

[Mr. President]

(5) The constituencies for the seats reserved for any autonomous district of the State of Assam shall not comprise any area outside that district except in the case of the constituency comprising the cantonment and the municipality of Shillong.

(6) No person who is not a member of a Scheduled Tribe of any autonomous district of the State of Assam shall be eligible for election to the Legislative Assembly of the State from any constituency of that district except from the constituency comprising the cantonment and municipality of Shillong."

The motion was adopted.

Article 294, as amended, was added to the Constitution.

Article 295

Mr. President : This is a non-controversial article.

The question is :

"That article 295 stand part of the Constitution."

The motion was adopted.

Article 295 was added to the Constitution.

New Article 295-A

The Honourable Dr. B. R. Ambedkar : Sir, I move:

"That after article 295, the following new article be inserted :—

'295-A. Notwithstanding anything contained in the foregoing provisions of this Part, the provisions of this Constitution relating to the reservation of seats for the Scheduled Castes and Reservation of seats for Scheduled Castes and Scheduled Tribes to cease the Scheduled Tribes either in House of the People or in the Legislative to be in force after the expiration of Assembly of a State shall cease to have effect on the expiration of a period ten years from the commencement of ten years from the commencement of this Constitution.'

This is also in accordance with the decision of the House. I do not think any explanation is necessary.

Mr. President : There are certain amendments to this. Amendment No. 39 has been given notice of by three Members.

Shri Yudhisthir Mishra (Orissa States) : Sir, I move:

"That in amendment No. 38 above, in the proposed new article 295-A, the words 'and the Scheduled Tribes' be deleted."

The effect of my amendment will be that the provision of this Constitution regarding reservation of seats for the Scheduled Tribes both in the Centre and in the Provinces shall not cease to have effect even after the lapse of ten years from the commencement of this Constitution. The purpose of this new article 295-A is not to allow reservation of seats to Scheduled Castes and Tribes after a period of ten years from the date of the commencement of this Constitution. My amendment seeks to provide that the reservation of seats for the tribes should not be limited to ten years only.

We decided in the last session of the Constituent Assembly, in a motion tabled by the Honourable Sardar Patel, that the system of reservation of seats for minorities other than the Scheduled Castes in the legislatures be abolished and that the reservation of seats for the Scheduled Castes shall be limited to ten years only. The communities referred to in this resolution are Muslims, Sikhs, Scheduled Castes and Indian Christians. It was held that in the context of a free and independent India, and according to the present conditions, there should not be tiny reservation of seats for religious communities. Therefore, it did not affect the reservation of seats for the scheduled tribes.