

GOVERNMENT OF INDIA
(MINISTRY OF TRIBAL AFFAIRS)
LOK SABHA
UNSTARRED QUESTION No 402
TO BE ANSWERED ON 5.2.2018

INCLUSION OF SCHEDULE TRIBES

402. SHRI N.K. PREMACHANDRAN
SHRI M.I. SHANAVAS
KUMARI SHOBHA KARANDLAJE
SHRI PRATHAP SIMHA

Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether the Government has received any proposals from State Governments for inclusion of various communities in the list of STs;

(b) if so, the details thereof during the last three years, State-wise including Kerala;

(c) whether the Government refers the proposals received from the States/UTs to the National Commission for Scheduled Tribes (NCST) and Registrar General of India (RGI) for their recommendation and if so, the details thereof;

(d) whether ST people have often complained of harassment allegedly by State Government officials in getting caste and domicile certificates and if so, the details thereof and the action taken by Government in this regard, State-wise; and

(e) the details of the action taken by the Government to conduct study regarding the caste and their social, educational and other backwards in the society, so as to include them in the list of scheduled tribes ?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS
(SHRI SUDARSHAN BHAGAT)

(a) and (b): Yes Sir. Government has received proposals from various State Governments for inclusion of various communities in the list of STs; Details of number of proposals received by Government from States / UTs, including Kerala for inclusion of various communities in the list of STs are at **Annexure**.

(c): Government of India on 15.6.1999 (as further amended on 25.6.2002), has laid down modalities for deciding claims for inclusion in, exclusion from and other modifications in Orders specifying lists of Scheduled Tribes (STs). According to these approved guidelines, only those claims that have been agreed to by the concerned State Government / UT Administration, the Registrar General of India and the National Commission for Scheduled Castes & Scheduled Tribes (now National Commission for STs) will be taken up for consideration. Whenever representations are received in the Ministry for inclusion / exclusion of any community in/from the list of Scheduled Tribes of a State/ UT, the Ministry forwards that representation to the concerned State Government/ U.T. Administration for recommendation as required under Article 342 of the Constitution. If the concerned State Government/UT recommends the proposal, then the same is sent to the Registrar General of India (RGI). The RGI, if satisfied with the recommendation of the State Government/UT, recommends the proposal to the Central Government. Thereafter, the Government refers the

proposal to the National Commission for Scheduled Tribes for their recommendation. If the National Commission for Scheduled Tribes also recommends the case, the matter is processed for the decision of the Cabinet. Thereafter, the matter is put up before the Parliament in the form of a Bill to amend the Presidential Order. Cases for inclusion / exclusion which the State Government or the RGI or the National Commission for Scheduled Tribes does not support, are rejected.

The proposals / recommendations received from State Governments / UT Administrations for inclusion of tribes/communities in the list of STs have been processed as per above mentioned extant modalities and forwarded to Registrar General of India (RGI) and thereafter to National Commission for Scheduled Tribes (NCST). As such, the proposals are at various stages of processing.

(d): Ministry of Tribal Affairs is the nodal Ministry for notification of a community as Scheduled Tribe under Article 342 of the Constitution. The list of Scheduled Tribes is State / UT specific. Concerned State Governments / UT Administrations are responsible for issuance of Scheduled Tribes (ST) certificates and verification of social status. Complaints received by Ministry of Tribal Affairs regarding issuance of ST certificate are forwarded to the concerned State Government / UT Administration for taking necessary action. Details of such complaints received are not maintained centrally. In pursuance of the judgement dated 2-9-1994 of Hon'ble Supreme Court in the case of Kumari Madhuri Patil V/s Additional Commissioner, Tribal Development, Maharashtra (Civil Appeal No. 5854 of 1994), the Supreme Court has given directions regarding streamlining the procedure for issuance and verification of social status certificates. The instructions of the Hon'ble Supreme Court have been conveyed to all States/UTs for compliance.

(e): The Ministry considers the proposals for inclusion of communities in list of Scheduled Tribes as per approved modalities mentioned at (c) above and does not conduct any separate study for this purpose.

Annexure

Statement referred to in reply to part (a) and (b) of Lok Sabha Unstarred Question No. 402 for 5.2.2018 on 'Inclusion of Schedule Tribes'.

Details regarding number of proposals received and under process for inclusion of various communities in the list of STs.

S.No.	States / UTs	Number of Proposals
1.	Andhra Pradesh	3
2.	Arunachal Pradesh	2
3	Assam	8
4.	Bihar	2
5.	Chhattisgarh	27
6	Goa	1
7.	J&K	1
8.	Jharkhand	9
9.	Karnataka	9
10.	Kerala	3
11.	Madhya Pradesh	7
12	Manipur	1
13.	Odisha	16
14.	Punjab	1
15.	Sikkim	1
16.	Tamil Nadu	8
17	Tripura	1
18.	Uttarakhand	1
19.	Uttar Pradesh	2
20.	West Bengal	3
21.	Puducherry	1
