

In the absence of anything to the contrary we may as well accept these figures as genuine and act on them. It will be seen that 97% of the Bengali Settlers would have belonged to the Category of Scheduled Castes had they been living in West Bengal. That is a sure indicator of their backwardness . We now proceed to see if there are other indicators of their backwardness in the materials collected.

Columns 6 to 8 of the 1st page of the Classification Table show the Source of Income of the Community in the following way:-

6. Agriculture	- 39.63
7. Wages	- 15.23
8. Others	- 40.90

These figures are disputed by Dr. R.K.Halder, founder- President of BAANI(see his statement before the Commission on 12.9.2000(Dr. Halder's statement marked Annex-BS/7 and copy provided in Bengali Settler' File). According to him those settled since 1949 onwards were allotted agricultural land(5 acres of paddy and land, 5 acres of Horticultural land) and initially they did not have any income apart from agriculture and that even at present more than 90% of these settlers depend on agriculture only. The income from "Wages" category shown as 15.23 may be – so he says – in addition to their income from agriculture and may included what they earn as labourers when the cultivation is over. As for the source of income shown in col. 8 as "others", it was explained by Mr. Gehani at his question that " Others" included furniture makers, carpenters, those rearing animals, vegetable growers, fishermen, milkmen, and very few shop keepers. Dr. Halder felt that the income from Carpentry etc was negligible and that the income from all these sources were supplementary to the Bengali Settlers' income from agriculture.

The statement of Dr. Halder finds support from the statements of the Bengalis settlers settled at various parts of Andaman. At Shoal Bay the commission was told that the 32 families settled there in 1951 and 1953 were exclusively dependent on land. With the passage of time members of the families have increased in number but no fresh settlement of land was made. Besides a few teachers there are no job holders amongst the villagers and no doctors or engineers.(See the statement recorded by the Chairman himself on 6.11.99- marker

Annex-BS/2). The version of the Bengali Settlers of Guptapara also appears to be the same. It appears that 30/40 families of Bengali Settlers were settled at Guptapara in two batches in 1949 and 1951. Each family was allotted 5 acres of paddy land and 5 acres of hilly land. On an average 8/10 mds. Of paddy grows per acre. Paddy grown is not sufficient and people supplement their income by catching and selling fish and also by working as labourers. Most of the villagers belonged to the Scheduled castes (see statements recorded by the Chairman himself and also by Shri A.Singh, Research Officer marked – Annex-BS/3). The Commission heard the same story again and again as it moved north-wards in April last year and met the representatives of the Bengali Settlers at various places. Thus the members of the Kadamtala and Uttara Gram Panchayats, members of Rangat, Nimbutala, Sabri, and Bakultala Gram Panchayats, Pradhan, Sarpanch and Member of Shibpur Panchayat- near Diglipur- all say in one voice that agriculture was the only steady source of the Settlers' and they supplemented their income by selling fish, milk, vegetables and working as labourers; (see Annex-BS/4 to BS/6/1).

It may be safely concluded that by and large agriculture was and still is the only steady source of income of the Bengali Settlers and that they supplement this income by various other means described above- which like agriculture are all labour intensive.

Women's contribution

As per Col.9 of the 1st page of the Classification Table Women's contribution to the income of the community has been shown as 4.24% .Dr Halder supports this figure by saying that the women of the Settlers' families do work in the agricultural fields, but their number is only 5 to 10%. The commission however, was told a different story at Rangat, Shibpur and Mayabunder, where it was said that the women and children also work on the family land. This is very likely. The commission finds it very difficult to believe that where the income from agriculture- the only steady source- fails to sustain the family throughout the year and the men have to work as day labourer to supplement the meager family income, the women of the family would sit idle at home and not join the male folk tiring out at the fields. The women may not labour on others' land for

wages, as Dr. Halder tells us. But the very fact that not only they but the children of the family also labour on family lands is a sure indicator in this regard.

