



GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR SCHEDULED TRIBES

(A Constitutional Commission set up under Art. 338A of the Constitution to investigate and monitor all matters relating to violation of rights and safeguards provided for STs.)

File No.17/2/Inclusion/2013/RU-III

Dated 30/09/2013

To

Smt. Namita Priyadarshee,  
Director,  
Ministry of Tribal Affairs  
Shastri Bhawan,  
New Delhi- 110001

**Sub: Inclusion of 'Kisan' community as synonym of Nagesia, Nagasia listed at Sl. No. 32 in the list of Scheduled Tribes of Chhattisgarh State**

Madam,

I am directed to refer to your letter No. 12026/05/2012-C&LM-I dated 11/03/2013 forwarding therewith the proposal for Inclusion of 'Kisan' community in the list of Scheduled Tribes in Chhattisgarh seeking comments of NCST and to say that the subject matter was discussed as Agenda Item No- V in the 50<sup>th</sup> Meeting of the Commission held on 02/09/2013.

2. The Relevant Extracts from the Summary Record of the meeting of the Commission are enclosed for information and necessary action.

Yours faithfully,

  
(K. D. Bhansor) Mrs.  
Deputy Director

Copy with copies of enclosures forwarded for information and necessary action to:-

1. SSA (NIC) for uploading on the Website of NCST
2. Assistant Director (Coordination)

  
(K. D. Bhansor) Mrs.  
Deputy Director

## NATIONAL COMMISSION FOR SCHEDULED TRIBES

**Sub: Summary record of the 50<sup>th</sup> meeting of the National Commission for Scheduled Tribes held at 12:00 HRS on 02/09/2013**

The 50<sup>th</sup> meeting of the Commission was held at 12:00 hrs on 02/09/2013 in the Chamber of the Hon'ble Chairperson, National Commission for Scheduled Tribes in the Loknayak Bhawan, New Delhi. The meeting was presided over by Dr. Rameshwar Oraon, Hon'ble Chairperson, NCST. List of the participants is enclosed at **ANNEXURE**. There were initially seven Agenda Items for discussion in the meeting. In addition, five Agenda items were taken up for discussion with the permission of the Chairperson. Thus, total twelve Agenda Items were discussed in the meeting.

2. The decisions taken and the action points that emerged out of the discussions held in the meeting are given below:

<b>Agenda Item V</b>	<b>Inclusion of 'Kisan' community as synonym of Nagesia, Nagasia listed at Sl. No. 32 in the list of Scheduled Tribes of Chhattisgarh State</b>
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13. Ministry of Tribal Affairs vide letter No. 12026/05/2012-C&LM-I dated 11/03/2013, have sought comments of the Commission with reference to the Registrar General of India DO No. 8/1/2012-SS (Chhattisgarh) dated 06/03/2013 on proposal of the State Government for Inclusion of 'Kisan' community as synonyms of Nagesia, Nagasia listed at Sl.No. 32 in the list of Scheduled Tribes of Chhattisgarh State.

14. The Commission recalled that the proposal on the subject was earlier discussed in its 45<sup>th</sup> meeting held on 20/03/2013 wherein it was, inter-alia, decided that a Member of the Commission may be deputed to ascertain socio-economic conditions of the "Kisan" community in the Chhattisgarh State and also their position in context of the prescribed criteria for specification of a community as Scheduled Tribes viz; (a) indication of primitive traits; (b) distinctive culture; (c) geographical isolation; (d) shyness of contact with the community at large and (e) backwardness.

8/10/13

File No. - 17/02 / Inclusion / 2013 / RU III

**Report on inclusion of 'Kisan' Community as synonym of Nagesia, Nagasia listed at serial no. 32 in the list of Scheduled Tribes of Chhattisgarh State.**

A team of the Commission led by Shri B.L. Meena, Hon'ble Member, NCST, New Delhi and accompanied by Shri R.K. Dubey, Assistant Director, NCST, Regional office, Bhopal and Shri P.K. Das, Senior Investigator, Regional office, Raipur visited Surguja, Balrampur, Jashpur, Raigarh and Bilaspur Districts of Chhattisgarh State from 10-07-2013 to 16-07-2013 to ascertain the ground position in the process of examination of the proposal of the State Government to include the 'Kisan' community as synonym of Nagesia, Nagasia listed at Sl. No. 32 in the list of Scheduled Tribes of the State. Wide publicity was given to the public through print and electronic media about the visit of the team of the Commission. The team visited many villages / habitations of the 'Kisan' and Nagesia, Nagasia community residing in these districts and gathered information related to the cultural aspects, rituals, traits, method of worship, marriages, language, occupation, social structure, totem, Gotras, methods of agriculture, agricultural equipments, utensils, present status of socio-economic development, representation in Government services, elected bodies etc. The team held detailed discussion through public hearings with the social leaders of the 'Kisan' and Nagesia, Nagasia community, other tribal groups and other interested persons. It also discussed the matter with District Collectors, Sub-divisional officers (Revenue) and Tahsildars of the area to understand various aspects of the issue.

