

Shri Biswanath Das (Orissa: General) : Sir, a point has just now been made that the provisions made herein interfere with the powers of the, Parliament. I join issue with my honourable Friend in this Statement. I do not see how the provision at all interferes with it, namely, with the powers of the Parliament. In the first place, an enquiry is being provided statutorily under the Constitution. The President undertakes an enquiry. In the second place, under article 255 a Bill is placed before the Parliament and the Parliament passes the Bill. Again Parliament under the statute Places a self-denying ordinance upon its own self that such and such a State will be given such and-such an amount. Therefore the assignment comes under the sanction accorded by the Parliament itself; and thirdly, it has also been laid down that that is for a period or term of years. All the necessary safeguards have been provided by the Drafting Committee. I therefore, plead with my Honourable Friends who hold that the provision regarding grants in this article at all interferes with the powers of the Parliament. In fact I hold that the aid flows from the powers vested in Parliament and emanate with its own sanction. Therefore, there is little- reason in attacking the article on that score. Sir, I have another complaint against this article against the use of the expressions "scheduled tribes" and "scheduled areas". Sir, special expressions have been coined and used for denoting and connoting certain ideas and certain difficulties. But experience has shown that with more connotations used, the difficulties increase. Sir, regarding the Depressed Classes, we have substituted a word "Harijan" and that has not solved either our or their difficulties. We have to move with the times. In the Draft Constitution, we have proclaimed and provided equality for all, and provisions have been made in more than one place to give effect to these declarations. That being the position, I do not see why these expressions "scheduled tribes, scheduled areas" and the rest be kept and perpetuated in the Constitution. Sir, in this connection, it may not be out of place to recall that the Imperialist Britain very cleverly put in the idea of separate electorate in 1898. Eleven years hardly passed and you find an insistence in the Minto-Morley Reforms for implementing this in the statute and hardly thirty seven years after that you get the partition of India. With this experience, I plead with my honourable Friends not to play with fire and go on coming expressions "scheduled tribes and scheduled areas". Why should we ? They are an backward classes; we have got many backward classes and a special provision is being made and protection has been given in articles 28 to 40 and they are quite enough. As if these are not ample, you have made special provisions; but why not vest these powers in Parliament, and give confidence to the Parliament? People have devoted their life-long services-this country has given birth to persons like Thakkars and a galaxy of such workers who have made it a life-long devotion of theirs to serve these backward people. Why not have confidence In the good sense of the country, in the protection afforded in the Constitution and why perpetuate these expressions which I believe, Sir, lead into something deplorable as is our experience with regard to separate electorate ? Having stated so far about backward tribes and areas, I come to another portion of article 255.

I specially refer to the first

clause in the proviso, which reads

"The average excess of expenditure over the revenues during the three years immediately preceding the commencement of this Constitution in respect of the administration of the tribal areas specified in Part I of the table appended to paragraph 19 of the Sixth Schedule;"

Sir, grants will have to be made on the basis of the excess expenditure incurred during the past three years. How and why ? Where are the unfortunate Governments of Assam and Orissa to find excess money to be spent in these undeveloped areas ? They are themselves running into deficits and their incapacity and the colossal want of these areas have been stressed by no less a person than Thakkar Bapa himself, who has devoted all his life and pleasure to this great problem. Why should you rely on the past expenses when these administrations have to run without any surplus balance to be invested in these undeveloped areas ? Sir, this portion of the provision seems to be unnecessary especially after provisions contained in sub-clause (b) of the proviso, namely, "the costs of such schemes of development as may be undertaken by that State with the approval of the Government of India for the purpose etc." Clear it is that nothing could be done without prior sanction.

Sir, I am thankful to the honourable House as also to the Drafting Committee and the Government for making, special provision for these undeveloped areas, in this article. But, when are these benefits to commence? These benefits could accrue after five years. I understand certain amendments are coming limiting the period further down, which I welcome. They may come a ROD earlier. As has been stressed by the honourable and revered Thakkar Bapa, their wants are urgent and immediate and the resources of the provinces are few and far between. Under- these circumstances, I plead that certain specific provisions be made or a declaration be forthcoming from the powers-that-be that immediate provision in this regard is made.

With these words, Sir, I support the amendment of my honourable Friend.. Rev. Nichols Roy because it eases the situation so far as it goes.