



Kuchbandiyas of Bundelkhand: Still a stigmatized Community

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Abstract: *About 100 years ago, Kuchbandiyas were a non-sedentary tribe. They were notified by the British as Criminal Tribes including other communities under the Criminal Tribe Act (hereinafter called the CTA), 1871. After independence, CTA was repealed by the Govt. of India in August, 1952. Thereafter, all the Notified Criminal Tribes were recorded as Denotified Tribes. Due to long time stigma of criminality, Kuchbandiyas were harassed and tortured by the British Police continuously. Their nomadic lifestyle was also adversely affected by the enactment of British forest law. They were completely alienated from the mainstream. About 65 years ago the Kuchbandiyas of study area i.e. village Umariya, Pragana, Rath (Hamirpur) of Bundelkhand, got an opportunity to settle down in the village with the help of the village chief. They preferred to be called as a resident of a particular place rather than a nomad. Though now all the Kuchbandiyas did migrate from Umariya village to other places and adopted the Chhitki custom by imitating the Bundeli custom. Infact, they were of the belief that Chhitki custom will give them their true identity and also confirmed that from which village of Bundelkhand their ancestors did migrate. As they settled down, their children got the opportunity for education. Some of them got the government jobs. However, the stigma of born criminality did adhere to them. The police did constantly harass them since they were branded criminals. The Police was not required to do hard work to arrest the real culprit from Kuchbandiyas. In order to complete the paperwork formality the police would easily catch the innocent Kuchbandiyas instead of a real culprit.*

Key Words: Kuchhandiyas, Non-sedentary tribe, Criminal Tribes, Communities, stigma, completely.

Introduction- Kuchbandiya is an occupational community like Rechband and Pathrakat etc. Kuchbandiya term is derived from Kuchband that means a community who makes 'kuch' i.e. brush. Some of them are engaged in Kuchband occupation while others in Pathrakat i.e. in stone cutting occupation. Hence, they have been given the name as Patharkat jati by the society. Prior to year 2000 i.e. before the division of Uttar Pradesh, the U.P. Government issued them a Scheduled Tribe Certificate by the name as Bhotia Tribe. But now they have been amalgamated in the Kanjar Caste, which is a Scheduled Caste. Kuchbandiyas doesn't want to be called as Kanjar. Because (1) They are not untouchables while the Kanjars are. On the basis of untouchables Kanjars comes under the Scheduled Castes. (2) Few Kanjar women were/are engaged in prostitution. (3) There is much competition within the Scheduled Castes in comparison to Scheduled

Tribes. Kuchbandiyas consider them as Hindus. Most of the males do add 'Singh' as their surname. They proudly claimed that their ancestors were warriors of Rana Pratap. Infact, not only Kuchbandiyas but also all the ex-criminal tribes' male person, whether settled or nomads, use 'Singh' as their surname. Singh surname is a symbol of bravery.

As they settled to the sedentary life style they followed the advanced Hindu culture. Though, according to Ghuriye, the tribes are backward Hindus. Kuchbandiyas established 'Kul Devi' in the village. They don't eat beef same as the Hindus don't eat. Prohibition of beef eating proved that Kuchbandiyas were Hindus earlier. Of course, they were backward. Now some of them have migrated to Rath Town of Hamirpur district and at Srinagar, Mahoba, Kunaha of Mahoba district while few families migrated to Jahanabad and Fatehpur in



Fatehpur district. However, they proudly claim that they are original natives of Umaria Village.

Colonial law made certain communities as criminals- 127 Communities including Kuchbandiyas were notified as criminal tribes by the British under the series of Criminal Tribes Act, 1871-1924. In the background of CTA, Mahashweta Devi noted "It had to come about the 1871 criminal tribes Act. The question why such an Act was needed lies in the history of British rule in India in the 18th and 19th century. The regulation Act No. XXII of 1793 had been the first step taken by the British when they notified certain tribes of northern India as criminals..... the Rohilla war took place in 1770s, and an independent and peaceful Rohilkhand was taken by the British after a bloody war and brutal massacre of the innocent.

