

Bill No. IX of 2019

**THE CONSTITUTION (SCHEDULED TRIBES) ORDER
(THIRD AMENDMENT) BILL, 2019**

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BILL

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

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Scheduled Tribes) Order (Third Amendment) Act, 2019. Short title.

C.O. 22. 5 **2.** In the Constitution (Scheduled Tribes) Order, 1950, in the Schedule, for Part XVIII, the following Part shall be substituted, namely:— Amendment of the Constitution (Scheduled Tribes) Order, 1950.

"PART XVIII.—Arunachal Pradesh

All tribes in the State including:—

1. Adi

10 2. Aka

3. Apatani
4. Galo
5. Hrusso
6. Khamba
7. Khowa 5
8. Mishmi-Kaman (Miju Mishmi), Idu (Mishmi), Taraon (Digaru Mishmi)
9. Monpa, Memba, Sartang, Sajolang (Miji)
10. Nocte, Tangsa, Tutsa, Wancho
11. Nyishi
12. Sherdukpen 10
13. Singpho
14. Tagin
15. Tai Khamti."

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 group 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. In accordance with the provisions of article 342, the Constitution (Scheduled Tribes) Order, 1950 relating to list of Scheduled Tribes of various States was initially notified on the 6th September, 1950. The list of Scheduled Castes and Scheduled Tribes for Arunachal Pradesh (then part of the State of Assam, and known as North-East Frontier Agency) was promulgated for the first time, *vide* the Scheduled Castes and Scheduled Tribes Lists (Modification) Order, 1956. Further, the list of Scheduled Tribes of Arunachal Pradesh has been modified through the North Eastern Areas (Reorganisation) Act, 1971, the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 2002, the Constitution (Scheduled Tribes) Order (Amendment) Act, 2008 and the Constitution (Scheduled Tribes) Order (Amendment) Act, 2011.

4. Presently, there are eighteen communities and synonyms appearing in the list of Scheduled Tribes in the State of Arunachal Pradesh. The Constitution (Scheduled Tribes) (Third Amendment) Bill, 2019 proposes for:—

(i) omission of "Abor" in entry 1 as it is the same as "Adi" in entry 16";

(ii) substitution of "Khampti" at entry 6 by "Tai Khampti";

(iii) substitution of "Mishmi, Idu, Taroan" at entry 8 by "Mishmi-Kaman (Miju Mishmi), Idu (Mishmi), Taroan (Digaru Mishmi);

(iv) substitution of "Momba" at entry 9 by "Monpa, Memba, Sartang, Sajolang (Miji);

(v) substitution of "Any Naga tribes" at entry 10 by "Nocte, Tangsa, Tutsa, Wancho".

5. The amendments have been made in consultation with the State Government of Arunachal Pradesh, the Registrar General of India and the National Commission for Scheduled Tribes.

6. The Bill seeks to achieve the aforesaid objects.

NEW DELHI;
The 7th February, 2019.

JUALORAM.

FINANCIAL MEMORANDUM

The Bill seeks to amend the Constitution (Scheduled Tribes) Order, 1950, by amending the list of Scheduled Tribes in the State of Arunachal Pradesh.

2. The amendment in the list of Scheduled Tribes relating to the State of Arunachal Pradesh will entail no additional recurring expenditure from the Consolidated Fund of India on account of benefits likely to be provided to the persons belonging to the communities proposed in the Bill. The expenditure will be accommodated within the Annual Plan and non-Plan outlay of the Ministry.

ANNEXURE

EXTRACT FROM THE CONSTITUTION (SCHEDULED TRIBES) ORDER, 1950

C.O. 22

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PART XVIII.—Arunachal Pradesh

All tribes in the State including:—

1. Abor
2. Aka
3. Apatani
4. Nyishi
5. Galo
6. Khampti
7. Khowa
8. Mishmi, Idu, Taraon
9. Momba
10. Any Naga tribes
11. Sherdukpen
12. Singpho
13. Hrusso
14. Tagin
15. Khamba
16. Adi.

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RAJYA SABHA

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

(Shri Jual Oram, Minister of Tribal Affairs)