



Inclusion of Communities in Jammu and Kashmir's Scheduled Tribes List

For Prelims: [Registrar General of India](#), [National Commission for Scheduled Tribes](#), [Scheduled Castes and the Scheduled Tribes \(Prevention of Atrocities\) Act, 1989.](#), [Provisions of the Panchayats \(Extension to the Scheduled Areas\) Act, 1996.](#), [Scheduled Tribes and Other Traditional Forest Dwellers \(Recognition of Forest Rights\) Act, 2006.](#) [Eklavya Model Residential School \(EMRS\)](#), [Pradhan Mantri Adi Adarsh Gram Yojna \(PMAAGY\)](#)

For Mains: Process and Criteria of Inclusion in the ST List, Status of Scheduled Tribes in India

[Source: IE](#)

Why in News?

The Indian government has introduced the **Constitution (Jammu and Kashmir) Scheduled Tribes Order (Amendment) Bill, 2023**, aiming to include four communities in the [Scheduled Tribes \(ST\)](#) list in Jammu and Kashmir.

- The proposed inclusion of the "**Gadda Brahmin**," "**Koli**," "**Paddari Tribe**," and "**Pahari Ethnic Group**" has sparked apprehensions regarding the distribution of reservation benefits.

What is the Process and Criteria of Inclusion in the ST List ?

- **Criteria for Inclusion in the Scheduled List:** Determining whether a community qualifies as a Scheduled Tribe is based on several criteria, including:
 - **Ethnological Traits:** The community's distinct and identifiable ethnological traits are considered to establish its tribal identity.
 - **Traditional Characteristics:** Traditional practices, customs, and way of life are examined to assess the community's adherence to tribal culture.
 - **Distinctive Culture:** The presence of a unique and distinctive culture that sets the community apart from other groups.
 - **Geographical Isolation:** The community's geographical isolation is taken into account to assess its historic and continuous presence in specific regions.
 - **Backwardness:** Socio-economic backwardness is considered to evaluate the level of disadvantage faced by the community.
 - However, The [Constitution of India](#) does not define the criteria for recognition of STs.
- **Process of Adding a Community to the ST List:**
 - The **process initiates at the State or Union Territory level**, where the concerned government or administration recommends the inclusion of a specific community.
 - The proposal is sent to the [Union Ministry of Tribal Affairs](#) for examination and further deliberations.
 - After this, the Ministry of Tribal Affairs, through its own deliberations, examines the

proposal, and sends it to the [Registrar General of India \(RGI\)](#).

- Once approved by the RGI, the proposal is sent to the [National Commission for Scheduled Tribes](#), following which the proposal is sent back to the Union government.
- The inclusion of any community in the Scheduled Tribes list takes effect only after the [President assents to a Bill that amends the Constitution \(Scheduled Tribes\) Order, 1950](#), following its passage in both the Lok Sabha and Rajya Sabha.

What is the Status of Scheduled Tribes in India?

▪ Constitutional; Provisions:

- **Article 366(25):** It only provides a process to define STs: "STs means 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.**"
 - **Article 342(1):** The President with respect to any State/UT (after consultation with the Governor in case of state) may specify the tribes/tribal communities/part of or groups within tribes/ tribal communities as a Scheduled Tribe in that State/UT.
- **Fifth Schedule:** It lays out provisions for the Administration and Control of Scheduled Areas and STs in states other than 6th Schedule States.
- **Sixth Schedule:** Deals with the **administration of the tribal areas in Assam, Meghalaya, Tripura and Mizoram.**

▪ Current Number of Officially Recognized Scheduled Tribes:

- As per [Census 2011](#), there are **705 ethnic groups** officially listed as Scheduled Tribes under Article 342.
- The STs constitute **8.6% of the total population** and **11.3% of the rural population.**

▪ Related Legal Provisions:

- [Protection of Civil Rights Act, 1955](#)
- [Scheduled Castes and the Scheduled Tribes \(Prevention of Atrocities\) Act, 1989.](#)
- [Provisions of the Panchayats \(Extension to the Scheduled Areas\) Act, 1996.](#)
- [Scheduled Tribes and Other Traditional Forest Dwellers \(Recognition of Forest Rights\) Act, 2006.](#)

▪ Related Government Initiatives:

- [Eklavya Model Residential School \(EMRS\)](#)
- [Pradhan Mantri Adi Adarsh Gram Yojna \(PMAAGY\)](#)
- [Pradhan Mantri Jan Jatiya Vikas Mission \(PMJVM\)](#)
- [Development of Particularly Vulnerable Tribal Groups \(PVTGs\)](#)

UPSC Civil Services Examination Previous Year Question (PYQ)

Q. Consider the following pairs: (2013)

Tribe	State
1. Limboo (Limbu)	Sikkim
2. Karbi	Himachal Pradesh
3. Dongaria Kondh	Odisha
4. Bonda	Tamil Nadu

Which of the above pairs are correctly matched?

- (a) 1 and 3 only
- (b) 2 and 4 only
- (c) 1, 3 and 4 only
- (d) 1, 2, 3 and 4

Ans: (a)

Q. The provisions in Fifth Schedule and Sixth Schedule in the Constitution of India are made in order to (2015)

- (a) protect the interests of Scheduled Tribes
- (b) determine the boundaries between States
- (c) determine the powers, authority and responsibilities of Panchayats
- (d) protect the interests of all the border States

Ans: (a)

Mains:

Q. What are the two major legal initiatives by the State since Independence addressing discrimination against Scheduled Tribes (STs)? (2017)

Q. Why are the tribals in India referred to as 'the Scheduled Tribes'? Indicate the major provisions enshrined in the Constitution of India for their upliftment. (2016)

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