

REPORT
OF THE
BANJARA-VANJARI COMMITTEE

SUBMITTED
TO THE
GOVERNMENT OF MAHARASHTRA

1993

GOKHALE INSTITUTE OF POLITICS AND ECONOMICS
(DEEMED TO BE A UNIVERSITY)
PUNE 411004

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PREFACE

For some years, litigation has been going on at various levels in the State regarding the Banjara-Vanjari dispute. On June 9, 1992, the Maharashtra Administrative Tribunal, Nagpur Bench, directed the State Government to constitute a Committee to go into the whole question.

On July 31, 1992, in pursuance of the above-mentioned order of the Maharashtra Administrative Tribunal, the State Government set up the present Banjara-Vanjari Expert Committee. Its composition was as under :

Dr.D.C. Wadhwa,
Director, Gokhale Institute of
Politics and Economics, Pune. Chairman

Dr. R.K.Mutatkar,
Department of Anthropology,
University of Poona, Pune. Member

Shri A.M.Dudhbhate,
Retired Additional Director,
Directorate of Social Welfare,
Maharashtra State, Pune. Member

Shri A.R. Bodhankar,
Retired Joint Director,
Directorate of Social Welfare, Pune. Member

Shri K.K.Nayadu,
Joint Secretary,
Department of Housing and
Special Assistance,
Government of Maharashtra.
Bombay. Member-Secretary

Shri S.V.Deshmukh, Retired Assistant Commissioner, Tribal Research and Training Institute, Pune, was appointed as a Research Officer to assist the Committee in its work.

The Committee was required to opine whether the Banjara and Vanjari are synonyms of each other or not. The Committee was asked to give its opinion after making an

in-depth study of the subject by giving an opportunity to the representatives of the Banjara and Vanjari communities to place before the Committee their views and the relevant material in support of their views and after taking into consideration the material put forward before the Committee by the All India Banjara Seva Sangh, if any, in support of its claim and the report of the Tribal Research and Training Institute, Pune, submitted to the Government on November 30, 1982, in this behalf.

As the terms of reference given to the Committee were wide, it necessitated a close look into virtually all aspects of the problem including the study of the distinctive aspects of culture of both the groups and the differences in their cultural traits, if any, in the field. The terms of reference also required a careful review of the relevant material, collected by the Committee as well as submitted to the Committee by both the groups in support of their respective contentions.

The field study was conducted by Dr. Mutatkar, Shri Dudhbhate and Shri Bodhankar, members of the Committee.

The Committee met the enlightened persons from both the communities, including the representatives of the All India Banjara Seva Sangh, who placed before the Committee their views and the material in support of their views.

The Report is divided into seven chapters which are so designed that the first five chapters are presented as background material for the analysis of the various aspects of the problem in the sixth chapter. The seventh chapter summarises the findings of the Committee.

I am grateful to my colleagues on the Committee who shared the burden of its work in full measure. For the last one year, I have been very busy in connection with the work of obtaining the status of deemed to be a University for our Institute and, therefore, I could not get the time to write this report earlier. When I accepted this assignment, I had not anticipated that the work of obtaining the status of deemed to be a University for our Institute will take so much time. I am, therefore, sorry for the delay in writing this report and submitting the same to the Government.

Shri S.V. Deshmukh provided total support to the Committee in collecting the research material and in coordinating the administrative work with the Directorate of Social Welfare. He also helped me in seeing through this report in print. I am thankful to him for all his help. Shri A.V. Thipse of the Directorate of Social Welfare, Pune, typed the draft report and assisted Shri Deshmukh in his work. He also helped me in getting this report printed. Shri P.D. Naik, Stenographer, Directorate of Social Welfare, Pune, composed the report on the Word Processor in record time even by working on holidays. I am thankful to them both for their timely help in this work.

D.C. Wadhwa

Gokhale Institute of Politics and Economics
(Deemed to be a University),
Pune 411 004

August 9, 1993.

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1.3 On January 24, 1953, the percentage of reservations for recruitment to service in Class III and Class IV, from the above-mentioned backward classes, was revised as under : {4}

Class III Services

(i) Scheduled Castes	..	..	..	6 per cent
(ii) Scheduled Tribes	..	..	..	7 per cent
(iii) Other Backward Classes	..	..	..	9 per cent

Class IV Services

(i) Scheduled Castes	..	..	..	7 per cent
(ii) Scheduled Tribes	..	..	..	9 per cent
(iii) Other Backward Classes	..	..	..	11 per cent

1.4 On November 21, 1961, the Government of Maharashtra cancelled all the previous orders issued in connection with the classification of Vimukta Jatis {5} and Nomadic Tribes and Semi-Nomadic Tribes in the various component units of the State of Maharashtra and declared a common and single list of Vimukta Jatis and Nomadic Tribes and Semi-Nomadic Tribes throughout the State. The Banjaras, Kachakiwale Banjaras, Laman Banjaras and Lambadas were shown as synonyms to the Laman community in the list of Vimukta

{4} Government of Bombay Resolution, Political and Services Department, No.490/46, dated January 24, 1953.

{5} Vimukta means set free and Jatis here means tribes. Thus, Vimukta Jatis means tribes that are set free. Under the provisions of the different Criminal Tribes Acts, certain tribes were notified from time to time in the State Gazette as criminal tribes and certain restrictions were imposed on their movements. In 1949, the Criminal Tribes Act, 1924, was repealed and since then all the tribes notified as criminal tribes till then stood denotified. Therefore, these tribes are known as denotified tribes or vimukta jatis, that is, tribes set free.

Jatis.{6}. Till then, there was no recognised list of Vimukta Jatis in Vidarbha area {7} and of the Nomadic and Semi-Nomadic Tribes in Marathwada {8} and Vidarbha, area although persons belonging to these communities were found in those regions of the State. In the old Bombay State territories,{9} there were two separate lists of the Vimukta Jatis {10} (earlier notified as Vimochit Jatis and Nomadic and Semi-Nomadic Tribes {11}).

{6} Government of Maharashtra Resolution, Education and Social Welfare Department, No.CBC-1361-M, dated November 21, 1961.

{7} The territories comprising the districts of Akola, Amravati, Bhandara, Buldhana, Chanda, Nagpur, Wardha and Yeotmal which were transferred from the old State of Madhya Pradesh to the Bombay State at the time of states reorganization on November 1, 1956 [vide section 8 (1) (c) of the States Reorganization Act, 1956, Central Act 37 of 1956]. The territories comprising the districts of Akola, Amravati, Buldhana and Yeotmal constituted Berar area.

{8} The territories comprised in the Marathwada region of the then existing State of Hyderabad, that is, (a) Aurangabad, Bhir, Osmanabad and Parbhani districts, (b) Islapur circle of Boath taluka, Kinwat taluka and Rajpura taluka of Adilabad district, (c) Ahmedpur, Nilanga and Udgir talukas of Bidar district and (d) Nanded district except (i) Bichkonda and Jukkal circles of Delgur taluka and (ii) Bhiansa, Kuber and Mudhol circles of Mudhol taluka which were transferred to the Bombay State at the time of states reorganization on November 1, 1956 [vide section 8 (1) (b) of the States Reorganization Act, 1956, Central Act 37 of 1956]. The territories comprising the said Islapur circle of Boath taluka, Kinwat taluka and Rajapura taluka were included in Nanded district and the territories comprised in the said talukas of Ahmadpur, Nilanga and Udgir were added to Osmanabad district [vide section 8 (2) of the States Reorganization Act, 1956, Central Act 37 of 1956].

{9} The territories comprised in the districts of Ahmednagar, Dhulia, Greater Bombay, Jalgaon, Kolaba, Nasik, Poona, Ratnagiri, Sangli, Satara, Sholapur and Thana.

{10} Government of Bombay Resolution, Political and Services Department, No.BAC-1054, dated May 14, 1954.

{11} Government of Bombay Letter, Labour and Social Welfare Department, No.MBC-3156/2064-E, dated December 7, 1956.

1.5 On April 9, 1965, the Government of Maharashtra revised orders reserving vacancies in the Government Services for members of the backward classes. (12) According to the then existing orders, the backward classes consisted of the Scheduled Castes, Scheduled Tribes and Other Backward Communities. This grouping was revised and the backward classes were declared to consist of Scheduled Castes and Scheduled Castes converts to Buddhism; Scheduled Tribes including those living outside the specified areas, Vimukta Jatis and Nomadic Tribes; and Other Backward Communities. In modification of the then existing orders making reservation in favour of members of the backward classes, the Government directed that the following percentage of vacancies occurring in each of the various services under it which were filled by direct recruitment should be reserved for members of each of the following sections of the backward classes, namely, Scheduled Castes and Scheduled Castes converts to Buddhism 13 per cent, Scheduled Tribes including those living outside the specified areas 7 per cent, Vimukta Jatis and Nomadic Tribes 4 per cent

{12} After the bifurcation of the former Bombay State into the states of Gujarat and Maharashtra on May 1, 1960, the Government of Maharashtra appointed in November, 1961, a Committee under the Chairmanship of Shri B.D. Deshmukh to go into the question of reservation of seats and allied matters relating to the recruitment of backward classes to Government services. These revised orders were based on the recommendation contained in the report, submitted in January 1964, of the above-mentioned Committee.

and Other Backward Communities 10 per cent. {13} Thus, with the issuance of the above-mentioned order, separate reservation in the State services and educational institutions for Vimukta Jatis and Nomadic Tribes came into being in the State of Maharashtra for the first time. Till then, all the Vimukta Jatis and almost all the Nomadic and Semi-Nomadic Tribes (with the exception of a few tribes (which were either treated as Scheduled Castes or Scheduled Tribes) were included in the Other Backward Classes. {14}

1.6 On May 23, 1974, the Government declared that there will be reservation for the three sections of the backward classes, as mentioned below, in promotions made on the basis of seniority in appointment to all Class I, Class II, Class III and Class IV posts in grades and services in which the element of direct recruitment, if any, does not exceed 50 per cent. {15}

- | | | |
|---|----|-------------|
| (i) Scheduled Castes and Scheduled Castes converts to Buddhism. | .. | 13 per cent |
| (ii) Scheduled Tribes including those living outside the specified areas. | .. | 7 per cent |
| (iii) <u>Vimukta Jatis</u> and Nomadic Tribes. | .. | 4 per cent |
-

{13} Government of Maharashtra, General Administration Department, Resolution No.BCC-1064-III-I, dated April 9, 1965.

{14} Government of Bombay Resolution, Political and services Department, No.BAC-1054, dated May 14, 1954, and Government of Bombay Resolution, Political and Services Department, No.BAC-1054, dated May 14, 1954, and Government of Bombay Letter, Labour and Social Welfare Department, No.3156/2064-E, dated December 7, 1956.

{15} Government of Maharashtra, General Administration Department, Resolution No.BCC-1072-J, dated May 23, 1974.

1.7 On February 20, 1980, One Shri Ganpat Pandurang Sankhe (originally resident of Palghar taluka of Thane district), an employee (Assistant) of the Department of Rural Development, Government of Maharashtra, since 1959 and residing in Bombay since 1950 obtained from the Additional Chief Metropolitan Magistrate, Bandra, Bombay, a certificate to the effect that he belonged to the Banjara caste {16} which, as mentioned above, had been declared as Vimukta Jati in 1961. In the school record, his caste was shown as Vanjari which had been included in the Other Backward Classes {17} The above caste certificate was issued by the Additional Chief Metropolitan Magistrate on the basis of, besides other documents, Shri Sankhe's sworn statement, the certificate from the Banjara Samaj and the certificate of the Special Magistrate.

1.8 On June 18, 1980, on the basis of the above-mentioned caste certificate, the Government directed that the caste, that is, Hindu - Banjara should be entered in the Service Book of Shri G.P. Sankhe.{18}

1.9 On January 30, 1982, the Government wrote to the Director of Tribal Research and Training Institute, Maharashtra State, Pune, saying that it was noticed that many Vanjaris from Thane district were declaring as belonging to the Banjara community and were trying to

{16} Certificate No.B/363/80, dated February 20, 1980.

{17} Government of Maharashtra, Education and Social Welfare Department, Resolution No.CBC-1467-M, dated October 13, 1967.

{18} Government of Maharashtra, Rural Development Department, Resolution No.EST-1080/11581/I, dated June 18, 1980.

obtain the caste certificates of Vimukta Jatis (19) and therefore it had become absolutely necessary for the Government to have his detailed report in the matter (20).

1.10 On November 30, 1982, the Tribal Research and Training Institute, Pune, submitted to the Government its detailed report wherein it was stated that the Institute had conducted a detailed survey of 13 villages in Palghar tehsil of Thane district with a view to finding out whether the Vanjaris, who were predominantly living in that area, were the sub-groups of Banjara community and had come to the conclusion that they did not belong to that community. (21)

(19) For example in 1979, the Government had accepted the declaration of another employee of the Government, namely, Shri K.J. Sankhe, Assistant Registrar of Co-operative Societies (Housing), Bombay, to the effect that he belonged to the Banjara community and had directed that the caste written in his Service Book and office record with the Government and the Accountant General, Maharashtra, be changed from "Vanjari" to "Banjara" (vide Government of Maharashtra Memorandum No.CSG-1079/43075/CE/1970/12-C, Agricultural and Cooperation Department, dated October 29, 1979.

Similarly, in 1980, the Government had ordered that entry regarding the caste of Shri V.B. Sankhe, Clerk, Home Department, in his Service Book should be modified from "Vanjari" to 'Banjara' for all purposes. Shri V.B. Sankhe had produced a caste certificate No.B/1639/80, dated May 7, 1980, from the Additional Chief Metropolitan Magistrate, Bandra, Bombay, which indicated that Shri Vasudeo Babu Sankhe belonged to 'Banjara' caste which had been recognised as Vimukta Jati by the Government in 1961 (vide Government of Maharashtra, Home Department, Office Order No.HDE-O180-HDD-2, dated July 15, 1980

(20) D.O.No.CBC-1679/61715(290)/D.V, dated January 30, 1982, from the Under Secretary to the Government, Social Welfare, Cultural Affairs, Sports and Tourism Department, to the Director, Tribal Research and Training Institute, Pune.

(21) Letter No.Banjara/381/D-VI/1369, dated November 30, 1982, from the Director, Tribal Research and Training Institute, Pune, to the Secretary to the Government, Social Welfare and Sports Department, Bombay.

In paragraph 20 of the report it was stated that Vanjari and Banjara were altogether distinct classes or castes though they descend from the same stock. In the concluding paragraph of the report it was stated that the above view point may be examined in consultation with the enlightened Banjara persons for inclusion of Vanjari community into Banjara community before final decision was taken by the Government.

1.11 On November 19, 1983, Shri Sankhe was asked by the Government to submit to it for scrutiny his original certificate dated February 20, 1980, issued to him by the Additional Chief Metropolitan Magistrate, Bandra, Bombay. He was further asked to submit in original the certificates submitted by him to the Additional Chief Metropolitan Magistrate, Bandra, at the time of his applying for the issuance of caste certificate (22).

1.12 On November 24, 1983, Shri Sankhe replied to the above-mentioned letter and produced all the documents as per the directions of the Government.

1.13 On December 16, 1983, Shri Sankhe was informed by the Government that the caste certificate of the Sarpanch of the village in which he (Sankhe) was born and the caste certificate of the tehsildar of the taluka in which that village was situated could be held to be admissible in such matters. He was therefore asked to submit certificates from -----

(22) Government of Maharashtra, Rural Development Department, Memorandum No.Establishment 1083/CR-671/01, dated November 19, 1983.

the concerned Sarpanch and the concerned Tehsildar to the effect that the belonged to the Banjara community.(23)

1.14 On September 4, 1985, Shri Sankhe was informed by the Government that the Caste Certificate Checking Committee (24) had opined that the certificate of caste (Banjara - Denotified Tribe) issued by the Additional Chief Metropolitan Magistrate, Bandra, submitted by him could not be held to be admissible. Shri Sankhe was further informed that if he wanted to claim that he belonged to the 'Banjara' caste, he would have to obtain a certificate to that effect from the competent authority from the place of his original (25) residence (native place), which was Palghar in the district of Thane.

(23) Government of Maharashtra, Rural Development Department, Memorandum No.Establishment-1083/CR-671/3/01, dated December 16, 1983.

(24) It may be pointed out here that on May 6, 1980, the Government had directed the Director of Social Welfare Department to scrutinise the caste certificates (vide Government of Maharashtra, Social Welfare, Cultural Affairs, Sports and Tourism Department, Circular No.CBC-1680/19961/D-5, dated May 6, 1980). On June 3, 1980, however, it was decided that the Director, Social Welfare Department, and the Director, Tribal Research and Training Institute, Pune, should jointly verify the caste certificates (vide Government of Maharashtra, Social Welfare, Cultural Affairs, Sports and Tourism Department, Circular No.CBC-1680/19961/D-5, dated June 3, 1980). On February 24, 1981, a small committee consisting of departmental officers was brought into existence to scrutinise the caste certificates. (vide Government of Maharashtra, Social Welfare, Cultural Affairs, Sports and Tourism Department, Letter No.CBC-1680/65375/(499)/D-V, dated February 24, 1981, addressed to the Director of Social Welfare, Government of Maharashtra, Pune, and the Director, Tribal Research and Training Institute, Maharashtra, Pune.

