

The Constitution (Scheduled Tribes) Order (Amendment) Bill, 2019

August 14, 2020

The Bill seeks to include the Parivara and the Talwara communities in the ST category to ensure they get reservation and other benefits provided by the government. The Siddi tribes of Belgaum and Dharwad would also be included in the category apart from those living in the Uttar Kannada Districts. Definition of Scheduled Tribes and List of Scheduled Tribes-Constitutional provisions

- Art 342(1): The President may with respect to any State or UT, 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 UT, as the case may be.
- Art 342(2): Parliament may by law include in or exclude from the list of STs specified in a notification issued under clause (1) any tribe or tribal community or part of or group within any tribe or tribal community.
- Art 366(25): STs means such tribes or tribal communities or parts of or groups within such tribes or tribal communities as are deemed under Art 342 to be STs for the purposes of this constitution.

Constitutional Provisions for

Development of Scheduled Tribes

- Art 15(4): Special provision for advancement of STs.
- Art 16(4): Provision for the reservation of appointments

or posts in favor of any backward class of citizens (includes STs) which, in the opinion of the State, is not adequately represented in the services under the State.

- Art 19(5): Reasonable restriction on right to move freely (Art 19(1)(d)) and right to reside and settle in any part of territory of India (Art 19(1)(e)), to protect the interests of STs.
- Art 46: Promotion of educational and economic interests of STs.
- Art 243D: Reservation of seats in every Panchayat for STs.
- Art 243T: Reservation of seats in every Municipality for STs.
- Art 330: Reservation of seats in the House of People for STs
- Art 332: Reservation of seats in the Legislative Assembly of States for STs