicants, in recent years they have shifted to making mats with palm leaves. Wage labour is their subsidiary occupation.
5	Chakketakare	Traditional occupation is making grinding stones, but at present they are mainly in quarrying as their traditional occupation is less remunerative.
6	Dhobi Musalman	Washermen by profession, they are presently engaged in daily wage casual labour, business, and govt. and private service.
7	Faqir (also called Faqir Budhudki)	Their traditional and primary means of subsistence is begging.
8	Ganta Sayebulu (also known as Ralla Sayebulu)	At present work primarily as labourers in stone-quarries. "They are still educationally and economically backward".
9	Garadi	Traditional and primary occupation is organizing magic shows in streets, and selling antidotes for scorpion and snake bites.
10	Gosangi Muslim	They live around burial grounds. They constitute the poorest section of the Muslim and derive their subsistence from collecting alms (therefore they are also known as Faqir Sayebulu).
11	Guddi Eluguvallu	A nomadic community who entertain people with a bear.
12	Hajjam (Muslim)	The Hajjam of A.P. were watchmen in the forts but with

		the abolition of Zamindari system they have learnt the art of hair-cutting from Hindu barbers.
13	Irani	Mainly engaged in trade and business. Some have taken up salaried jobs in Govt. and private service.
14	Iraqi (also known as Rakhi or Ranki)	Traditional occupations are distillation of liquor.
15	Labbi/ Labbai	Migrants from TN. Mainly engaged in the trade of skin and hide, some are in business. Their women earn by working for cottage industries such as making safety matchsticks or rolling bidis.
16	Mondivogula	A landless community, a good number are agricultural labourers. Some are even beggars. Women weave mats with date-palm leaves.
17	Mehadi/Mehdi	The primary occupation is agriculture. As a secondary occupation they take mango and tamarind trees and tomato fields on lease. There are businessmen, scholars, political leaders and professionals in the community.
18	Pathan	Originally served as mercenaries in the armies of the Musalman rulers in the Deccan region.
19	Shaik (Shaik means a chief or an elderly respectable person)	The Shaik are engaged in carpentry, agriculture, business, govt. and private service. The women of the poor families go for labour work connected with wedding, harvesting and plantation.
20	Shia Imami Ismail	The community has entrepreneurs, businessmen, scholars, white-collar workers, teachers, administrators, engineers, doctors, etc.
21	Siddi	They served as bodyguards of the Nizam. They are now

		engaged in petty business and rickshaw pulling. The majority of their children are employed as daily-wage labourers.
22	Syed	The primary occupation is religious teaching, salaried service lecturers, scholars, govt. servants etc.
23	Thirugatigantla (also referred to as Gantalavallu and Lella Sayebulu)	Their main occupation is renovation of stone mortars and grinders.
24	Qureshi	The traditional and primary occupation of the Qureshi is butchery. Their subsidiary occupations are business, hotel maintenance, purchase and sale of sheep and goats, and operating of lorries. A large number of them are illiterate. Girls are not sent to school.....

422.

423. 7.3.10.5 The Commission found that the community of Muslim butchers (who are called by the name Quresh) constitute a socially backward class and therefore tendered advice in 2002 that it should be included in the Central List of Backward Classes for Andhra Pradesh along with the existing entry of "Arekatika, Katika" as "Arekatika, Katika, Quresh (Muslim butchers)". It advised the rejection of the request to include "Muslim Katika" since after the inclusion of Quresh, both the Hindu and Muslim members of the community will be eligible for getting BC caste-certificate and reservation and other benefits intended for BC. It made the following significant observation:

424.

425. "Normally, a community or caste-name is included in the list of Backward Classes irrespective of the religion followed by the members of that caste/ community, unless otherwise specified in that entry."

426.

427. 7.3.10.6 The Commission also advised the rejection of request of Meva Farosh as it appeared to be only an occupational group in Andhra Pradesh and not a community with inter-generational continuity and thus did not constitute a social class and not a socially backward community.

428.

429. 7.3.10.7 Finally it advised the rejection of the Request of Muslim as it is not a socially homogenous class or community. In its Findings of 2002, it made the following observations in this connection:

430.

431. “Many of the social groups or sections among Muslims enjoy a high social status. This is clearly evident from the occupational profile of some of the Muslim communities as discussed in the Anthropological Survey of India’s volume on “India’s Communities” at para 30 above. They are not eligible for inclusion in the list of backward classes under Article 15(4) or 16(4). Those sections or communities among Muslims from whom requests have been received and who are actually socially backward can be considered for inclusion in the list of backward classes”.³³

432.

433. 7.4 Gap in Identification of Backward Classes of Muslims in Andhra Pradesh and its Cause

434.

435. 7.4.1 Andhra Pradesh is unique in having, in its list of SEdBC/OBC, a very limited presence of Socially and Educationally Backward Classes of Muslims. Taking India as a whole, SCs, STs and BCs and Hindu S.Ed.BC/OBC (Mandal’s estimate projected from 1931 census) together constitute about 80% of the total Hindu population. Even if we go by the NSSO’s Sample Survey estimate of 2004-05 for SEdBC/OBC, this percentage is about 75%. This proportion in Andhra Pradesh would also be similar. Considering that the bulk of the Muslim population consists of those who originally belonged to “untouchable” castes and other lower castes (the present SC and BC), it is extremely improbable that the BC proportion of Muslim population can be less than the combined Hindu SC, ST, BC proportion. It must be remembered that tribal populations in Andhra Pradesh do not have a Muslim component. Though it is known that SCs were prominent among those who moved to Islam, they are not today separately identifiable; and even Muslim communities who are the counterparts of Hindu SC communities, like for example the Muslim Mehtar and are separately identified, are not recognised as SC on account of the Proviso to Clause 3 of the Presidential Order specifying SCs. Taking all factors into account, if

anything, the proportion of Backward Classes among Muslims can objectively be only more than the proportion of SCs plus STs plus SEEdBC among Hindus.

436.

437. 7.4.2 In the light of this objective position, it is evident that there is a gap pertaining to the Muslim community of the State. The Presidential order for Andhra Pradesh, and the State and Central Lists of SEEdBC/OBC rightly covers the bulk of the population of the Hindu religious community, as it should be, though a few Requests for inclusion in the BC List may be pending consideration and decision. The inclusion of Scheduled Caste converts to Christianity has rightly covered almost the entire population of the Christian religious community. But in the case of the Muslim religious community, as mentioned above, the State List of Backward Classes and also the Central List for Andhra Pradesh cover only a fraction of the population of the Muslim religious community. Looking at the objective condition of the different communities, this disparity strikes a person who knows the State and its people as a glaring lacuna. This lacuna can be seen also on a comparison which I have provided from the NSSO's indicative figures given in the Sachar Committee's Report between Andhra Pradesh and other States of the South and major States of the North in the matter of the proportion of the Muslim community which has come within the respective BC lists.

438.

439. 7.4.3 While it is necessary to go by social realities and judicial decision ruling out the inclusion of any religious community as a whole in the List of Backward Classes unless it is socially homogenous, it should not also happen that a large proportion of any religious community fails to be included on account of perceptive inadequacies with regard to the occurrence of social backwardness, specific to that religious community. Apart from the obvious injustice that is thereby caused to large numbers, the feeling that it creates of the existence of bias against it and the consequent resentment is not in the larger interest of the State as a whole and its optimal economic progress. The fact that the bias is not intentional makes no difference to the sense of alienation and resentment. People arrive at their own perception from outcomes and output and not on the basis of intentions or processes.

440.

441. 7.4.4 I should not be misunderstood to imply that there is a target of proportion of the population of each religious community that should be included in the Schedules and Lists. But the differing proportionalities give us an idea of whether social listing is really religion-neutral or whether while formally being religion-neutral, bias is creeping in, on account of lack of understanding of specificities of any religious community. We do not come to this issue like a tabula rasa; we come with an objective understanding and perception of the people and the different communities and groups in which they exist. Knowing the people of the State and the country closely as I do, I have no hesitation to say that such a low proportion of the Muslim population being in the List of Backward Classes is on account of a lacuna in the perception of certain specificities of that community. My effort is to help remove this lacuna and help arrive at the objectively and socially valid picture.

442.