Dr. Halder drew the attention of the Commission to Col.10 and 11 of page I of the Classification Table which shows the Agricultural Land and Urban land under occupation of the Bengalis Settlers as 7273.72(in acres) and 41945.00(in square mtrs.) His version is that since all the post-42 settlers were settled in rural areas, the urban land shown to have been under the possession of the Bengali Settlers should be shown as “Nil”. In the Statement submitted by BAANI also this issue has been raised and it has also been contended that all the urban areas in the Islands are situated at Port Blair only where all the lands belong only to the Pre-42 Settlers exclusively. Now it may be that the Bengali Settlers have no land at Port Blair. But there are other places also in Andamans such as Rangat, Mayabunder and Diglipur which are also towns of sorts and not agricultural area though not as developed or as prosperous as Port Blair. It may very well be that the Bengali Settlers have land in those town-areas. Anyway this dispute has no bearing on the point in issue before us and we leave the matter at that.

Educational Standard among the Bengali Settlers

Literacy Rate

As per Col.6 of Page 2 of the Classification Table the Literacy Rate is 62.70%. This is much below the State Literacy Rate which is 97% and this is another relevant point –indicating backwardness.

Percentages of Matriculates.

Col.7 of page 2 of the Classification Table shows that 14.05% of the Bengali Settlers are matriculates. This is certainly very much below the State Percentage of 30.7% much below even 20% less than the State percentage. This is another indicator. The statement submitted from the side of BAANI contends that the percentages of matriculates is 6.7% This may or may not be the case. However, since the percentage according to the Classification is very low, we need not enter into the controversy any more.

Percentage of Graduates

Col.8 of Page 2 of the Classification Table shows the percentage of Graduates as 2.52% amongst the Bengali Settlers. This is much below the State graduate percentage which is 4.8% and is sufficiently indicate of the situation in the educational field.

Economic condition of the Bengali Settlers

Percentage of families of Bengali Settlers living in kutcha houses.

In Col.6 of page 3 of the Classification Table the percentage has been shown as 57.54%. This indeed is a substantial proportion. According to Dr. Halder the proportion may be more that 85% and according to the statement submitted by BAANI the proportion may be more than 90%.

At Shoal Bay the commission was told that all the house of the Bengali Settlers there were kutcha. At Guptapara the Commission was told that barring 10/12 pucca houses all the houses there had kutcha floors, wooden- plank walls and tine-roofs. The Panchayat Members of Uttara and kadamtala Gram Panchayat told the Commission that 90% of the Settlers had kutcha houses, 4% temporary houses, 5% semi -pucca and 1% pucca houses. Members of Nimbutala, Rangat, Sabri and Bakultala Gram Panchayats informed the commission that most of the settlers lived in Kutcha houses. The members of the Shibpur Panchayat also told the Commission that 95% of the settler -villagers lived in kutcha houses made of bamboo , chattai walls and roofs of leaves and grass and that only 5% of villagers having regular source of income or having children having govt. jobs have pucca houses.

From the above it may be safely concluded that much more than 57% of the settlers lived in kutcha houses and that the percentage may be as high as 80% to 90%.

Group a and b Post holders among the Bengali Settlers

In cols. 8 and 10 of the 3rd page of the Classification Table the number of Group A and B post holders among the Bengali Settlers has been given as 25 and 8 respectively. This is not disputed by Dr. Halder and no dispute in this regard has been raised by BAANI in the statement filed by it. Number of Group A and Group B posts in the Island being 344 and 458 respectively, the number of such posts held by the Bengali Settlers is disproportionately low to their population equivalent proportion.

We sum up, therefore, in the following way:-

1. The overwhelming proportion of Bengali Settlers- the proportion may be 97%- belongs to communities listed as scheduled castes in West- Bengal. This is sufficient indication that they are backward class.
2. It appears that about 90% of the Bengali settlers depend upon agriculture for their living and that the income from agriculture being not sufficient they have to take to other labour- intensive jobs to supplement their income from agriculture. Their dependence on agriculture and other labour intensive jobs indicate their backwardness.
3. The fact that women and children of the settlers' families also work on the agriculture land of the family is another indicator of their backwardness.
4. The literacy rate amongst the Bengal Settlers is much below the State Literacy Rate which also points to their backwardness.
5. Percentages of Matriculates amongst the Bengali Settlers is very much lower than the State Percentage which is another indicator of their backwardness.
6. The percentage of Graduates amongst the Bengali settlers is also very much lower than the State percentage of graduates.
7. 80% to 90% of the Bengali Settlers live in kutcha houses.

8. The number of Group A and Group B post holders of the Community is disproportionately lower than the population – equivalent proportion of the Community.

