

Bill No. 226 of 2022

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

By

SHRI ABDUL KHALEQUE, M.P.

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BILL

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

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

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

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.

2. In the Constitution (Scheduled Castes) Order, 1950, paragraph 3 shall be omitted.

Omission of
paragraph 3.

STATEMENT OF OBJECTS AND REASONS

The founding fathers of our Constitution made several provisions in the Constitution which ensured rights and equality to the citizens of this diverse country. Unity in diversity is one of the brightest aspects of our country.

Para 3 of the Constitution (Scheduled Caste) Order, 1950 states that no person who professes a religion different from Hinduism shall be deemed to be a member of the Scheduled Caste. Thereby, the Order ceased to recognise a person as the Scheduled Caste if he or she belonged to any religious minority groups. The order was amended later to grant Scheduled Caste status to those people of Scheduled Caste origin who embraced Buddhism and Sikhism. However, Dalit Christians and Dalit Muslims have been kept out of the amended order thus denying them equality and fair justice.

Meanwhile, several State Governments have recommended that Dalit Muslims and Dalit Christians should be brought under the preview of the amended rule and provide a level playing ground to all. Further amendment of the original Order is necessary to establish an equilibrium amongst the religious minority communities and provide justice. Non-inclusion of Scheduled Caste Muslims and Christians is religious discrimination which is against the spirit of our Constitution.

Hence this Bill.

NEW DELHI;

ABDUL KHALEQUE

23 November, 2022.

ANNEXURE

EXTRACTS FROM THE CONSTITUTION (SCHEDULED CASTES) ORDER, 1950

(C.O. 19)

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3. Notwithstanding anything contained in paragraph 2, no person who professes a religion different from the Hindu, the Sikh or the Buddhist religion shall be deemed to be a member of a Scheduled Caste.

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BILL

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

(Shri Abdul Khaleque, M.P.)