After the Rohilla Revolt of Rohilkhand, Bundelkhand Revolt took place in 1842. In this revolt Lodhis and Gonds continued their fighting, consequently, they were reckoned as habitual criminals in 1842.

There is historical evidence that a number of communities in northern India were involved in the rebellion act against the British in 1857. These communities were used by the rebel princes and rajahs either directly to fight against the British, or were indirectly involved in a variety of ways in assisting their armies. As a result, these communities were brutally suppressed during 1857, and later declared Criminal Tribes under the Criminal Tribes ACT, 1871 (Renke -2008).

Repeal of the CT Act, 1924 in 1952 The CTA, 1924 was repealed by the Criminal Tribes Laws (Repeal) Act, 1952 on the recommendations of the Criminal Enquiry Committee, headed by Ananthasaynam Ayyangar. As a result, the tribes notified earlier as Criminal Tribes stood Denotified, and the name 'Denotified Tribes or Vimukt Jati has been used for them since then. Even today so-called civil society treats them as criminals. Stigma of criminality remains stuck to their forehead till date; as a result, they are deprived of human dignity and minimum basic rights. All the Ex- Criminal Tribes

lost their Tribal identity after repeal of CTA. In the government correspondence either they are nomenclature Denotified Tribes or Denotified Communities or Vimukt Jati.

The poor economic condition of the forest tribe Kutchbandiya began with the forest laws imposed by the colonial government. Later the CTA made them a born criminal and made them worse. About the poor condition of Kuchbandiya, B S Bhargava (1949) stated in his book 'The Criminal Tribes', "Koochbandhs (synonyms of Kuchbandiya) are one of the most backward criminal tribes who have been least influenced by education and the contact of civilized people. They are as primitive as ever. In fact they are the most dirty and idle people who always blame some deity or other for their misfortunes. There are very few Koochbandhs who have left their old religion and adopted another such as Sikhism, Hinduism, or Islam. In short, they are still totemistic and administic in their belief. This was an average picture of Kuchbandiyas of Northern India, around the year 1940s. i.e. during colonial rule.

However a positive change in the status of Kuchbandiyas (upward mobility) occurred in Bundelkhand, on starting a sedentary lifestyle. As stated above Kuchbandiyas were forest wanderers but during the rainy season of 4 months, they stayed outside of any village with the permission of the village Chief. Despite being of suspected criminal tendency, they were very loyal to the Zamindar or village chief. The story of the mainstreaming of Kuchbandiyas of Bundelkhand goes back to the year 1955-56, when the land ceiling Act came into force. A big land owner Brijendra Singh Umariya* (Umaria is a village due to which the surname of the owner of the land became operational) allotted Patta of 100 acre land to 45 families of Kuchbandias. There were 250 adult voters in these families. For these families, 30 Kachcha houses were built by him. Later, with the effort of Brijendra Singh, the Govt. of U.P. also made 9 pucca flats for them. Brijendra Singh also taught their children. As a result, some of them have got jobs in the state



of Uttar Pradesh such as Lekhpal, Sinchpal, Jail soldier, Amin and clerk in the Health Department. Brijendra Singh stated that the government has acquired the land of 8 Kuchbandiya families for construction of road for that each family got compensation of 16 lakh rupees to 22 lakh rupees and they were migrated to Rath, Kunahta, Srinagar, Mahoba, Jahanabad and Fatehpur. They built their pucca houses and started living in these new places.

Kuchbandiyas were loyal to the landlord for many generations: Brijendra Singh Umariya and his son told the author of this research paper that they had cordial relations with the Kuchbandiya from the time of his father and grandfather. Wedding invitations were exchanged from both sides on the occasion of marriage and people from both sides were, enthusiastically, involved. They further stated that Kuchbandiyas were wanderers who were occasionally visiting their village generally once a year. Then Brijendra Singh's father and grandfather allowed them to stay in their land and also arranged food etc. for them. Mostly, it was the season of Chaumasa (4 months of the rainy season). In this way, the family of Brijendra Singh had intimate relations for three generations with them. During the FGDs of other old people of villages surrounding Umariya, they admitted that, in fact, Kuchbandiyas were irregular fighting men for Brijendra Singh's father and his grandfather. The Kuchbandiyas were used to fight for them when needed.

