

Bill No. 34 of 2019

THE CONSTITUTION (SCHEDULED TRIBES) ORDER
(AMENDMENT) BILL, 2019

By

SHRI SHRIRANG APPA BARNE, M.P.

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BILL

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

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Scheduled Tribes) Order (Amendment) Act, 2019.

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.

C.O. 22.

2. In the Schedule to the Constitution (Scheduled Tribes) Order, 1950, in Part IX.—
Maharashtra, for entry 36, the following entry shall be substituted, namely:—

Amendment
of the
Schedule.

“36. Oraon, Dhangar.”

STATEMENT OF OBJECTS AND REASONS

Article 366(25) of the Constitution defines “Scheduled Tribes” 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 this Constitution”.

In pursuance of article 342 of the Constitution, the first list of the Scheduled Tribes in Maharashtra was notified through the Constitution (Scheduled Tribes) Order, 1950. It has further been modified through the Scheduled Castes and the Scheduled Tribes Orders (Amendment) Act, 1956, the Scheduled Castes and the Scheduled Tribes Lists (Modification) Order, 1956, the Scheduled Castes and the Scheduled Tribes Orders (Amendment) Act, 1976, the Constitution (Scheduled Tribes) Order (Second Amendment) Act, 1991 and the Scheduled Castes and the Scheduled Tribes Orders (Amendment) Act, 2002.

In the Scheduled Castes and the Scheduled Tribes Orders (Amendment) Act, 2002, in respect of the States of Odisha, Bihar and Jharkhand in their respective Scheduled Tribes list, Parliament have added 'Dhangar' as synonymous tribe of Oraon community.

At present, there are forty-seven tribes listed in the list of the Scheduled Tribes in respect of the State of Maharashtra. To fulfil the long standing demand for placing the correct synonymous caste of 'Dhangar' instead of 'Dhangad', it is proposed, on the recommendation of the State Government of Maharashtra, to amend the entry 36 of the Scheduled Tribes Order, 1950, occurring under Part IX, relating to the State of Maharashtra.

Hence this Bill.

NEW DELHI;
June 4, 2019.

SHRIRANG APPA BARNE

FINANCIAL MEMORANDUM

Clause 2 of the Bill seeks to amend the Constitution (Scheduled Tribes) Order, 1950, by amending the list of Scheduled Tribes in respect of the State of Maharashtra.

The Bill, therefore, if enacted, would involve additional recurring and non-recurring expenditure from the Consolidated Fund of India on account of benefits likely to be provided to the welfare of the persons belonging to these tribes. It is estimated that a recurring expenditure of about rupees five hundred crore is likely to be involved per annum.

No non-recurring expenditure is likely to be involved.

ANNEXURE
EXTRACT FROM THE CONSTITUTION (SCHEDULED TRIBES) ORDER, 1950
(C.O. 22)

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The Schedule					
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PART IX.—Maharashtra					
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36. Oraon, Dhangad					
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further to amend the Constitution (Scheduled Tribes) Order, 1950.

(Shri Shrirang Appa Barne, M.P.)