443. 7.4.5 This existing situation has arisen from a number of factors. On the one hand, the Muslim civil society leadership put all its weight behind the efforts to get the entire Muslim religious community recognized as a Socially and Educationally Backward Class. Even when these efforts failed again and again, it was still persisted with. On the other hand, since the rulers of much of Andhra Pradesh were Muslims by religion, the entire Muslim community was perceived by some as the erstwhile ruling class. This is not a sociologically or historically correct perception. The degraded conditions of untouchable and other low Hindu castes had their beginning when the rulers were also Hindus. Their sufferings and the disadvantages continued, even in princely states where the rulers were Hindus till Independence. The fact that the rulers were Hindus all over India earlier and many parts of India even later till Independence did not make the Hindu "untouchable" castes and other lower castes – the present SC and Backward Classes -- part of the ruling classes. Even where the rulers were Muslims, it did not make any difference to the conditions of the lower communities or groups among Muslims. A very good example is Lakshadweep which was under a Muslim ruler of Kerala for a few centuries, where all people took to Islam and the Muslim Melacheri were as degraded as the lower castes of the Hindus. This wrong perception of identifying the entire Muslim population with the ruling classes only because

the ruler was a Muslim was reinforced by the persistence of the Muslim civil society leadership to get the entire community seen as one.

444.

445. 7.4.6 Another perceptive distortion came from equating the egalitarian ideology of Islam and equality in the mosque and generally in the religious sphere with equality in the sphere of day to day life. As the foregoing Chapters, especially Chapter II and Chapter IV to VI, show, equality in ideology and the practice of the inequality of social stratification co-exist in different spheres in Muslim society, and one should not be mistaken for the other.

446.

447. 7.4.7 Unfortunately, sociological research and knowledge in Andhra Pradesh was not available to perceive this difference and bring out to the full extent the existence and process of inequality in Muslim society in the State. I have tried to fill this lacuna in this Report.

448.

449. 7.4.8 Before I come to the final stage of identification and the groups I recommend to be included, it is necessary to recapitulate the Constitutional principles, as clarified by the Supreme Court in the Andhra Pradesh High Court.

450.

451. 7.5 Constitutional Provisions and Judicial Decisions and Observations

452.

453. 7.5.1 The identification of Socially and Educationally Backward Classes obviously has to be in accordance with the Constitution as interpreted by the Supreme Court and the High Court of the State. This obvious principle applies also to the identification of socially and educationally Backward Classes among Muslims.

454.

455. 7.5.2 Article 340 and Clause (4) of Article 15 speak of “socially and educationally backward classes of citizens”. So does Clause (5) of Article 15 inserted by the 93rd Amendment in 2005. Clause (4) of Article 16 speaks of “any backward class of citizens”. Those who wanted the entire Muslim religious community to be recognized as a backward class under Article 16(4)

sought comfort from the wording of Article 16(4), but it is scarcely of any help to them since the debates in the Constituent Assembly at the time of consideration of this clause, which at draft stage was Article 10(3), and the judgments of the Supreme Court including particularly the Mandal case (Indra Sawhney) judgement of 1992, make it clear that the term in Article 16(4) encompasses Scheduled Castes, Scheduled Tribes and Socially and Educationally Backward Classes. The Supreme Court's Mandal case judgment makes it clear that the Backward Classes of Article 16(4) other than SC and ST have necessarily to be socially backward in order to be eligible for reservation under Article 16(4). The Supreme Court no doubt held that it may not be quite appropriate to insist that a class should be educationally backward in the context of reservation in appointments/posts in services under the State, but it emphasised that "if one keeps in mind the context in which Article 16(4) it would be clear that the accent was upon social backwardness. It goes without saying that in Indian context, social backwardness leads to educational backwardness and both of them together lead to poverty – which in turn breeds and perpetuates the social and educational backwardness. They feed each other constituting a vicious circle. It is a well-known fact that till independence the administrative apparatus was manned almost exclusively by members of the 'upper' castes. The Shudras, the Scheduled Castes and the Scheduled Tribes and other similar backward social groups among Muslims and Christians had practically no entry into the administrative apparatus. It was this imbalance which was sought to be redressed by providing for reservations in favour of such backward classes. The idea was to enable them to share the state power. We are, accordingly, of the opinion that the backwardness contemplated by Article 16(4) is mainly social backwardness. It would not be correct to say that the backwardness under Article 16(4) should be both social and educational. The Scheduled Tribes and the Scheduled Castes are without a doubt backward for the purpose of the clause; no one has suggested that they should satisfy the test of social and educational backwardness.³⁴

456.

457. 7.5.3 Again, referring to the Constituent Assembly debates with a view to ascertaining the original intent underlying the use of the words

“Backward Classes of citizens” and after citing the speeches of Dr. Ambedkar Chairman and Shri K. M. Munshi, a member of the Drafting Committee, the Supreme Court stated as follows:-

458.

459. “In our opinion too, the words ‘class of citizens – not adequately represented in the services under the State’ would have been a vague and uncertain description. By adding the word ‘backward’ and by the speeches of Dr. Ambedkar and Shri K.M. Munshi, it was made clear that the ‘class of citizens... not adequately represented in the services under the State’ meant only those classes of citizens who were not so represented on account of their social backwardness”³⁵

460.

461. 7.5.4 After analyzing Article 340, 338(10) and 15(4) along with Article 16(4), Justice Sawant expresses certitude that the Backward Classes other than SC and ST to be specified with reference to Article 16(4) “may only be from the Socially and Educationally Backward Classes or from classes whose economic backwardness is on account of their social and educational backwardness” Thereafter, he analyses the various judgements of the Supreme Court having a bearing on the interpretation of the term Backward Classes of Citizens in Article 16(4), viz., Balaji, Janki Prasad Parimoo, K. C. Vasant Kumar, and sums up that “There is, therefore, no doubt that the expression ‘backward class of citizens’ is wider and includes in it ‘socially and educationally backward classes of citizens’ and ‘Scheduled Castes and Scheduled Tribes’.”³⁶ Thereafter, elaborately discussing Prime Minister Nehru’s intervention to reject the addition of the term ‘economically’ to the qualifiers of the term ‘Backward Classes’ in Clause (4) of Article 15 when the first amendment inserting it was discussed by the Parliament and elaborately discussing various judgements, Justice Sawant has categorically said, “hence mere economic or mere educational backwardness which is not the result of social backwardness, cannot be a criterion of backwardness for Article 16(4)”.³⁷ Justice Sawant has gone further in ruling out the possibility of such reservation even by classification under Clause (1) of Article 16 in the following words: “Hence no reservation of posts in services under the State, based exclusively on economic criteria would be valid under clause (1) of

Article 16 of the Constitution”.³⁸ The reasoning behind this conclusion is given in the preceding para 494.

462.

463. 7.5.5 This point has been taken up and emphasized in the Andhra Pradesh High Court in its judgement dated 7-11-2005 in B. Archana Reddy and Ors Vs State of AP and Ors³⁹ Justice V.V.S. Rao observed that social backwardness is an “unignorable conditonality for operating Article 16(4) of the Constitution of India”.⁴⁰ Justice Goda Raghuram observed that social backwardness is “the primary ingredient of backwardness both in the Article 15(4) and Article 16(4) context.”⁴¹

464.

465. 7.5.6 From my decades of experience in which I have dealt with different Backward Classes, I have not come across a single genuine socially backward class which is not also educationally backward. I have found every single socially backward class to be also educationally backward. That is why, different State Commissions as well as the Central level Commissions have, while identifying OBCs, logically applied the criteria of social backwardness as well as educational backwardness and have compiled lists of Socially and Educationally Backward Classes, though some States have designated them as Socially and Educationally Backward Classes, some others as Other Backward Classes and some merely as Backward Classes. Further, they were preparing lists for the purposes of not only reservation in employment, but also in education and in fact for purposes of all social justice measures. The Supreme Court also has taken note of this fact in the following words of Justice Jeevan Reddy, “The State lists were prepared both for the purposes of Article 16(4) as well as Article 15(4)”.

466.

467. 7.5.7 Thus, clearly, social and educational backwardness must be shown to be existing in respect of any class which is sought to be included in the list of SEdbc/OBC for the purposes of Article 16(4) and Article 15(4) and other purposes and any argument to the contrary that social backwardness is not a must for Article 16(4) is futile.

468.