As per para (c) of the modalities for deciding claims for inclusion in, exclusion from and other modifications in the orders specifying Scheduled Castes and Scheduled Tribes list approved by The Cabinet Committee on Scheduled Castes, Scheduled Tribes and Minorities in its meeting held on 15-06-1999 and 25-06-2002, experts in the field of anthropology were also associated (wherever available). Director, Anthropological Survey of India, Kolkata, Head of office, Anthropological Survey of India, Sub-regional centre, Jagdalpur (C.G.) and Head of the Department of Anthropology, Pandit Ravi Shankar Shukla University, Raipur were also requested to advise the Commission on the subject. Response was received from Head of office, Anthropological Survey of India, Sub-regional centre, Jagdalpur (C.G.) who sent copies of published articles on anthropological and ethnological studies related to these communities. No response was received from others. Discussion on the subject was also held with officers of Tribal Research and Training Institute, Raipur. The observations and findings of the Commission's team on the subject are, as under:

1. Kisan, Nagesia and Nagasia of Chhattisgarh are one and the same. It was revealed that at the time of famine, the farmers of Nagesia, Nagasia community had helped the then King of Surguja by providing food grains. Impressed by the performance

of this community in the field of agriculture, he gave title of 'Kisan' to the farmers of this community. Hence, the families of Nagesia and Nagasia community started to write 'Kisan' as their community name as a matter of pride. The 'Kisan' word was also written as their community name in the pre-independence land settlement records of the then Surguja estate. However, socially, they continued to be treated as members of Nagesia or Nagasia community.

2. The houses, way of living, rituals, customs, social structure, economic activities, political organization, religious life and folk arts of the 'Kisan' are similar to that of Nagesia, Nagasia. They reside in the same area and qualify for Scheduled Tribe status in terms of criteria for specification of community as ST viz. indication of primitive traits, distinctive culture, geographical isolation, shyness of contact with community at large and backwardness.
3. No other community residing in the area and practicing agriculture uses 'Kisan' as their community name. The 'Kisan' community is also not included in the lists of Scheduled Castes and Backward classes of the State. Hence, it can be revealed that it is not an occupational name of the community.
4. The 'Kisan' community resides with other tribes like Oraon, Munda, Kanwar, Manjhar etc. in the villages of the northern districts of the State. The other tribal communities also recognize the 'Kisan' as Nagesia and Nagasia and have close social and economic relations.
5. The persons having 'Kisan' written in their land settlement records were earlier issued ST community certificates as Nagesia and Nagasia by the competent authorities of the State. But for the last few years, they are not being issued ST community certificate in light of the judgment of The Supreme Court in AIR 2001 SC 393 (State of Maharashtra Vs. Milind) which says 'that the Scheduled Tribes order must be read as it is. It is not even permissible to say that a tribe, sub-tribe, part or group of any tribe or tribal community is synonymous to the one mentioned in the Scheduled Tribe order if they are not so specifically mentioned in it. As the 'Kisan' community has not been included in the list specifying the Scheduled Tribes of Chhattisgarh State, the families who were having 'Kisan' written in their pre-independence land settlement records were not being provided ST community certificate though they belong to the Nagesia, Nagasia community.
6. It was revealed that the families having 'Kisan' written in their land settlement records are having matrimonial relations with those who have Nagesia and Nagasia written in their land records. Sons of 'Kisan' have been found married with the daughters of Nagesia and Nagasia and vice versa. Even two cousin brothers residing in different villages of two Districts have been recorded as 'Kisan' and Nagesia, Nagasia in their land settlement records. In many Gram Panchayats, the persons written as 'Kisan' in their land settlement records have

23/1/2013

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been elected as Sarpanch on the reserved posts for ST's.

7. Published literature available on the subject also suggests synonymous use of community name and close social linkages in between the 'Kisan' and Nagesia, Nagasia communities in Chhattisgarh (which was then a part of Madhya Pradesh State). '*The Scheduled Tribes*' volume- III (by Shri K.S. Singh), Anthropological Survey of India, 1994 '*The Tribes and Castes of the Central Provinces of India*' (Russel, R.V. and Hiralal), 1916, '*The Nagesia of Chhattisgarh*' (William Ekka and Ajit K. Danda), Anthropological Survey of India, 1984 are important publications in this regard.

In view of the above, it shall be appropriate to agree with the proposal of the State Government to include the 'Kisan' community as synonym of Nagesia, Nagasia listed at Sl. No. 32 in the list of Scheduled Tribes of Chhattisgarh State which is also supported by the RGI.

23/8/2013  
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