

THE CONSTITUTION (EIGHTY-THIRD AMENDMENT) ACT, 2000

India

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Act 83 of 2000

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Statement of Objects and Reasons appended to the Constitution (Eighty Sixth Amendment) Bill 1999 which was enacted as the Constitution (Eighty Third Amendment) Act 2000
STATEMENT OF OBJECTS AND REASONS
The Constitution (Seventy-third Amendment) Act, 1992 was brought into force with effect from the 24th April, 1993. The said Act provided that within one year from date of commencement of that Act, all the States shall amend their local laws to bring them in conformity with the new provisions under the Constitution. This exercise will required to be completed before the 23rd April, 1994.

2. Article 243D provides for reservation for the Scheduled Castes and the Scheduled Tribes in every Panchayat. Arunachal Pradesh is a State inhabited fully by indigenous tribal people. No Scheduled Castes exist in the State. No reservation of seats for the Scheduled Castes has been made in the State Legislative Assembly and no provisions exist under any law to that effect. There is also no reservation for the Scheduled Castes in State Government services.

3. The Bengal Eastern Frontier Regulation, 1873 and the Chin Hill Regulations, 1896 provide special protection and safeguard for the peaceful existence of the indigenous tribal people of Arunachal Pradesh. These laws prohibit the entry of outsiders in the tribal area without "Inner Line Permit". Only the indigenous tribal people are allowed to participate in the democratic process.

4. The tribal society in Arunachal Pradesh is, casteless where social equality among men and women has prevailed over centuries and ages. Since no Scheduled Castes exist in the State and the State of Arunachal Pradesh is singularly free from the caste system, it is proposed to insert a new clause (3A) in article 243M of the Constitution of India, to exempt the State of Arunachal Pradesh from the application of article 243D relating to the reservation of seats in Panchayats for the Scheduled Castes.

5. This will provide a legal and constitutional basis for Panchayat Raj Institutions in Arunachal Pradesh in accordance with the socio-political ethos of the State.

6. The Bill seeks to achieve the aforesaid objective.

An Act further to amend the Constitution of India. BE it enacted by Parliament in the Fifty-first Year of the Republic of India as follows:

1. Short title: This Act may be called the Constitution (Eighty-third Amendment) Act, 2000

2. Amendment of article 243M:

In article 243M of the Constitution, after clause (3), the following clause shall be inserted namely:-(3A) Nothing in article 243D, relating to reservation of seats for the Scheduled Castes, shall apply to the State of Arunachal Pradesh." [The Constitution (Eighty-third Amendment) Act, 1992, removed the requirement for reservation of seats in Panchayats for members of Scheduled Castes or Scheduled Tribes in the state of Arunachal Pradesh. This state is exclusively composed of members of tribal societies. Under the new law, the state's name was changed to Arunachal Pradesh Tribal Development Council. Also Refer]