

Bill No. 325 of 2016

**THE CONSTITUTION (SCHEDULED CASTES AND SCHEDULED
TRIBES) ORDERS (AMENDMENT) BILL, 2016**

A

BILL

further to amend the Constitution (Scheduled Castes) Order, 1950 to omit Bhogta community from the list of Scheduled Castes in relation to the State of Jharkhand and the Constitution (Scheduled Tribes) Order, 1950 for inclusion of certain communities in the list of Scheduled Tribes in relation to the States of Assam, Chhattisgarh, Jharkhand, Tamil Nadu and Tripura.

BE it enacted by Parliament in the Sixty-seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Scheduled Castes and Scheduled Tribes) Orders (Amendment) Act, 2016.

Short title and commencement.

5 (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different States and any reference in any provision to the commencement of this Act shall be construed in relation to any State as a reference to the coming into force of that provision in that State.

C.O. 19. **2.** In the Schedule to the Constitution (Scheduled Castes) Order, 1950, in Part VIA.—
10 *Jharkhand*, entry 3 shall be omitted.

Amendment of Constitution (Scheduled Castes) Order, 1950.

3. In the Schedule to the Constitution (Scheduled Tribes) Order, 1950,—

C.O. 22.

(a) in PART II.—*Assam*,—

(i) in paragraph I, after entry 15, the following entry shall be inserted, namely:—

"16. Boro, Boro Kachari, Bodo, Bodo Kachari";

5

(ii) in paragraph II, after entry 14, the following entry shall be inserted, namely:—

"15. Karbi (Mikir)";

(b) in PART XIV.—*Tamil Nadu*—

(i) for entry 25, the following entry shall be substituted, namely:—

10

"25. Malayali Gounder";

(ii) after entry 36, the following entry shall be inserted, namely:—

"37. Narikoravan, Kurivikkaran";

(c) in PART XV.—*Tripura*, in entry 9, after item (iii), the following item shall be inserted, namely:—

15

"(iii) Darlong";

(d) in PART XX.—*Chhattisgarh*,—

(i) in entry 5, after "Bharia Bhumia," the following shall be inserted, namely:—

"Bhuinya, Bhuiyan, Bhuyan,";

20

(ii) for entry 14, the following entry shall be substituted, namely:—

"14. Dhanwar, Dhanuhar, Dhanuwar";

(iii) for entries 32 and 33, the following entries shall be substituted, namely:—

"32. Nagesia, Nagasia, Kisan

25

33. Oraon, Dhanka, Dhangad";

(iv) for entry 41, the following entry shall be substituted, namely:—

"41. Sawar, Sawara, Saunra, Saonra".

(e) in PART XXII.—*Jharkhand*,—

(i) for entry 16, the following entry shall be substituted, namely:—

30

"16. Kharwar, Bhogta, Deshwari, Ganjhu, Dautalbandi, Dwalbandi, Patbandi, Raut, Maajhia, Khairi, Kheri";

(ii) after entry 32, the following entry shall be inserted, namely:—

"33. Puran".

STATEMENT OF OBJECTS AND REASONS

According to the provisions of articles 341 and 342 of the Constitution, the lists of the Scheduled Castes and the Scheduled Tribes were notified during the year 1950 in respect of various States and Union territories. These lists were modified from time to time. A number of requests were received from time to time from the State Governments of Assam, Chhattisgarh, Jharkhand, Tamil Nadu and Tripura for inclusion of certain tribes or tribal communities, equivalent names or synonyms of certain tribes or communities, in the lists of Scheduled Tribes.

2. Accordingly, the lists of the Scheduled Tribes are proposed to be modified in respect of the States of Assam, Chhattisgarh, Jharkhand, Tamil Nadu and Tripura after consultation with the State Governments concerned, the Registrar General of India and the National Commission for the Scheduled Tribes.

3. The Constitution (Scheduled Castes and Scheduled Tribes) Orders (Amendment) Bill, 2016 proposes to—

(i) transfer of "Bhogta" community in respect of the State of Jharkhand from the list of Scheduled Castes to the list of Scheduled Tribes;

(ii) include certain communities in the lists of Scheduled Tribes relating to the States of Assam, Chhattisgarh, Jharkhand, Tamil Nadu and Tripura.

4. The Bill seeks to achieve the above objects.

NEW DELHI;
21st November, 2016.

JUAL ORAM

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF THE CONSTITUTION OF INDIA

[Copy of F. No. 12016/91/2015-C&LM-1 dated 29 November, 2016 from Shri Jual Oram, Minister of Tribal Affairs to the Secretary General, Lok Sabha]

The President, having been informed of the subject matter of the proposed Constitution (Scheduled Castes and Scheduled Tribes) Orders (Amendment) Bill, 2016 recommends to the House the consideration of the Bill under article 117 (3) of the Constitution of India.

FINANCIAL MEMORANDUM

Clause 3 of the Bill seeks to include certain communities as well as addition of synonyms of communities in the existing lists of Scheduled Tribes. This will entail additional expenditure on account of benefits to be provided to the persons belonging to such communities, under the continuing schemes meant for the welfare of the Scheduled Tribes.

2. It is not possible to estimate the likely additional expenditure to be incurred on this account at this stage. However, the expenditure, if any, shall be accommodated within Annual Plan and Non-Plan outlay of the Ministry of Tribal Affairs.

ANNEXURE

EXTRACT FROM THE CONSTITUTION (SCHEDULED CASTES) ORDER, 1950

C.O. 19

PART VIA.—*Jharkhand*

3. Hair, Mehtar, Bhangi

* * * * *

EXTRACTS FROM THE CONSTITUTION (SCHEDULED TRIBES) ORDER, 1950

C.O. 22

PART XIV.—*Tamil Nadu*

* * * * *

25. Malayali (in Dharmapuri, North Arcot, Pudukottai, Salem, South Arcot and Tiruchirapalli Districts)

* * * * *

PART XX.—*Chhattisgarh*

* * * * *

14. Dhanwar

* * * * *

32. Nagesia, Nagasia

33. Oraon, Dhanka, Dhangad

* * * * *

41. Sawar, Sawara

PART XXII.—*Jharkhand*

* * * * *

16. Kharwar

* * * * *

32. Kol.

LOK SABHA

A

BILL

further to amend the Constitution (Scheduled Castes) Order, 1950 to omit Bhogta community from the list of Scheduled Castes in relation to the State of Jharkhand and the Constitution (Scheduled Tribes) Order, 1950 for inclusion of certain communities in the list of Scheduled Tribes in relation to the States of Assam, Chhattisgarh, Jharkhand, Tamil Nadu and Tripura.

(Shri Jual Oram, Minister of Tribal Affairs)