

Bill No. 157 of 2022

THE CONSTITUTION (SCHEDULED TRIBES) ORDER
(AMENDMENT) BILL, 2022

By

DR. DNV SENTHIL KUMAR S, M.P.

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BILL

further to amend the Constitution (Scheduled Tribes) Order, 1950.

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

1. This Act may be called the Constitution (Scheduled Tribes) Order (Amendment) Act, 2022. Short title.

5 2. In the Schedule to the Constitution (Scheduled Tribes) Order,
C.O. 22 1950, in Part XIV,—*Tamil Nadu*, after entry 18, the following entry shall be
substituted, namely:— Amendment of
the Schedule.

“18A. “Lambadi”.

STATEMENT OF OBJECTS AND REASONS

Tribal communities of this country have undergone many sufferings due to historical reasons like socio-economic exploitation, deprivation, isolation, inequalities and discrimination which pushed them backward and vulnerable. Citing historical injustice, our forefathers of the Constitution incorporated several provisions which aspired to promote education and economic interest of weaker sections particularly the Scheduled Castes and the Scheduled Tribes.

Article 366(25) of the Constitution defines Scheduled Tribes (ST) as those tribes or tribal communities who are scheduled under article 342. To carry out social justice measures for the tribal communities, the list for the Scheduled Tribe was notified by the President *vide* the Constitution (Scheduled Tribes) Order, 1950. Many communities are demanding inclusion in the Scheduled Tribe list which mainly falls in three categories such as (i) new entry, (ii) sub-tribes/sections, synonyms and (iii) phonetic variations.

The demand of “Lambadi Community” of Tamil Nadu, to be included in Scheduled Tribe List, is long pending. Lambadis in Tamil Nadu are notified as Backward Class but they are in Scheduled list in neighbouring States namely Karnataka and Andhra Pradesh. In Tamil Nadu their total population is about 2 lakhs. In Dharmapuri alone, about 50,000 Lambadis are living in Harur (Sittlingi Thanda, Sittlingi panchayat), Pennagaram and Dharmapuri taluks and in Mettur Taluk (Lakkampatti). The State Government of Tamil Nadu has recommended for inclusion of Lambadis in the Scheduled Tribe (ST) list and had forwarded the same to Union Government in 2009. In 1994, a high level committee constituted by the National Commission for the Scheduled Castes and the Scheduled Tribes had recommended the same.

In order to render the social justice and affirmative action without further loss of time, the amendment in the Constitution (Scheduled Tribes) Order, 1950 is much needed.

The Bill, therefore, seeks to amend the Constitution (Scheduled Tribes) Order, 1950 with a view to include “Lambadi community” in the list of Scheduled Tribes in respect of the State of Tamil Nadu.

NEW DELHI;
1 July, 2022.

DNV SENTHIL KUMAR S.

FINANCIAL MEMORANDUM

The Bill seeks to include Lambadi to the list of Scheduled Tribes with respect to the State of Tamil Nadu by way of amending the Constitution (Scheduled Tribes) Order, 1950. The Bill, if enacted, would involve recurring and non-recurring expenditure on account of the benefits to be given under the schemes and programmes of the Government meant for social, educational and economic development of the scheduled tribes. At this stage, it is not possible to mention the exact amount which may be incurred on this account. However, it is estimated that a sum of approximately rupees thirty-five crore is likely to be involved as a recurring expenditure per annum.

A non-recurring expenditure of about rupees seventy crore is also likely to be involved.

ANNEXURE

EXTRACT FROM THE CONSTITUTION (SCHEDULED TRIBES)
ORDER, 1950

C.O. 22

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(PART III—Rules and Orders under the Constitution)

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PART XIV—Tamil Nadu

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further to amend the Constitution (Scheduled Tribes) Order, 1950.

(Shri DNV Senthil Kumar S., M.P.)