

STATEMENT OF OBJECTS AND REASONS

The Constitution (Fifty-first Amendment) Act, 1984 was enacted to provide for reservation of seats in the House of the People for the Scheduled Tribes in Nagaland, Meghalaya, Mizoram and Arunachal Pradesh and also for reservation of seats for Scheduled Tribes in the Legislative Assemblies of Nagaland and Meghalaya by suitably amending articles 330 and 332. Even though these States are predominantly tribal areas, the underlying objective of the aforesaid Act was to ensure that the members of the Scheduled Tribes in these areas do not fail to secure a minimal representation because of their inability to compete with the advanced sections of the people.

2. The Constitution (Fifty-first Amendment) Act, though formally enforced, cannot be fully implemented unless parallel action is taken to determine the seats which are to be reserved for Scheduled Tribes in these areas. The number of seats reserved for Scheduled Castes and Scheduled Tribes in the Legislative Assembly of any State under article 332 of the Constitution will have to be determined having regard to the provisions of article 332(3) of the Constitution. However, in view of the historical background with respect to the areas comprised in the North-Eastern States, the circumstances obtained in these areas in the state of development of the Scheduled Tribes in these areas and other relevant considerations, it is considered necessary to provide for special arrangements with regard to the reservation for Scheduled Tribes in these areas for a temporary period so as to facilitate easy transition of these areas to the normal arrangements as envisaged in the Constitution. It is, therefore, proposed to further amend article 332 of the Constitution for making a temporary provision, until the re-adjustment of seats on the basis of the first census after the year 2000 under article 170 of the Constitution for these States, for the determination of the number of seats reserved for Scheduled Tribes.

3. The proposed amendment seeks to provide that if all the seats in the Legislative Assembly of such States in existence on the date of coming into force of this Constitution Amendment Act are held by the members of the Scheduled Tribes, all the seats except one shall be reserved for Scheduled Tribes and in any other case such number of seats as bears to the total number of seats a proportion not less than the number of members belonging to the Scheduled Tribes in the existing Assembly bears to the total number of seats in the existing Assembly.

4. The Bill seeks to achieve the above object.

NEW DELHI;

The 25th August, 1987.

BUTA SINGH.