

**Bill No. 218 of 2022**

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

A

**BILL**

*further to amend the Constitution (Scheduled Tribes) Order, 1950 to provide for inclusion of certain communities in the list of Scheduled Tribes in relation to the State of Himachal Pradesh.*

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

**1.** This Act may be called the Constitution (Scheduled Tribes) Order (Third Amendment) Act, 2022. Short title.

5 C.O. 22. **2.** In the Schedule to the Constitution (Scheduled Tribes) Order, 1950, in Part V.— Amendment of Constitution (Scheduled Tribes) Order, 1950.  
*Himachal Pradesh*, after entry 10, the following entry shall be inserted, namely:—  
“11. Hattee of Trans Giri area of Sirmour district.”.

## 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 the purposes of this Constitution."

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

"342. Scheduled Tribes.—(1) The President may with respect to 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 the purposes of this Constitution be deemed to be Scheduled Tribes in relation to 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. According to 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. List of Scheduled Tribes of the State of Himachal Pradesh has been modified, *vide* the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 2002 (10 of 2003). The State Government of Himachal Pradesh has requested to include Hattee community of Trans Giri area of Sirmour district in Scheduled Tribes list, excluding those communities which are already notified as Scheduled Castes for the State of Himachal Pradesh.

4. On the basis of recommendation of the State Government of Himachal Pradesh, it is proposed to modify the list of Scheduled Tribes in respect of State of Himachal Pradesh by amending the Constitution (Scheduled Tribes) Order, 1950.

5. The Constitution (Scheduled Tribes) Order (Third Amendment) Bill, 2022 proposes to amend Part V.—Himachal Pradesh of the Schedule to the Constitution (Scheduled Tribes) Order, 1950 to insert "Hattee of Trans Giri area of Sirmour district" in the list of Scheduled Tribes after entry 10.

6. The Bill seeks to achieve the aforesaid objects.

NEW DELHI;  
*The 9th November, 2022.*

ARJUN MUNDA.

## FINANCIAL MEMORANDUM

The Bill seeks to amend the Constitution (Scheduled Tribes) Order, 1950, by amending the list of Scheduled Tribes in the State of Himachal Pradesh. The amendment in the list of Scheduled Tribes relating to the State of Himachal Pradesh may entail additional expenditure on account of benefits to be provided to the persons belonging to the communities proposed in the Bill under the continuing schemes meant for the welfare of the Scheduled Tribes.

2. It is not possible to estimate the likely 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.

LOK SABHA

---

A

**BILL**

further to amend the Constitution (Scheduled Tribes) Order, 1950 to provide for inclusion of certain communities in the list of Scheduled Tribes in relation to the State of Himachal Pradesh.

---

*(Shri Arjun Munda, Minister of Tribal Affairs)*

MGIPMRND—1614LS—5-12-2022.