(25) Government of Maharashtra, Rural Development Department, Memorandum No.Establishment-1083/CR-671/83/01, dated September 4, 1985.

1.16 On September 19, 1985, Shri Sankhe wrote to the Government that he was unable to produce the caste certificate from the Tehsildar, Palghar, because he had refused to give to him the same saying that he had specific instructions by the Government not to issue caste certificates to those who claimed to belong to the Banjara community.

1.17 On January 14, 1986, the Additional Chief Metropolitan Magistrate, Bandra, directed Shri Sankhe to appear before him on February 10, 1986, in regard to the caste certificate issued by him to Shri Sankhe on February 20, 1980. Shri Sankhe appeared as directed. After preliminary enquiry, Shri Sankhe was asked, on February 22, 1986, by the said Magistrate to file his written submissions in the above matter which he did.

1.18 On March 5, 1986, the Government issued a confidential circular addressed to the Heads of all the Administrative Departments of the State instructing them to get the caste certificates of all those employees, who had got their castes changed from 'Vanjari' to 'Banjara' in their Service Books, re-verified. The Heads of the Administrative Departments were further instructed to enquire, at the time of re-verification, the caste recorded in their School Leaving Certificates, the names of the village, taluka and district from which they originally come from and whether the certificates submitted by them to the effect that they belonged to the Banjara community were issued to them by the Executive Magistrates having territorial jurisdiction over their original places of residence or not. They were also instructed to treat as

invalid all the certificates showing the employees as Banjaras, which were not issued by the Executive Magistrates having territorial jurisdiction over the places of the permanent residence of the employees. Lastly, they were asked to instruct all the Executive Magistrates, who had issued such certificates, to cancel those certificates. Similarly, they were also instructed that so long as the employees did not submit the caste certificates issued to them by the competent Executive Magistrates, they were not to be given the concessions meant for Vimukta Jatis.{26}

1.19 On March 15, 1986, Shri Sankhe was informed by the Additional Chief Metropolitan Magistrate, Bandra, that his powers to issue caste certificates had been revoked by the Government with effect from March 1, 1986, and that he should appear before the Collector of Bombay on April 14, 1986, {27} in whom that power had been conferred since then. It appears that on April 15, 1986 (14th April being a public holiday), Shri Sankhe went to the office of the Collector when he was asked to enquire about the above matter on April 23, 1986. On April 23, 1986, he appears to have been told

{26} Government of Maharashtra, Social Welfare, Cultural Affairs, Sports and Tourism Department, confidential circular No.CBC-1484/CM/1964(2011)/BCW-5, dated March 5, 1986.

{27} It appears from the Government of Maharashtra, Social Welfare, Cultural Affairs, Sports and Tourism Department, Resolution No.CBC-1083/U.O.562(1873)/BCW-V, dated December 27, 1985, that the Government had withdrawn with effect from December 27, 1985, the powers relating to the issue of caste certificates to the backward classes from the Chief Metropolitan Magistrate and the Metropolitan Magistrates authorised by him and declared the District Magistrate, Greater Bombay, as competent authority to issue the caste certificates to backward classes in Greater Bombay.

that the Collector had decided to cancel the aforesaid certificate and that the result of the same would be communicated to him by post.

1.20 Apprehending that the Collector may cancel his caste certificate without giving proper hearing, Shri Sankhe filed the Writ Petition in the High Court of Bombay on April 25, 1986, seeking a declaration that the refusal of the State Government to accept and act upon the caste certificate dated February 20, 1980, issued to him by the Additional Chief Metropolitan Magistrate, Bandra, Bombay was bad in law and requiring the State Government to act upon that certificate and not to insist on a certificate from the Tehsildar, Palghar, and further restraining the State Government from reverting him from his post of Desk Officer, pending the disposal of his Writ Petition. (28)

1.21 On June 16, 1986, the above Writ Petition was taken up for admission by the Single Judge Bench of the High Court. The Government opposed the admission of the Writ Petition on the ground that Banjara and the Vanjari were two different castes and that since Shri Sankhe had come to Bombay in 1950, he could not be treated as ordinarily residing in Bombay for the purpose of getting a caste certificate and therefore the caste certificate issued in his favour in 1980 by the Additional Chief Metropolitan Magistrate, Bandra, was invalid. The Writ Petition was, however, admitted and the State Government was restrained

(28) Writ Petition No.1142 of 1986, Ordinary Original Civil Jurisdiction of the High Court of Bombay, in the matter of Ganpat Pandurang Sankhe v. State of Maharashtra and Others.

from reverting Shri Sankhe from his post of Desk Officer, pending the disposal of the Writ Petition.

1.22 The State Government preferred an appeal to the Division Bench of the High Court against the above-mentioned interim order of of the High Court. The appeal was rendered infructuous because the petition itself was, with the consent of all concerned, heard and treated as determinative by a Division Bench of the High Court. The principal question to be determined by the High Court was whether the Vanjari was a synonym of Banjara. On the basis of the material placed before the Court, it came to the conclusion that it was difficult for the Court to treat Vanjari as not being a synonym of Banjara, especially when Banjari was treated as being a synonym of Banjara. However, the Court did not finally settle the question and desired the Government to settle it after getting it examined by the experts. It observed that it was unfortunate that the State Government, having felt the need to get the matter sorted out, should have stopped short at the stage of the opinion given by the Tribal Research and Training Institute and not gone on to examine the question, as suggested by the Institute itself, in consultation with the enlightened persons of the Banjara community. The Court further observed that it was hoped that the Government, before taking a final decision in the matter, shall invite expert opinion as also that of the Banjaras and Vanjari communities. Finally, it directed that until such time as a final decision is taken as aforesaid, Banjara and Vanjari shall be treated as synonyms of each other and the

confidential circular dated March 5, 1986, shall not be acted upon. The above decision of the High Court was delivered on July 24, 1991.{29}

1.23 On March 9, 1992, a Special Leave Petition was filed by the State Government in the Supreme Court of India against the above-mentioned decision of the Bombay High Court. It was dismissed in limine by the Supreme Court. Thus, there was no declaration by the Supreme Court in this matter.

1.24 On June 9, 1992, in another matter of similar nature, the Maharashtra Administrative Tribunal, Nagpur Bench, directed the Government to constitute a Committee to go into the whole question. The Tribunal further observed that the Committee, before expressing its opinion in the matter, should give an opportunity to the representatives of the "Banjara" and "Vanjara" communities and should allow them to place before it the relevant material. The Tribunal also observed that if All India Banjara Seva Sangh wants to make representation in that behalf, then the said Sangh should also be given an opportunity to put forward the material before the Committee in support of its claim. Lastly, the Tribunal observed that the Committee will decide the question after taking into consideration the report of the Tribal Research and Training Institute and also in consultation with the enlightened persons from both the communities.{30}

{29} State of Maharashtra and Others v. Ganpat Pandurang Sankhe and Others, 1991 MLJ 1075.

{30} Ganpat Shankarrao Dhangat v. State of Maharashtra and Others, Writ Petition No.855/1990, O.A. No.77/91.

1.25 On July 28, 1992, the Government directed that in compliance with the order, dated July 24, 1992, of the Bombay High Court, the Government circular dated March 5, 1986, mentioned above, should not be acted upon till further orders. {31}

1.26 On July 31, 1992, the State Government constituted, in pursuance of the above-mentioned Orders of the Maharashtra Administrative Tribunal, the present Expert Committee for the purpose. The Committee has been required to opine whether Banjara and Vanjari are synonyms of each other or not. The Committee has been asked to give its opinion after making an in-depth study of subject by giving an opportunity to the representatives of the Banjara and Vanjari communities to place before the Committee their views and the relevant material in support of their views and after taking into consideration the material put forward before the Committee by the All India Banjara Seva Sangh, if any, in support of its claim and the report of the Tribal Research and Training Institute, Pune, submitted to the Government on November 30, 1982, in this behalf. The Committee has also been asked to consult the enlightened persons from both the communities before giving its Opinion. {32}

{31} Government of Maharashtra, Social Welfare, Cultural Affairs, Sports and Tourism Department, Resolution No. CBC 1484/CM-1964/2011/ BCW-5, dated July 28, 1992.

{32} Government of Maharashtra, Social Welfare, Cultural Affairs, Sports and Tourism Department, Resolution No. CBC 1291/222/BCW-V, dated July 31, 1993.

CHAPTER 2

THE REPRESENTATIONS

In addition to the representations from the All India Banjara Seva Sangh, {1} the Committee received 57 written representations from 18 districts {2} and 11 written representations without addresses from the Banjaras of the State claiming that they and the Vanjaris are not synonyms of each other. On the other hand, the Committee received, in addition to a representation signed by 329 Vanjaris from 7 districts {3} and the representation from the Thane District Banjara Samaj Hitvardhak Mandal, {4} 221 written representations from 26 districts {5} and 29 written representations without addresses from the Vanjaris of the State saying that the Vanjaris and the Banjaras are the synonyms of each other. Besides the written representations, one group of nine persons

{1} Memorandum and a List of Documents on behalf of All India Banjara Seva Sangh, dated August 14, 1992, signed by Shri Uttam Rathod, President, All India Banjara Seva Sangh.

{2} Ahmednagar 1, Akola 4, Amravati 2, Aurangabad 4, Beed 8, Bombay 7, Buldhana 3, Chandrapur 1, Dhulia 2, Latur 2, Nagpur 2, Nanded 8, Nasik 3, Parbhani 4, Pune 3, Satara 1, Thane 1, Yeotmal 1 and addresses not given 11.

{3} Ahmednagar 1, Aurangabad 1, Beed 1, Bombay 305, Nasik 9, Satara 2 and Thane 10.

{4} Representation from the Thane District Banjara Samaj Hitvardhak Mandal, Thane, dated August 17, 1992, signed by the President of the Mandal.

{5} Ahmednagar 56, Akola 3, Amravati 3, Aurangabad 8, Beed 11, Bombay 7, Buldhana 9, Chandrapur 1, Dhulia 9, Gadchiroli 1, Jalgaon 5, Kolhapur 1, Latur 3, Nagpur 7, Nanded 3, Nasik 14, Osmanabad 4, Parbhani 6, Pune 26, Raigad 2, Ratnagiri 2, Sangli 8, Satara 10, Solapur 7, Thane 8, Wardha 7 and addresses not given 29.

belonging to the Banjara community {6} and another group of eight persons belonging to the Vanjari community {7} and one person from Pune, {8} also belonging to the Vanjari community, met the Committee in person on October 9, 1992, and December 29, 1992, respectively, and put before the Committee their view points in support of their respective claims.

2.2 The contentions of the Banjaras that they are different from the Vanjaris can be broadly classified into three categories, namely, 'Social Structure', 'Cultural Characteristics' and 'Others' as given below :

SOCIAL STRUCTURE

(i) Tribe/Caste : The Banjara is a tribe while the Vanjari is a caste.

{6} Shri Uttam Rathod, President, All India Banjara Seva Sangh, Aurangabad; Shri Mansingh Rathod, President, Banjara Seva Sangh; Shri Rajaram Rathod, Secretary, All India Banjara Seva Sangh, Aurangabad; Shri Makhram Pawar, Convenor, Maharashtra Bhatke and Vimukta Samaj Kruti Samiti, Bombay; Prof. Madhukar Pawar, President, Akhil Bharatiya Seva Sangh, Akola; Shri Haribhau Rathod, Member, Bhatke and Vimukta Samaj Kruti Samiti, Bombay; Shri Rohidas B. Rathod, Advocate, Naiknagar B-47/48, S.G. Barve Marg, Kurla (East), Bombay-24; Shri Dasu Govindrao Rathod, Banjara Colony, Naiknagar, Bahadurpura, Aurangabad; and Shri Ranjit Pujari Naik, 79, Janma Bhoomi Marg, Bombay.

{7} Shri J.J. Sankhe, 101, Neel Nagar, Bandra, Bombay; Shri S.J. Patil, A-11, 3rd floor, Gurutapasya Kastur park, Borivali (West), Bombay; Shri G.N. Sankhe, 22, Jeevanprabha Co-op. Housing Society, Borivali(West), Bombay; Shri H.R. Wade, President, 1/3, Vandana Sadan Malad (West), Bombay; Shri R.S. Pimple, 12, Manisha Kastur park, Borivali (West), Bombay; Shri D.R. Pimple, 28, Indraneel, Bandra (West), Bombay; Shri R.D. Sankhe, 27, Ankur Apartment, Dahisar (East), Bombay; and Shri R.P. Sankhe, B-17, Saisuman, Borivali, Bombay.

{8} Shri Trimbakrao Kisan Kekan, Vidyanagar, Pune.

(ii) Groups: The Banjaras classify themselves into four main groups, namely, Charan/Gor Banjaras, Dhadi Banjaras, Laman/Labhan Banjaras and Mathura Banjaras while the Vanjaris are divided into three groups known as Bhusarjins, Lad Vanjaris and Raojins. The Charan or Gor Banjaras consist of four major clans amongst them, namely, Chavan, Pawar, Rathod and Wadiya/Jadhav. The family names among the Vanjaris are Geete, Ghate, Kendre, Mundhe, Pimpale, Sanap and Sankhe, etc.

(iii) Occupation : The Banjaras are nomads. Their traditional occupations were selling of salt and cattle rearing. The main occupation of the Vanjaris is agriculture.

(iv) Settlement : They live in tandas (hamlets), away from the villages. Every tanda has a Naik (headman) and a traditional panchayat which decides almost all the disputes in the tanda.

(v) Criminal Tribe : The Banjaras (the Lamanis and Lambadas) were declared a criminal tribe while the Vanjaris were never declared a criminal tribe.

(vi) Occupational Groups : The Banjaras have their own occupational groups such as dhadi (bard), dhatra (drummer), nhavi (barber) and sonar (goldsmith) while the Vanjaris do not have any such occupational groups.

(vii) Status of Women: The Banjara women mix freely with men and participate in the meetings while the Vanjari women keep away from the meetings of men folk.

CULTURAL CHARACTERISTICS

(i) Religion: The deities of the Banjaras are different from those of the Vanjaris. The Banjaras undertake pilgrimage to Pohra Devi (main Goddess at Pohra village in the district of Akola). The Banjaras sacrifice thousands of goats to the Goddess at Pohra on the second day of Ramnavmi in March/April each year. At Pohra, they also pay homage to Seva Bhaya, their saint. The Banjaras also undertake pilgrimage to Hingalaya Devi in Rajasthan. The Vanjaris go on pilgrimage to the Hindu pilgrimage centres such as Pandharpur in the district of Solapur and offer worship to the main stream Maharashtra deity Vitthal.

(ii) Language : The hard-core of the Banjara culture is dialect known as Gormati which is spoken by all the Banjaras throughout the country though they also speak regional languages in respective states. The Vanjaris speak only Marathi in Maharashtra.

(iii) Individual Life Cycle : The Banjara customs at birth, marriage and death are different from those of the Vanjaris. For example, the Banjara marriage is invariably performed during the moonlit fortnight without reference to any auspicious day or time. The Vanjaris, on the other hand, choose an auspicious day or time, according to the Hindu calendar, for performing marriage rituals. The unmarried Banjara men and women are buried after their deaths while the married ones are cremated. There is no such distinction among the Vanjaris who cremate all the dead men and women.

(iv) Costumes: The dress pattern and ornaments of the Banjara women are distinctive all over the country. They wear colourful dresses and heavy ornaments in the ears, neck, waist and ankles. The women use ghagra phetia (a skirt), Kacholi (backless blouse) with embroidered cowries (kavdis). They cover their heads and backs with another piece of cloth, known as tukri or ghanqto. As regards the ornaments, they use ivory bangles covering from waists to the elbow in both arms. Married women add such bangles to the upper arm above the elbow. A pair of ornaments known as 'topli' is tied to their hair and set loose at either side of the temple. The married women add 'ghugar' to this pair. The dress and ornaments of the Vanjari women are akin to those of the Maratha and Kunbi Hindu caste women.

(v) Festivals and Folk Songs : The Banjara festivals and folk songs are different from those of the Vanjaris . The Banjaras have a custom of ritual weeping (davlo/thanco) on various occasions such as marriage and death.

(vi) Food: The Banjaras are traditionally non-vegetarians. They make special dishes in the preparation of which blood of the goat is used along with the meat (a practice known as 'Saloe'). Both men and women drink liquor. The Vanjari women are not only vegetarians, they even do not cook non-vegetarian food. Those Vanjari men who eat non-vegetarian food have to cook it themselves without the help of their women.

OTHERS

(i) Social and Economic Status : The Banjaras are socially, educationally and economically backward whereas the Vanjaris are comparatively better off in all these

respects. The Vanjaris form a dominant caste in a village. They are politically conscious and occupy high public offices.

