

The Absent among the Marginalised: A Review of Sikligars of Punjab

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ABSTRACT: Denotified, nomadic and semi nomadic tribes (DNTs/NTs/SNTs) represent one of the most marginalised sections of the Indian society. However, during the process of reclassification, these communities were placed in social categories of Scheduled Tribes, Scheduled Castes or Backward Classes. Different states of India place them in different categories, including general category. Further within them, the NTs/SNTs are different from DNTs which are erstwhile criminal tribes. Sikligars are one such community identified as NT/SNT by the National Commission for the Denotified, Nomadic and Semi-nomadic Tribes. However, it has been included as SC or BC in different states including as SC in Punjab. Their marginalisation doubles because of this. Historically the community is known for the skill in weapon making, polishing of weapons during the reign Sikh gurus. The inconsistency in the categorisation has further led to the marginalisation and invisibility of the community. This paper underlines the critical need to acknowledge distinct historical identity, their traditional occupation and changes coming therein with time through a review of the existing specific literature and reports. The need is to acknowledge and readdressing their exclusion to ensure social justice and comprehensive development.

INTRODUCTION

Among the many voices of India's marginalised, the Denotified, Nomadic and Semi-Nomadic tribes continue to remain some of the most unheard and under-represented. Despite existence of various Constitutional affirmative actions, these communities continue to remain excluded and discriminated from the benefits of social welfare and policies. Historically, the term denotified tribes refers to tribes that were labelled as "criminal" under the Criminal Tribes Act (CTA) of 1871 during British rule. While the British were not able to understand the diversity in India, they also were not able to understand the concept of nomadism, which was a way

of life in many communities in India. The criminal tribes act was passed on the basis of their prior colonial knowledge (Major, 1999). The colonial government described certain communities or groups born as criminals by birth. They considered these communities and groups as criminal not due to their individual actions but due to their upbringing, social backgrounds, their occupation and traditions. These communities were wrongly considered as "guilds" or criminals with criminal behaviour that was passed down from generation to generation (Pilivasky, 2015). In this context, J. F. Stephen, a legal member of the Viceroy's council in the early 1870s, illustrates the way these tribes were stigmatised as criminal tribes with generational occupation of committing crime:

"The caste system is India's distinguishing trait.

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By virtue of this system, merchants are constituted in a caste, a family of carpenters will remain a family of carpenters for a whole century from now, or five centuries from now, if it survives that long. Let us bear that in mind and grasp quickly what we mean here by professional criminals. We are dealing here with a tribe whose ancestors have been criminals since the very dawn of time, whose members are sworn by the laws of their caste to commit crime ... for it is his vocation, his caste, I would go to the extent of saying his faith, to commit crimes” (cf. Pilivasky, 2015).

The Criminal Tribes Act was amended several times, notably from 1911 to 1924, in order to control these tribes by supervising their every movement. Under section 17 of the Act 1871, local police even had the authority to establish and maintain reformatories and separate children from their parents. In 1911, it was made compulsory for every police officer to know the criminal tribes and gangs that were addicted to and committed crime. The movement of each member was supervised and registration was done to keep track of the movement of these tribes. Passes were issued to the members of these tribes in case they had to leave their settlement and this under the supervision of the local police officer (Gandhi, 2019).

Many nationalist and influential leaders such as Pt. Jawaharlal Nehru condemned the act in 1930s. However, the Criminal Tribe Act continued to remain in effect for some time even after independence. Pt. Jawaharlal Nehru, while declaring Criminal Tribes Act as a wrong or evil, mentioned that “The monstrous provisions of the Criminal Tribes Act constitute a negation of civil liberty. No tribe can be classed as criminal as such and the whole principle is out of consonance with all civilised principles” (cf. Meena, 2024). In continuation to this, Ambedkar also stated that “Not only are they not civilised but some of them follow pursuits which have led to their being classified as criminals. Thirteen million of people living in the midst of civilisation are still in a savage state and are leading the life of hereditary criminals!!”, however, this does not mean that they should not be given their due rights (cf. Kolge, 2021). Despite this repealing of the Act was delayed for five years (Meena, 2024). On August 31, 1952 the Act was repealed and these communities came to be known as

Denotified Tribes (DNTs) or *Vimukt Jatis*. However, even after many years of independence, the stigma of being called a criminal still haunts these communities (Rathod, 2020).

