

**The Honourable Shri Gopinath Bardoloi :** I do know. But what I desire to point out is that there is absolutely no necessity, after this Sixth Schedule has been accepted, for maintaining this distinction. That is what I desire to point out. In the first place, even before 1947, the whole administration of the partially as well as the fully excluded areas was done under certain regulations which were promulgated in the name of the Governor and the governor or the District Officers saw to the administration of these areas. But in fact, what these District Officers did was to accept virtually the authority of the village courts in almost all its affairs, not merely in the field of administration but also in the sphere of the administration of justice. What the present Schedule Six wants to do is only to put this thing in a statutory form up to a certain stage, and beyond that stage the administration is integrated with the general working of the Constitution for all areas both in the region of administration as well as in the region of justice. It is now integrated after a certain stage with the rest of the government, in all their functions. Therefore, I do not see, Sir, how the thing would improve if we have two categories of tribals, even in reference to those six districts which have now been put in the Sixth Schedule.

With reference to the amendment that has been tabled by Mr. Chaliha, we have the fullest sympathy. The Advisory Sub-committee for the tribal areas had investigated into this affair. It is quite true that for administrative reasons only about 35 years or 40 years ago – 35 years I think is more correct – this area of Dimapur was brought under Naga Hill administration. The mouzas of Sarapathan and Borpathan in Golaghat sub-division brought under partially excluded area with the result that this portion-the mouza of Dimapur – was cut off altogether from the normal administration. They had, therefore, to tag it on with the administration of the Naga Hills. We had the opportunity of examining the inhabitants of this area and we saw that they were determinedly opposed to their inclusion in the Naga autonomous District. We fully sympathize with their aspirations, taking into consideration that this place at one time was the capital of a big kingdom of the Kacharis. But the remedy has already been provided in the Constitution, and I think, it is not possible for us to take the case of particular mouzas piece-meal. The Constitution can provide only general articles or provisions for the purpose of meeting such cases. It will be seen that it is possible under paragraph 1, sub-clause (3) to diminish any area in an autonomous district. I do not know whether the word "diminish" would cover such cases as we now have, and I should have no objection to substituting it by the word "exclude" (that might also better serve the purpose) and in the third reading, this correction, if necessary, may be made.

**The Honourable Shri Gopinath Bardoloi :** But that is a matter on which there may be disputes. The Nagas may say that their district would go up to a certain point and the Dimapur people would say that their boundary would come up to some other point. This matter may be disposed of satisfactorily under the provisions of the Sixth Schedule that we have already adopted. Therefore, it is not necessary (while I have the fullest sympathy with the object of this amendment), to go into the details of many places where such distribution of boundary will be desirable.

Then there is also another provision, 16-A which says that people living in any area, even within an autonomous district may, for the purpose of the franchise, exercise the same in the general constituency instead of in the tribal constituency. This has also been made possible under provision 16-A which we have passed just now.

Then with regard to the amendment of Mr. Chaudhuri – I am not sure whether it was an amendment, but he made certain remarks. It is very necessary for us to understand the real position of the town of Shillong. It is there that more than half of its area are included in the Myllem State. The question that now faces us is how to maintain the District Council with its powers, and at the same time integrate it with the larger administration of the town of Shillong. That is the question. The view of the Drafting Committee as I understand was that while for the purpose of municipal and general administration the rights should be there with the provincial government or any authority created by it, the right of the tribal people of this area to their representation in the District Council should not go. The amendment has been put before us with that idea, I believe : in the first place, to let a uniform administration prevail in the Shillong Area including the whole of the municipality, at the same time to give the tribal people their right to representation in the District Council. It will be seen that the new amendment proposed by Dr. Ambedkar is to exclude from the operation of the District Council such rights and powers which as municipal administration the municipality under the authority of the government should be able to exercise and all those powers have been given. Secondly, their rights in regard to justice in court have also been conceded in paragraphs 4 and 5 which deal with the matter of justice.