

Bill No. 160 of 2013

**THE CONSTITUTION (SCHEDULED TRIBES) ORDER
(SECOND AMENDMENT) BILL, 2013**

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BILL

further to amend the Constitution (Scheduled Tribes) Order, 1950 to modify the list of Scheduled Tribes in the States of Tamil Nadu and Chhattisgarh.

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

1. This Act may be called the Constitution (Scheduled Tribes) Order (Second Amendment) Act, 2013.

Short title.

C.O. 22.

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

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(a) in Part XIV.—*Tamil Nadu*, after entry 36, insert—

“37. Narikoravan grouped with Kurivikkaran”;

(b) in Part XX.—*Chhattisgarh*, in entry 14, after “Dhanwar”, insert “Dhanuhar, Dhanuwar”.

Amendment of Part XIV and Part XX of Constitution (Scheduled Tribes) Order, 1950.

STATEMENT OF OBJECTS AND REASONS

Scheduled Tribes have been defined in clause (25) of article 366 of the Constitution as such tribes or tribal communities or parts of or groups within such tribes or tribal communities as are deemed under article 342 to be Scheduled Tribes for the purposes of the Constitution.

2. Article 342 of the Constitution provides as under:—

“342. Scheduled Tribes.— (1) The President may with respect to any State or Union territory, and where it is a State, after consultation with the Governor thereof, by public notification, specify the tribes or tribal communities or parts of or groups within tribes or tribal communities which shall for the purposes of this Constitution be deemed to be Scheduled Tribes in relation to that State or Union territory, as the case may be.

(2) Parliament may by law include in or exclude from the list of Scheduled Tribes specified in a notification issued under clause (1) any tribe or tribal community or part of our group within any tribe or tribal community, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification.”.

3. In accordance with the said constitutional provisions, the first list of Scheduled Tribes in respect of the State of Tamil Nadu (the then State of Madras) was notified *vide* the Constitution (Scheduled Tribes) Order, 1950. The list of Scheduled Tribes of the State of Tamil Nadu have been modified through the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1956, the Scheduled Castes and Scheduled Tribes Lists (Modification) Order, 1956 (dated the 29th October, 1956), the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976 and the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 2002. At present, there are thirty-six communities and synonyms appearing in the list of Scheduled Tribes in the State of Tamil Nadu.

4. Similarly, the first list of Scheduled Tribes in respect of the State of Chhattisgarh was notified *vide* the Constitution (Scheduled Tribes) Order, 1950. The list of the Scheduled Tribes of the State of Chhattisgarh have been modified through the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1956, the Scheduled Castes and Scheduled Tribes Lists (Modification) Order, 1956 (dated the 29th October, 1956), the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976 and the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 2002. At present, there are forty-two communities and synonyms appearing in the list of Scheduled Tribes in the State of Chhattisgarh.

5. On the basis of the recommendations of the State of Tamil Nadu and Chhattisgarh, it is proposed to amend Parts XIV and XX of the Schedule to the Constitution (Scheduled Tribes) Order, 1950 relating to Tamil Nadu and Chhattisgarh, respectively, to grant Scheduled Tribes status to and include “Narikoravan grouped with Kurivikkaran” community in the list of Scheduled Tribes of Tamil Nadu and inclusion of “Dhanuhar, Dhanuwar” communities as synonyms of “Dhanwar” Scheduled Tribes of Chhattisgarh in the list of Scheduled Tribes of Chhattisgarh.

6. The Bill seeks to achieve the aforesaid objects.

NEW DELHI;
The 11th December, 2013.

V. KISHORE CHANDRA DEO

FINANCIAL MEMORANDUM

The Bill seeks to amend the Constitution (Scheduled Tribes) Order, 1950 for inclusion of the communities “Narikoravan grouped with Kurivikkaran” by inserting a new entry in the list of Scheduled Tribes in respect of the State of Tamil Nadu, and for inclusion of the communities “Dhanuhar, Dhanuwar” by inserting them after “Dhanwar”, in entry 14 in the list of Scheduled Tribes in respect of the State of Chhattisgarh.

2. The amendment in the list of Scheduled Tribes in respect of the States of Tamil Nadu and Chhattisgarh will entail additional recurring expenditure from the Consolidated Fund of India on account of benefits likely to be provided to the persons belonging to “Narikoravan grouped with Kurivikkaran” and “Dhanuhar, Dhanuwar” communities in the States of Tamil Nadu and Chhattisgarh, respectively, out of continuing schemes meant for the welfare of the Scheduled Tribes. The said expenditure will be accommodated within the Annual Plan and non-Plan outlay of the Ministry.

ANNEXURE

EXTRACTS FROM THE CONSTITUTION (SCHEDULED TRIBES) ORDER, 1950

(C.O. 22)

THE SCHEDULE

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PART XIV.—*Tamil Nadu*

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PART XX.—*Chhattisgarh*

14. Dhanwar.

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further to amend the Constitution (Scheduled Tribes) Order, 1950 to modify the list of Scheduled Tribes in the States of Tamil Nadu and Chhattisgarh.

(Shri V. Kishore Chandra Deo, Minister of Tribal Affairs.)