Considering the circumstances mentioned above it may be safely held that the Bengali Settlers deserve fully being listed as one of the Backward Classes of the Islands.

We conclude, therefore, that both the (1) Pre-1942 settlers comprising the (a) Bhatus, (b) Moplahs, (c) Karens and the (d) Local Born and (2) Post -1942 settlers comprising the Bengali Settlers for the time being who had been settled in these Islands under various rehabilitation schemes of the govt. of India deserve to be listed as Other Backward Classes of the Andaman and Nicobar Islands.

Before we conclude we consider it necessary to mention something which we consider to be relevant.

On 12.9.2000 at the invitation of the Commission Dr. R.K.Halder, the Founder President of Bengali Association, Andaman & Nicobar Islands met the members of the Commission along with the present President, General Secretary and an Advisory Committee Member of the said Association. The commission confronted them with the figures in the Classification Table and the views expressed by Dr. Halder, who did most of the talking, were duly recorded. At the end of the session, Dr. Halder made the following statement:-

“We , the Post-42 settlers have distinct caste, culture, custom, religion and language which we do not want to lose at any cost. We beg to the Hon’ble Chairman that the communities which are enlisted as OBCs in West Bengal example such as Sahas (Business Community) or Vaishyas, non-Kulin Kyastas etc) the same communities among the settlers may kindly be included in the list of OBCs of these islands. The communities regarded as Scheduled Caste in various states like West Bengal, Assam, Orissa (Example namasudras, Sudras etc) are to be considered as Scheduled Caste in due time and this association is pursuing with the Govt. of India to do the same. Therefore, it is our request to the Chairman that kindly keep our identity

intact by enlisting only the above mentioned communities in the OBC list among the settlers”.

Then again he said, “Post’42 settlers maybe graded as per their customs, culture, religion, language, communities castes etc. They maybe bifurcated as it is done in the case of Pre-42 settlers”.

We argued with him and the other members of the commission and we told them it would be better and advantageous for the Post -42 settlers to have the OBC status now- if they are found eligible for the status by the Commission- since there was no certainty when the Scheduled Caste status would be conferred on the Namasudras and the Sudras among the Post-’ 42 settlers – if at all and that even if the OBC status is conferred on the post -42 settlers now, that will not stand in their way of getting the Scheduled Castes status if the Central Govt. is so inclined. These arguments fell on deaf ears and they insisted that the Namasudras and the Sudras amongst the Post -42 settlers be not conferred the OBC status.

A subsequent statement sent by the BAANI to the Commission and received on 17.10.2000 apart from making many maliciously false and baseless allegations against the Commission added nothing new.

Faced with such a strange and unexpected situation the commission decided to elicit opinion from other sources to come to a decision in the regard. Thus notices were sent to Pradhans of 11(eleven) Gram Panchayats in areas inhabited by Bengali Settlers requesting them to convene meetings of their Gram panchayats and to pass resolutions on the point as to whether the Bengali Settlers were interested in classifying themselves as OBCs or not.

Nabakumar Talukdar, Pradhan, Kishorinagar Gram Panchayat and Ashok Das, Pradhan, Nabagram Gram Panchayat stated that the people of their Panchayat had no objection to be categorized as OBCs if the benefits which they were getting from the local Administration as Settlers were not denied to them. Shri.Anjan Biswas, Pradhan, Rama Krishnapur Gram Panchayat and Smti.Anjali paik, Pradhan Vivekanandpur, Gram Panchayat submitted resolutions in favour of getting the OBC status. Pradhan of Basntipur Gram Panchayat and Vijay Nagar Gram

Panchayat have also intimated that the Bengali Settlers are all in favour of getting the OBC status. Pradhan, Harinagar Gram Panchayat sent copy of resolution conveying that the Bengali Settlers were not willing to be classified as OBCs. Thus out of 11 (eleven) Gram Panchayats, 6 (six) have asked for the OBC status, 1(one) resolved against the status and 4 (four) viz. kalighat, Kausalyanagar, Neil Kendra and Govinda Nagar have not responded. The settlers of Harinagar who have refused the status of failed to appreciate the implications of the OBC status and that is why they have not opted for it. Be that as it may the situation being what it is the Commission has to take a decision on this point right now.