(ii) Nomenclature: According to the Banjaras, the Vanjaris are claiming as belonging to the Banjara tribe on the basis of similarity in nomenclature between the words 'Banjara' and 'Vanjari.'

(iii) Writings of Enthoven : While writing about the tribes and castes of Bombay Presidency, Enthoven says that "Lamanis or Vanjaris, also known as Banjaras, Banjaris, Brinjaris, Lamans, Lambadis, Lambars and Sukalis... are found in all parts of the Presidency. {9} He further says that the sub-groups such as Chavan, Pawar and Rathod are found among both the Lamanis and the Vanjaris. {10}. The Banjaras say, in their representations, that among the Vanjaris there are no Chavans, Pawars and Rathods. According to them, the Vanjaris are Patils, Pimpales, Sankhes and Wades, belonging to the Vanjari sub-groups of Avad Vanjaris, Bhusarjin Vanjaris, Lad Vanjaris and Raojin Vanjaris.

(iv) Report of the Tribal Research and Training Institute: Lastly, the Banjaras have pointed out the conclusion of the Tribal Research and Training Institute, Pune, that the Banjaras and the Vanjaris are distinct from each other. {11}

{9} Enthoven, R.E., The Tribes and Castes of Bombay, Volume II, Bombay, 1922, p.331.

{10} ibid, p.332.

{11} Report dated November 30, 1982, of Tribal Research and Training Institute, Pune, regarding the Vanjaris in Palghar and Dahanu Tehasils of Thane district.

(v) Other Publications : In support of their contention, that the Banjaras and the Vanjaris are not synonyms of each other, the Banjaras have submitted to the Committee the extracts from the following other publications also, in addition to an affidavit executed on October 17, 1992, by Shri Ranjit Naik.

(a) The Tribes and Castes of the Central Province of India. {12}

(b) The Criminal Tribes Act Manual, Bombay Province, 1938. {13}

(c) Jatwar Kshatriyancha Sachitra Itihas (In Marathi). {14}

(d) Report of All India Banjara Study Team. {15}

2.3 So far as the representations from the Vanjaris are concerned, they have argued, as mentioned earlier, that the Vanjaris and the Banjaras are the same. Apart from the three certificates, given to them by three prominent Banjara leaders, to the effect that they belonged to the Banjara community, upon which they have relied, they have advanced the following points in support of their contention:

(i) Caste/Tribe: The Vanjari is a caste and the Banjaras are a sub-group of the Vanjari caste.

(ii) Origin : Those trading in Gujarat and Saurashtra, that is, Lad region, were called Lad Vanjaris, in Mathura

{12} By R.V Russell and Rai Bahadur Hiralal, Volume II, Cosmo Publications, Delhi, 1975 (first published in 1916), pp.162-163 and 172-173.

{13} Prepared in the Criminal Tribes Branch of the Bombay Presidency Criminal Investigation Department, Bombay Government, published by the Bombay Government, 1938, pp. 108-111 and 131-133.

{14} By Deshmukh, K.B., Amravati, pp. 300-311.

{15} Report of All India Banjara Study Team, New Delhi, 1968.

they were known as Mathurajin, and in Maharashtra they were called Vanjaris. They trace their origin to Gujarat, Marwar, Rajasthan and Sindh, etc. According to them, due to famine in Gujarat, Marwar, Rajasthan and Sindh during A.D. 500 to A.D. 800, there was mass migration from the above areas to the South and during that period they came to Maharashtra and settled down. The Banjaras came later.

(iii) Occupation : Their main occupation was dealing mainly in grain and salt. After the introduction of railways, they settled down in the villages and took to agriculture. Because they settled earlier, they got better agricultural lands. The Banjaras settled later and therefore they got inferior lands.

(iv) Settlements : As they settled earlier, they live in the main village settlements. The Banjaras settled later and therefore they live in tandas adjacent to the villages.

(v) Language : Because they migrated to Maharashtra earlier, they adopted the local language earlier. The Banjaras migrated later and therefore all of them have not adopted the local language fully as yet.

(vi) Costumes : As they have been living in Maharashtra for more than a thousand years, their costumes are similar to those of the local population. Among the Banjaras, who migrated later, some persons continue with their distinctive costumes.

(vii) Acculturation : The Vanjaris have said that as a result of their early settlement to agricultural life, they have been acculturated to the way of life of Hindu caste peasantry. They have further said that those Banjaras who are getting educated and getting urbanised are also getting

acculturated in the same way as the Vanjaris got acculturated. The educated Banjaras are also discarding their cultural traits such as language, rituals, dress and food habits, etc.

(viii) Nomenclature : According to the Vanjaris, the word Vanjari is used in Marathi speaking areas. They have pointed out the phonetic similarity between Marathi 'V' and Hindi 'B' as written in Devanagri script. In this connection, they have said that even late Shri Baliram Hiraman Patil, a Banjara intellectual, has brought out the similarity in nomenclature between the words Banjara and Vanjari in his book. {16}

(ix) Certificates : They argued that the certificates given by three prominent Banjara leaders, namely, Shri Uttam Rathod, {17} Shri Ramsingh Bhanawat {18} and Shri Ranjit Naik {19} to the Vanjaris of Thane district, to the

{16} Gor Banjara Lokancha Itihas (in Marathi), Yeotmal, 1973 (first published in 1936).

{17} Certificate dated April 6, 1978, given by Shri Uttam Rathod, the then M.L.A. to Shri Sunil S/o Janardhan Sankhey, to the effect that he (Shri Sankhe) belonged to the Banjara community.

{18} Certificate dated October 13, 1978, given by Shri Ramsingh Bhanawat, General Secretary, All India Banjara Seva Sangh, Phoolumari, Akola district, to Shri Kashinath Jairam Sankhe, to the effect that Shri Sankhe belonged to the Banjara community and that that certificate was issued as per record maintained by All India Banjara community.

{19} Certificate dated Nil signed by Shri Ranjit Naik, Member of the Executive Committee, All India Banjara Seva Sangh, certifying that all persons with surnames Bore, Patil, Pimple, Sankhe and Vade of 19 villages of Bandhan/Uparale, Bhoisar, Dapoli, Dedale-Koliwali, Dhuktan, Ekalare, Gundavali, Kumbalgaon, Kolgaon, Kolwade, Kumbhanli, Kurgaon, Maswan, Murbe, Morekuran. Pam-Jambhi, Parnali, Patharli and Vengani of Dahanu and Palghar talukas of Thane district were Labhans and Mathura Banjaras (synonyms of the main Banjara tribe - a Vimukta Jati) and were members of All India Banjara Seva Sangh.

effect that as per the records of the All India Banjara Seva Sangh they belonged to the Banjara community, show that the Banjaras and the Vanjaris are the same. Shri Ranjit Naik had issued his certificate after visiting the villages in Palghar taluka of Thane district on March 7, 1979, and satisfying himself that the Vanjaris in 19 Villages of Thane district were Banjaras.

(x) Report of the Tribal Research and Training Institute: The Vanjaris say that the report of the Tribal Research and Training Institute, Pune, submitted to the Government in 1982, in respect of the Vanjaris in Thane district, is not based on facts. They have, therefore, stated that no decision be taken on the basis of that report.

(xi) Other Material : In support of their contention that the Vanjaris and the Banjaras are synonyms of each other, the Vanjaris have submitted to the Committee the following other material:

(a) Affidavits executed by Shri P.G.Dhotre on February 6, 1979 {20}, by Shri Ranjit Naik on July 18, 1979, {21} and by Shri Bhaskar Eknath Avhad. {22}

{20} Affidavit executed on February 6, 1979, by Shri P.G.Dhotre, President, Maharashtra Bhatkya Vimukta Jati Sangh, Bombay, certifying that the Sankhe family, belonged to Banjara community.

{21} Affidavit executed by Shri Ranjit Naik on July 18, 1979, supporting the issuance of certificate by him to the Vanjaris of the Thane district to the effect that they belonged to the Banjara community.

{22} Affidavit executed by Shri Bhaskar Eknath Avhad, Advocate, on August 14, 1992, supporting the contention that the Banjaras and the Vanjaris are the same.

(b) Article by Shri Ranjit Naik. {23}

(c) Census of India, 1981, Maharashtra Handicraft Survey Survey Report. {24}

(d) Certificates issued by Shri Baburao patil on June 30, 1969, {25} by Shri Ranjit Naik on April 4, 1978, {26} by Shri Uttam Rathod on April 6, 1978, {27} by Shri Ramsingh Bhanawat on October 13, 1978, {28} and by Shri Ranjit Naik dated nil {29}.

{23} Article by Shri Ranjit Naik, published in the Banjara monthly News Bulletin dated May 1, 1984, regarding the resolution passed by the All India Banjara Seva Sangh, Bombay, to the effect that the Vanjaris in Palghar tehsil and other areas of the State are not Banjaras.

{24} Census of India, 1981, Maharashtra Handicraft Survey Report, Series 12, pp. 2,3.

{25} Certificate issued on June 30, 1969, by Shri Baburao Patil, Member of Parliament, to Miss Pratibha Bhaskar Sankhe from Palghar taluka of Thane district to the effect that she belonged to the Banjara community.

{26} Certificate issued on April 4, 1978, by Shri Ranjit Naik, President, All India Banjara Seva Sangh, Bombay, to Shri Kashinath Jairam Sankhe of Thane district to the effect that he belonged to the Banjara community and that that certificate was issued on the verification of the records of the Banjara community.

{27} Certificate issued on April 6, 1978, by Shri Uttam Rathod, M.L.A., to Shri Sunil Janardhan Sankhe of Thane district to the effect that he belonged to the Banjara community.

{28} Certificate issued on October 13, 1978, by Shri Ramsingh Bhanawat to Shri Kashinath Jairam Sankhe to the effect that he belonged to the Banjara community and that that certificate was issued as per records maintained by the All India Banjara community.

{29} Certificate dated nil issued by Shri Ranjit Naik, certifying that all persons with the surnames as Bore, Patil, Pimpale, Sankhe and Vade, etc, in 19 villages/tandas of Palghar and Dahanu tehsils of Thane District belonged to the Banjara community and saying that those people were to be treated as de-notified tribe being from Banjara community.

(e) Gazetteers for the districts of Jalgaon {30}, Kolaba {31} and Thane {32}, Gazetteer of the Bombay Presidency, {33} Maharashtra State Gazetteer, {34} and the Gazetteer of the district of Bijapur (Mysore State). {35}

(f) Government of Maharashtra Circulars dated February 18, 1965, {36} dated March 5, 1986, {37} and April 18, 1977. {38}

(g) Government of Maharashtra Letter dated November 19, 1979. {39}

{30} Maharashtra State Gazetteers, Jalgaon district (Revised Edition), pp. 131,154 to 157.

{31} Bombay Gazetteer, Kolaba District pp. 71 to 73 and 414,415.

{32} Gazetteer of the Bombay Presidency, Thana, 1882, Volume XIII, Part I, pp. 131 to 132 and 371.

{33} Gazetteer of the Bombay Presidency, Gujarat, Surat and Baroach, 1877, Volume II, p. 58.

{34} Maharashtra State Gazetteer, pp. 39 to 40.

{35} Bijapur District (Mysore State) Gazetteer, 1966, pp.71,72.

{36} Government of Maharashtra, Education and Social Welfare Department, Circular No.CBC 1464/14660, dated February 18, 1965, regarding the synonyms of Banjara community.

{37} Government of Maharashtra, Social Welfare, Cultural Affairs, Sports and Tourism Department, Circular No.CBC 1484/CM/1964(2011)/BCW-5, dated March 5, 1986, regarding the verification of caste certificates issued to Vanjaris of Thane district.

{38} Government of Maharashtra, Social Welfare, Cultural Affairs, Sports and Tourism Department, Circular No.CBC 1477/335/Desk 2, dated August 18, 1977, adding Banjari as synonym to the Banjara community.

{39} Letter No.CBC 1178/932/CCO-D-V, dated November 19, 1979, written by the Deputy Secretary, Social Welfare, Cultural Affairs, Sports and Tourism Department, to the Additional Chief Metropolitan Magistrate, Bombay, conveying that the caste certificate issued by him to Shri J.J. Sankhe was in order.

(h) Government of Maharashtra Resolutions, dated November 2, 1961, {40} and dated June 18, 1980. {41}

(i) Letter written by Shri Ranjit Naik to Shri Rajaramji Rathod on August 25, 1982, {42} to Shri Ramsingh Bhanawat on July 27, 1983, {43} to the Minister, Tribal and Social Welfare Department on August 18, 1982, {44} and to the Director of Social Welfare, Government of Maharashtra, on September 3, 1989. {45}

(j) Note by Dr. Kapse. {46}

(k) Order dated April 15, 1983, of the Commissioner, Pune Division. {47}

{40} Government of Maharashtra, Resolution, Education and Social Welfare Department, No.CBC 136/H, dated November 2, 1961, regarding the unification of list of Vimukta Jatis and Nomadic Tribes.

{41} Government of Maharashtra, Rural Development Department, Resolution No.EST 1080/1158/I, dated June 18, 1980, regarding the change of caste in service record of Shri Ganpat Pandurang Sankhe from Vanjari to Banjara.

{42} Letter dated August 25, 1982, by Shri Ranjit Naik to Shri Rajaramji Rathod pleading that the Vanjaris of Palghar tehsil in Thane district be treated as Banjaras.

{43} Letter dated July 27, 1983, by Shri Ranjit Naik to Shri Ramsingh Bhanawat, questioning his role in the dispute of Vanjaris in Thane district.

{44} Letter dated August 18, 1982, by Shri Ranjit to Hon. Minister, Tribal and Social Welfare Department, pleading for the admission of Palghar Taluka Vanjaras to Medical/Engineering colleges.

{45} Letter dated September 3, 1989, by Shri Ranjit Naik, to the Director of Social Welfare, Maharashtra State, Pune, pleading that Patils, Pimpales, Sankhes and Wades of Palghar taluka of Thane district are the Banjaras.

{46} Note by Dr. Kapse on Vanjari/Banjara.

{47} Order dated April 15, 1983, passed by the Commissioner, Pune Division, Pune, in Appeal No.A/CS/SR/39/82, filed by Miss Anjali Kishor Sankhe v. State of Maharashtra and others, deciding that Miss Sankhe of Palghar taluka of Thane district belonged to the Banjara community.

(h) Government of Maharashtra Resolutions, dated November 2, 1961, {40} and dated June 18, 1980. {41}

(i) Letter written by Shri Ranjit Naik to Shri Rajaramji Rathod on August 25, 1982, {42} to Shri Ramsingh Bhanawat on July 27, 1983, {43} to the Minister, Tribal and Social Welfare Department on August 18, 1982, {44} and to the Director of Social Welfare, Government of Maharashtra, on September 3, 1989. {45}

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CHAPTER 3
THE NOTIFIED CRIMINAL TRIBES

Even before the establishment of the British rule in India, predatory tribes, who lived mainly on the proceeds of crime, were active in the country. During the early days of the British rule, many criminal tribes sprang up and they became a regular nuisance both to the society and to the administration. Though these communities showed some ostensible means of livelihood, almost all of them committed crime for their livelihood. Of these criminal tribes, some had no settled place of residence; they lived a wandering life throughout the year. Others had a definite place of residence but in certain seasons every year they took a life of wandering during which period they supplemented their income by crimes. {1}

3.1 In 1871, a law, namely, the Criminal Tribes Act, 1871, {2} was enacted. The object of the Act was to safeguard the rights of the society against anti-social tribes and also to reform those tribes. It provided for the registration, surveillance and control of criminal tribes and eunuchs. The Act was divided into two parts. Part I (sections 2 to 23) contained provisions for the criminal tribes and Part II (sections 24 to 31) dealt with eunuchs. Proviso {3} to section 1 of the Act provided that any Local

{1} Report of the Criminal Tribes Act Enquiry Committee, 1939, Bombay, pp. 2-3.

{2} Central Act 27 of 1971.

{3} This provision was inserted by section 2 of the Criminal Tribes Act Amendment Act, 1897, Central Act 2 of 1897.

Government, with the previous sanction of the Governor General in Council, could, by a notification in the local official Gazette, declare all or any of the provisions of that Act, as amended by subsequent legislation, to be in force in the whole or any part of the territories under its government.

3.2 Section 2 of the Act provided that if the Local Government had reason to believe that any tribe, gang or class of persons was addicted to the systematic commission of non-bailable offences, it could report the case to the Governor General in Council, and could request his permission to declare such tribe, gang or class to be a criminal tribe.

3.3 Section 3 provided that the said report was to state the reasons why such tribe, gang or class was considered to be addicted to the systematic commission of non-bailable offences, and, as far as possible, the nature and the circumstances of the offence in which the members of the tribe were supposed to have been concerned; and shall describe the manner in which it was proposed that such tribe, gang or class earn its living when the provisions contained in the Act were applied to it.