469. 7.5.8 Coming to the issue of social backwardness among Muslims, though the concept of SEdbc evolved in the context of the caste system

glaringly present in Hindu society, it was realised that the concept of social backwardness extends to non-Hindus also either in caste terms or non-caste terms. Thus, Muslim was treated as a class and as a Backward Class or as part of the Backward Classes in the orders providing for reservation in the services by the Governments of Princely States and Provincial Governments starting with Kolhapur in 1902, Mysore and Madras in 1921, Bombay in 1925 and Travancore in 1935. Justice Jeevan Reddy has given extracts of the order of the Maharaja of Travancore dated 25th June 1935 listing out eight Hindu communities, 6 Christian communities and the Muslim community as a whole in its classification of communities for the purpose of appointments to the services of the State.⁴² I may add the information that in another part of this Order of the Maharaja of Travancore, which was based on the report dated 14th March 1935 of Dr. Nokes, Judge, High Court of Travancore, out of the communities listed, barring three of the Hindu communities and three of the Christian communities, the rest were found to be “the inadequately represented communities”. The Muslim community was one of those categorized as inadequately represented communities. In the introductory para of this Order which refers to persistent agitation in the matter of recruitment to the public service and its repeated mention in the legislature and the press, the order harks back to earlier confidential circulars issued in 1915 to all Heads of Departments to show “special consideration to the members of such communities as Ezhava, Muslim etc., which are backward in education” and similarly in subsequent instructions in 1917 and 1921 when the demand for equality of opportunities became increasingly insistent and also in 1924 and 1925.⁴³

470.

471. 7.5.9 As Justice Jeevan Reddy pointed out “what is significant is that the expression ‘communities’ was used as taking in Muslims and sections of Christians as well; it was not understood as confined to caste in Hindu social system alone”.⁴⁴

472.

473. 7.5.10 With reference to the speech of Dr. Ambedkar in the Constituent Assembly in the context of Article 16(4) [Article 10(3) in the draft],

Justice Jeevan Reddy refers to the percolation of the caste system among those who followed religions other than Hindu in the following words:

474. “...(b) caste system had percolated even the non-Hindu religions - no doubt to varying extents. Particularly among Christians in Southern India, who were converts from Hinduism, it was being practised with as much rabidity as it was among Hindus. (This aspect has been stressed by the Mandal Commission (Chapter 12 paras 11 to 16) and has also been judicially recognized. (See. For instance, the opinions of Desai and Chinnappa Reddy, JJ in Vasant Kumar). Encyclopaedia Britannica-II-Micropaedia refers to the existence of castes among Muslims and Christians at pages 618 and 619. Among Muslims, it is pointed out, a distinction is made between ‘Ashrafs’ (supposed to be descendants of Arab immigrants) and non-Ashrafs (native converts). Both are divided into sub-groups. Particularly, the non-Ashrafs, who are converts from Hinduism, it is pointed out, practice caste system (including endogamy) ‘in a manner close to that of their Hindu counterparts’. All this could not have been unknown to Dr. Ambedkar, the keen social scientist that he was. (c) It is significant to notice that throughout his speech in the Constituent Assembly, Dr. Ambedkar was using the word ‘communities’ (and not ‘castes’) which expression includes not only the castes among the Hindus, but several other groups. For example, Muslims as a whole were treated as a backward community in the princely State of Travancore besides several sections/ denominations among the Christians. The word ‘community’ is clearly wider than ‘caste’ – and ‘backward communities’ meant not only the castes – wherever they may be found – but also other groups, classes and sections among the populace”.⁴⁵

475.

476. 7.5.11 Proceeding further from this, the majority judgement per B. P. Jeevan Reddy, J illustrates the process of identification of socially and educationally Backward Classes with reference to Muslims and Christians in the following words: “Besides castes (whether found among Hindus or Others), there may be other communities, groups, classes and denominations which may qualify as backward class of citizens. For example, in a particular State, Muslim community as a whole may be found socially backward. (As a matter of fact, they are so treated in the State of Karnataka as well as in the

State of Kerala by their respective State Governments.).... The concept of 'caste' in this behalf is not confined to castes among Hindus. It extends to castes, wherever they obtain as a fact, irrespective of religious sanction for such practice. Having exhausted the castes or simultaneously with it, the authority may take up for consideration other occupational groups, communities and classes. For example, it may take up the Muslim community (after excluding those sections, castes and groups, if any, who have already been considered) and find out whether it can be characterized as a backward class in that State or region, as the case may be. The approach may differ from State to State since the conditions in each State may differ...".⁴⁶ Justice Jeevan Reddy, like Justice Sawant, also explains the reason why the word 'class' was the natural choice instead of 'caste' in the context of Article 16(4). He points out that 'non-Hindu religions like Islam, Christianity and Sikh did not recognise caste as such though caste did exist even among these religions to a varying degree'.⁴⁷ The term 'class' is used also to provide for socially and educationally backward groups of Muslims or other non-Hindu religions which are not castes or caste-like.

477.

478. 7.5.12 Justice Sawant points out that "it is further not correct to say the caste system is prevalent only among the Hindus and other religions are free from it.... As far as Islam is concerned, Islam also does not recognize caste or caste system. However, among the Muslims, in fact, there are Ashrafs and Ajlafs, i.e., high born and low born." Then he quotes the facts recorded in the Census Report of the Province of Bengal 1901 in this regard, which I have already noted. He notes that similar facts could be gathered regarding the other Provinces from the respective Census reports. He notes that at present there are many social groups among Muslims like Labbais including Rawthars and Marakayars in Tamil Nadu have been included in the list of SEEdBC/OBC (This has been misprinted in the judgment as List of SCs; from the context it is clear that Justice Sawant was actually referring to list of SEEdBC/OBC and not list of SC) and sums up that "This shows that the Muslims in India have not remained immune from the same social evils as are prevalent among the Hindus."⁴⁸ He explains the rationale of the situation as follows:

479.

480. “The division of the society even among the other religious groups in this country between the high and low castes is only to be expected. Almost all followers of the non-Hindu religions except those of Zoroastrianism, are converts from Hindu religion, and in the new religion they carried with them their caste as well. It is unnatural to expect that the social prejudices and biases, and the notions and feelings of superiority and inferiority, nurtured for centuries together, would disappear by a mere change of religion.

481.

482. The castes were inextricably associated with occupations and the low and the mean occupations belonged to the lower castes. In the new religion, along with the castes, most of the converts carried their occupations as well. The Backward Classes among the Hindus and non-Hindus can, therefore, easily be identified by their occupations also. Whether, therefore, the Backward Classes are identified on the basis of castes or occupations, the result would be the same. For, it will lead to the identification of the same collectivities or communities. The social groups following different occupations are known among Hindus by the castes named after the occupations, and among non-Hindus by occupation names. Hence for identifying the Backward Classes among the non-Hindus, their occupations can furnish a valid test”.⁴⁹

483.

484. 7.5.13 In fact, he underlines that it is on account of the situation of non-Hindus that Article 15(4) and 16(4) do not use the word ‘caste’ and use the word ‘class’ which can take within its fold both the castes and occupational groups among the Hindus and non-Hindus.⁵⁰

485.

486. 7.5.14 It is clear from the Supreme Court’s judgement in the Mandal case that the concept of S.Ed.BC/OBC encompasses socially and educationally backward classes of non-Hindus also, in the present context Muslims specifically. The clarifications given in this judgment show the way for the inclusion of non-Hindu socially backward classes of Muslims if they are caste-like or if they are occupational groups. This fully looks after the socially and educationally Backward Classes of Muslims in the north Indian situation.

But, there are certain specificities of south India which need further light. In fact, the specific instance of Labbais mentioned by Justice Sawant indicates the nature of the further light required. Labbais are not exactly an occupational group. As Susan Bayly points out, excluding Marakkayar “all other Tamil speaking Muslims in the South came to be referred to as Labbais. This population.... included coastal fishermen and pearl divers as well as large numbers of hinterland cultivators, weavers and other artisans, and petty traders including people engaged in trade such as fish selling and leather making”.⁵¹ That this large collectivity of all Muslims of Tamil origin, who belonged to different occupational groups, was perceived as low status from her reference describing them as “low-status hinterland and coastal Labbais”.⁵² Thus the bulk of the Muslim population of Tamil Nadu is not a single “occupational group”, as the term “occupational group” is understood, but a combination of a variety of “occupational groups” and other groups, and in this combination it is not possible today to locate and distinguish the various groups which were the original components of this larger collectivity of Labbai, which has been rightly recognized as a Backward Class, apparently because the various groups that mingled into this larger collectivity were, in today’s terms, socially backward. The same happened in Kerala by the recognition of Mappila which again is not a single “occupational group” but a collectivity composed of different “occupational” and “non-occupational” groups mainly agricultural labour and non-occupancy tenants or tenants-at-will or rightless and tenure-less tenantry and poor peasantry of the communities which are now in the SC and BC lists, viz., Cheruman/Cheraman and Thiyya/Ezhava. Melacheri in Lakshadweep also is a combination of different original “occupational” and “non-occupational” groups. This situation has not, for various reasons, been identified and recognised in Andhra Pradesh, though it exists in the shape of the large collectivity of Sheikh, composed of a number of original occupational and other groups, and constituting a good majority of the Muslim population of A.P. as I have shown in Chapter VI.

