

GOVERNMENT OF INDIA
MINISTRY OF TRIBAL AFFAIRS
RAJYA SABHA
UNSTARRED QUESTION NO- 1583
TO BE ANSWERED ON- 02/08/2023

GRANTING OF SCHEDULED TRIBE STATUS TO ELEVEN COMMUNITIES IN SIKKIM

1583 SMT. SHANTA CHHETRI:

Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) the cause of delay in granting tribal status to eleven communities living in Sikkim and other Gorkha dominated States and areas;
- (b) whether Government is aware that technicalities cannot be a reason for depriving rights as stated by Supreme Court;
- (c) the exact reasons for the Attorney General not approving and whether the delay is due to technical reasons; and
- (d) if so, the details thereof and if not, the reasons therefor?

ANSWER

MINISTER OF STATE FOR TRIBAL AFFAIRS
(SHRI BISHWESWAR TUDU)

(a) & (b): The Government of India on 15.6.1999 (further amended on 25.6.2002 and 14.9.2022) has approved the modalities for deciding the claims for inclusion in, exclusion from and other modifications in the Orders specifying lists of Scheduled Tribes. According to these modalities, only those proposals which have been recommended and justified, along with ethnographic details by the State Government/UT Administration concerned, can be processed further. Thereafter, it has to be concurred with by the Registrar General of India (RGI) and the National Commission for Scheduled Tribes (NCST) before being considered for amendment legislation. All actions are taken as per these approved modalities.

The proposals for inclusion in the list of Scheduled Tribes of a State or Union Territory follow certain processes as per the modalities. This is a continuous process. Proposals received from the State Government should be accompanied by an ethnographic report. The proposals are examined by the Office of the RGI and then by the NCST. In case the proposal is not recommended by the RGI, the State Governments are communicated the points raised by the RGI, so that additional information, if any, maybe furnished by the State Government.

(c): There is no such provision of getting approval of Attorney General as per the approved modalities.

(d): Does not arise.