3.4 Section 4 enacted that if such tribe, gang or class had no fixed place of residence, the report shall state whether such tribe, gang or class followed any lawful occupation, and whether such occupation was, in the opinion of the Local Government, the real occupation of such tribe, gang or class, or a pretence for the purpose of facilitating the commission of crime, and shall set forth the grounds on which such opinion was based; and the report shall also

specify the place of residence in which such wandering tribe, gang or class was to be settled under the provisions contained in the Act, and arrangements which were proposed to be made for enabling it to earn its living therein.

3.5 Section 5 provided that if, upon the consideration of any such report the Governor General in Council was satisfied that the tribe, gang or class to which it related ought to be declared criminal, and that the means by which it was proposed that such tribe, gang or class shall earn its living were adequate, he could authorize the Local Government to publish in the local official Gazette a notification declaring that such tribe, gang or class was a criminal tribe, and thereupon the provisions of the Act were to become applicable to such tribe, gang or class. Section 6 barred the jurisdiction of courts in questions relating to such notifications.

3.6 Section 7 required the Government to direct the Magistrate of the district, in which such tribe, gang or class was at the time resident, to make a register of the members of such tribe, gang or class. Section 8 provided that upon receiving such direction, the said Magistrate shall call upon all the members of such tribe, gang or class to appear before such persons as he appointed and to give those persons such information as might be necessary to enable them to make the register. Section 13 provided that any tribe, gang or class, which had been declared to be criminal and which had no fixed place of residence, could be settled in a place of residence prescribed by the Local Government. Section 14 provided that any tribe, gang or class which had been declared to be criminal, could, by

order of the Local Government, be removed to any other place of residence. Section 17 empowered the Local Government to place, with the sanction of the Governor General in Council, any tribe, gang or class, which had been declared to be criminal, in a reformatory settlement.

3.7 Section 21 provided that it shall be duty of the village-headman and village watch-man in a village in which any persons belonging to a tribe, gang or class which had been declared criminal resided, and of every owner or occupier of land on which any such persons resided 'or of the agent of any such owner or occupier' {4} to give the earliest information in his power at the nearest police station of (a) the failure of any such person to appear and give information as directed in section 8, (b) the departure of any such person from such village or from such land (as the case was); and (c) the arrival at such village or any such land (as the case was), of any persons who could reasonably be suspected of belonging to any such tribe, gang or class.

3.8 On May 25, 1899, the whole of Part I of the above Act, as amended by section 2 of the Criminal Tribes Act Amendment Act, 1897, was declared to be in force in the whole of the Presidency of Bombay including Sindh. {5}

{4} The words 'or of the agent of any such owner or occupier' were inserted in this section by section 2 of the Criminal Tribes (Amendment) Act, 1876, Central Act 7 of 1876.

{5} Government of Bombay, Judicial Department, Notification No.3536, dated May 25, 1899, published in the Bombay Government Gazette dated June 8, 1899, Part I, p.868.

3.9 In 1900, the Bombay Government made rules to carry out the provisions of the Act. {6} But it appears that no tribe was declared to be a criminal tribe under the provisions of this Act.

3.10 In 1911, an independent Act, namely, the Criminal Tribes Act, 1911, {7} relating to the registration, surveillance and control of the criminal tribes only was passed. It extended to the whole of British India and contained almost all the provisions of the Criminal Tribes Act, 1871, as amended from time to time, with modifications. Therefore, section 29 of the new Act repealed the Criminal Tribes Act, 1871, as amended by the Criminal Tribes (Amendment) Act, 1876 {8} and the Criminal Tribes Act Amendment Act, 1897. {9}

3.11 In this Act, the Local Governments were empowered to declare any tribe, gang or class a criminal tribe, without the permission of the Governor General in Council. Section 3 of the Act provided that if the Local Government had reason to believe that any tribe, gang or class of persons was addicted to the systematic commission of non-bailable offences, it could, by notification in the local official Gazette, declare that such tribe, gang or class was a criminal tribe for the purposes of this Act.

3.12 On May 3, 1912, the first notification under the provisions of the above Act was issued. By this Notification,

{6} Bombay Government Gazette, 1900, Part I, pp.842 and 1111.

{7} Central Act 3 of 1911.

{8} Central Act 7 of 1876.

{9} Central Act 2 of 1897.

11 tribes were declared to be criminal tribes in the districts of Ahmednagar, East Khandesh, Nasik, Poona, Satara, Sholapur and West Khandesh. Neither of the tribes, under the present study, was included in the list of tribes declared to be criminal tribes by this Notification. {10} The notifications, issued subsequently, dealing with the tribes, with which the present study is concerned, are given in the following paragraphs.

3.13 On June 10, 1912, the Lamanis residing in Lakalkatti and Lingapur villages (?) of Ron taluka of the district of Dharwar {11} were declared to be a criminal tribe. {12} This Notification was superseded in 1916. {13}

3.14 On March 27, 1914, the Vanjaris residing in the village of Rotvad of Jamner taluka of East Khandesh district and in the villages of Khirdi Sathe and Rajapur of Yeola taluka of Nasik district were declared to be a criminal tribe. {14}

{10} Government of Bombay, Judicial Department, Notification No.3413, dated May 3, 1912, published in the Bombay Government Gazette dated May 9, 1912, Part I, p.670.

{11} The territories comprised in the district of Dharwar were separated from Bombay State and included in Mysore State on November 1, 1956, at the time of the states reorganization [vide section 7 (1) (b) of the States Reorganization Act, 1956, Central Act 37 of 1956].

{12} Government of Bombay, Judicial Department, Notification No.4341-A, dated June 10, 1912, published in the Bombay Government Gazette dated June 13, 1912, Part I, p.865.

{13} Government of Bombay, Judicial Department, Notification No.676, dated January 29, 1916, published in the Bombay Government Gazette dated February 10, 1916, Part I, p.225. 3.14

{14} Government of Bombay, Judicial Department, Notification No.2296, dated March 27, 1914, published in the Bombay Government Gazette dated April 9, 1914, Part I, pp. 781-785, at pp. 782 and 784

3.15 On December 9, 1915, the first notification dated May 3, 1912, was amended. Addition of the 'Banjaras or Vanjaris of the class known as Rajput or Charan Vanjaris in the district of East Khandesh only' was made to the schedule, appended to that Notification, of criminal tribes which were declared to be criminal tribes. {15}

3.16 On January 29, 1916, the Lamanis residing or wandering in the districts of Belgaum, {16} Bijapur {17} and Dharwar {18} were declared to be deemed to be as separate criminal tribe.

{15} Government of Bombay, Judicial Department, Notification No.8177, dated December 9, 1915, published in the Bombay Government Gazette dated December 16, 1915, Part I, p. 2985.

{16} Government of Bombay, Judicial Department, Notification No.675, dated January 29, 1916, published in the Bombay Government Gazette dated February 10, 1916, Part I, p. 225.

The territories comprised in the district of Belgaum (except Chandgad taluka) were transferred from Bombay State to Mysore State on November 1, 1956, at the time of states reorganization [vide section 7 (1) (b) of the States Reorganization Act, 1956, Central Act 37 of 1956]. The territories comprising the remaining Chandgad taluka of Belgaum district were included in Kolhapur district of Bombay State [vide section 8 (2) of the States Reorganization Act, 1956, Central Act 37 of 1956].

{17} Government of Bombay, Judicial Department, Notification No.674, dated January 29, 1916, published in the Bombay Government Gazette dated February 10, 1916, Part I, p.224.

The territories comprised in the district of Bijapur were transferred from Bombay State to Mysore State on November 1, 1956, at the time of states reorganization [vide section 7 (1) (b) of the States Reorganization Act, 1956, Central Act 37 of 1956].

{18} Government of Bombay, Judicial Department, Notification No.676, dated January 29, 1916, published in the Bombay Government Gazette dated February 10, 1916, Part I, p.225.

3.17 On August 18, 1916, the Lamanis in the district of Bijapur were again declared to be deemed to be a separate criminal tribe. The Notification dated January 29, 1916, mentioned above, with regard to the district of Bijapur was declared as superseded. {19}

3.18 On July 23, 1918, the Lamanis residing or wandering in the entire Presidency of Bombay were declared to be a criminal tribe and the Notification Nos.674, 675 and 676 dated January 29, 1916, declaring them a criminal tribe in the districts of Belgaum, Bijapur and Dharwar were superseded {20}.

3.19 In 1924, the Criminal Tribes Act, 1911, was replaced by the Criminal Tribes Act, 1924, {21} which consolidated the law relating to the criminal tribes. Section 3 of the new Act also empowered the Local Governments to declare any tribe, gang or class a criminal tribe.

3.20 On January 8, 1926, the gang of persons (Ganu Ramsing) of Vanjari caste in the village of Adgaon of Erandol taluka of East Khandesh district was declared to be a criminal tribe. {22}

{20} Government of Bombay, Judicial Department, Notification No.4839, dated July 23, 1918, published in the Bombay Government Gazette dated August 1, 1918, Part I, p. 1451.

{21} Central Act 6 of 1924.

{22} Government of Bombay, Judicial Department, Notification No.9182, dated January 8, 1926, published in the Bombay Government Gazette dated January 14, 1926, Part I, p. 49.

3.21 On January 9, 1926, the gangs of persons (Bhanu Kalu, Mansaram Motiram and Ramsing Fulsing) of Vanjari caste in the village of Malkhed of Jamner taluka and the gangs of persons (Budha Kalu and Rupla Khushal) of Vanjari caste in the village of Joga of Pachora taluka of East Khandesh districts were declared to be a criminal tribe. {23}

3.22 On February 16, 1929, the Lamanis or Lambadas residing or wandering in the entire Presidency of Bombay were declared to be deemed to be a criminal tribe. The Notification dated July 23, 1918, mentioned above, was declared as superseded. {24}

3.23 On June 23, 1931, in supersession of above-mentioned Notification dated February 16, 1929, and the Notification No.5518, dated August 18, 1916, all persons of the Lamani tribe, whether they called themselves Lamanis or Lambadas, in the districts of Belgaum, Bijapur and Dharwar in the Presidency of Bombay were declared to be a criminal tribe. Further, all persons belonging to the Lamani or Lambadas tribe hailing from the territories comprised in the princely states of Hyderabad, Mysore and of the Deccan and Southern Maratha Country, and the Presidency of Madras, who

{23} Government of Bombay, Judicial Department, Notification No.9183, dated January 9, 1926, published in the Bombay Government Gazette dated January 14, 1926, Part I, p. 50.

{24} Government of Bombay, Judicial Department, Notification No.4583/2, dated February 16, 1929, published in the Bombay Government Gazette dated February 21, 1929, Part I, p. 281.

were residing or found in any part of the Presidency of Bombay, were declared to be a criminal tribe. {25}

3.24 On December 4, 1934, the gang of persons (Pandu Santu) residing in Akola village (?) of Pathardi taluka of Ahmednagar district belonging to the Vanjari caste, was declared to be a criminal tribe {26}

3.25 On August 23, 1939, the Notification dated December 9, 1915, in respect of the Vanjaris was cancelled. {27}

3.26 On August 13, 1949, the Criminal Tribes Act, 1924, was repealed {28} in its application to the Province {29} of Bombay.

3.27 Thus, at the time of repeal of this Act in the Province of Bombay, the Lamanis or Lambadas were notified criminal tribe in the districts of Belgaum, Bijapur and Dharwar and the Vanjaris were a notified criminal tribe in the village of Rotvad of Jamner taluka of East Khandesh district and Khirdi Sathe and Rajapur Villages of Yeola

{25} Government of Bombay, Home Department, Notification No.9356-III/10, dated June 23, 1931, published in the Bombay Government Gazette dated July 9, 1931, Part I, p. 1587.

{26} Government of Bombay, Home Department, Notification No.5448/3-I, dated December 4, 1934, published in the Bombay Government Gazette dated December 13, 1934, Part I, p.2708.

{27} Government of Bombay, Home Department, Notification No.9849/3-IV, dated August 23, 1939, published in the Bombay Government Gazette dated August 31, 1939, Part I, p.2542.

{28} Report of the Officer on Special Duty for Unification of the List of Vimukta Jatis and Nomadic Tribes, Mimeographed, Chapter II, p.2.

{29} Under the Constitution of India, 1935, the Presidency of Bombay was designated as the Province of Bombay [vide section 46 of the Government of India Act, 1935 (26 Geo.5,c.22)].

taluka of Nasik district. In addition to these, one gang of persons in the village of Adgaon of Erandol taluka, one gang of persons in Malkhed village of Jamner taluka and two gangs of persons in Joga village of Pachora taluka of East Khandesh district and one gang of persons in Akola village of Pathardi taluka of Ahmednagar district, all belonging to the Vanjari caste, were a notified criminal tribe.

CHAPTER 4

THE NOTIFIED VIMUKTA JATIS

The classification of communities as backward communities, in the Presidency of Bombay, is reported to have been made for the first time in the Bombay Primary Education Rules, 1924, in which the term backward communities was defined to mean persons belonging to any caste classified as 'Backward' and as 'Intermediate' in the Census Report of 1921, and residing in Central Division, Southern Division, Thane district and the Island of Bombay, in the then Bombay Presidency. {1} There was no mention of criminal tribes, either notified or de-notified, in that classification.

4.2 In 1928, the Government of Bombay appointed a Committee to enquire into the educational, economic and social conditions of the Depressed Classes (untouchables) and of the Aboriginal Tribes in the Presidency and to recommend measures for their uplift. {2} The Committee submitted its report to the Government in 1930 and recommended that the backward classes should be classified as Depressed Classes, Aboriginal and Hill Tribes and Other Backward Classes. As regards the criminal tribes, the

{1} Vide Brochure Containing the Lists of Scheduled Castes, Scheduled Tribes, Vimukta Jatis/Nomadic Tribes and Other Backward Classes and Procedure for Issue and Verification of Caste Certificates, published by the Social Welfare, Cultural Affairs, Sports and Tourism Department, Bombay, 1986, p.viii.

{2} Government of Bombay Resolution, Educational Department, No. 4370, dated November 5, 1928.

Committee was of the opinion that as the criminal statistics improve for a tribe, either as a whole or in certain areas, the notification of the tribe as a criminal tribe would be cancelled as a whole or in the areas in which they had improved and therefore it was unnecessary and inadvisable to classify them separately. According to the Committee, they could either be included in the Depressed Classes if they were untouchables or in the Aboriginal and Hill Tribes if they lived mainly in forest areas or in the Other Backward Classes. {3}

4.3 On May 29, 1933, the Government classified the backward classes into the above-mentioned three categories and declared the Charan, Lamani and Vanjari tribes as belonging to Other Backward Classes. {4}

4.4 In 1937, the Government of Bombay appointed a Committee to enquire into the working of the Criminal Tribes Act, 1924. The Committee recommended that the declaration in respect of the Vanjaris should be cancelled at an early date as their tribe had shown very great improvement and could no longer be considered criminal. {5} After analysing the words tribe, gang, class and the phrase 'addicted to the systematic commission of non-bailable offences,' the Committee also recommended that the Lamanis, along with five

{3} Report of the Committee Appointed to Inquire into the Educational, Economic and Social Conditions of the Depressed Classes (untouchables) and of the Aboriginal Tribes in the Presidency (Starte Committee), Bombay, 1930 p.9.

{4} Government of Bombay, General Administration Department, Resolution No.9330, dated May 29, 1933. ●

{5} Report of the Criminal Tribes Act Enquiry Committee (Munshi Committee), Bombay, 1939, p.33.

other tribes mentioned therein, had shown gradual improvement and therefore the Government should, at an early date, take up the examination of the incidence of criminality among them, and if that was found to be low enough, they should be denotified. {6}

4.5 On April 23, 1942, the Government reclassified, in supersession of the Government Resolution dated May 29, 1933, the above-mentioned backward communities as Intermediate and Backward for the purposes of recruitment to Government services. The Backward communities were further classified as Scheduled Castes, Aboriginal and Hill Tribes and Other Backward Communities. The Charan, Lamani and Vanjari tribes were included in the list of Other Backward Communities. {7}

4.6 On August 25, 1949, immediately after the repeal of the Criminal Tribes Act, 1924, in its application to Bombay Province on August 13, 1949, a Special Committee called 'The Ex-Criminal Tribes Rehabilitation Committee' was appointed by the Government of Bombay to go into the questions of rehabilitation of those tribes in the conditions resulting from the repeal of that Act and to suggest ways and means of their uplift. {8}

4.7 On November 1, 1950, in supersession of the Government Resolution dated April 23, 1942, mentioned above, the Government of Bombay cancelled the then existing

{6} ibid, p.78

{7} Government of Bombay, Political and Services Department, Resolution No.1673/34, dated April 23, 1942. .