487.

488. 7.5.15 The majority judgement per B. P., Jeevan Reddy, J and P.B. Sawant, J read together, as they should be, show that when examining

the Muslim community, there is scope to include in the list of SEd.BC/OBC “occupational groups” and also any other groups, classes, sections and communities among the Muslims who are socially and educationally backward. This can take care of the Labbai-Mappila type of situation, characteristic of South India, and the similar hitherto unrecognized phenomenon of Sheikhs among Muslims in Andhra Pradesh which I shall clarify lower down.

489.

490. 7.5.16 The High Court of Andhra Pradesh, proceeding along the lines laid down by the Supreme Court in the Mandal case judgement, provides guidance in the specific context of Andhra Pradesh. Emphasizing that social backwardness is the crux of the process of identification, Justice Goda Raghuram has observed that in the context of reservation in public employment, the State must satisfy that there is inadequate representation of a class in the services and “that the imbalance is a product of specific social backwardness”.⁵³ Justice N. V. Ramana observes: “The object of inquiry is to discover and locate social backwardness..... the connecting link is the social backwardness”.⁵⁴

491.

492. 7.5.17 Justice V.V.S. Rao has observed: “The criteria.... should embrace sociological, social and economic considerations... Mere economic criteria and/or political criteria or demographic criteria alone would not be relevant for such an exercise though these criteria may as well support a conclusion on social backwardness if entire caste or group is socially backward by reason of such caste or by reason of occupation of members of the class and such status impedes the upward mobility socially and economically”.⁵⁵

493.

494. 7.5.18 Thus, the absence of social backwardness as the foundation of the exercise was found by the AP High Court to be a substantive flaw in the process that had been undertaken in 2005.

495.

496. 7.5.19 Another important guidance provided by the AP High Court is that where a religious community is not homogenous and consists of a number of castes or caste-like groups or biradaris etc. it would be

unconstitutional to take them up as a single entity for the purposes of Article 15(4) and 16(4). It will be unconstitutional to have a classification based only on religion. Justice V.V.S. Rao, citing three Supreme Court decisions pointed out that they support the view that “any classification based only on religion would be discriminatory violating Article 15(2) and 16(1) of the Constitution of India... If caste in a religion or occupational group in a religion plus something can justify such preference, it may be free from criticism that such discrimination is pernicious”.⁵⁶ Justice Goda Raghuram refers to such classification as a “religion exclusive classification” which transgresses “the prohibitions implicit in Article 14 and explicit in Articles 15(1) and 16(2).⁵⁷ Justice N.V. Ramana pointed out that while “there does not appear to be any Constitutional prohibition on taking the Muslim community as a whole in Andhra Pradesh for making the necessary inquiry under Art 15(4) and 16(4) of the Constitution”, they can be treated as a backward class of citizens only if “the connecting link of social backwardness” runs through the entire Muslim community in Andhra Pradesh and not merely through a group or sect thereof. From this he concluded that, “while the theoretical possibility of Muslims as a whole, in a State, constituting a socially backward class of citizens, cannot be ruled out, it does not follow therefrom that religion, without anything more, can be the sole basis for determining a class of citizens as socially backward, as such religion-specific classification would fall foul of Articles 15(2) and 16(2) of the Constitution”.⁵⁸

497.

498. 7.5.20 Specifically regarding the Muslim religious community of Andhra Pradesh, Justice V.V.S Rao pointed out that “it is a misconception to treat Muslim community as a homogenous class. Except in regard to core religious and theological beliefs, Muslim community also by and large nurtures caste system in India”. He refers to “Encyclopaedia of World Muslims: Tribes, Castes and Communities” by N.K. Singh and A.M. Khan, Vol. 1, according to which there are 84 classes/castes in Muslim community in Andhra Pradesh, giving geographical distribution of each group and their occupations, supported by an impressive Bibliography after describing each Muslim class/community, in some cases by referring to certain works, dating back to more than a century. He also refers to the Advice of the National

Commission for Backward Classes dated 4-7-2002 to the Central Government which was brought to the notice of the High Court by the Learned Senior Counsel for the Petitioner and which refers to 24 existing Muslim castes/communities which are also found in the Encyclopaedia. The National Commission relied on 'India's Communities' (People of India series) of Anthropological Survey of India. On this basis, Justice V.V.S. Rao pointed out that the ignoring of "the existence of castes and communities" and proceeding "as if entire Muslim community is a homogenous group without any visible divisions among the community" was "a fundamental flaw".⁵⁹ The Advice of the NCBC NO. AP/64-67/2002 dated 4-7-2002. On the findings of the National Commission and the importance attached to it, Justice V.V.S. Rao observed as follows: "The findings of the National Commission would belie any contention that there are no castes/communities in Muslim Minority and that Muslim community is a homogenous class.... the findings of the National Commission cannot be lightly brushed aside. The B.C. Commission's recommendations to include Muslim community in the list of Backward Classes runs counter to the recommendation made by the National Commission".⁶⁰

499.

500. 7.5.21 On the point of identifying groups/communities among Muslims, Justice V.V. S. Rao analyses the Mandal case judgement per Sawant, J. and Jeevan Reddy, J. agreeing with the opinion of Chinnappa Reddy, J. in Vasant Kumar, which I have already cited above, and the judgements in the earlier decisions of the AP High Court in 2004 (6) ALD 1 (LB) T. Muralidhara Rao V. State of AP and Ors⁶¹ and came to the following conclusion:

501. "After an analysis of the observations made in Balaji, Vasanth Kumar and Indra Sawhney-I, we are of the considered opinion that wherever the Supreme Court made an observation as obiter to the effect that even persons belonging to the Muslim community can be treated as backward, it was always with reference to groups or castes of Muslim community".⁶² Justice V.V.S. Rao therefore expressed the considered opinion "while examining the claims of various classes /groups or sects or denominations of Muslim community for the purpose of Article 15(4) and 16(4) of the Constitution, the

endeavour of the State should be to identify only such of the classes/groups/castes among Muslim community who are backward. Muslim community as a whole cannot be treated as a backward class though under certain extraordinary circumstances subject to satisfying the test of social backwardness the entire religious minority may be treated as backward class provided the entire community is engaged in a similar occupation (which is inferior or unclean or undignified) and majority of the Muslim community are economically, educationally and socially backward".⁶³

502.

503. 7.5.22 Justice Goda Raghuram, J. expresses the same view when he mentions the failure to recognize the established heterogeneity of the Muslims among the factors which constitute a fatal flaw in the conceptual foundation of the whole exercise.

504.

505. 7.5.23 The observations of the High Court per V.V.S. Rao, J also makes it clear that it is constitutionally valid to include in the BC list such classes / groups / communities belonging to the Muslim religious community as are socially and educationally backward classes. Justice V.V.S Rao's judgement makes this doubly clear in the following words:

506.

507. 7.5.24 "If the BC Commission had considered different groups of Muslim community, based on either their occupation or being closely knit insular groups (we may call them caste groups or Jamat or Biradari) and had taken up each such group for applying the criteria first deciding that by reason of their occupation, they are socially backward and by reason of their avocation as manual labour, by their habitation in slums etc., the conclusion and the exercise thereto would have been different. Consideration of entire Muslim community and applying the criteria – if they are applicable; has resulted in misdirection in law."⁶⁴

508.

509. 7.5.25 He further said that "if identifiable insular groups among Muslim community, or castes like Dudekula, Pinjari can be identified based on their traditional occupation as socially backward, on the principle of Article

16(4), there cannot be any vice in such a classification treating some occupational groups in Muslim community as socially backward".⁶⁵

510.

511. 7.5.26 Thus, important guidelines that emerged from the AP High Court's judgement are –

512.

513. (1) Social backwardness has to be the foundation of any exercise to identify OBC.

514. (2) A religious community as a whole cannot be identified as a socially and educationally backward class unless it is first of all socially homogenous

515. (3) The Muslims of Andhra Pradesh are not socially homogenous

516. (4) There is no Constitutional objection to the identification of identifiable insular groups among Muslims like castes or caste-like groups or communities or occupational groups or other groups, whether called caste groups or jamaats or biradari and their inclusion in the BC list if found to be socially and educationally backward.

