



सत्यमेव जयते

जनजातीय कार्य मंत्रालय

MINISTRY OF TRIBAL AFFAIRS

GOVERNMENT OF INDIA

[About Us](#)[Sections](#)[Schemes](#)[Acts & Rules](#)[Statistics and Documents](#)[Public Grievances](#)[Sanction Orders](#)[Scholarship/ Fellowship](#)[Contact Us](#)[Feedback](#)[Home](#) > [Constitutional and Legal Matters](#) > [Declaration of 5th Schedule](#)

Declaration of 5th Schedule

As per the Constitutional provision under Article 244 (1) of the Constitution of India, the 'Scheduled Areas' are defined as 'such areas as the President may by order declare to be Scheduled Areas' – as per paragraph 6(1) of the Fifth Schedule of the Constitution of India. The specification of "Scheduled Areas" in relation to a State is by a notified order of the President, after consultation with the Governor of that State. In accordance with the provisions of paragraph 6(2) of the Fifth Schedule of the Constitution of India, the President may increase the area of any Scheduled Area in a State after consultation with the Governor of that State; and make fresh orders redefining the areas which are to be Scheduled Areas in relation to any State. The same applies in the case of any alteration, increase, decrease, incorporation of new areas, or rescinding any Orders relating to "Scheduled Areas". At present, Scheduled Areas have been declared in the States of Andhra Pradesh (including Telangana), Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha and Rajasthan.

Criteria for declaring Scheduled Area

The criteria for declaring any area as a "Scheduled Area" under the Fifth Schedule are:

Preponderance of tribal population,

Compactness and reasonable size of the area,

A viable administrative entity such as a district, block or taluk, and

Economic backwardness of the area as compared to the neighbouring areas.

These criteria are not spelt out in the Constitution of India but have become well established. Accordingly, since the year 1950 to 2007 Constitutional Order relating to Scheduled Areas have been notified.

Constitutional provisions of Fifth Schedule related to declaration of Scheduled Areas

The Fifth Schedule under Article 244(1) of the Constitution contains provisions regarding administration of Scheduled Areas other than in Northeast India. The provisions of Section 6 of Part C of the Fifth Schedule of the Constitution are as follows:

Scheduled Areas :

In this Constitution, the expression "Scheduled Areas" means such areas as the President may by order declare to be Scheduled Areas.

The President may at any time by order

- (a) direct that the whole or any specified part of a Scheduled Area shall cease to be a Scheduled Area or a part of such an area;
- (b) alter, but only by way of rectification of boundaries, any Scheduled Area;
- (c) on any alteration of the boundaries of a State or on the admission into the Union or the establishment of a new State, declare any territory not previously included in any State to be, or to form part of, a Scheduled Area;
- (d) rescind, in relation to any State or States, any order or orders made under this paragraph, and in consultation with the Governor of the State concerned, make fresh orders redefining the areas which are to be Scheduled Areas;

and any such order may contain such incidental and consequential provisions as appear to the President to be necessary and proper, but save as aforesaid, the order made under sub-paragraph (1) of this paragraph shall not be varied by any subsequent order.