{8} Government of Bombay Resolution, Education and Industries Department, No.8721, dated August 25, 1949.

classification of backward communities and provided for their classification into Scheduled Castes, Scheduled Tribes and Other Backward Classes. Here also, the Charan, Lamani, Lambada and Vanjari community were included in the Other Backward Classes. {9}

4.8 On May 14, 1954, the Government declared a list of Vimochit Jatis (now known as Vimukta Jatis). {10} That list was prepared after the receipt of the report of the above-mentioned Ex-Criminal Tribes Rehabilitation Committee on November 2, 1950, and after making further enquiries with District Magistrates and District Superintendents of Police {11} and included in it the Lamani as Vimochit Jati with the Lambada as its synonym. The criterion adopted for declaring a community as a Vimukta Jati was stated to be that that community must have been in the list of criminal tribes at the time of repeal of the Criminal Tribes Act, 1924, and exhibited criminal tendencies after 1949. {12}

4.9 As mentioned in paragraph 1.4, there was no recognised list of Vimukta Jatis in the Vidarbha area and of the Nomadic and Semi-Nomadic tribes in the

{9} Government of Bombay, Political and Services Department, Resolution No.490/46, dated November 1, 1950.

{10} Government of Bombay Resolution, Political and Services Department, No.BAC-1054, dated May 14, 1954.

{11} Report of the Officer on Special Duty for Unification of the List of Vimukta Jatis and Nomadic Tribes, Mimeographed, Chapter II, p.2.

{12} Vide Brochure Containing the Lists of Scheduled Castes, Scheduled Tribes, Vimukta Jatis/Nomadic Tribes and Other Backward Classes and Procedure for Issue and Verification of Caste Certificates, published by the Social Welfare, Cultural Affairs, Sports and Tourism Department, Bombay, 1986, p.xiii.

Marathwada and Vidarbha areas of the State of Bombay. The Study Group on Social Welfare appointed by the Government of Bombay, for formulation of an approach to the Third Five-Year Plan, recommended that a common and single list of Vimukta Jatis and Nomadic and Semi-Nomadic Tribes should be prepared, and that a common programme for their welfare should be undertaken under the Third Five-Year Plan. Accordingly, on April 14, 1960, the Government decided to have an Officer on Special Duty for the unification of the lists. {13}

4.10 On October 18, 1960, the Officer on Special Duty was directed to undertake an extensive survey of the areas inhabited by the ex-criminal tribes and nomadic and semi-nomadic tribes throughout the State, study their living conditions, ascertain their felt needs and ways and means of meeting those needs and, on the basis of such a survey, make recommendations for a uniform list of those communities for the consideration of the Government. {14}

4.11 The Officer on Special Duty sent a questionnaire to the Social Welfare Officers with the request to collect information of the ex-criminal tribes existing in their districts. Similarly, he requested all the District Superintendents of Police of the State to furnish a list of ex-criminal tribes of their districts and the names of those

{13} Government of Bombay Resolution, Education and Social Welfare Department, No.BCE-1060-E, dated April 14, 1960.

{14} Government of Bombay Resolution, Education and Social Welfare Department, No.BCE-1060-J, dated October 18, 1960.

tribes who had still a tendency of committing crimes. {15} The Officer on Special Duty also undertook a rapid survey in the State so as to find out whether the communities already included in the then existing lists of Vimukta Jatis and Nomadic and Semi-Nomadic Tribes in the Western Maharashtra were in existence in the areas of Marathwada and Vidarbha also. {16}

4.12 During his survey, the Officer on Special Duty found that the Laman, ex-criminal tribe in Western Maharashtra, also existed in Marathwada and Vidarbha areas either under the same name or under different synonyms which were not found in Western Maharashtra. In Western Maharashtra, the Vimukta Jati found was the Lamani with Banjara or Kachikiwale Banjara as its synonym. In Marathwada, the Vimukta Jati found was the Laman with Banjara as its synonym. In Vidarbha, the Vimukta Jatis found was the Laman or Banjara. {17} The Officer on Special Duty also reported that from time to time, a number of criminal tribes were denotified as and when criminal tendencies of such communities were found to have decreased. {18}

4.13 In July 1961, the Officer on Special Duty submitted to the Government his final report on the subject. It contained region-wise uniform list of Vimukta Jatis and a unified list of those communities for the whole State. {19}

{15} Report of the Officer on Special Duty for Unification of the List of Vimukta Jatis and Nomadic Tribes, Mimeographed, Chapter III, p.1.

{16} *ibid*, Chapter I, p.2.

{17} *ibid*, Chapter III, pp. 9-11.

{18} *ibid*, Chapter II, p.1.

{19} *ibid*, Chapter I, p.3.

4.14 On November 21, 1961, as a result of the consideration of the report of Officer on Special Duty, the Government declared a unified list of Vimukta Jatis of Maharashtra State. It included in it the Laman as principal community with Banjaras, Kachakiwale Banjaras, Laman Banjaras and Lambadas as its synonyms. (20) The Government Resolution further provided that all previous orders issued in connection with the classification of the Vimukta Jatis in the various components units of Maharashtra shall be treated as superseded by the above order.

4.15 On February 18, 1965, the Government revised the list of Vimukta Jatis. The new list showed the Banjara community as the principal community and the Charan Banjaras, Dhadi/Dhari, Dhali/Dhalia, Goar Banjara, Jogi Banjaras, Kachikiwale Banjaras, Korya or Jangad, Laban, Labhan, Lamada/Lambara, Laman/Lamani, Laman Banjaras, Lambhani, Mathura Labhan, Navi Banjaras, Shingwale Banjaris, Shingwale Vanjaris and Singaris communities as the synonyms of the 'Banjara' community. The Government directed that the above list be included in the list of Vimukta Jatis in the State replacing the then existing entry in this regard, in the Government Resolution dated November 21, 1961. (21) The reason for replacing that entry in the Government Resolution dated November, 21, 1961, was not given.

{20} Government of Maharashtra, Education and Social Welfare Department, Resolution No.CBC 1361-M, dated November 21, 1961.

{21} Government of Maharashtra, Education and Social Welfare Department, Circular No.1464/1466-M, dated February 18, 1965.

4.16 On March 26, 1973, the synonyms Korya or Jangad, Shingwale Banjaris and Shingwale Vanjaris shown against the community 'Banjara' in the list of Vimukta Jatis given in the above-mentioned circular were deleted. {22}

4.17 On July 16, 1977, the General Secretary, All India Banjara Seva Sangh, wrote to the Government saying that some Banjara students from Yeotmal district were not getting certificates to the effect that they were Banjaras because in their transfer certificates their caste had been written as 'Banjari' instead of Banjara. He further wrote that in Khandesh region, due to Ahirani dialect spoken in that region, the caste of the Banjara students had been written as Vanjari in their transfer certificates and therefore they too were not getting the certificates to the effect that they belonged to the Banjara community. According to him, not only the non-Banjaras in that region (Khandesh) refer to Banjaras as Vanjaris but even the Banjaras themselves state their caste as Vanjari. At the end, he requested the Government to take immediate steps to find out the appropriate solution to the above problem and implement it expeditiously. The Government decided to include the Banjari as a synonym of the Banjara but did not agree to include the Vanjaris of Khandesh in the list of synonyms of the Banjara. {23}

{22} Government of Maharashtra, Social Welfare, Cultural Affairs, Sports and Tourism Department, Circular No.CBC 1464/14691-J, dated March 26, 1973.

{23} Vide File No.CBC 1477/35512/(489)/D-V, 1977, Social Welfare, Cultural Affairs, Sports and Tourism Department.

4.18 On August 18, 1977, the 'Banjari' caste was added as a synonym of the caste 'Banjara' in the list of Vimukta Jatis in the State, published by the Government on November 21, 1961. {24}

4.19 Thus, at present the Banjara community with Banjari, Charan Banjaras, Dhadi/Dari, Dhali/Dhalia, Goar Banjara, Jogi Banjaras, Kachikiwale Banjaras, Laban, Labhan, Lamada/Lambara, Laman/Lamani, Laman Banjaras, Lambhani, Mathura Labhan, Navi Banjaras and Singaris communities as its synonyms is the notified Vimukta Jati in the State. The Vanjaris were never notified as Vimukta Jati in the State and they continue to be notified as 'Other Backward Class.'

{24} Government of Maharashtra, Social Welfare, Cultural Affairs, Sports and Tourism Department, Circular No.CBC 1477/35512/Desk V, dated August 18, 1977.

CHAPTER 5

THE FIELD STUDY

The Committee visited 19 villages inhabited by the Banjaras and Vanjaris in the districts of Jalgaon in Khandesh; Aurangabad, Beed, Jalna and Parbhani in Marathwada area; Akola in Vidarbha area; Ahmednagar in Western Maharashtra; and two villages of Ranga Reddy district in Andhra Pradesh; and Bangalore in Karnataka State with a view to making a rapid study of the Banjara and Vanjari culture and society.

5.2 The methodology adopted for the field study, the names of the villages visited by the Committee, the dates on which those villages were visited and the names of the persons interviewed by the Committee in those villages are given in Appendix 1.

5.3 On the basis of the group interviews with the Banjaras and the Vanjaris in the villages, the distinctive aspects of culture of both the groups and the differences in their cultural traits are summarised as under :

BANJARAS	VANJARIS
(i)	LOCATION
Reside in <u>tandas</u> , away from the main villages.	Live in the main settlement the villages.
(ii)	ECONOMIC ORGANISATION AND MATERIAL CULTURE
(a) Occupation: Are traditionally pastoral, having changed over recently to agricultural labour and in some cases are in possession of land.	Agriculture. Most of them, if not all, possess land between 5 and 10 acres.

In some cases, dairy is a supplementary occupation (as they are eligible for loans from VJNT Corporations).

(b) Housing: Semi-pucca houses and thatched huts. The entrance of all the houses faces the east.

(c) Dresses and Ornaments : Men wear shirts and dhotis with turban as headwear. Dhoti worn to knee length.

Traditional dress of women is qhaqra, and backless blouse with odhni, made of multi-coloured cloth. Dress is beautifully embroidered. The women sew their own dresses. Some cholis (blouses) are embedded with mirrors.

Married women do not use mangal sutra but use topli and qhugri which have the sanctity and symbol of marriage with living husband.

The unmarried women use garathani, an ornament like necklace which is removed at the time of marriage. Women use huge ear rings, headband made of silver and horn bangles and ornaments made of brass.

(d) Food Habits: Non-vegetarians mainly; goat sacrifice common. Women eat mutton and cook non-vegetarian food. 'Saloe', mutton boiled with blood, considered to be a delicacy.

Liquor drinking is common in both the sexes, particularly on all social functions, namely, marriages, birth, death, etc.

Dairy cooperatives formed in few villages.

Pucca and semi pucca houses of stone and lime. Entrance of houses displays figure of Ganpati/Radhakrishna.

Shirt and dhoti as among other Hindu caste men.

Sari and blouse is common among women as in other caste Hindu women.

Married women use mangal sutra as a symbol of marriage with living husband. Use jewellery as other caste Hindus.

Unmarried and married women apply kumkum (red powder) on the forehead. Widows do not apply kumkum.

Vegetarians mainly; Vanjari women are strictly vegetarians. Mutton is a taboo for them. If the men desire to eat meat, they cook the same themselves and clean their own utensils.

Liquor drinking is not common.

(iii)

SOCIAL STRUCTURE

Gor-Banjaras comprise of Ade, Chavan, Pawar, Rathod, and Wadatiya/Jadhav, sub-groups. They do not marry within the same gotra.

The main sub-groups are Bhusarjin. Ladjin and Raojin Vanjaris. The surnames are generally Adhav Dhattrak, Ghate, Ghuge, Karad, Mundhe, Patil, Phad, Pimple, Sanap, Sankhe and Wade. No marriages among the same gotra.

(iv)

INDIVIDUAL LIFE CYCLE

(a) Birth :First delivery takes place in the husband's house. After the birth of the child the woman stays in an isolated hut near the tanda. If a son is born, his birth is announced by beating naqara (big drum). They celebrate the naming ceremony on the 3rd day of the birth.

Normal custom of the wife having her first delivery at her mother's place. Naming ceremony is celebrated generally on the 12th day as among caste Hindus.

(b) Marriage: Proposals made by the family of the bride-groom. Bride price is common among the Banjaras.

Marriage proposals made both ways; dowry system common. The social reform movement is underway to decrease the amount of dowry.

The custom of "Vetadu" (the bridegroom staying with the family of the bride for a month, these days for a day or two, before marriage and not seeing the face of the mother-in-law) is observed.

Horoscopes maintained by parents and verified by the Brahmin priests. The couple seeks the blessings of Devi Ambe after the marriage.

Haveli custom is followed, the main feature of which is to make the bride stand on bullock so as to oversee the village in all directions and bid goodbye before she is sent to her place. With the change of times, the bride now is made to stand on a wooden platform.

Custom like Haveli does not prevail among the Vanjaris.

In case of Banjara widows, the younger brother of the husband has the first claim for marriage with her (Junior Levirate); only in case he declines to marry her, she is married outside the family of her husband.

No levirate but in some cases widow re-marriage among Vanjaris is permissible

Brahmin priest officiates during marriage ceremonies and in case he is not available, the Waditya/Jadhav can solemnise the marriages.

Only Brahmin priests officiate at the marriage ceremonies.

(c) Death: The unmarried deceased are buried, only the married deceased are cremated.

Unmarried and married deceased are cremated.

Period of pollution not observed. 'Pitru Paksh' (fortnight of ancestor worship) not observed.

Pollution observed for 12 days, 'Pitru Paksha' observed.

RELIGIOUS ORGANISATIONS

(a) Festivals and Ceremonies: Main festivals are Holi, Deepavali and Ramnavami. Holi is observed early in the morning on the second day after full moon) at 4 a.m. Teej is observed by unmarried girls. Goat sacrifice undertaken on Holi. Ramnavami is celebrated at Pohra with goat sacrifice on second day.

Main festivals are Dassera, Deepavali and Pola, Padva, Gokulashtmi and Holi. Women generally observe Purnima Vatsavritri, Nagpanchmi, Tulsi puja and Sankranti as is common among caste Hindus. Vanjaris observe Holi on the first day in the evening. No goat sacrifice undertaken on the occasion of the festivals. At Harinam Saptah, that is, week during which mythology is recited by the community, Rs.2,000 to Rs.20,000 are collected from the community in various villages.

(b) Deities: Pohra Devi of Akola district. Seva Bhaya, a saint, pioneer reformer, is also worshipped at Pohra. Hingla Devi in Rajasthan.

They worship Ram, Maruti, Mahadeo, Ganpati, Krishna, Shankar, Vitthal, the Gods and Goddesses of the caste Hindus.

(c) Pilgrimage: Main place of pilgrimage is Pohra Devi in Akola district. Visited by about 2,00,000 Banjaras on Ramnavmi when about 10,000 goats are sacrificed by the devotees. Annual pilgrimage undertaken by some Banjaras to Hingla Devi in Rajasthan.

Main centres of pilgrimage are Alandi, Pandharpur, Trimbakeshwar, Nasik, Tuljapur and other holy places of Hindu worship. As members of Warkari cult, many people go on annual pilgrimage to Pandharpur.

- (vi) LANGUAGE
- Gormati is the common spoken dialect. They speak corrupt Marathi also. Marathi is their mother tongue.
- (vii) EDUCATION
- Educationally backward, due to concessions they are getting educated. Progressive in their outlook, relatively educated.
- (viii) STATUS OF WOMEN
- Women are social and participate on an equal footing with men in all discussions. System of ritual weeping among women termed as 'thanko' and 'dhavlo' is a special feature on the occasion of marriage and death. Vanjari women do not participate in discussions. System of ritual weeping does not prevail.
- (ix) AESTHETICS
- They have different folk songs and dances for different occasions, festivals, birth, marriage, etc. Folk songs like other caste Hindus.
- (x) SPECIAL CHARACTERISTICS
- Headman of the tanda is the Naik who commands respect from the residents of the tanda. Vanjaris follow the traditional system of village panchayat.
- (xi) SOCIAL REFORMS/ACCULTURATION
- Banjaras are traditional in their outlook. The women still wear traditional dress and ornaments. Some Banjaras who are educated and are near the urban areas are gradually changing their dress pattern. Pohra Devi, traditionally represented by a flag, has been replaced by a marble idol of Goddess about 30 years back. No distinctive acculturation apart from what is seen in a caste village. Reforms about reducing dowry is underway.

(xii) INTERACTION BETWEEN BANJARAS AND VANJARIS

No interdining, particularly among Banjara and Vanjari women. No intermarriage. Banjaras not invited to functions organised by Vanjaris.

Vanjaris do not mix with Banjaras. They consider themselves as higher in the local caste hierarchy.

5.4 Shingwale Vanjaris: In Ramdeowadi tanda of Jalgaon district, the Committee found that though the residents of the tanda called themselves Gor Banjaras, the others (non-Banjaras) referred to them as Shingwale (with horns) Banjara or Shingwale Vanjaris to distinguish them from Vanjari community. Traditionally, the Shingwale Vanjari women used shing (hair pins made of wood about 8" to 18" in length) to prevent their odhnis from falling and to provide support for headload. The social structure and cultural characteristics of the Shingwale Vanjaris were found to be the same as those of Banjaras in other villages of Maharashtra with the exception that Shingwale Vanjaris go on pilgrimage to Hingula Devi in Rajasthan instead of Pohra Devi in Akola district. About 80 Shingwale Vanjaris were reported to have visited Hingula Devi compared to less than 10 who visited Pohra Devi in 1992. Almost all the ladies were seen wearing the traditional Banjara costumes. Another distinguishing observation related to the shrines of Sevabyaya and Saptadevi temple, as also an imposing temple building for Ramdevbaba from Rajasthan which were not seen in other tandas visited by the Committee. The Naik of the tanda expressed his displeasure with the reform movement initiated by late Shri Baliram Hiranman Patil; the only suggestion they accepted was in regard to reducing the height of the shing (hair pin), used by them, in order to avoid inconvenience

while travelling by buses and trains.