The Commission firmly believes that the Bengali Settlers deserve the OBC status and that if so declared, such status will confer a lot of benefits on the Community. If they are not so declared, they will miss these benefits and that will do immense harm to them. There is no knowing if the community will ever get the Scheduled Castes status and if so when. If they are now declared as OBCs that will not come in the way of their being declared as Scheduled Castes if the Central Govt. is so inclined. The commission dose not consider the stand taken by BAANI as reasonable and refuses to go by it. Six of the Panchayats of different parts of the Islands have expressed their desire to be declared as OBC. Four other panchayats have not said that they are not so willing. The Commission has also met many other panchayats in areas mainly inhabited by Bangali Settlers. Nowhere was the Commission told that the Bengali settlers did not want the OBC status. It is obvious that BAANI dose not represent the entire body of Bengali Settlers of the Islands. In the circumstances stated the Commission feels that the request made from the side of BAANI should not be heeded to and that the Bengali Settlers should be recommended for the OBC status alongwith the pre-42 settlers.

It may be that amongst the Post-42 Bengali settlers, there are a few belonging to the upper castes. Even according to BAANI they constitute not more than 3% Since the Administration here does not recognize caste-structure, the existence of this 3% may be ignored. Otherwise they may be separated from the body enjoying the status of OBCs.

We have come to the end of our journey. But before we conclude we must record our appreciation for the most useful

and devoted service rendered to the Commission by Shri.M.K.Gehani, Director of Statistics and Shri Achhey Lall Singh, Research Officer (TW)- both belonging to Andaman & Nicobar Administration. At the request of the Commission, Shri.Gehani sincerely and devotedly did all he could to collect all informations and to classify and place the same before the Commission in the form of classification Tables which provided the very basis on which the Commission conducted its enquiry. Without his unstinted help it would have been very difficult for the Commission to discharge its duties in a satisfactory way. The Commission thanks him heartily for the services rendered by him. The Commission also records with great satisfaction the devoted service rendered by Shri.A.L.Singh from the very beginning and thereafter all throughout till the very end; In spite of the heavy burden of his own office, he rendered yeoman's service to this Commission to make it possible for this Commission to serve the purpose for which it was setup. The Commission thanks him whole -heartedly for the devoted service rendered by him. Copies of these remarks of appreciation may be inserted in the service books of both of them.

The Chairman also records with satisfaction, the whole hearted assistance and co-operation that he has received from the official and the non-official members of the Commission. Shri. Rajinder Singh and Shri.N.C.Ray, both Secretaries to this Commission, ex-officio, helped the Commission in every way and so also did Shri.S.A.Awaradi, Dr.B.S.Banerjee, Shri.C.R.Garg and Shri.A.R.Talwade, all Directors of the Tribal Welfare Department. Amongst the non-official members of the commission, the late Shri.B.B.Lall was very helpful so long as he was alive. Shri.F.S.Riazuddin, Director of Tribal Welfare Department (Retd.), who succeeded him and Shri Lachman Singh, Director of Education Department(Retd), who replaced Shri B.K.Bose have been of immense help to the commission. Being old hands in the local Administration, they know all that is worth knowing about these Islands and their people. They placed all their accumulated experience and knowledge at the service of the commission and the commission drew upon them freely to its immense benefit. Smti. Pratima Mudhu Krishnan the previous Chair person of the Social Welfare Advisor board and her successor-in-office, Smti Pritam Kumari Nanda have also been helpful in various ways. The Chairman thanks all the officials and non-official members of the commission from the

very core of the heart for the unstinted help and cooperation that he has received from them.

Now to the recommendations, in view of all the conclusions arrived at above the Andaman and Nicobar commission for the Other Backward Classes do hereby recommend to the Andaman and Nicobar Administration that the Pre -1942 Settlers of Andaman and Nicobar Islands comprising the (1) Local Borns (2) the Bhatius or the Bhantus (3) the Moplabs and (4) the Karens and Post-1942 Bengali Settlers settled in the Islands under various rehabilitation schemes of the Central Government be listed as the Other Backward Classes of the Andaman and Nicobar Islands.

Sd/-
(Shri F.S. Riazuddin)
Member

Sd/-
(Shri Lachman Singh)
Member

Sd/-
(Smti Pritam Kumari Nanda)
Member

Sd/-
(Dr. M.M.Kutty)
Member Secretary

Sd/-
(Mr. Justice S.S. Ganguly)
Chairman