W. Crooke considered 12 wanderer tribes including Kuchabandiyas as a subsection of Kanjar, but, in fact, Kuchbandiya and others, too, are endogamous tribes. None of them consider themselves as a sub-caste of Kanjars. As far as the supremacy is concerned, Kuchbandiya does not take water and food touched by Kanjars. All this proves that Kuchbandiyas are superior to Kanjar. Focusing on Kanjar, Crooke described that Kanjar is a name applied to an aggregate of vagrant tribes of a gypsy character. And probably Dravidian origin, which are found generally distributed throughout the Province. (i.e. North - Western Provinces and Oudh).

The name has been derived from the Sanskrit Kanan-chara. In the sense of a "Wanderer in the jungle".....There may be little doubt that the Kanjar are a branch of the great nomadic race which includes the Sansiya, Habura, Beriya, Bhatu and more distant kindred, such as the Nat, Banjara, Baheliya. This appears to be clear from their sub-castes. In the United Provinces and the Punjab, the Kanjars are generally classed in 12 sub divisions: 1- Kuchbandiya 2- Nat 3- Turkata 4-Beriya 5- Beldar 6- Chamarmangta 7- Sansiya 8- Dom 9- Bhatu 10- Qalandar 11- Baheliya 12- Jogi.

W. Crooke's idea that the said 12 castes are sub-castes of Kanjar, has also been followed by other researchers, who have used secondary data in their research, but none of the above 12 castes believe it. They all consider themselves as separate castes. But as a major class of wandering tribes they say themselves as barah vale (belonging to twelve) While others i.e. out of Varah vale are called 'Kajro' i.e. outsider. According to Community leaders such as Mohar Singh Kuchbandiya a Community leader of Kuchbandiya Community, Dinesh Kumar Nagar of Nat Community, Naval Baheliya of Baheliya Community, Sanjay jogi of Jogi Community from Haryana and Shiva Pujan Ram of Chmarmangta Community & Ex- MLA of U.P. clarified that they are not sub Castes of Kanjar. Though only Shiva Pujan Ram admitted that being a separate Caste/Tribe they speak the same dialect in mutual talks in India, Nepal, Pakistan and Bangladesh. During FGDs at Rath town of Bundelkhand, a representative of Kuchbandiya Community Shri Mohar Singh Kuchbandiya told that they speak the same dialect despite having a different caste. There is a complaint of the Kuchbandiya people of Rath area that the government is forcibly changing their caste to Kanjar. They also said in anger that if the government wants to change their caste, then makes them Brahmins instead of low caste Kanjars.

Livelihood- Normally the Kuchabandiya do not like to work on daily wages but they are loyal to the former Zamindar (owner). These are not only



their vote banks, but on the occasion of harvesting crops, leaving their personal work behind, they work in their fields considering it as their moral duty. There is an economic reason for not doing work on wage basis elsewhere because wages are less, whereas they earn 3 to 4 times more than wages per day. Kuchbandiya women contribute about half of the household's expenses. Men and women make ropes, mats, seeka, chakwa, musika from grass, while women sell these door to door. The men collect and sell honey from the forest. Earlier men used to hunt wild animals and sell leather of specific animals at an expensive price. But after the enactment of forest law and protection of wildlife Act, their important source of income was lost. Now they have started making money by selling clothes, utensils and herbal medicines from village to village.

Food habits- Kuchbandiyas eat the meat of all animals except beef. Like Hindus they consider cow as a holy animal. When the author reached their colony, he saw that some children were roasting a turtle in the fire. They mostly prefer non veg. food.