5.5 Lambadolly and Vanjarollu : In Medchal village near Hyderabad, inhabited by the Vanjaris, and Ravalkot tanda at a distance of about 18 kilometers from Medchal inhabited by the Lambadas, the social and cultural characteristics of the Banjaras and the Vanjaris were found to be similar to those of the Banjaras and the Vanjaris in Maharashtra. In Telugu language, the Lambadas are called Lambadolly and the Vanjaris are called Vanjarollu.

5.6 In Bangalore, Shri L.R. Naik, formerly, Member, Mandal Commission, explained to the Committee in detail the differences in the cultural traits and characteristics of the Banjaras and the Vanjaris and further informed the Committee that the question of treating the Vanjaris as Banjaras was raised by the Vanjaris before The Mandal Commission during its hearing at Hyderabad.

CHAPTER 6

THE ANALYSIS

The root cause of the dispute under study is the various concessions and facilities given by the Government to Vimukta Jatis in the State. As pointed out earlier (para 1.5), till 1965, the Vimukta Jatis were treated as 'Other Backward Classes' and both the Banjaras and the Vanjaris were included in the list of 'Other Backward Classes'. In that year, separate reservation in the State services and educational institutions for Vimukta Jatis and Nomadic Tribes was introduced for the first time. In 1974, the Government introduced, again for the first time, reservation for Vimukta Jatis in promotions to appointments to all Class I, II, III and IV posts in the State (para 1.6). It is only after 1974 that some Vanjaris, from Thane district, in order to secure the benefits of the reservation in promotions obtained the caste certificates to the effect that they belonged to the Banjara community (para 1.9) which had been declared by the Government as Vimukta Jati in 1961 (para 1.4) and this dispute commenced. The obtaining of the certificate by the Vanjaris, to the effect that they belong to the Banjara community, is a matter of grave attack at the hands of the Banjaras.

6.2 The gravamen of the Banjaras is that the Vanjaris are totally different from the Banjaras and that they have snatched away all the benefits meant for them by falsely claiming that they belong to the Banjara community. The contention of the Banjaras has been opposed by the Vanjaris on every conceivable ground. The Vanjaris have averred that

they are the parent body while the Banjaras are a branch of that body and have set forth enormous material, as will be seen from Chapter 2, in support of their contention. The omnipotent question before the Committee is to find out whether the Banjara and the Vanjari are synonym of each other.

6.3 The grounds adumbrated by the Banjaras and the Vanjaris in support of their respective claims are mainly those set out in the second chapter. The matter was argued before the Committee very seriously and therefore it must be mentioned at the outset that the Committee went through each and every paper of the record, not to mention the going through of large number of authorities on points really germane or otherwise.

6.4 We propose to confine, in the following paragraphs, to the points directly involved. With these prefatory observations, we now turn to the most important averment of the Banjaras that as only they were notified as a criminal tribe, they alone could be considered as a Vinukta Jati.

6.5 It will be seen from chapter 3 that no notification, issued under the provisions of any Criminal Tribes Act, shows that the Banjara community was notified as a criminal tribe in the Bombay Province at any time, except in the district of Khandesh. Apart from the Vanjaris of one village of East Khandesh district and two villages of Nasik district, and the Vanjaris of four gangs in East Khandesh district and one gang in Ahmednagar district, only the Lamanis were declared to be a criminal tribe in the Province of Bombay from time to time. In fact, at the time

of repeal, in 1949, of the Criminal Tribes Act, 1924, in its application to the Bombay Province, the Lamanis or Lambadas were notified criminal tribe in the districts of Belgaum, Bijapur and Dharwar only and the Vanjaris were a notified criminal tribe in the areas mentioned above.

6.6 It is not surprising to note that the Banjaras of Bombay Presidency (except in the district of Khandesh) were never declared as a criminal tribe. While writing about the wandering and predatory tribes of the Bombay Presidency, Sherring says that the Banjaras "travel with large convoys of cattle, laden with grain and goods in which they deal. Some of them trade in cattle, large droves of which they bring from the Dekhan and Khandesh. Many are important Sahucars or merchants. It is their disguise that the Lamanis decoits assume" (emphasis added). {1}

6.7 As regards the Lambani or Brinjara, he writes that they are "sellers of firewood, carriers, and dealers in grain, salt and cattle. Many are highway robbers, gang robbers, and cattle stealers. They do not commit burglary; but sometimes they join the Korwahs of canara and Dharwar in this crime. Certain branches of the tribe are believed to be professional robbers, under the disguise of those of the tribe who are really carriers; but much has yet to be learnt regarding their habits as robbers. They are the most numerous of any of the wandering tribes of the Bombay Presidency. As they travel in large numbers, no notice, for the most part, is taken of them, so that every facility is offered to the strong and able-bodied among them of leaving

{1} Sherring, M.A., Land Marks in Indian Anthropology, Hindu Tribes and Castes, Volume II, Delhi, 1987, p.333.

the old men and women and children of the train, as it moves on, and of proceeding in the night to some distant place, perpetrating a robbery, and returning next day with their plunder to the train on its slow and straggling march. The Lambanis are also cattle stealers, kidnappers of children, coiners of false money, and thugs. They are of quaint aspect and physiognomy, with intelligent countenances, and weiry strongly-knitted frames, ill-according with their mean and scanty dress; while the fantastical part-coloured costumes of their women, their arms generally from shoulder to wrist being completely encased in bracelets made of bone or ivory, or of a particular kind of wood, shells and coins being curiously strung together round their necks, and their hair being ornamented in like manner, give a strange flighty appearance to the natural wild air of their always expressive and sometimes good-looking faces. As good wives and true, they are as remarkable as the Pindari females were otherwise. The Lambanis do not intermarry other people, and live in no fixed abodes". (2) No wonder, they were declared as a criminal tribe in the Bombay Presidency.

6.8 It is clear from the account of the Banjaras of the Bombay Presidency (para 6.6) that the Banjaras of the Presidency (except in the district of Khandesh) did not have criminal tendencies and it is for this reason that they were never declared as a criminal tribe in the Presidency. The Banjaras of the Central Province, however, are reported to have criminal tendencies. While writing about the Banjara tribe in the Central Provinces, Sherring says that in "Southern Berar, where they are very numerous, they have a

(2) ibid, pp.320-321.

bad character as highwaymen. They are mostly of the Bhukya tribe". (3) But it appears that even there they were never declared as a criminal tribe.

6.9 It has been stated by the Government that the criterion adopted for declaring a community as a Vimukta Jati was that that community must have been in the list of criminal tribes at the time of repeal, in 1949, of the Criminal Tribes Act, 1924, and exhibited criminal tendencies after 1949 (para 4.8). As seen earlier, (para 3.27), the Lamani was included in the list of criminal tribes in the Province of Bombay at the time of repeal, in 1949, of the Criminal Tribes Act, 1924. Therefore, initially, in 1954, the list of Vimukta Jatis, prepared after the receipt of the report of the Ex-Criminal Tribes Rehabilitation Committee, appointed by the Government of Maharashtra, and after making further enquiries with District Magistrates and District Superintendents of Police in the State, included in it only the Lamani tribe with the Lambada as its synonym.

6.10 After the reorganization of the states in 1956, when certain territories, known as Marathwada and Vidarbha, were transferred from the then existing states of Hyderabad and Madhya Pradesh to the Bombay State, the Government appointed an officer on Special Duty to prepare a unified list of the Vimukta Jatis in the entire State (para 4.9). The Officer on Special Duty was directed to undertake an extensive survey of the areas inhabited by the ex-criminal tribes throughout the State and make recommendations for a uniform list of these communities (para 4.10).

(3) *ibid*, p.114.

6.11 In 1961, the Officer on Special Duty submitted his final report on the subject to the Government. It contained regionwise uniform list of Vimukta Jatis for the whole State (para 4.13). In 1961 itself, as a result of the consideration of the report of the Officer on Special Duty, the Government declared a unified list of the Vimukta Jatis in Maharashtra State. That list also included in it the Laman as principal community with the Banjaras, Kachakiwale Banjaras, Laman Banjaras and Lambadas as its synonyms (para 4.14). It may be mentioned here that the Lambadis had been declared as a criminal tribe in the whole Hyderabad State {3-a} though in Vidarbha the Banjaras were not declared as a criminal tribe. Thus, though the principal Vimukta Jati, announced in 1954, that is, Laman, remained intact, the number of its synonyms increased in the list announced in 1961. But that was obviously done on the findings and recommendations of the Officer on Special Duty appointed for that purpose. In 1965, the entry relating to the Laman in the list of Vimukta Jatis, announced in 1961, was replaced by another entry which showed the Banjara as the principal Vimukta Jati with 18 synonyms. The record, as placed before the Committee, does not point out any reason for notifying, in 1965, the Banjara community as the principal Vimukta Jati with 18 synonyms. It is not known as to which part of the State the communities shown as synonyms of the Banjara community are found in and when were they notified as criminal tribes and how did the Government discover the existence of those tribes between 1961 and 1965.

{3-a} Government of H.E.H. Nizam's Dominion
Resolution, Judicial Department, dated Farwardi 30, 1329
E. (1919 A.D.)

6.12 If one goes by the criterion laid down by the Government for declaring a community as a Vimukta Jati, given in para 4.8, then the Lamani of Belgaum, Bijapur and Dharwar districts only qualified to be included in the list of Vimukta Jatis. After the transfer of the territories contained in these districts to Mysore State on November 1, 1956, even the Lamani could not be included in the list of Vimukta Jatis in the old Bombay area of the State. On the other hand, it appears from the record that as per the criterion mentioned above, the Vanjaris of (a) Rotvad village of Jamnagar taluka of East Khandesh district; (b) Khirdi Sathe and Rajapur villages of Yeola taluka of Nasik district; (c) one gang of persons of Adgaon village of Erandol taluka; one gang of persons of Malkhed village of Jamner taluka and two gangs of persons of Joga village of Pachora taluka of East Khandesh district; and one gang of persons of Akola village of Pathardi taluka of Ahmednagar district; who all were in the list of notified criminal tribes at the time of repeal, in 1949, of the Criminal Tribes Act, 1924, in the Province of Bombay, were entitled to be included in the list of Vimukta Jatis in the old Bombay area. In fact, after the transfer of the territories comprised in the districts of Belgaum, Bijapur and Dharwar to the Mysore State on November 1, 1956, the Vanjaris of the above-mentioned areas alone qualified to be included in the list of Vimukta Jatis in the old Bombay area. Thus, even if one accepts the Banjara as a synonym of the Lamani, the averment of the Banjaras that since they alone were declared as a criminal tribe, they alone could be declared as a Vimukta Jati does not hold water because after the transfer

of the territories of the above-mentioned three districts to Mysore State in 1956, in which they could be considered as a notified criminal tribe in 1949, they ceased to be a Vimukta Jati in the old Bombay area.

6.13 The analysis of the notifications declaring criminal tribes and later Vimukta Jatis in the State leads to two conclusions. Firstly, both the Lamanis and the Vanjaris were declared criminal tribes in the State, though there was a difference in the degree, that is, the size of their respective areas in which they were declared criminal tribes. Further, as the Lamanis were in the list of criminal tribes, in 1949, in the district of Belgaum, Bijapur and Dharwar only, they could not be treated as Vimukta Jati in the old Bombay area after November 1, 1956, that is, after the transfer of the territories of these districts to the Mysore State. Secondly, the Vanjaris, in the areas in which they were listed as criminal tribes in 1949, were entitled to be declared as Vimukta Jati. One can treat the Vanjaris of East Khandesh as the Banjaras, the same can not be said about the Vanjaris of Ahmednagar and Nasik districts.

6.14 But, both the above-mentioned things have not happened. The Lamanis in the old Bombay area continue to be treated as Vimukta Jati even after the transfer of the territories comprised in the districts of Begaum, Bijapur and Dharwar in which alone they could have been considered as a Vimukta Jati. Secondly, though the Vanjaris of East Khandesh district, known as Shingwale Banjaris and Shingwale Vanjaris, were included in the synonyms of the Banjara community in 1965, in the list of Vimukta Jatis, they

were later deleted from that list in 1973 for reasons not mentioned any where. The Vanjaris of the other areas in which they were listed as criminal tribe, in 1949, in the districts of Ahmednagar and Nasik districts were never included in the list of Vimukta Jatis. Anyway, let us go to the enlightened persons.

6.15 As regards the opinion of the enlightened Banjara persons, wealth of details was thrown at the face of the Committee. Though in 1968, the report of All India Banjara Study Team, the convenor of which was Shri Ramsingh Bhanawat, clearly stated that the Vanjari of Maharashtra is not a synonym of the Banjara tribe in the State, yet in 1978 Shri Bhanawat himself issued a certificate to a Vanjari person, from Thane district, to the effect that he belonged to the Banjara community. Not only Shri Bhanawat said that that Vanjari was a Banjara, he also said that the certificate issued by him was as per record maintained by All India Banjara community (Appendix 2). It may be pointed out here that at that time Shri Bhanawat was General Secretary of the All India Banjara Seva Sangh, an enlightened person no doubt from the Banjara community.

6.16 While scrutinising the numerous documents placed before the Committee, we came across a certificate issued by Shri Uttamsingh Rathod also to a Vanjari person, from Thane district, to the effect that he belonged to the Banjara community (Appendix 3). At that time Shri Rathod was an M.L.A. but presently he is President of the All India Banjara Seva Sangh, another undisputed enlightened person from the Banjara community.

6217 to Naik, Shri Ranjit Naik, an active member of the
Abhinava Banjara Study Team, mentioned above, and publisher
of the report issued, in 1978, a certificate to Ban Vanjaris
persons from Thane district, to the effect that he belonged
to the Banjara community. Shri Naik further mentioned in
that certificate that that certificate was issued by him on
the verification of the records of the Banjara community
(Appendix 4). In 1979, Shri Naik executed an affidavit
confirming whatever he had stated in the above-mentioned
certificate. He further stated in the same affidavit that
he had personally visited various villages in Daharu and
Palghar talukas of Thane district on or about December, 1978
and had found that the members of the Bankhe family belonged
to the Mathura Labhan Banjara. Still further, he stated in
that affidavit that the said group and other occupants of
the village Pantembi, Palghar taluka, were found to be
belonging to the Mathura Labhan Banjara group and all those
persons in various tandas fulfilled various tests applicable
to the persons belonging to the Banjaras (Appendix 5). Shri
Naik did not stop there. After this, he issued a general
certificate to the Vanjaris, with Bore, Patil, Pimple,
Bankhe and Wade as their surnames, of 19 villages, named in
the certificate, from Daharu and Palghar talukas of Thane
district, saying that they all were known as Mathura Banjara
Roma, Patil, Pimple, Brothar and other Labhan and
or Labhan, which were synonyms of the main Banjara tribe
Committee, All India Banjara Seva Sangh,
which is in the list of Vimukh Jatis of Maharashtra State.
He further stated in that certificate that all these people
were members of the All India Banjara Seva Sangh and that
they were to be treated as denotified tribes being from the
All India Banjara Seva Sangh for 25 years and
Banjara community (Appendix 6). Shri Naik wrote a

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letter to the Director of Social Welfare, Government of Maharashtra, pleading that the Vanjaris of the Palghar taluka of Thane district, with Patil, Pimpale, Sankhe and Wade as their surnames, be treated as Banjaras (Appendix 7). In 1982, Shri Naik wrote to the Minister, Tribal and Social Welfare Department, also making the same request (Appendix 8). In 1982, Shri Naik wrote to Shri Rajaramji Rathod, Member, Executive Committee, All India Banjara Seva Sangh, arguing for the acceptance of the Vanjaris from Thane district as Banjaras.

6.18 If one were to go by the opinion of the enlightened Banjara persons, one would tend to believe, after going through the above-mentioned certificates, letters and affidavit of the enlightened Banjara persons, which undoubtedly they are, (4) that the Vanjaris and the Banjaras are the same. But the matters did not rest there. It appears that there was some discussion among the members of the All India Banjara Seva Sangh about this matter and it was decided that the Vanjaris of Thane district were not Banjaras.

(4) (a) Shri Uttam Rathod: President, All India Banjara Seva Sangh; Ex-M.L.A., Ex-Member of Parliament, and Ex-Minister, Maharashtra State.

