

Bill No. 69 of 2022

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

By

SHRI DILESHWAR KAMAIT, M.P.

A

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. (1) This Act may be called the Constitution (Scheduled Tribes) 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.

Amendment of
the Schedule.

2. In the Schedule to the Constitution (Scheduled Tribes) Order, 1950, in
Part III- Bihar—

(a) the existing entry 1 shall be renumbered as entry 1A and before entry
1A as so re-numbered, the following entry shall be inserted, namely:—

“1. Amaat”; 5

(b) after entry 5, the following entries shall be inserted, namely:—

“5A. Beend

5B. Beldar”;

(c) after entry 10, the following entries shall be inserted, namely:—

“10A. Dhanuk 10

10B. Gangaut”;

(d) after entry 12, the following entry shall be inserted, namely:—

“12A. Gorhi”;

(e) after entry 13, the following entry shall be inserted, namely:—

“13A. Kahaar”; 15

(f) after entry 14, the following entry shall be inserted, namely:—

“14A. Kewat, Kaivart, Kyot ”;

(g) after entry 22, the following entry shall be inserted, namely:—

“22A. Mallah”;

(h) after entry 24, the following entry shall be inserted, namely:— 20

“24A. Nunia”; and

(i) after entry 33, the following entry shall be inserted, namely:—

“34. Turha.”.

STATEMENT OF OBJECTS AND REASONS

In pursuance of article 342 of the Constitution, the list of Scheduled Tribes of various States was first notified through the Constitution (Scheduled Tribes) Order, 1950. Thereafter, this list has been modified, from time to time. However, there are still certain tribes in the State of Bihar, namely Amaat, Beend, Beldar, Dhanuk, Kahaar, Gangaut, Gorhi, Kewat, Kyot, Kaivart, Mallah, Nunia and Turha which have not yet been included in the list of Scheduled Tribes in respect of the State of Bihar. The people belonging to these tribes are still socially, educationally and economically backward and are leading a miserable life even after decades of planned development. These communities fulfil all the criteria for being included as a tribe in the Constitution (Scheduled Tribes) Order, 1950. Moreover, they have also been demanding such a status for a long time. Therefore, conferring the status of Scheduled Tribe to these communities is necessary to get justice for them.

The Bill seeks to achieve the above objective by amending the list of Scheduled Tribes in respect of the State of Bihar.

Hence this Bill.

NEW DELHI;
4 February, 2022.

DILESHWAR KAMAIT

FINANCIAL MEMORANDUM

Clause 2 of the Bill seeks to amend the Constitution (Scheduled Tribes) Order, 1950 with a view to include certain tribes in the list of Scheduled Tribes in respect of the State of Bihar. The Bill, therefore, if enacted, would involve recurring and non-recurring expenditure from the Consolidated Fund of India on account of benefits to be provided to the persons belonging to these communities under the existing schemes meant for the development of the Scheduled Tribes. 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 hundred crore would be involved as a recurring expenditure per annum.

No non-recurring expenditure is likely to be involved.

ANNEXURE

EXTRACTS FROM THE CONSTITUTION (SCHEDULED TRIBES) ORDER, 1950

C.O.22

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THE SCHEDULE

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PART III - Bihar

1. Asur (Agaria)

* * * * *

5. Bedia

* * * * *

10. Chik Baraik

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12. Gorait

13. Ho

14. Karmali

* * * * *

22. Mahli

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24. Munda (Kumarbhag Paharia)

* * * * *

33. Tharu

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LOK SABHA

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(Shri Dileshwar Kamait, M.P.)