517.

518. 7.5.27 I now proceed to the next step of identification of the specific Socially and Educationally Backward Classes in the Muslim community of Andhra Pradesh. My findings are based on the provisions of the Constitution as interpreted by the Supreme Court and the Andhra Pradesh High Court, and the guidance provided in and the principles emerging from the decisions and observations in the Supreme Court's landmark Mandal case judgment (Indra Sawney 1992) and in the AP High Court judgement in 2005 in the Muslim Community Reservation (Archana Reddy) case. It also follows the approach taken by the National Commission for Backward Classes in respect of Muslims in Kerala and Karnataka, which has been explained above in this Chapter, where it tendered advice to the Government of India to exclude certain social groups/communities of Muslims in each of those States as they were not socially backward and include the Other Muslims excluding the aforesaid groups/communities in the Central list of Backward Classes for those States, and while doing so also to include in the list certain specific social groups/communities of Muslims which were found to be socially backward. My recommendations, on the one hand, steer clear of total

inclusion of the religious community discountenanced by the AP High Court on the basis of the provisions of the Constitution and, on the other, the other extreme of leaving out a substantial part of the Muslim community which is in reality and is shown to be socially backward.

519.

520. 7.5.28 Starting with the social groups/communities of Muslims of Andhra Pradesh, the presence of which has been attested to by the People of India Project of the Anthropological Survey of India, it is seen that three of them, viz., Dudekula, Noorbasha and Mehtar have already been included in the State list. Of them, the first two are the same or synonyms or related groups occupying a common entry in the list.

521.

522. 7.5.29 Leaving them aside, I find the following social groups/communities of Muslims are socially and educationally backward, on the basis of their description given in Chapter VI.

523.

524. (1) Attar Saibulu or Attarollu

525. As seen from the description of the community in Chapter VI, it is an occupational group of the Muslim community with the traditional occupation of preparing and selling attar and the secondary occupation of making of agarbattis and is a low status group which is clearly a socially and educationally backward class. This is clearly a socially and educationally backward class.

526. (2) Borewale

527. As seen from the description of the community in Chapter VI, they are a traditional mendicant community which has now taken to mat weaving, and thus it has also become an “occupational” community. It is clearly a socially and educationally backward class.

528. (3) Chakketakare

529. As seen from the description of the community in Chapter VI, this is an occupational group of Muslims with the traditional occupation of making the Chakke (grinding stone), now also into stone-cutting and breaking it into required sizes like the Hindu Backward Classes of ‘Odde, Oddilu,

Vaddi, Vaddelu' who are in the AP List of Backward Classes and it is clearly a socially and educationally backward class.

530. (4) Dhobi Muslim, Muslim Dhobi, Dhobi Musalman

531. As seen from the description of the community in Chapter VI, this is an occupational group with the traditional occupation of washing of clothes. It is a counterpart of the Hindu community which is in the State list by the name of 'Rajaka (Chakali, Vannar)'. This community is in the list of Backward Classes or the list of Scheduled Castes (wherever found to be victim of untouchability, subject to the proviso to Clause (3) of the Presidential Order) in all States by the various local names. Muslim Dhobi is also included in the list of Backward Classes of a number of States like UP, Bihar, Delhi etc. It fulfill one of the criteria of the Mandal Commission for identification of SE/BC/OBC in non-Hindu religious communities. This is clearly a Socially and Educationally Backward Class.

532. (5) Faqir/Fhakir Budbudki

533. As seen from the description of the community in Chapter VI, this is a nomadic or semi-nomadic Muslim community of mendicants with the traditional occupation of begging. All such communities have been included in the lists of SE/BC/OBC of different States and the Central list for different States, except those who are already included in the list of Scheduled Castes or Scheduled Tribes. Darvesu, which is in the State list of Karnataka and in the Central list for Karnataka is another name for the same community. This is the Muslim counterpart of Budabukkala, which is already in the Andhra Pradesh State list. This is clearly a socially and educationally backward class.

534. (6) Garadi Muslim

535. As seen from the description of the community in Chapter VI, this is an entertainer-cum-mendicant community. Communities providing traditional entertainment and making their living thereby which is a form of mendicancy, are included in the list of S.Ed./BC/OBC or in the list of SC (depending upon whether they have been found to be the victims of untouchability or not and subject to the proviso in the Presidential Order) in all States including Andhra Pradesh like, for eg. Dasari (formerly engaged in Bikshatana, i.e., Beggary),

Gangiredlavaru, Dommara, Pamula, Balasanthu / Bahurupi, This is clearly a socially and educationally backward class.

536. (7) Gosangi Muslim

537. The description of this community given in Chapter VI clearly shows that it is a Socially and Educationally Backward Class. If the members of this community were Hindu or Sikh or Buddhist, this community would have been covered by the entry Gosangi in the existing list of Scheduled Castes for Andhra Pradesh. They are not covered by that entry on account of the proviso to Clause 3 of the Presidential Orders which notified the Scheduled Castes State-wise. It fulfills one of the two criteria of the Mandal Commission for identification of S.Ed.BC/OBC among non-Hindu religious communities, viz., converts from or counterparts of Scheduled Castes.

538. (8) Guddi Eluguvallu, Elugubantuvallu

539. As seen from the description, this is a nomadic community of traditional entertainers, now also engaged in sharpening of sickles and knives, agricultural labour etc. It is clearly a socially and educationally backward class.

540. (9) Hajjam, Nai Muslim, Navid Muslim

541. As seen from the description of the community in Chapter VI, this is a small occupational group with the same traditional occupation as Nai Brahmin already included in the AP list of BCs and is clearly a socially and educationally backward class. Communities whose traditional occupation is hair-dressing and related work are included in the list of Backward Classes in all States by the local names. Muslim Hajjam and their synonyms (like Salmani wherever such synonyms are prevalent) are included in the BC lists for a number of States like UP and Delhi.

542.

543. (10) Labbai, Labbi

544. As seen from the description of the community in Chapter VI, it is a community which is small in Andhra Pradesh, but the major Muslim community of Tamil Nadu, whose traditional occupation includes skin and hide tanning and their processing and trade with a number of subsidiary occupations. Though small in Andhra Pradesh, they are the main Muslim social formation in Tamil Nadu encompassing a number of social groups

which have lost their separate old caste identities. Labbai has been in the list of Backward Classes from the earliest post-Constitutional list of Madras Presidency. Taking the People of India and Susan Bayly's account together, they are a socially low status community and constitute a socially and educationally backward class.

545. (11) Quresh (Muslim butchers), Khatik/ Khatik Muslim/Kasab

546. As described in Chapter VI, this is a community, the traditional occupation of which is butchery. It has low social status and is looked down upon. It has the same disabilities as is Hindu counterparts namely Katika and Are-Katika and the social status of both is at par. It is also educationally backward. It is clearly a socially and educationally backward class.

547. In fact, it was included in the State list in 1986 on the recommendation of the Second Backward Classes (N. K. Muralidhara Rao) Commission. It was deleted inadvertently and unintentionally. The NCBC has advised its inclusion in the Central list of Backward Classes for Andhra Pradesh and accordingly the Central Government has so included it. It is also included in the Central list in respect of many other States like Karnataka, Maharashtra, Madhya Pradesh and Uttar Pradesh as noted by the NCBC in its advice.