THE AMBIGUITY OF AFFIRMATIVE ACTION

Unlike the Scheduled Castes (SCs) and Scheduled Tribes (STs), where identities are relatively well defined in the Constitution and the legal framework for implementing affirmative action for their social and political welfare, the denotified, nomadic and semi-nomadic tribes still struggle for consistent recognition and classification. (Bhandalkar, 2023) states that “*There is no uniformity in the status of these tribes across the country. The human rights violations against the DNTs are not covered by legislation such as the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (1989) that protects the SCs and STs*”. As a consequence, DNTs suffered because of their exclusion from the constitutional schedules. Another significant observation made by (Radhakrishna 2007) is that “since the scheduled lists for reservations were already in place at the time of the denotification, different branches of [these] community residing in other parts of India were accommodated into these lists gradually, depending on the political strength of their representatives as a result, they are listed as scheduled castes (SCs) in some states, scheduled tribes (STs) in others and more recently, as other backward classes (OBCs) in some others”.

Over the years a number of commissions and committees were set up by various governments to look into the issues and concerns of all these communities. Some of the prominent commissions and committees set up for these communities included the Criminal tribes Enquiry Committee 1947, Ayyangar Committee 1949, Kalekar Commission 1953, Lokur Committee 1965 and Justice Venkatachaliah Commission 2002. Based on the recommendations of the commissions, with the mandate for dealing with the issue of identification and definition, to propose plans and policies for development of these communities, the Government of India setup the National Commission for the Denotified, Nomadic and Semi-nomadic Tribes (NCDNSNT) in 2006. This commission is known as the Renke commission which

submitted its report in 2008. The second NCDNSNT was the Idate commission set up in 2015 which submitted its report in 2018.

Both the commissions acknowledged that due to lack of a unified category, these three communities received even less focused attention and many continue to be excluded from mainstream welfare policies and development schemes. Across different states, these communities are subsumed under the category of SC, ST or OBC and even as part of the general category. Because of the extent and differing experience of marginalisation, these communities require special focus and attention for affirmative action as their experiences and problems are different from the SC, ST or OBC (Renke Commission, 2008 and Idate Commission, 2018).

THE ABSENT AMONG THE MARGINALISED

The categorisation of these communities into SC, ST or OBC not just included the DNTs but also the nomadic tribes (NTs) and semi-nomadic tribes (SNTs). These second category of communities were not the erstwhile criminal tribes and hence were different from DNTs, but since they also faced similar issues of representation, the three have been grouped together. With the exception of the Justice Venkatachaliah Commission, the other committees and commissions focused on the DNTs. The Justice Venkatachaliah Commission acknowledged for the first time that the issues and marginalisation being faced by the DNTs are also the issues of the NTs and SNTs and hence, these communities also deserve similar affirmative actions as being envisaged and discussed for the DNTs. The Renke Commission (2008) in this regard categorically reports that, “Among these three categories of communities, the problem of defining the Nomadic and Semi-Nomadic Tribes requires greater attention over those of the Denotified Tribes. There is better clarity with regard to the Denotified Tribes, and therefore, we need to have conceptual clarity with regard to nomadic and seminomadic tribes” (p. 10). (Idate Commission 2017) also corroborated the need for specifications in understanding the differences between the denotified tribes and other nomadic and semi-nomadic tribes. The report of the Commission observed that, “The non-criminal nomadic tribes had their own share of problems. Many

policies of the British government were detrimental to their lives and livelihoods. Also, they lost much of their traditional occupations with the advent of a new economic order” (p. 4).

This clearly indicates that issue of identification of these communities with respect to other communities and amongst themselves is a complex one. Several factors like population size, political representation, etc. impact the extent at which these voices are heard and acknowledged. Since the extent of work and commentaries related to the DNTs has been relatively extensive (Meena, 2024; Bhandalkar, 2022; Singh, 2010; Simhadri, 1978; Lashkar, n.d; Korra, 2017; Gandhi, 2018; Radhakrishna, 2007; Singh, 2021) the other groups among the NTs and SNTs remain either marginalised or altogether absent. This so becomes even more pertinent in case of states like Punjab which do not have recognised tribal population. This paper discusses these complexities based on existing literature related to one such community in the state Punjab known by the name of Sikligars.