(b) Shri Ranjit Naik: Convenor of the 'World Roma Banjara (Gypsy) Brotherhood and Cultural Research Centre; Member, International Romani Committee; Member, All India Banjara Study Team; Member, Executive Committee, All India Banjara Seva Sangh; Vice-President, All India Banjara Seva Sangh; President, Bombay Banjara Seva Sangh; and President, All India Banjara Seva Sangh, Andhra Pradesh.

(c) Shri Ramsingh Bhanawat: General Secretary, All India Banjara Seva Sangh for 25 years; and Convenor, All India Banjara Study Team, 1968.

6.19 This takes us on to the turning point. In 1983, Shri Naik wrote to Shri Bhanawat accusing him of almost forcing him to issue caste certificates to the Vanjaris from Palghar taluka, Thane district, to the effect that they were Banjaras and then taking a right about turn on that issue when the pressure started mounting (Appendix 9). In 1992, Shri Naik executed another affidavit in which he has stated that Shri Bhanawat had issued caste certificates to the Vanjaris from Palghar to the effect that they belonged to the Banjara community and had instructed him (Shri Naik) also to issue certificates to Vanjaris of Palghar as Banjaras in his capacity as President of the Bombay Banjara Seva Sangh, which he did (Appendix 10). During his meeting with the members of the Committee, Shri Bhanawat denied the charge of Shri Naik and said that he (Shri Bhanawat) had issued the certificate at the instance of Shri Naik. As regards the certificate issued to a Vanjari, to the effect that he belonged to the Banjara community, by the third enlightened Banjara person, namely, Shri Uttam Rathod, he told the Committee, when he appeared before it in person, that a certificate issued by an individual had no validity in determining the status of a community. When it was pointed out to him that he was not an ordinary member of the community but its President, he had no answer.

6.20 We refrain from recording our comment on this point except to say that the Committee did not feel enlightened from the consultations with these enlightened Banjara persons to solve the one and the only one question before it, whether the Banjara and the Vanjari are synonyms of each other. Let us proceed further.

6.21 In view of the above conclusions, which could legitimately be drawn so far, the next question for consideration would be, what is the position of these communities in the voluminous literature submitted to the Committee by both the Banjaras and the Vanjaris.

6.22 Enthoven treats the Banjaras and the Vanjaris as synonyms of each other when he writes that the "Lamanis or Vanjaris, also known as Banjaras, Banjaris, Lamanis, Lambadis, Lambars and Sukalins... are found in all parts of the Presidency". {5} In the description, however, by and large, one paragraph is devoted to the customs of the Banjaras while the other paragraph is given to describe the customs of the Vanjaris. This is quite obvious from the list of exogamous sub-divisions which have been enumerated for the Vanjaris and the Lamanis, namely, Chawan, Pawar and Rathod, which in both the cases are exactly the same. They indeed are the same among the Banjaras of today but are not the same among the Vanjaris of today, as seen during the field study.

6.23 Kennedy writes that the "Banjaras must not be confused with Wanjaras or Wanjaris, now altogether a distinct class or caste though descended no doubt from the same stock, who are to be met with in Ahmednagar, Nasik, Poona and Khandesh. These latter conform in manners, customs, dress, language, etc., to the Marathas of the Deccan, are not addicted to crime, live in villagles and have nothing in common with Banjaras." {6}.

{5} Enthoven, R.E., The Tribes and Castes of Bombay, Volume II, Bombay, 1922, p.331.

{6} Kennedy, M., The Criminal Classes in India, Delhi, 1985, p.1.

6.24 Russel and Hiralal in their article entitled "Banjara" club together the Banjaras, Wanjaris, Labhanas and Mukeris. They treat the Vanjaris as sub-caste of the Banjaras when they write that from "Chanda a different set of subcastes is reported called Bhusarjin, Ladjin, Saojin and Kanhejin" {7}, well known groups of the Vanjari caste. They further write in the same article that in "Berar also a number of the caste have become respectable cultivators and now call themselves Wanjari, disclaiming any connection with the Banjaras, probably on account of the bad reputation for crime attached to these latter. Many of the Wanjaris have been allowed to rank with the Kunbi caste, and call themselves Wanjari Kunbis in order the better to dissociate themselves from their parent caste". {8} While discussing the characteristics of castes and sub-castes, Russel and Hiralal have referred to the confusion created by the synonyms which had created the problem of classification of castes and sub-castes. The authors have further mentioned about the efforts of some sub-castes in raising their social status by abandoning the traditional occupations and by recording themselves in census enumerations by a different and more respectable name. The example of Rathod Telis in Mandla has been cited where they had abandoned their hereditary occupation of oil pressing and had become landed proprietors. They had also petitioned to be recorded, in census enumeration, as Rathod and not as Teli in the hope

{7} Russell, R.V., and Hiralal, Rai Bahadur, The Tribes and Castes of the Central Provinces, Volume II, Delhi, 1975, p.172.

{8} ibid, p.173.

that after some time it will be forgotten that they ever were Telis, and that they will be admitted into the community of Rajputs. {9}

6.25 Siraj-Ul-Hassan says that the "Vanjari is only a variant of the Hindi Banjara. ... The Vanjaris, however, resent this origin and claim to be a branch of the Marathi Kunbis. Their striving after social distinction has not yet proved successful, as they are still looked down upon by the Maratha Kunbis". {10}

6.26 While writing about the Banjaras and the Vanjaris in 1930, Shri Deshmukh dealt with them in two different chapters but ascribed a common origin, Kshatriya, to them both. {11} The sole object of that book was to forge a pan-Kshatriya alliance and with this object in view the author tried to establish a common substratum for the various groups claiming affinities with Kshatriyas.

6.27 Shri Baliram Hiranman Patil echoed the writings of Shri Deshmukh and lamented that the Vanjaris did not associate themselves as kin of Banjaras as it would be demeaning for them to establish kinship with the Banjaras. {12} The author has given about 200 clans/lineage names of the Banjaras,

{9} ibid, Volume I, London, 1916, p.11.

{10} Syed Siraj Ul Hassan, The Castes and Tribes of H.E.H. The Nizam's Dominions, Vol.I, Bombay, 1920, p.627.

{11} Deshmukh, K.B., Kshatriyancha Itihas, Volume II, Amravati, 1930, pp. 312 - 313.

{12} Patil Baliram Hiranman, Gor Banjare Lokanचा Itihas, Yeotmal, 1973, p.92.

Marathas, Prabhus, Rajputs and Vanjaris to establish common identities. and common alphabets in names or transformation in names. The common lineage/family names of the Vanjaris, such as Ghuge, Mundhe, Pimpale, Sanap and Sankhe, etc., do not find place in the listed 200 clan/lineage names of the Vanjaris. {13} Still, he writes that though the English books had used the Banjara and Vanjari as synonyms of each other, the descriptions pertained to the Banjaras living in the tanda settlements. {14} It is obvious that he wrote this book with the single purpose of establishing Rajput ancestry of the Banjaras and to establish kinship with the Marathas, Prabhus and Vanjaris in order to forge a larger confederation of Kshatriya castes in Maharashtra.

6.28 Pandit Mahadeo Shashtri Joshi treats the Banjara and Vanjari as synonyms of each other, {15} saying that the "Western scholars have written volumes on the Indian castes and tribes, and that he has used those writings for compilation of the 'Kosh'." He further says that it was not possible for him to undertake field study in order to collect up-to-date information about the castes and tribes.

6.29 Campbell, in his Gazetteer of the Thane district, says that the "Charan, though classed with Vanjaris are apparently a distinct people". {16} In the Gazetteer of Khandesh also he treats them differently when he says that

{13} ibid, pp. 97-103.

{14} ibid, p.93.

{15} Joshi, Pandit Mahadeo Shashtri, Bharatiya Sanskriti Kosh, Volume VI, Pune, 1970, p.22.

{16} Gazetteer of the Bombay Presidency, Thana, Volume XIII, Part I, Bombay, 1882, p.118.

"the Lamanis, with their bullocks and cows, haul teak and other logs; the Vanjaris with their bullocks, take grain and oilseed to the coast and bring salt... {17} In the Gazetteer of the district of Ahmednagar, the Vanjaris and the Lamanis are shown separately. It is reported there that of the four groups of Vanjaris, Ravjins are the Chief Ahmednagar class. {18} In the district Gazetteer of Kolaba, the Vanjaris are shown as synonym of the Lamanis. {19} In the revised Gazetteer of Jalgaon district, the Banjaras and the Vanjaris are treated as the same under the title 'Vanjari'. The Vanjaris are reported to have ten subdivisions, namely, "Charan or Govar, Mathure, Labhane or Lamane, Lad, Khudane, Langhe, Mehurune, Bhusare, Asaktar and Ravgin," {20} which include the sub-divisions of the Banjaras also, as found today.

6.30 Mead and Macgregor in their Census Report of 1911, of the Bombay Presidency, have treated the Lamanis and Vanjaris as synonyms of each other. The Vanjaris have been divided into two territorial groups, namely, Maratha or Kanares Vanjaris and Gujarati Labhanas. The former has been shown as having twenty endogamous divisions, namely, (i) Agasa, (ii) Asatkar, (iii) Bhusara or Bhushare or Bhusarjin, (iv) Chambhar or Rohidas, (v) Charan or Gavar, (vi) Dhades

{17} Gazetteer of the Bombay Presidency, Khandesh District, Volume XII, Pune, 1985, pp.218-219.

{18} Bombay Gazetteer, Volume 17, Ahmednagar, pp.160 and 162.

{19} Gazetteer of the Bombay Presidency, Volume XI, Kolaba and Janjira, Bombay, 1883, p.73.

{20} Maharashtra State Gazetteer, Jalgaon District (Revised Edition), Bombay, 1962, p.154.

(followers of the faith of Islam), (vii) Dhalya, Madig or Mang, (viii) Hajam or Nhavi, (ix) Jogi, (x) Kanherjin, (xi) Khudane, (xii) Kongadi, (xiii) Lad, Ladjin or Vadi, (xiv) Mahar or Shingadya, (xv) Maratha, (xvi) Mathura, Labhana, Lamana or Mathurajin, (xvii) Mehurana, (xviii) Ravjin, Lamgha or Bombilvike, (xix) Sonar, and (xx) Tamburi or Musalmans, who are mentioned as bards of the Vanjaris. {21} In fact, in all the census operations, in the Presidency of Bombay, the Lamans and the Vanjaris were enumerated separately. {22-26}

6.31 . Chinoy writes in the Census Report of 1901, of the Berar, that the Wanjaris appear to be the descendants of Banjaras, who had settled in villages and given up nomadic existence. They, however, claimed a Maratha origin. ... They resembled Kunbis in almost every point, and as such nearly ranked with them in social scale. {27} The Lamans and the Vanjaris were enumerated separately. {28}

{21} Mead, P.J., and Macgregor, G. Laird, Census of India, 1911, Volume VII, Bombay, Part I, Report, Bombay, 1912, p.282.

{22} Imperial Census of India, Bombay Presidency, 1881, Volume I (Text), p.119; and Volume II, Appendix C, p.xiv.

{23} Census of India, 1891, Bombay and its Feudatories, Volume XIII, Part II, pp.181 and 192.

{24} Census of India, 1921, Volume VII, Bombay Presidency, Part II, Imperial Tables, 1912, Bombay, pp.250-251 and 260 and 261.

{25} Census of India, 1921, Volume VIII, Bombay Presidency, Part II, Tables (Imperial and Provincial), Bombay, 1922, pp.185 and 186.

{26} Census of India, 1931, Volume VIII, Part I, Bombay Presidency, Bombay, 1932, pp.528 and 533.

{27} Census of India, 1901, Volume VIII, Berar, Part I, Report, Allahabad, 1902, p.193.

{28} Census of India, 1901, Berar, Volume VIII, Part I, pp.212 and 220.

6.32 Roughton says in the Census Report of 1921, of the Central Province and Berar, that in that province the Vanjaris, who were found mostly in Berar, took to cultivation sooner than the Banjaras, with whom they had severed their connection, and had formed a separate caste. {29}

6.33 Mirza Mehdy Khan, in his chapter entitled "Caste and Tribe" in the Census Report of 1901, of the Hyderabad State, writes that the "Wanjaris are not to be confounded with Banjaras as it is sometimes done. {30} He has quoted Kitts as follows: In his report on the Berar census for 1881, Mr.Kitt's says: "The Wanjaris claim to be of Mahrata origin. They are a race of Kshatriya origin belonging to the east of India... . To confound them with the Banjara carrier castes ... is to give them great offence." Mirza Mehdy Khan further writes that the the Wanjaris were found, for the most part, in the Mahrattwara districts.

6.34 Mohamed Rahmatulla says in the Census Report of 1921, of the Hyderabad State, that the Wanjaris formed a caste by change of custom and occupation. He writes that "many of the Banjaras have taken to agriculture, and the earlier of these have split off into a distinct caste known as the Wanjari, who generally return themselves as Hindus." {31} In the Census Report of Hyderabad State, 1931, the Banjaras and the Vanjaris were enumerated separately though for facility .

{29} Roughton, N.J., Census of India, 1921, Volume XI, Central Provinces and Berar, Part I, Report, Nagpur, 1923, p.153.

{30} Khan, Mirza Mehdy, Census of India, 1901, Volume XXII, Hyderabad, Part I, Report, Hyderabad, 1903, p.224.

{31} Census of India, 1921, Volume XXI, Hyderabad State, Part I, Report, Hyderabad, 1923, p.22.

though for facility of reference as occupational groups, they were regrouped. {32}

6.35 Christroph Von Furer Heimandrof, while writing in the Census Report of 1941, of Hyderabad State, says that "there is one community, which though originally no doubt akin to the Banjaras, is now completely settled and Hinduized, the Wanjaris found in Parbhani, Nanded, Bhir, Bidar and Adilabad districts. They disclaim all connections with the Banjaras, speak Marathi, follow Hindu customs, and wear Hindu dress, and many of them are substantial cultivators and landlords". {33}

6.36 The above completes the survey of the relevant material. The other material, to our mind, merits little substance. On an analysis of the above material, it was found that in some works, the Banjaras and the Vanjaris were clubbed together under a common title but with the description of the culture of the Banjaras. In others, they were clubbed together under the common title but their cultures were described separately. In the third category, the Banjara culture was described under the title of the Vanjari. As regards their enumeration in different census operations, it was found that they were enumerated separately but sometimes they were clubbed together. Thus, the examination of the above material also does not provide an answer to the question before us. In fact, it leaves the confusion worst confounded. This narrows down the area of search for the answer to our question.

{32} Census of India, 1931, Volume XXIII, Hyderabad State, Part I, Report, Hyderabad, 1933, p.248.

{33} Census of India, 1941, Volume XXI, Hyderabad State, Part I, 1942, p.L-1.

6.37 Herskovits writes that the search for pure cultures, uncontaminated by outer contacts, has been almost entirely given over, while the hypothetical nature of reconstruction of unrecorded history has come to be clearly understood as an exercise in probability.' {35}

6.38 Verrier Elwin, while writing about the Gonds, who continue to be ethnocentric about their culture, inspite of acculturation, says that "their culture survives in their memories of the past, for they have an extensive mythology, in the legendary history of their old kings and heroes, and in the dance and song at which they are still experts." {34} We, therefore, now turn to the field study.

6.39 It will be seen from Chapter 5 that the Vanjaris, as they are found in Maharashtra today, satisfy all the features and characteristics of a caste and are inseparable part of the village economy and village culture. The Banjaras, on the other hand, as they live intandas today show largely tribal characteristics in terms of their self-sufficient and all inclusive social structure. They have occupational groups among themselves. They have apathy in contact with the mainstream vilage life. They have distinctive culture and language, and religion and rituals dominated by animal sacrifice. They also have equal status for women. The efforts made in 1930s by social reformers like Shri Baliram Patil to embrace the culture of the Vanjari and the Marathas did not meet with success.

{34} Herskovits, M.J., Man and His Works, New York, 1956, pp.523-542.

{35} Elwin, Verrier, The Tribal World of Verrier Elwin: An Autobiography, Oxford University Press, 1964, pp.103-104.

6.40 The word caste is loosely used in administrative writings to designate a group or a community. More particularly, when a comparison is attempted between a caste and a tribe, the word caste is used for both the communities. The term criminal tribes has been used to include some of the caste groups also which showed criminal tendencies. In the present context, the Banjara and the Vanjari have both been referred as caste while in reality the Vanjari is a caste while the Banjara can be termed as semi-tribal. In fact, the Banjaras are notified as Scheduled Tribe in the state of Andhra Pradesh.