548. This is clearly a socially and educationally backward class.

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550. (12) Shaik/Sheikh

551. There is some confusion about this group. This confusion arises from two contradictory aspects. On the one hand, according to the generally established pattern Shaik is one of the groups in the Ashraf category, and within that category it stands second only to Syed, both tracing their origin to Arabia. This is true of most of regions of India including neighbouring Tamil Nadu. On the other hand, this is the main category to which upwardly mobile groups have migrated. This has happened in a number of regions. But in most these regions such mobility is confined to communities with limited numbers belonging to upper castes before conversion. An example of this has been graphically described by Imtiaz Ahmad in his study of the Sheikh Siddiquis of U.P. who were originally Kayasthas of Allahabad district and who after migration to Lucknow to avail themselves of the new opportunities of service under the British rule, obliterated their earlier track and manufactured a new Sheikh geneology, as detailed in Chapter IV. Sheikh is the category into which such upward mobility shifts were less difficult compared to Syed, Pathan and Moghal, like the Kshatriya category among Hindus. But in U.P. and many other regions, even after such accretions, Sheikh remains, in social terms, an Ashraf elite category constituting estimatedly a small proportion of the total Muslim population. This is true even of Tamil Nadu, where the Sheikh population of 1,19,446 is just a little more than the Syed population which is 93,396 according to the data furnished by the State Government to the NCBC in 1998. But in Andhra Pradesh, in Kashmir and possibly West Bengal, the position is different and in these regions, Sheikh has got a different connotation. Here different communities belonging to the lower castes including "untouchable" castes assumed the name and identity of Sheikh. After moving into this larger collectivity they have tended to lose their separate caste identities making Sheikh a single large group. This has been described by T.N. Madan in the case of Kashmir as explained in Chapter IV. In 13 villages studied by Ranjit K. Bhattacharaya, the Sheikh constituted 85% of the Muslim population. An interesting light is cast by a report by Avijit Ghosh in the Times of India dated 6th June 2007. In this piece Ghosh describes the concerns of rag pickers in a slum of East Delhi called Ghazipur. Of 120 odd

families of rag pickers in that Slum, not less than 80% are migrants from the Nandigram Block of East Medinipur District of West Bengal. Back home most of them are marginal farmers or landless labourers. The events relating to the SEZ in Nandigram is a matter of concern for them and Ghosh's topic is their views on the SEZ issues. What is of interest to us in this report, is that of the four names of rag pickers he mentions in the piece, three are Sheikhs, Sheikh Khursheed, Sheikh Abu Hassan and Sheikh Abed. This in an incidental way corroborates Bhattacharya's study and certain other references which I need not elaborate here, regarding the changed connotation of Sheikh in West Bengal.

552. This trend has over time acquired maximal expansion in Andhra Pradesh. Many of the District Gazetteers of the 19th as well as 20th centuries, pre-Independence as well as post-Independence, attest to the fact that they constitute the largest number of all the Muslim groups. The Manual of North Arcot District, 1881, by Arthur F. Cox, which included the present Chittoor district, says about the Dudekulas or Pinjaris that they were original Shayks indicating the wide sweep of the category of Sheikhs; there are similar references in some other descriptions I have given in Chapter VI. Some of the Gazetteers even give population estimates. The District Gazetteer of Cuddapah, 1915, by C.F. Brackenburry, ICS estimates the population of Sheikhs to be more than 5/8^{ths} of the district's population which works out to more than 62.5%. The Telengana District Gazetteers for six districts, or as at present seven districts, with the exception of only Hyderabad, Rangareddy and Medak districts, all published in 1940, gives district-wise population percentage of Sheikhs, Syeds, Pathans and Moghuls in a table titled "Statistics of chief castes" based on the 1931 Census. These show that except in Adilabad District, Sheikhs are in a majority among Muslims in all districts. In Adilabad they are just short of the majority mark. In the remaining five districts, corresponding to six districts at present they are more than 60%. Out of these five, in four, corresponding to five districts as at present, they are over 70% and in one district they are 80%. It is normal for elite upper caste groups to be small, though all small groups need not be elite. The relative size and proportions of the population of Sheikhs in Andhra Pradesh do not go with the normal profile of an elite group. The huge population and

large proportion of Sheikhs and the process described in some other regions, especially Kashmir and Bengal points to the Sheikh of A.P. not being the hierarchically high Sheikh of foreign ancestry but a variety of indigenous communities which have coalesced and lost their individual caste boundaries. This has been explained in Chapter IV and Chapter VI. In this connection it is useful to recall the mention I have made in Chapter IV of the movement of 1,70,000 persons of the communities of Madiga, Mala, Adi-Andhra and Arundhatiar, comprising 2.2% of the total 1921 (subsequently re-named as Scheduled Castes) depressed classes population during the period between 1921 and 1931, as reported by M.W.M. Yeatts Superintendent of Census, in the Report of the Madras Volume of Census 1931. This has also been mentioned by Kingsley Davis. This and the consequent large increase in the population of Muslims in Coastal Andhra occurred principally in the districts of Guntur and Nellore, and chiefly in the Sheikh Tribe. These narrations by Yeatts is indicative of the large-scale movement of communities now known as Scheduled Castes to the Sheikh category and help to appreciate the meaning of the Sheikh category in the Andhra Pradesh context.

553. Where are all these “untouchable” and other lower communities gone? Small communities like Mehtar and Gosangi Muslim etc. are too small to account for them. They cannot also be in Syed, Mughul, Pathan, Arab, Irani, Bohra, Cutchi-Memon, Khoja etc. groups. They are all in the large Sheikh pool which is the collectivity of a large number of “untouchable” and other lower castes, which were not in the category of “occupational” castes at the time of their movement since they were agricultural labourers, other labourers, agricultural tenants-at-will, small peasants, etc. which are occupations but are not covered by the term “occupational groups” which term in common parlance refers to non-agricultural occupations of a specialized type like those of artisans. It is such occupational castes that continue to be engaged in the same occupation both when they were Hindus and after they became Muslims and therefore retained the related identity and name; this is why the backward classes of Muslims in North India could all be fully accounted for by their specific caste or caste-like name which is based on their occupation since it is such artisan and occupational castes that mainly took to Islam in North India, while upper category

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557. communities of or claiming foreign descent or who were originally upper caste Hindus have also retained their separate identity. The conversion pattern in the South facilitated the obliteration of individual caste identities in the South as taken into account by the NCBC in its Findings and Advice on Muslims of Kerala and Muslims of Karnataka. It is only a small number of the population of Muslims at the two ends of the spectrum that retained their identity – occupational groups, like Dudekula and Mehtar, and mendicant and indigent groups like Fakir/ Fakir Budbudki/ Darvesh and Gosangi Muslim, Muslim Dhobi, Muslim Nai etc. at the lower end, and Syed, Pathan, Moghal, Khoja etc. at the upper end. The vast concourse of the “untouchable” and other lower castes in a common category constituting the main body of Islamic society in the South was recognized and accounted for in the shape of Mappila in Malabar and Labbai in Tamil Nadu. Sheikhs in Andhra Pradesh occupy the same slot as Mappila and Labbai in their regions.

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559. Unfortunately available socio-historical knowledge did not facilitate recognition of this fact. This was compounded by the concentration of all efforts from the Muslim civil society representatives to get the entirety of the Muslim population recognized as a backward class, which as events have shown from 1968 till now, was a futile exercise. Various original socially low groups that merged into the Sheikh category have resulted into a large category being socially backward as a continuation of their separate pre-Islam castes.

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561. My impression from my personal experience in Andhra Pradesh is in accordance with this. After my training in Delhi in 1957, when I arrived in A.P. as Assistant Collector under Training in Medak District in May 1956-57, one of the first

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563. persons whom I came to know was the Class-IV Attendant attached to me, Sheikh Madar, whom I again met during my visit as Joint Secretary at his

house where he was bed-ridden and paralysed. Another person whom I recall was Sheikh Mastan a tailor of Chirala who was the spokesman of the landless poor cultivators of the Government land in the Romperu Drain area, which I inspected in 1958 as Sub-Inspector, Ongole in 1958-59 with a view to giving them due protection till the Govt. land was required for public purpose. I recall both the Sheikhs and they fully accord with the plebian image of the Sheikh category as described above, far from the image of elite category associated with Sheikhs in most other regions.

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568. In the light of these facts, my conclusion is that Sheikh of Andhra Pradesh is a socially backward class. As discussed in the Chapter on Data, the statistics of educational backwardness given in respect of Muslims as a whole is reflective of the educational status of the Sheikh and the other socially backward classes of Muslims which have been described by me above. Thus, the Sheikhs are socially as well as educationally a backward class.

