

**GOVERNMENT OF INDIA
TRIBAL AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:1732
ANSWERED ON:23.03.2012
SCHEDULE TRIBE CERTIFICATE
Joshi Shri Kailash

Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) whether in the wake of adjudgement by Hon`ble Supreme Court of India the domicile of a person in the year 1950 has been made the basis for issuance of the Scheduled Tribe Certificate to the persons belonging to that category;
- (b) if so, the details thereof;
- (c) whether the Government has received representation from the States citing problems relating to domicile of the applicant in issuance of the certificates particularly in view of reorganisation of State after the notification was issued;
- (d) if so, the details thereof and the reaction of the Union Government thereto; and
- (e) the changes Government proposes to make in the existing provisions to facilitate issuance of certificates?

Answer

MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MAHADEO SINGH KHANDELA)

(a)&(b): The Ministry of Tribal Affairs is not aware of any such decision of Hon`ble Supreme Court of India. The first specification of Scheduled Tribes in relation to a particular State/Union Territory is by a notified order of the President, after consultation with the State Government/UT concerned, as per provisions of Article 342 of the Constitution. The guidelines for issuance of Schedule Cast Certificates have been circulated among the States/UTs, vide the circular No.35/1/72-R.U.(SCT.V) dated: 02.05.1975 and Circular No. BC 12025/2/76-SCT.I dated: 22.03.1977 by the Ministry of Home Affairs.

(c)&(d): After Re-Organization of the Madhya Pradesh State in 2000, and creation of new Chhattisgarh State, problem faced by persons belonging to Scheduled Castes, Scheduled Tribes and Other Backward Classes for obtaining certificates were received from the Ministry of Social Justice & Empowerment which is the Nodal Ministry for the Scheduled Castes and Other Backward classes. The comments of the Ministry of Tribal Affairs on the issue related to Schedule Tribe were sent to the Ministry of Social Justice & Empowerment for giving suitable replies to Government of Madhya Pradesh and Chhattisgarh.

(e): At present, no change in proposal in the existing guidelines for issuance of Schedule Tribe Certificates.