

AS INTRODUCED IN THE RAJYA SABHA
ON 8TH DECEMBER, 2023

Bill No. XXV of 2023

THE CONSTITUTION (SCHEDULED TRIBES) ORDER
(AMENDMENT) BILL, 2023

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BILL

*further to amend the Constitution (Scheduled Tribes) Order, 1950 to modify the list of
Scheduled Tribes in the State of Maharashtra.*

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

1. (1) This Act may be called the Constitution (Scheduled Tribes) Order (Amendment) Act, 2023. Short title.

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

"36. Oraon, Dhangad, Dhangar".

STATEMENT OF OBJECTS AND REASONS

Scheduled Tribes have been defined in clause (25) of article 366 of the Constitution 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 this Constitution."

2. Article 342 of the Constitution provides as under:—

"342. Scheduled Tribes

(1) The President may concerning any State or Union territory, and where it is a State, after consultation with the Governor thereof, by public notification, specify the tribes or tribal communities or parts of or groups within tribes or tribal communities which shall for this Constitution be deemed to be Scheduled Tribes about that State or Union territory, as the case may be.

(2) Parliament may by law include in or exclude from the list of Scheduled Tribes specified in a notification issued under clause (1) any tribe or tribal community or part of or group within any tribe or tribal community, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification."

3. In accordance with the provisions of article 342 of the Constitution, the first list of the Scheduled Tribes was notified during the year 1950 in respect of various States and Union territories, *vide*, the Constitution (Scheduled Tribes) Order, 1950. This list was modified from time to time. The list of Scheduled Tribes of the State of Maharashtra was last modified, *vide* the Constitution (Scheduled Tribes) Order (Amendment) Act, 2002 (Act 10 of 2003).

4. The Constitution (Scheduled Tribes) Order (Amendment) Bill, 2023 proposes to amend Part IX.—Maharashtra of the Schedule to the Constitution (Scheduled Tribes) Order, 1950 by substituting entry 36 to include "Dhangar" along with "Oraon and Dhangad", as a synonym of these communities.

5. The Bill seeks to achieve the aforesaid objective.

FAUZIAKHAN

FINANCIAL MEMORANDUM

Clause 2 of the Bill seeks to include Dhangar as a synonym of Oraon and Dhangad in the list of Scheduled Tribes in the State of Maharashtra. The Bill, if enacted, may entail additional recurring and non-recurring expenditure from the Consolidated Fund of India on account of benefits to be provided to the persons belonging to the communities proposed in the Bill under the ongoing Central schemes meant for the welfare and development of the Scheduled Tribes.

It is not possible to estimate the additional expenditure to be incurred on this account at this stage. However, the expenditure, if any shall be accommodated within the approved budgetary outlay of the Government of India.

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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(Dr. Fauzia Khan, M.P.)