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571. This leaves the groups of Syed/Saiyad/Sayyad/Mushaik; Mughal/Moghal; Pathans; Irani; Arab; Bohara; Shia Imami Ismailis/Khoja; and I would also add Cutchi Memon, though not specified in the People of India series and also Jamayat and Navayat, who are mentioned in District Gazetteers and other sources as groups of high social status though not listed by the People of India series. Bohra, Khoja and Cutchi Memon are affluent trading communities of high status. The others are groups which are of foreign descent or claim to have foreign descent and even include upper caste groups who on or after adoption of Islam were able to secure recognition as members of one of these high status Muslim groups. None of them can be constitutionally categorized as socially backward. Some of them may be even educationally backward and/or poor, but the sum and substance of the Constitutional provisions, especially Article 340 (1), Article 15(4), Article 16(4) and the recently inserted Clause (5) of Article 15, both in terms of their letter

and in terms of their judicial interpretation, and specifically in terms of the observations contained in the Supreme Court's Mandal case (Indra Sawhney) judgment of 1992 and the Andhra Pradesh High Court's Muslim Community Reservation (Archana Reddy) case, educational backwardness or for that matter poverty or as it is often referred to "economic backwardness", a term which is not in the Constitution, each by itself or both together cannot make a caste, community or group eligible for inclusion in the BC List unless there is first the foundation of social backwardness leading to/ causing/ antecedent to educational backwardness, poverty, low status occupations etc. The poverty stricken among such groups do need sympathetic consideration and appropriate help, but not through reservation and Social Justice Measures. Certainly children of such groups should not be deprived of education for which they are qualified and eligible, only for want of financial capability. These are matters engaging the attention of the State Government as well as the Central Government in view of recent Sachhar Committee Recommendations and the Ranganath Misra Recommendations of 2001. What shape this consideration will lead to, cannot be foreseen now. However, some help is provided for them even before these recommendations and can be extended, but without affecting the resources required for those who have been traditionally deprived and disadvantaged on account of social structural reasons, namely, the SC, ST and the SEdBC including those belonging to identified classes/groups of religious minorities. But for the present purpose, the groups enumerated in this para have to be excluded from the proposed list.

572. (13) Siddi

573. As seen from the description of the community in Chapter VI, it is a community which was brought to India for personal service as body guards and guards of palaces and at present engaged in rickshaw pulling etc. Though of foreign origin, they, unlike Syed, Pathan etc., are not of "prestigious" foreign origin. The Presidential notification of Scheduled Tribes for Gujarat, includes them in the list of Scheduled Tribes for Gujarat. It is included in Karnataka's State list of S.Ed.BC. On the advice of the NCBC, after public hearing, the Government of India has included this community in

the Central list of Backward Classes for Karnataka. This is a socially and educationally backward class.

574. (14) Other Muslim Groups excluding the above Groups (i.e., Syed etc.) which are not Socially Backward and excepting those who are already included in the State list (like Dudekula etc.)

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576. In view of the above position, the last entry should needs to be “Other Muslim Groups” excluding the above names Groups, viz., Syed etc. who are Not Socially Backward. From this should be excepted those Backward Groups which have already been included in the List. This entry is required to provide for those Backward Groups which are not attested to by the People of India series but are mentioned in District Gazetteers and other sources or which on account of smallness, remoteness and lack of contact and awareness, may not have come to notice and may come to notice in future. There have been such instances, which I am aware of where genuinely backward groups have remained in the dark. At the same time the exclusion will ensure that no group which is not socially and educationally backward will have the benefit of reservation and other support intended for Socially and Educationally Backward Classes.

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578. 7.5.30 These findings are in keeping with the Constitution, the two important judgements of the Supreme Court and the AP High Court and in accordance with the principles and practice of the NCBC.

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713. VIII

714. Data Analysis

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716. 8.1 The data painstakingly gathered by the Andhra Pradesh Commission for Backward Classes (APCBC) was considered as unconvincing by the Andhra Pradesh High Court when these data were presented in relation to the entire Muslim community undifferentiated into its component social classes. But when those data are revisited and seen in relation to the identified socially and educationally Backward Classes within the Muslim community, they acquire a new meaning and significance.

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718. 8.2 I reproduce below the educational status of Muslims furnished by the APCBC in 2005 at p. 67 of its Report.¹ This statement brings out the percentage of Muslim presence at different levels of education and the gap between optimum, i.e., the population equivalent presence and the actual presence expressed in terms of a percentage.

719. Muslim presence at different levels of Education

Level	Muslim Percentage	Percentage gap in Muslim Participation
I to V	9.45	Nil
VI to VII	8.12	11.23
VII to X	7.19	21.85
X	6.93	24.67
Intermediate	6.6	28.26
Graduation	6.17	32.93
Engineering	1.39 to 3.92	57.39 to 84.89
B.Ed.	2.51	72.51
MBBS	3.72	59.56
B.D.S.	4.08	55.65
Medical P.G.	4.00	56.52

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721. 8.3 No doubt these figures are for the entire Muslim community. among them deficiencies and gaps in the Indian statistical system, as it has been existing and as it still exists, these gaps and lacunae are partly rooted in the fundamental decision taken by the Govt. of India in 1950 before the first census of independent India. At that time, it was decided that there would be

no more caste census as in the pre-Independent censuses except to the extent of special groups under which population and some other data pertaining to SC and ST were collected from census to census. This position was no doubt taken for valid reasons of national interest. But it also had the effect of depriving basic information in respect of the Backward Classes other than SCs and STs, including the Backward Classes among Muslims and other Minorities. No sample survey could substitute this basic gap. Data of the population of religious communities was collected in the Census, but within each religious community there was no differentiation between classes, in the case of Muslims between the SEdBC/OBC of Muslims and other Muslims. The same is the position regarding Christians, except to the extent of STs among them; among the Muslims the ST component is extremely small. In the case of Sikh and Buddhist minorities, figures for SCs were available but not the SEdBC/OBC. It would not be fair to blame or penalize the people of the SEdBC/OBC whether among Hindus or among the minorities for this lacuna, which is not of their making. Denial or delay of categorization as 'Backward Classes' of communities which socio-historical evidence shows to be socially backward will amount to penalizing them for no fault of theirs. Until and unless the decision of 1950 is reversed or modified, one has to look for alternative ways of arriving at a fair approximation of the position regarding them on the basis of the knowledge that we have or should have of the Indian people and the Backward Classes. The Prime Minister's High Level (Justice Sachar) Committee on the Social Economic and Educational Status of Muslim Community of India which submitted its Report in November 2006 had to face this problem of paucity of data. To the extent they could give figures for Muslim OBCs, they have started with the Muslim OBCs as already identified and proceeded with the limited data available from the NSSO, which is more indicative than precise. That is why that Committee rightly recommended instrumentalities like the creation of a national data bank.

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723. 8.4 In these circumstances, justice can be done to the Backward Classes, in this case, those who are identified in Chapter VII as socially backward in this report on the basis of adequate socio-historical evidence by understanding and interpreting available data creatively. The data of

educational status and gap gathered and presented by the APCBC which I have referred to above, are the data in respect of forward caste Muslims, backward class Muslims included in the list and the large proportion of Backward Class Muslims identified in this Report in Chapter VII. From the descriptions and other available information, the status of the socially non-backward communities like Syed, Bohra, Cutchi Memon, Khoja etc., it is logical to see, would be better than APCBC figures. The position in respect of the second category, viz., BC Muslims already in the list is also an ameliorated figure because the BC Muslims in the list, like Dudekula have been rightly having the helping hand of reservation since about three decades. Even when all these three categories are taken together, there is considerable shortfall in Muslims' participation at all levels except the primary level upto Class V and the gap widens as one goes higher up the educational ladder is serious from Class 10 to Graduation levels and grave and disturbing at the professional and technological levels. If the first two categories are excluded, the resultant figures for the Socially Backward Classes now identified would be worse than the all-Muslim figures.

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725. 8.5 In the existing state of data problem, the figures furnished are adequate to show the educational backwardness of the Socially Backward Classes of Muslims identified in this report.

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727. 8.6 What has been said about the educational data is also true of other data such as the low presence of Muslims in the highest MPCE (Monthly Per Capita Expenditure) Classes, in Elective positions, Gazetted services, higher Judicial services, the District and Divisional Administration, both Revenue and Police and their excessive presence in the lowest MPCE Classes.

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729. 8.7 Guided by the type of data collected by the one-Man Justice Chinnappa Reddy Commission in Karnataka, I requested the Principal Secretary, Backward Classes Welfare Department to secure available information of admission to professional course and recruitment to PSU services for recent years. The following is the position furnished by him:

730. Admission of Muslim candidates to MBBS/BDS in the Govt. Medical and Dental Colleges in the year 2004-05, 2005-06, 2006-07
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	Academic Year		Academic Year		Academic Year	
	2004-05		2005-06*		2006-07	
	MBBS	BDS	MBBS	BDS	MBBS	BDS
No. of seats available	1450	80	1425	80	1600	80
No. of Muslim candidates admitted						
--- Reserved	11	-	76	3	7	-
---Open Category	32	3	1	-	28	3
Percentage of Muslim candidates admitted						
-- Reserved	0.76%	-	5.35%	3.75%	0.4%	-
---- Open Category	2.21%	3.75%	1%	-	1.75%	3.75%

732. *During the year 2005-06 a separate quota of 5% reservation was available to Muslims under Category E.

