



AMBEDKAR MISSION

DIGLIPUR,

NORTH ANDAMAN

Registration No. 854 Dated 12-1-1995

172
5041
30/12/08
Date

Ref. No. AM/Admn./2008/27

Secy (Law)

DS (Law)

23/1/08

Date 25/12/2008

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5/1/09

MEMORANDUM

Kind attention by the Chief Secretary of A & N Islands in the matter of Schedule Castes and Scheduled Tribes for an appointment and promotion under Union Territory Administration of A & N Islands.

Point No. 1:- Article 366(24) and (25) of the Constitution of India defined the meaning of Scheduled Castes and Scheduled Tribes that "such castes, tribes or tribal communities as are deemed under Article 341 and 342 to be Scheduled Castes and Scheduled Tribes for the purpose of the Constitution of India"

Example No. 1 For Schedules Castes:- A "Dhobi" caste is a notified under Article 341 of the Constitution of India as Scheduled Castes in relation with the Union Territory of Delhi by the Constitution (Scheduled Castes) (Union Territories) Order, 1951

And

A "Batwat" caste is also notified under Article 341 of the Constitution of India as Scheduled Castes in relation with the Haryana State by the Constitution (Scheduled Castes) Order 1950.

Dhobi and Batwat both castes are deemed under Article 341 as Scheduled Castes notified by different Presidential Order and both castes are equally defined under Article 366(24) as Scheduled Castes for the purpose of the Constitution of India and therefore, both Dhobi and Batwat castes are equally eligible for an appointment and promotion under any Government against reserved Posts for Scheduled Caste candidates.

Example No. 2 For Scheduled Tribes:-

An "Onges" tribes or tribal community is notified under Article 342 of the Constitution of India as Scheduled Tribes in relation with the Union Territory of A & N Islands by the Constitution (A & N Islands) Scheduled Tribes Order, 1959.

And

A "Dhodia" tribes or tribal community is also notified under Article 342 of the Constitution of India as Scheduled Tribes in relation with the Maharashtra State by the Constitution (Scheduled Tribes) Order, 1950.

"Onges and "Dhodia" both tribes or tribal communities as are deemed under Article 342 of the Constitution of India as Scheduled Tribes notified by different Presidential Orders and both tribes or tribal communities are equally defined under Article 366(25) as Scheduled Tribes for the purpose of the Constitution of India and therefore, both "Onges" and "Dhodia" tribes or tribal communities are equally eligible for an appointment and promotion against reserved posts under the any Government which posts reserved for Scheduled Tribes candidates.

Point No. 3:- Article 16(2) of the Constitution of India is prevent to all Government that no any citizen shall be ineligible or discriminated for any employment in respect of any office under the Government only on the grounds of race, caste, place of birth, residence etc.

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