SIKLI GAR OF PUNJAB

Previously, each community was specialised in one or the other occupation and earned its livelihood from that. One such community is of the Sikligars. The name Sikligar is based on their occupation. Members of this community had the traditional occupation specialising in making and polishing the weapons, which means doing *Siqal*, hence they are named after that (Singh, 2021). According to (Singh 2021; Singh 1966), they are mainly from Mewar in Rajasthan and primarily follow Sikh religion. The Sikligar community converted to Sikhism between the time of the sixth Sikh guru, Guru Hargobind and the tenth Sikh guru, Guru Gobind Singh. The Sikligars were the makers of weapons to their armies. Today, Sikligars are involved in menial occupations, such as making keys, locks, casting utensils and cutting iron, as well as pulling rickshaws, some are selling plastic chairs. Only a few of them are involved in their traditional occupation (Radhakrishna, 2007). (Radhakrishna 2007) considered Sikligars to be offshoots of the banjara community. In the earlier census, these were also reported in the category of Lohars. Even though the Sikligar community is

considered Nomadic and Semi-Nomadic tribe by the Idate Commission for different states in India such as Andhra Pradesh, Maharashtra, Rajasthan and Uttar Pradesh, they have been given the status of OBCs or SCs in the states wherever they are present. According to the 2011 census, the total population of Sikligars in the state of Punjab is 11,807 and they are included in the category of SCs.

Similar to the overall trends in other parts of the country focusing more on issues and problems of DNTs amongst all the three groups, the DNTs have been main focus of academic discourse in Punjab, though much work needs to be done in this domain as well. A detailed study on the seven DNTs in Punjab was conducted by (Singh, 2010), which did not include Sikligars. The extension of this work published in 2020, however, included Sikligars as one of the nomadic/semi-nomadic groups along with other DNTs. Singh (1966) was the first detailed ethnographic work on Sikligars of Punjab followed by another work specifically on the Sikligars by (Kazak 1990). A Few studies in physical anthropology on Sikligars of Chandigarh were conducted by (Balgir 1980, 1984, 1985, 1986). All these works based in Punjab have considered Sikligars as nomadic/semi-nomadic tribes. There has been one PhD in Punjabi University (Patiala) in 2019 which included Sikligars as one of the study groups. Hence, there have been only two studies exclusive studies focusing on this group, separated by lengthy time interval and two studies which included this as one of the groups. Studies by (Radakrishna, 2007; National Commission for Minorities, 2009) focused on Sikligars as one of the Sikh tribes of Delhi. During Idate Commission's visit to Punjab, only representatives of the seven DNT communities met them to highlight their issues and problems in the state, including their demand for ST status, and sharing their grievance of not receiving benefits under SC or OBC quota. The Commission in its report also observed that the DNTs "are not getting benefits out of it [SC or OBC quota] since they are very weak to compete others" (p.19). There is no mention of interaction with the nomadic or semi-nomadic groups of the state. Whereas, the state did not recognise Sikligars as either DNT or NT/SNT, the Idate Commission recognised it as one of the 19 nomadic communities in the state. Renke Commission

had also recognised the Sikligars as a nomadic community. The ambiguity in both academic and constitutional classification has made Sikligars invisible even though they had rich culture and historical importance in the Sikh religion.

CONCLUSION

The abolishment of the Criminal Tribes Act in 1952 was intended to improve the situation of criminal tribes and set them free from the stigma of being labelled as criminal. As Denotified tribes, they received some recognition and welfare attention but in this legislative shift, those tribes that were not part of the criminal tribes act somewhere lagged behind. Such is the case of Sikligars, who have been attributed similar traits of a tribe, but have not been formally recognised as tribe. Moreover, in Punjab the absence of any officially recognised scheduled tribe or tribal population has made the situation even more complex. Sikligars in Punjab have been classified under the category of scheduled caste leading to exclusion from both tribes and specific Denotified frameworks this even deepens this complexity not only at the level of affirmative action and its results but also at the level of academic discourse, wherein such communities as Sikligars are almost absent. The community that has historical and symbolic importance in Sikh religion faces an ambiguity related to their own unique identity which includes loss of their traditional occupation, legal invisibility, lack of opportunities leading to multiple layers of marginalisation. This situation demands to be recognised and re-addressed so that uniqueness of such communities is recognised to ensure social justice and equity.

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