Religion- Bhargava B S (1949) stated that Kuchbandiyas were totemistic and animistic in their beliefs. These are some of the omens that they observe:

- 1- To cut the neck of a hen at the time of starting on professional work is considered very suspicious.
- 2- If a hare is heard from the front side, it is auspicious, if from the back very inauspicious.
- 3- If the neighing of a horse is heard from the right it is good, if from the left, it is an indication of some impending danger.
- 4- An owl is considered as a very inauspicious bird, whenever it crosses their way, they refuse to proceed further.

After leading the settled life they started worshipping goddesses Madai mata, Kalka mata, Kali mata and Bijasen mata. In Chaitra's Navratri, goats and pigs are sacrificed in these Goddess temples and the offerings of the flesh are distributed among themselves. There is a 'Kuchbandia Baba Temple' at Chirgaon (Jhansi) which was built in the memory of their ancestors. Kuchbandiya Baba

is worshipped not only by people belonging to Kuchbandiyas but also worshiped by other Communities on accepting the prayer.

Marriage- Though Kuchbandiyas are considered as Hindus. But still Brahmins do not provide ritual services to them. Their marriage ceremony is performed by the elders of the family. Earlier, in marriages the bride price was paid, but now the groom is given a dowry in imitation of a local Hindu. The bride's parents also bear all the expenses of the wedding party.

Death and Funeral- Birth and other rituals are not yet celebrated. Cremation of the dead has now been started. Earlier, the dead bodies were got buried. They now perform the 'asthi visarjan' of the dead person in Prayagraj at the Sangam of Ganga Yamuna. The 'Pandas' at the ghat have now started performing rituals for their dead ones.

Harassment by the police- Despite being developed at the some extent, the stigma of being a congenital offender is still on him. The police continue to harass the innocent Kuchbandiya. There are easy means of earning money for the police even today. Despite having a sufficient income, they cannot demonstrate their high standard of living! Otherwise the police would recover more money from them. Though the legal stigma of criminality had been removed with the enactment of 'Repeal of Criminal Tribes, Act, 1952 but the social stigma still persists to criminalize. As kuchbandia of study area have got middle class status even some of them have the two wheelers and four wheelers. But police believed that it is a stolen vehicle. So the people of the Kuchbandia community are often harassed by the police. Police forcefully collects money from Kuchbandiya. Otherwise they are sent to jail after being implicated in false cases. They are often implicated in false crimes like theft and cheating. In the last 10 years, 60% adult male were locked up and tortured in police custody, not because of any crime they committed, but due to their belonging to branded criminal community. While in the last 15 years, 25 youths were sent to jail. Out of them 3 on charges of murder and 1 youth for treason and 21



men for minor crimes.

Incident-1: Rajesh Khanna, a Kuchbandiya boy was sent to jail with a charge of treason. The story goes to 15 years back. Someone bought honey from a poor Kutchbandia boy and gave a fake currency of five hundred rupees note. When the boy bought the ration and gave that note to the shopkeeper, he informed the police. The police tortured the boy a lot and asked him to tell that where the note printing machine had been hide. His house was razed. The condition of his house was itself a proof of his poverty. It was evident that he had no such machine. The police broke into his house and robbed the women of her least jewels she had, and sent the boy to jail on charges of treason. Thus, the police did not make any attempts to catch the real culprits.

Incident-2: If any crime is occurred in the area then only Kuchbandiya do come under suspicion. The police do not bother to catch the real criminals. In March, 2019, the police caught a thief who claimed himself a Kuchbandiya of Sikandarpura, a habitat of Kuchbandiya. When the police called Mohar Singh, a representative of Kuchbandiya community to identify him, he made it clear to the police that this person does not belong to his community. To convince the police Mohar Singh spoke Kuchband dialect to him. The thief could not understand the dialect. Then the thief admitted that he was not Kuchbandiya but a Muslim. Similarly a Dalit man was killed by his enemy and again as usual the Kuchbandiyas were suspected. The police harassed each Kuchbandiya families in the locality for four months. Later it came to known that all the Kuchbandiyas were innocent and the murderer turned out to be a Hindu Yadav.