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734. 8.8 Here too, even without excluding the socially advanced category and the already reserved category, the presence of Muslims in the MBBS in the first and the third year is much less than their population proportion. The open category figure is the most important and this includes the socially advanced groups as well as those now found to be socially backward in Chapter VII. There is no way of separating these two categories. Separate figures for the proposed backward classes of Muslims, if they were available (which they are not and cannot at present easily be), would naturally show a significant lower presence of the proposed Muslim Backward Classes than these figures. There was substantial improvement in

the second year, i.e, 2005-06, but that was because in that year the 5% reservation was in force.

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736. 8.9 The Principal Secretary has also furnished me the list of names of Muslim candidates admitted in the first and third year. These two lists are interesting in different ways. All those reserved candidates belong to 'Group BC-B' which means Dudekula and related groups. There is no candidate from Group A, ie., Mehtar (Muslims) which shows the need for greater help for them. Further, out of the 11 reserved candidates of 2004-05, 3 have Sheik as prefix or suffix in their name indicating the wide spread of Sheik even among the Dudekula and other communities. This is also true of one of the 7 reserved candidates in the third year (2006-07).

737.

738. 8.10 The Principal Secretary has furnished me information from the AP Public Service Commission regarding Muslim candidates selected for various PSC level posts from 2004-05 to 2006-07. The following is the summary of this statement:

739.

740. Statement showing Number of Muslim candidates selected

741. For the years 2004-05 to 2006-07

742.

Name of the Recruitment	Total number of Candidates selected	No. of Muslim Candidates selected	Percentage
Asst. Executive Engineers in Various Engineering Services	344	8	2.32%
Jr. Lecturers in Govt. Jr. Colleges (Board of Intermediate Education)	332	9	2.71%
Various Categories of Non-Gazetted Posts			
1. Asst, Engineers in R&B	14	2	14%
2. Deputy Inspector of Survey			

and Land Records	35	2	5.7%
Forest Range Officers	88	1	1.1%
Civil Asst. Surgeons in AP Insurance Medical Service	105	1	0.95%
Asst. Executive Engineers in R&B Services and Public Health & Municipal Engineering Services	171	5	2.9%
Group-I Services	553	9	1.62%
Group-II Services (Addl. Vacancies)	1206	41	3.4%
Exec. & Non-Exec. Posts			

743.

744. Out of the eight categories of posts except one numerically small category, in all the other categories the presence of Muslims is much below their population percentage. This is after including the already existing reserved category BC-B candidates and candidates of Socially Advanced Classes. If separate figures were available for the groups now proposed to be included in the list, the percentage would be even less. In the first 7 categories out of the 16, as many as eight BC-B candidates have the Sheik suffix or prefix. This is also true of three or four of the 7 BC-B candidates in the eighth category.

745.

746. 8.11 Thus the data are adequate to show the social and educational backwardness and inadequate representation of the classes identified in Chapter VII, on the basis of substantial socio-historical evidence contained in this Report, to be socially backward.

747.

748. 8.12 The Sachar Committee's Report gives certain data at all-India level and certain data at State levels.² At all-India level the Muslim OBC's literacy given at 61.9% is less than that of Muslim General's 66% and Hindu OBC's 65.7%. Similarly, a smaller proportion of Muslim OBC is present at higher secondary and subsequent stages compared to Muslim General and

Hindu OBC and they are present in larger proportion than the other two at the level of illiteracy and lower levels of education. Similar differentials are seen in the earnings data, representation in public employment, monthly per capita expenditure classes. In State-level data, in Andhra Pradesh the proportion of those who have studied upto different levels shows Muslim OBC at lower levels than others except SC and ST. These are indicative data and need to be seen in the light of my remarks at paras 8.1, 8.3, 8.4 and 8.5.

749.

750. References

751.

752. 1. Govt. of Andhra Pradesh, Andhra Pradesh Commission for Backward Classes, Report on inclusion of Muslim Community in the list of Backward Classes in the State of Andhra Pradesh, Hyderabad, 2006.

753.

754. 2. Report of the the Prime Minister's High Level Committee For Preparation of Report on Social, Economic and Educational Status of the Muslim Community of India (Chairperson: Justice Rajinder Sachar)

755. IX

756. Recommendations

757.

758. 9.1 List of Socially and Educationally Backward Classes of Muslims to be included in the State List

759.

760. 9.1.1 In the light of my findings in Chapter VII and data, I recommend the inclusion of the following as Socially and Educationally Backward Classes of Muslims in the Andhra Pradesh list of Backward Classes, as a separate Group E.

761.

762. "E. Socially and Educationally Backward Classes of Muslims

763.

764. (1) Attar Saibulu, Attarollu

765.

766. (2) Borewale

767.

768. (3) Chakketakare, Kakkukotte Zinka Saibulu, Chakkitakanevale, Terugadu Gontalavaru, Thirugatigantla, Rallaku Kakku Kottevaru,

769. Pattar Phodulu, Ganta Sayebulu, Ralla Sayebulu, Mondivogula

770.

771. (4) Dhobi Muslim, Muslim Dhobi, Dhobi Musalman,

772. Turka Chakla, Turka Sakala, Turaka Chakali

773.
774. (5) Faqir, Faqir/Fhakhir Budbudki, Ghanti Fhakhir,
775. Ghanta Fhakhirlu, Fhakhir Budbudki, Turaka Budbudki
776.
777. (6) Garadi Muslim. Garadi Saibulu, Pamulavallu,
778. Kani-kattuvallu. Garadollu
779.
780. (7) Gosangi Muslim
781.
782. (8) Guddi Eluguvallu, Elugubantuvallu
783.
784. (9) Hajjam, Nai Muslim, Navid Muslim
785.
786. (10) Labbai, Labbi
787.
788. (11) Quresh (Muslim butchers), Khatik, Khatik Muslim, Kasab, Muslim
Katika
789.
790. (12) Shaik, Sheikh
791.
792. (13) Siddi
793.
794. (14) Other Muslim Groups excluding
795. Syed, Saiyad, Sayyad, Mushaik;
796. Mughal, Moghal;
797. Pathans;
798. Irani;
799. Arab;
800. Bohara, Bohra;
801. Shia Imami Ismailis, Khoja;
802. Cutchi-Memon;
803. Jamayat; and
804. Navayat,
805. and all the synonyms and sub-groups of the excluded groups;
806. and except those who have been already included in the State List of
Backward Classes.
807.

808. 9.2 Percentage of Reservation

809.

810. 9.2.1 One of the grounds on which the Andhra Pradesh High Court has struck down the Muslim Community Reservation Act 2005 is that the total percentage of reservation exceeded 50% with addition of 5% for the Muslim community. According to the Constitutional provision as it exists and in the light of judicial directions and observations interpreting it in different cases, particularly Mandal (Indra Sawhney) case of 1992, the limit of 50% stands. In order that this does not continue to remain an impediment, the

reservation for the Socially and Educationally Backward Classes of the Muslim community in the new category E may be limited to 4%.

811.

812. 9.3 Exclusion of Socially Advanced Persons, Sections (SAP/S) among SEdBC

813.

814. 9.3.1 This is the correct name, used by the Hon'ble Supreme Court in its Mandal (Indra Sawhney) case judgement of 1992, for what is commonly referred to as 'Creamy Layer'.

815. 9.3.2 The State Government has already issued orders excluding SAP/S of identified castes, communities, groups of Backward Classes (i.e., SEdBC/OBC) from the List and from the benefits of reservation etc. This smoothens the way for implementation of reservation and its commencement in the case of the proposed SEdBCs of the Muslim community.

816.

817. 9.3.4 While doing so I would recommend that the criteria may be kept separately under continuous examination in depth, especially in the matter of education, keeping in view the actual cost of education, especially professional and technical education, and taking into account the quantum of scholarships available for the SEdBC/OBC/BC. The progress and status of availment of reservation in service as well as in education may be carefully monitored regularly with a view to identifying any imbalances and inadequacies in respect of backward classes as a whole, each group of backward classes as a whole, and each caste, community, group, to enable timely corrective measures. This recommendation is relevant not only to the newly proposed Muslim SEdBCs, but also to other classes already in the State List of BCs.

818.

819. 9.4 State Data Bank

820.

821. 9.4.1 Another general recommendation which is applicable to the proposed classes as well as the existing classes is building up of a State Data Bank along the lines of the National Data Bank recommended by the Sachar Committee in order to facilitate meaningful continuous monitoring and

well-informed and timely decisions as and when necessary to achieve the goals of Social Justice Policy and programmes including Reservation.

822.

823.



11. 6. 2007