

AS INTRODUCED IN LOK SABHA

Bill No. 43 of 2025

THE CONSTITUTION (SCHEDULED CASTES) ORDER
(AMENDMENT) BILL, 2025

By

SHRI RAMASHANKAR RAJBHAR, M.P.

A

BILL

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

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

1. This Act may be called the Constitution (Scheduled Castes) Order (Amendment) Act, 2025. Short title.

Definitions.

2. In the Schedule to the Constitution (Scheduled Castes) Order, 1950, in Part XVIII.- Uttar Pradesh,—

(i) for entry 18, the following entry shall be substituted, namely,—

“18. Beldar, Bind”;

(ii) for entry 36, the following entry shall be substituted, namely,—

“36. Gond, Goud, Godiya, Kahar, Kashyap, Batham”;

(iii) for entry 53, the following entry shall be substituted, namely,—

“53. Majhwar, Kewat, Mallah, Nishad”;

(iv) for entry 59, the following entry shall be substituted, namely,—

“59. Pasi, Tarmali, Bhar, Rajbhar, Biyar”;

(v) for entry 65, the following entry shall be substituted, namely,—

“65. Shilpkar, Kumhar, Prajapati”; and

(vi) for entry 66, the following entry shall be substituted, namely,—

“66. Turaiha, Dheemar, Dheedar, Turaha, Turha, Turaiya”.

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STATEMENT OF OBJECTS AND REASONS

Uttar Pradesh is a State having the largest population in the country. There are certain castes in the State which are equally backward in all spheres as the Scheduled Castes. A large number of people belonging to castes like Bind, Bhar, Rajbhar, Gaud, Kashyap, Kabar, Godiya, Batham, Bheedar, Dheemar, Mallah, Kewat, Nishad, Kumhar, Prajapati and Turha reside in the State. Accordingly to the survey/study reports of the Institute of Research and Training for Scheduled Castes and Scheduled Tribes, Uttar Pradesh. It has come to light that untouchability as a traditional practice is still prevalent in the above-mentioned sub-castes. In view of inter-caste marriages, life style, profession, customs and the traditions, the above mentioned sub-castes are similar to Beldar, Goud, Manjhar, Pasi, Tarmali, Shilpkar, Turaiha and are synonyms of the recognized castes.

Hon'ble Supreme Court in the case *Bhaiya Ram Munda v/s Anirudh Patar*, AIR, 1971, has ordered for inclusion of various castes of Muhua community which have been left out earlier in the list of Scheduled Castes. However, they have not been included in the list of Scheduled Castes in the State of Uttar Pradesh till date despite their pitiable, social, economic and educational conditions. The people belonging to these sub-castes, are availing the benefits of reservation in many States other than Uttar Pradesh. Therefore, the people belonging to the aforesaid sub-castes should be extended the Benefits of reservation in Uttar Pradesh also. The Government of the State of Uttar Pradesh has made requests to this effect in the year 2004, 2006, 2007 and finally on 15th February, 2013 for inclusion of these castes in the list of Scheduled Castes. In spite of the fact that these are synonymous castes and fulfill all requisite criteria for being included in the list of the Scheduled Castes, the Union Government has not taken any action in this regard till date.

Hence, these castes need to be included in the list of Scheduled Castes in respect of the State of Uttar Pradesh to secure justice to persons belonging to these castes.

The Bill seeks to achieve the above objectives.

NEW DELHI;
January 21, 2025

RAMASHANKAR RAJBHAR

FINANCIAL MEMORANDUM

The Bill seeks to include certain castes in the list of the Scheduled Castes in respect of the State of Uttar Pradesh because of their social, educational and economic backwardness. The Bill, therefore, if enacted, would involve recurring and non-recurring expenditure on account of benefits to be provided to the persons belonging to these communities under continuing schemes meant for development of the Scheduled Castes from the Consolidated Fund of India. At this Stage, it is not possible to give the exact amount to be incurred on this account. However, it is estimated that a sum of approximately rupees one thousand crore would be involved as a recurring expenditure per annum.

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

ANNEXURE

[EXTRACT FROM THE CONSTITUTION (SCHEDULED CASTES) ORDER, 1950]

(C.O. 19)

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The Schedule

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PART XVIII. – Uttar Pradesh

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18. Beldar

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36. Gond (Excluding, Mehrajganj, Sidharth Nagar, Basti Gorakhpur, Deoria, Mau, Azamgarh, Jonpur, Balia, Gazipur, Varanasi, Mirzapur and Sonbhadra districts)

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53. Majhwar

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59. Pasitarmali

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65. Shilpkar

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66. Turaiha

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(Shri Ramashankar Rajbhar, M.P.)