6.41 Before parting with the analysis, it is necessary to make a few comments on the report of the Tribal Research and Training Institute, Pune. The report says that the "Wanjari and Banjara are altogether distinct classes or castes though descend from the same stock." (36) If a span of thousands of years is considered, all humanity from three racial groups, namely, the Caucasoid, Mongoloid and Negroid can be taken as having descended from the nomadic tribal stock who lived by hunting, pastoralism and food collection or shifting cultivation. The human cultures began as what we call today as tribal culture. It is as a result of cultural evolution, not necessarily unilinear and unidirectional, that all the cultures of today are seen in their similarities and differences. Scientifically, it is difficult to pass judgement on the origin of any two communities without agreeing on the indicators for

(36) Report of the Tribal Research and Training Institute, Pune, regarding the Vanjaris in Palghar and Dahanu Tehsils of Thane Districts, 1982, p.14.

determining the common stock. The study of the Tribal Research and Training Institute and the ethnographic studies made by this Committee do not find any similarity in any aspect of culture or language of the Banjaras and the Vanjaris as they live today in the villages. Any acculturation, even bordering on total assimilation, would show the relics or survivals of the original culture and language. In the case of the Vanjaris, there is no similarity or survivals of the Banjara culture and language in the Vanjari culture. The Vanjari culture as seen today is indistinguishable from the cultures of the Maratha Kunbis and other caste Hindu peasants. The total assimilation of one group in another group is very difficult unless it is forced by military power because during the process of acculturation, cultural borrowing is always selective. The educated Banjaras, who are in the process of acculturation, due to contact with other settled Hindu caste groups and due to education, as also due to urbanization, have adopted the dress patterns and other material culture of the caste groups but do exhibit the earlier signs of their culture and language in their rituals, pilgrimages and distinctive food habits, etc. Even if they do not follow certain cultural customs, they are aware of those customs as having been practised at the time of their grand-parents or parents. Such is not the case with the Vanjaris. It was observed during the field study that the Vanjaris do not know the Banjara culture and language except the distinctive costumes of the Banjara women which are visible.

6.42 The second statement contained in the report of the Tribal Research and Training Institute, which requires comment, is that their above-mentioned view point may be examined in consultation with the enlightened Banjara persons for inclusion of Vanjari community into the Banjara community before final decision is taken by the Government. {37} It is a bold statement. Can the enlightened persons in any community absorb another community in its fold? What indicators would be used for such absorption? The criterion would, naturally, be based on similarity of culture and language. It is possible for the Government to provide exactly the same benefits to two communities but it may not treat two different communities as synonyms of each other.

{37} . . . ibid, p. 15.

CHAPTER 7

THE SUMMARY

In 1915, the Banjaras or Vanjaris of the class known as Rajput or Charan Vanjaris in the district of East Khandesh only were declared to be a criminal tribe. In 1939, this notification was cancelled.

7.2 In 1918, the Lamanis were declared to be a criminal tribe in the entire Presidency of Bombay. In 1931, the above notification was superseded by another notification by which all persons of the Lamani tribe, whether they called themselves Lamanis or Lambadas, in the districts of Belgaum, Bijapur and Dharwar were declared to be a criminal tribe.

7.3 In 1914, the Vanjaris were declared to be a criminal tribe in one village of East Khandesh district and two villages of Nasik district. In addition to this, four gangs of persons in East Khandesh district and one gang of persons in Ahmednagar district, all belonging to the Vanjari community, were declared to be a criminal tribe in 1926 and 1934 respectively.

7.4 The Criminal Tribes Act, 1924, was repealed in its application to the Province of Bombay in 1949.

7.5 The criterion laid down by the Government for declaring a community as a Vimukta Jati was stated to be that that community must have been in the list of criminal tribes at the time of repeal of the Criminal Tribes Act, 1924, and exhibited criminal tendencies after 1949.

7.6 At the time of repeal of the Criminal Tribes Act in 1949, the Lamani or Lambadas were in the list of criminal tribes in the districts of Belgaum, Bijapur and Dharwar only and the Vanjaris were in the list of criminal tribes in one village of East Khandesh district and two villages of Nasik district. In addition to this, four gangs of persons in East Khandesh district and one gang of persons in Ahmednagar district, all belonging to the Vanjari community, were also in the list of criminal tribes in 1949.

7.7 The Lambadis had been declared a criminal tribe in 1919 in the former princely State of Hyderabad. Neither the Banjaras nor the Vanjaris were declared as a criminal tribe in the Vidarbha area of the former Madhya Pradesh.

7.8 In 1954, the State Government declared the Lamani, with the Lambada as its synonym, as a Vimukta Jati in the State. In 1956, in view of the criterion laid down by the Government, the Lamani's or Lambadas ceased to be a Vimukta Jati in the old Bombay area of the State of Bombay after the transfer of the territories comprised in the districts of Belgaum, Bijapur and Dharwar to Mysore State in that year. In 1961, in supersession of the notification of 1954, the Government declared the Laman, with the Banjaras, Kachikiwale Banjaras, Laman Banjaras and Lambadas as its synonyms, as a Vimukta Jati in the State. In supersession of the above notification of 1961, the Government declared, in 1965, the Banjara (with the Charan Banjaras, Dhadi/Dhari, Dhadi/Dhalia, Goar Banjara, Jogi Banjaras, Kachikiwale Banjaras, Korya or Jangad, Laban, Labhan, Lamada/Lambara, Laman/Lamani, Laman Banjaras, Lambhani, Mathura Labhan, Navi

Banjaras, Shingwale Banjaris, Shingwale Vanjaris and Singaris as its synonyms) as a Vimukta Jati in the State. In 1973, the synonyms Korya or Jangad, Shinwale Banjaris or Shingwale Vanjaris were deleted from the above list of synonyms. In 1977, the Banjari was added in the list of synonyms.

7.9 The Vanjaris were never notified as a Vimukta Jati in the State or a part of a State.

7.10 The survey of the published material (Gazetteers, Census Reports, books both by the English as well as Indian authors, etc.) presented a confusing picture of the relationship between the Banjaras and the Vanjaris.

7.11 Also, the discussion with the enlightened persons, from both the communities, did not help the Committee in coming to a conclusion.

7.12 The field survey, however, showed that the Banjaras and the Vanjaris, as they live today in the State of Maharashtra, are two distinct communities. They have no common features in their culture and language.

7.13 Thus, the Committee is of the opinion that the Banjaras and the Vanjaris, as they live today in the State of Maharashtra, are not synonyms of each other.

APPENDIX 1

METHODOLOGY ADOPTED FOR THE FIELD STUDY

The villages for field study were selected at random. The Social Welfare Officers of the relevant districts were requested to prepare a list of the villages inhabited by the Vanjaris and Banjaras, preferably living in close proximity of each other. They were given a very short notice, sometimes an hour or two to prepare such a list. One of the members of the Committee, not conversant with the region, selected the villages and the tandas while sitting in the car, taking into consideration the distance to be covered and the accessibility of the settlement. Every field visit, thus, was a surprise visit. In the village or tanda, the members of the Committee asked for elders with a view to discuss developmental matters about the village and village culture. Since, the villages selected were predominantly Vanjari villages, all the participants in these villages were Vanjaris. In Banjara tandas all the participants were Banjaras because the tanda was inhabited by the Banjaras only. The group interview took place in a school or panchayat office or on a platform under a tree. The discussion covered a wide range of areas such as agricultural and educational development, fertilizers, seeds, crops and religious function, etc. The information about the culture of the Banjaras and the Vanjaris was sought during the course of the discussion without making it as a special agenda for enquiry or discussion.

2. The villagers in all the villages, visited by the Committee, did not realise that we were specifically interested in documenting the Banjara and Vanjari cultural similarities and differences. In some villages, they suspected our role as Government committee in view of the questions about the Banjara and Vanjari culture. In very few villages, the villagers specifically asked us as to whether we were the members of the Banjara-Vanjari Committee. At such places, we revealed our identity as members of the Committee enquiring into the Banjara-Vanjari issue.

The Committee visited the following villages on the dates shown against them. The Committee could not visit Thane district on account of disturbed conditions in the country in December, the month of the proposed visit.

Sr. No.	Name of the Village with the name of district in brackets	Date of Visit	Persons Present
1.	Medchal (Ranga Reddy)	25-9-1992	Shri P. Krishna
2.	Ravalkot (Ranga Reddy)	25-9-1992	Sarvashri Amgot Hiralal Naik; Banot Balia Naik; Banot Vijaya Naik; Dhurmawat Watra; Malot Laxman; and Malot Nanu Naik.
3.	Bangalore	28-8-1992	Shri L.R.Naik, formerly, Member, Mandal Commission.
4.	Chowka (Aurangabad)	19-10-1992	Sarvashri Gangadhar Patil Wagh; Ramrao Patil Wagh, Ex-Sarpanch; Sayaji Sangle; and Vishwanath Haribhau Dongre, Member, Grampanchayat.

- | | | | |
|-----|---------------------------------|------------|---|
| 5. | Gevrai Tanda
(Aurangabad) | 19-10-1992 | |
| 6. | Phulamri
(Aurangabad) | 19-10-1992 | Shri Mhatre, Chairman, Adult Literacy Programme. |
| 7. | Akole
(Jalna) | 20-10-1992 | Sarvashri Eknath Narayan Geete and 25 other persons and; Lakshman Shankar Kakde; |
| 8. | Umharkheda Tanda
(Jalna) | 20-10-1992 | Shri Bansi Sahkaran Chavan; Smt. Batasabai Pawar; Shri Devidas Hari Pawar; Smt. Battasabai Pawar, Shri Dhanaji Dawaji Pawar, Naik; and Kondiram Rathod. |
| 9. | Shevdi
(Parbhani) | 21-10-1992 | Sarvashri Baldev Vasaram Rathod, Deputy Sarpanch; and Madhy Tatyarao Nagare, Sarpanch. |
| 10. | Pimplegaon Tanda.
(Parbhani) | 21-10-1992 | Sarvashri Govind Pratap Chavan, Naik; Rohidas Meheshran Rathod, Sarpanch; and Sundrasingh Balsingh Rathod. |
| 11. | Dhagadwadi Tanda
(Parbhani) | 21-10-1992 | |
| 12. | Warvati
(Beed) | 21-10-1992 | Sarvashri Belaji Munde, Sevak; Dadarao Bhagoji Phad; Dynanoba Harikishan Phad; Lakshman Vinayak Dhekane; Rukhamaji Trimbakrao Chate; Shivaji Chate, Head Master, Vasanttrao Naik Hostel; V.B. Gore, Gramsevak; and Venkat Kondiba Chate. |
| 13. | Sakund Multani Tanda
(Beed) | 22-10-1992 | Sarvashri Dattatraya Narayan Chate; Govind Gangaram Chate, Key Informant; Haridas Prabhakar Mundhe; Hari Rekha Rathod; Munjaji Maruti Chate; Naik Balkisan Rathod; Prabhakar Laxman Mundhe, Linguist; Razak Abdul Paithan; Satu Motiram Chate; Srimant Munaji Chate; and Tukaram Balu Rathod. |

14. Diglamba (Beed) 22-10-1992. Sarvashri Achut Satvarao Sonavne; Aziz Rahim Shaikh; Dattatraya Machev Sonavne; Deepak Haridas Deshpande; Devidas Raghunath Sonavne; Narayan Baburao Ghuge; Pundalik Patva Dhahipale; Ramesh Baburao Aradhe; Santram Marutrao Sonavne; Shaikh Mehboob; Sheshrao Tukaram Sonavne; Uttam Govindrao Kulkarni; and Vaijanath Mundhe of Hadap of Pali taluka.
15. Tanva (Beed) 22-10-1992 Sarvashri Ashok Santram Raut; Dattatraya Rajaram Bhalekar; Jotiram Madhavrao Chate; Mahadeo Sadashiv Chate; Nagnath Raghoba Giri, (Gosavi); Ramkishan Kerba Chate; Santosh Bansidhar Chate; and Shivaji Govind Bhalekar.
16. Pohra (Akola) 7-12-1992 Sarvashri Babusing Preamsingh Rathod; Laxman Rupraj Ade; Smt. Leelabai Rathod; Smt. Meerabai Jadhav; Smt. Panchibai Rathod; Preamsingh Parshuram Rathod; Smt. Rakhi Rathod; Smt. Shahaji Rathod; Tukaram Ratansingh Maharaj, (Rathod); Smt. Tulka Rathod; and Smt. Ushabai Rathod.
17. Phulambri (Akola) 7-12-1992 Shri Ramsingh Bhanawat, National Leader of the Banjaras.
18. Ramdeowadi Tanda (Jalgaon) 8-12-1992 Sarvashri Gahru Bhavsing Jadhav, Naik; and Maru Pita Jadhav, Sarpanch.
19. Manik Daundi (Ahmednagar) 31-12-1992
20. Landakwadi-hamlet (Ahmednagar) 31-12-1992

14. Diglamba (Beed) 22-10-1992. Sarvashri Achut Satvarao Sonavne; Aziz Rahim Shaikh; Dattatraya Machev Sonavne; Deepak Haridas Deshpande; Devidas Raghunath Sonavne; Narayan Baburao Ghuge; Pundalik Patva Dhahipale; Ramesh Baburao Aradhe; Santram Marutrao Sonavne; Shaikh Mehboob; Sheshrao Tukaram Sonavne; Uttam Govindrao Kulkarni; and Vaijanath Mundhe of Hadap of Pali taluka.
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16. Pohra (Akola) 7-12-1992 Sarvashri Babusing Preamsingh Rathod; Laxman Rupraj Ade; Smt. Leelabai Rathod; Smt. Meerabai Jadhav; Smt. Panchibai Rathod; Preamsingh Parshuram Rathod; Smt. Rakhi Rathod; Smt. Shahaji Rathod; Tukaram Ratansingh Maharaj, (Rathod); Smt. Tulka Rathod; and Smt. Ushabai Rathod.
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APPENDIX 3

Ullas Rathod
M.L.A.



Keenred
M.S.H. Nanded.

CERTIFICATE.

This is to certify that I know
Shri Sunil Spharwardhan
for last three years.

He belongs to Bangalore Community.

3377 0181
6/4/78

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Keenred
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This is to certify that I know
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for last three years.

He belongs to Bangalore Community.

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Benjari instead of Banjara : In some of the school certificates of students it is entered as Benjari Caste instead of Banjara. This is only an influence of Marathi language. It is well known fact that generally wherever 'Da' is to be pronounced in Marathi language it is pronounced as "Va". For example Dandara in Marathi Language is pronounced as Vandra. Banjaras of Khedoch (i.e. Jalgaon and Dhule) had similar problem and now the same is cleared in recording of Govt. of Maharashtra, Social Welfare Department. This is only an influence and twist of a language and for this people reason the genuine Banjara of Palghar should not be deprived of from their legitimate right to get the benefits as De-notified Tribes.

Even Govt of Maharashtra has issued a circular in respect of one Shri. G.P. Shanko, Assistant, Rural Development Dept. The Photo Copy of the same is enclosed for your ready reference. This will give an ample proof that Banjara of the above referred surname are also Banjaras.

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Since this group of Banjaras came from Gujarat area, about 50 to 75 years back and stayed quite near to Palghar town, Chokker R. Busy Station and nearby Villages. They have developed some phycso fear complex that local population does not allow them to stay around. Therefore out of fear complex they changed their dress and their surnames immediately from Methad, Chochan, Jodav and panna to ¹¹Syankh, Piple, Vada and patil as explained earlier. However they stayed

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GOR BOLI : I have myself experience and studied that all the school gools and people still staying in villages do speak Banjara dialect at home which is quite similar to the Banjara spoken in other parts of Maharashtra State. The only change rather drawback which I have noticed is that the children, who's parents are employed in Bombay City and/or employed in Govt. or Semi Govt bodies have lost touch with the dialect of Banjara as they are staying in Marathi or Gujrathi speaking population. As they are compelled to speak the local languages. This is a very common factor to all Banjara Children of Maharashtra who are not brought up in a Tandra culture and atmosphere. Particularly those children who's parents are employed in towns. That does not mean they are not Banjaras.

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In regard to the case of S.B. Patil, B.D. Pimple & K.L. Pimple who's MBBS admission is refused. he has produced Junior College leaving certificate from special Executive Magistrate and such other relevant documents has issued a certificate to that effect. Just because of language twist

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Even the children of the most distinguished and popular Banjara leaders and personalities, like late Shri. V.P. Naik, (former Chief Minister of Maharashtra State), Shri. Sudhakar Naik, M.L.A. cannot speak Gor-Boli (Banjara dialect). To that matter even my children, who are born and brought up in Bombay and had convent education can hardly speak Gor-Boli. Therefore such rigid, mechanical and Bureaucratic formulas of Govt. cannot hurt the emotional feelings and integrity of Palghar Banjaras.

I can quote a classic example that a great Banjara leader Late. Shri. V.P. Naik has accepted that Palghar Taluka Banjara as real Banjaras. He had helped them and attended their some meetings under the leadership of popular personalities like Shri. Baburao Patil, Editor, L.M.P. and Shri. Nana-Patil. Late Shri. V.P. Naik has also given Chief Minister's discretionary grants to a high school at Village pavn. run by one Banjara leader, Shri. Pradeep Pimple. Banjaras of this area have participated in the number conferences and meetings of All India Banjara Seva Sangh.

In regard to the case of S.B. Patil, B.D. Pimple & K.L. Pimple who's MBBS admission is refused. he has produced Junior College leaving certificate from special Executive Magistrate and such other relevant documents has issued a certificate to that effect. Just because of language twist

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