



## 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 6<sup>th</sup> 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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