Incident-3: During the month of October 2020, police arrested five Kuchbandiya youths for snatching gold chain. They were constantly beaten up until they started bleeding from their mouth. When the police put pistols into the mouths of two minor boys, they got scared and falsely admitted that they had snatched the chain which ultimately fell down in a hurry. The police was, however,

convinced that these boys were innocent and did accept the guilt only to save them from further beating by the Police. At last, the police released them while sent the others two to jail knowing that they, too, were innocent. Thus, police fulfilled the paperwork formality but did not catch the real culprit. Here is a million dollar question that how 5 boys can be involved at a time to snatch a chain. (Above facts noted during FGDs)

According to G N Devy, as he noted in his book 'Narrating nomadism', the story of the DNTs goes back to the early years of Colonial rule. In those times, whoever opposed the British colonial expansion was perceived as a potential criminal particularly, if any attempt was made to oppose the colonial government with the use of arms, the charge of Criminality was a certainty. He further noted that the British did not understand the communities that were non-sedentary; therefore, the Nomadic community became suspect in the eyes of the colonial British rulers. The colonial government drafted a unique piece of legislation 1871, which they thought would come to the Nomadic communities.

Though there are evidence that Kabutra (Nats) and Kuchbandiya Tribes were used by the rebels. While most of the nomadic criminal Tribes committed minor crimes in British India only. They were loyal to princely states.

According to Renke Commission's Report-2008, there is historical evidence that a number of communities in the north of India were involved in the rebellion against the British in 1857. These communities were used by the rebel princes and rajahs either directly to fight against the British, or were indirectly involved in a variety of ways in assisting their armies. As a result, these communities were brutally suppressed during 1857, and later declared Criminal Tribes under the Criminal Tribes Act, 1871.

The Stigma of Criminality is so deeply rooted in the mind of people and police officials as well, that even after repeal of Criminal Tribes Act (CTA) by independent government of India on 31



August 1952, the whole former criminal tribes who were notified in any province of British India, are still treated as criminal in all over India, where they now lives or found as a nomads. Due to such prejudiced attitude of police officials, Kuchbandiyas and few others former criminal tribes (who were notified as criminal tribes by the British in any part of India) are often harassed and tortured by the police. After the repeal of CTA, 1924, the notified criminal tribes are now called Denotified Tribes. State Governments are running some of the schemes and Ashram Type residential schools for mainstreaming of Denotified, Nomadic and Semi nomadic Tribes (DNTs). But most of the states do not have a central list of DNTs. Consequently DNTs are denied a caste certificate. So most of the Denotified Tribes are deprived of the benefits of the schemes meant for them. It is ironic that some of the other DNTs, including Kuchbandiya Tribes in Uttar Pradesh, are treated as Criminals because they were declared as Criminal Tribes in neighboring states, but not issued DNTs caste certificates. So they are deprived of the benefit of welfare schemes run for DNTs.

Amalgamation of DNTs among SC, ST & OBCs is a big cause of deprivation of right of DNTs- Though most of the DNTs are included in lists of SC, ST & OBCs but being extremely backwards they can't compete among them so they could get nothing. In case of Kuchbandiyas of U.P., after shifting their status from ST to SC, they could not find government jobs. So they tried to sustain their previous category of SC for Government jobs. Apart from the SC certificate they demand for Denotified Tribe Certificate for education and other benefits, likewise DNTs of OBCs getting two caste certificates, OBC certificate for reservation meant for government services and Denotified Tribe Certificate for other benefits as applicable for DNTs of Uttar Pradesh. National Commission for Denotified, Nomadic and Semi nomadic Tribes-

2018 (Idate Commission) recommended that if a separate schedule is not feasible, carving out a special 'sub quota for these communities in the quotas for SCs, STs and OBCs would address the problem of their non-representation in higher education, employment and other speakers.

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