

GOVERNMENT OF INDIA
MINISTRY OF TRIBAL AFFAIRS
LOK SABHA
UNSTARRED NO- ‡3916
TO BE ANSWERED ON- 28.03.2022

BENEFITS OF RESERVATION

‡3916. SHRI DEEPAK BAIJ:

Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) whether persons belonging to some castes are not getting the benefit of reservation for the Scheduled Tribes (STs) due to spelling difference in the name of their caste, if so, the details thereof;
- (b) the number of castes which evidence has been produced that they were covered under the STs earlier and that study is being taken place;
- (c) the details of such STs, State-wise, where the persons belonging to that are not getting the benefit of reservation due to difference in spelling of their caste or some other reasons; and
- (d) the details of such castes which have been included in the list of STs in one State and in the list of Scheduled Castes in the other State, State-wise?

ANSWER

MINISTER OF STATE FOR TRIBAL AFFAIRS
(SHRI BISHWESWAR TUDU)

(a) to (d): Ministry of Tribal Affairs is a nodal Ministry for specification of communities as Scheduled Tribes under Article 342 of Constitution of India. However, the responsibility for issuance of Scheduled Tribes certificates and verification of social status rests with the concerned State Government/UT Administration.

Hon'ble Supreme Court in its decision dated 28-11-2000 in case No. 652 of 2000 (Civil Appeal No. 2294 of 1986) State of Maharashtra Vs. Milind regarding order issued under Article 341 and 342 of Constitution had held which inter-alia states that, "STs Order must be read as it is. It is not even permissible to say that a tribe, sub-tribe, part of or group of any tribe or tribal community is synonymous to the one mentioned in STs Order, if they are not so specifically mentioned in it."

The Government of India on 15.6.1999, and further amended on 25.6.2002, 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 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) for consideration for amendment of legislation. All actions are taken as per these approved modalities.

The list of Scheduled Tribes is State/UT specific and a community declared as a Scheduled Tribe in a state need not be so in another State/UT.
