

Bill No. XXXII of 2021

**THE CONSTITUTION (SCHEDULED TRIBES)
ORDER (AMENDMENT) BILL, 2021**

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BILL

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

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

1. This Act may be called the Constitution (Scheduled Tribes) Order (Amendment) Act, 2021. Short title.

C.O. 22. 5 **2.** In the Schedule to the Constitution (Scheduled Tribes) Order, 1950, in PART XVIII.—*Arunachal Pradesh*,— Amendment of Constitution (Scheduled Tribes) Order, 1950.

(a) entry 1 shall be omitted;

(b) for entry 6, the following entry shall be substituted, namely:—

"6. Tai Khamti";

(c) for entry 8, the following entry shall be substituted, namely:—

"8. Mishmi-Kaman (Miju Mishmi), Idu (Mishmi), Taraon (Digaru Mishmi)";

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(d) for entry 9, the following entry shall be substituted, namely:—

"9. Monpa, Memba, Sartang, Sajolang (Miji)";

(e) for entry 10, the following entry shall be substituted, namely:—

"10. Nocte, Tangsa, Tutsa, Wancho".

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. In accordance with the provisions of article 342 of the Constitution, the first list of Scheduled Tribes in respect of State of Arunachal Pradesh was notified, *vide*, the Constitution (Scheduled Tribes) Order, 1950. 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. At present, there are eighteen communities with their synonyms appearing in the illustrative list of Scheduled Tribes in respect of State of Arunachal Pradesh.

5. On the basis of recommendations of State of Arunachal Pradesh, it has been decided to modify Part-XVIII of the Schedule to the Constitution (Scheduled Tribes) Order, 1950 relating to State of Arunachal Pradesh as follows:—

(a) deletion of 'Abor' in serial No. 1, as it is the same as 'Adi' in serial No. 16;

(b) replace 'Tai Khamti' instead of 'Khampti' at serial No. 6;

(c) inclusion of 'Mishmi-Kaman (Miju Mishmi)', 'Idu (Mishmi)' and 'Taraon (Digaru Mishmi)' in serial No. 8 in lieu of 'Mishmi, Idu, Taroan';

(d) inclusion of 'Monpa', 'Membra', 'Sartang', 'Sajolang (Miji)' in serial No. 9 in lieu of 'Momba';

(e) inclusion of 'Nocte', 'Tangsa', 'Tutsa', 'Wancho' in lieu of 'Any Naga Tribes' in serial No. 10.

6. Therefore, it is proposed to amend Part-XVIII of the Schedule to the Constitution (Scheduled Tribes) Order, 1950 relating to State of Arunachal Pradesh.

7. The Bill seeks to achieve the aforesaid objects.

NEW DELHI;
The 28th July, 2021.

ARJUN MUNDA.

FINANCIAL MEMORANDUM

The Bill seeks to amend the Constitution (Schedule 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 persons belonging to the communities proposed in the Bill. This Ministry is already funding for welfare of 10.45 crores Scheduled Tribes population (Census, 2011). Further, the Scheduled Tribes are also eligible for benefits under the Scheduled Tribes Component (STC) of schemes under the Central Government and State Governments. The expenditure will be accommodated within the approved budgetary outlay of the Government.

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

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6. Khampti

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8. Mishmi [Idu, Taroon]

9. Momba

10. Any Naga tribes

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

(Shri Arjun Munda, Minister of Tribal Affairs)