

11.55 hrs.

CONSTITUTION (SCHEDULED TRIBES) ORDER (AMENDMENT)

BILL, 2003

Title: Discussion on the Constitution (Scheduled Tribes) Order (Amendment) Bill, 2003 (Bill passed)

गृह मंत्रालय में राज्य मंत्री (श्री चिन्मयानन्द स्वामी): महोदय, मैं प्रस्ताव करता हूँ -

"कि असम राज्य में अनुसूचित जनजातियों की सूची को उपांतरित करने के लिए संविधान(अनुसूचित जनजातियाँ) आदेश, 1950 का और संशोधन करने वाले विधेयक पर विचार किया जाए।"

MR. SPEAKER: Motion moved:

"That the Bill further to amend the Constitution (Scheduled Tribes) Order, 1950 to modify the list of Scheduled Tribes in the State of Assam, be taken into consideration."

SHRI SANSUMA KHUNGGUR BWISWMUTHIARY (KOKRAJHAR): Mr. Speaker, Sir, I would like to make some submissions with regard to the Constitution (Scheduled Tribes) Order (Amendment) Bill, 2003. My submissions are very important and genuine. When the Bodo Accord was signed on the 10th February, 2003 between the Government of India, the Government of Assam and the Bodo Liberation Tigers, under Clause 8 of that Agreement, Boro Borokachari tribes living in Karbi Anglong and North Cachar districts, was promised that they would be granted the Scheduled Tribe status, but unfortunately the Government of India has not done anything in this regard so far. So, I would like to move my amendment that the Bodo people living in Karbi Anglong and North Cachar hill districts should be included in the List of Scheduled Tribes (Hills).

I would like to move my other amendment also. Through that I demand that there should be an exclusive list for the Scheduled Tribes in the Bodoland Autonomous Territory in which Boro, Borokachari, Mech and Rabha Tribes only should be included as Scheduled Tribes because as of today, there are fourteen number of Scheduled Tribes in the plain districts of Assam. But only these three tribes are having population in the Bodoland Autonomous Territory and the rest of the Scheduled Tribes are not having population within the Bodoland Autonomous Territory at all. So, I demand that there should be an exclusive list of Scheduled Tribes for the Bodoland Autonomous Territory by including Boro, Borokachari, Mech and Rabha tribes as suggested in my amendment.

MR. SPEAKER: Please conclude now. I am calling the next speaker. Dr. Jayant Rongpi.

SHRI SANSUMA KHUNGGUR BWISWMUTHIARY : Sir, I request the Government of India that my amendments should be accepted.

DR. JAYANT RONGPI (AUTONOMOUS DISTRICT ASSAM): Mr. Speaker, Sir, this Bill is meant to protect the indigenous hill tribes living in Karbi Anglong and North Cachar districts of Assam and so I welcome this Bill. There is a two-tier reservation for the hill tribes in Assam. One is for hill tribes and the other is for tribes living in the plain districts of Assam. By this legislation the exclusive rights of the tribes living in Karbi Anglong and North Cachar districts are protected.

Sir, the Government, while trying to solve one problem, should not complicate the matter in other places. This is a good legislation, but at the same time, I would like to state that the Karbis who are the original inhabitants of Assam are not recognised in the plain districts of Assam. According to anthropologists, Karbis are the Columbus of Assam and they are the first inhabitants of Assam, but unfortunately they are not recognised as tribes in many districts of Assam. So, I would like to move my amendment demanding that the Karbis should be included in Item No. 2 of the Scheduled Tribes Order of 1950.

श्री चिन्मयानन्द स्वामी : महोदय, माननीय सदस्य द्वारा उठाया गया सवाल इस बिल से संबंधित नहीं है, इसलिए उस पर विचार नहीं किया जा सकता है। मैं यह भी कहना चाहता हूँ कि माननीय सदस्य, श्री रंगपी, द्वारा प्रस्तुत विचार दूसरे विषय से संबंधित है। अतः मैं आग्रह करूंगा कि इस बिल को पास किया जाए।

MR. SPEAKER: The question is:

"That the Bill further to amend the Constitution (Scheduled Tribes) Order, 1950 to modify the list of Scheduled Tribes in the State of Assam, be taken into consideration."

The motion was adopted.

MR. SPEAKER: The House will now take up clause-by-clause consideration of the Bill.

Clause 2 -Amendment of the Constitution(Scheduled Tribes) Order,1950.

MR. SPEAKER: Shri Sansuma Khunggur Bwiswmuthiary, are you moving your amendments"

SHRI SANSUMA KHUNGGUR BWISWMUTHIARY (KOKRAJHAR): Sir, I beg to move:

Page 1,--

for lines 10 to 14

substitute '(ii) for the sub-part heading "II. In the State of Assam excluding the autonomous District," the following shall be substituted, namely:-

"II. In the State of Assam including the autonomous Districts of Karbi Anglong and North Cachar Hills". (1)

Page 1,--

after line 14 insert-

"(iii) after the sub-part heading II, insert a new sub-part heading III, namely:-

III. In the Autonomous Territory of Bodoland the following Scheduled Tribes shall form the list of the bonafide

Scheduled Tribes exclusively,-

1. Boro, Boro Kachari.
2. Mech.
3. Rabha.

Explanation: In the Autonomous Territory of Bodoland, only the aforementioned three Scheduled Tribes are having population, but the rest of the Scheduled Tribes enumerated in sub-part II are not having any population in the bodoland Autonomous Territory at all." (2)

Page 1,--

after line 9, insert

"(ii) in sub-part heading I, after entry 15, insert,--

16. Boro, Borokachari" (5)

MR. SPEAKER: Dr. Jayant Rongpi, are you moving your amendment?

DR. JAYANT RONGPI :Sir, I beg to move:

Page 1, --

after line 14 insert

"(iii) in sub-part heading II, after entry 14, insert,--

15.Karbi." (4)

MR. SPEAKER: I shall now put amendment nos. 1, 2 and 5 moved by Shri Sansuma Khnuggur Bwiswmuthiary to the vote of the House.

The amendments were put and negatived.

MR. SPEAKER: I shall now put amendment no. 4 moved by Dr. Jayant Rongpi to the vote of the House.

The amendment was put and negatived.

Amendment made:

Page 1, lines 12 and 13, -

for "the Bodoland Territorial Council Areas District",

substitute "the Bodoland Territorial Areas District". (3)

(Shri Chinmayanand Swami)

12.00 hrs

(At this stag, Shri Sansuma Khunggur Bwiswmuthiary left the House).

MR. SPEAKER: The question is:

"That clause 2, as amended, stand part of the Bill."

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Clause 1, the Enacting Formula and the Long Title were added to the Bill.

SHRI CHINMAYANAND SWAMI: Sir, I beg to move:

"That the Bill, as amended, be passed."

MR. SPEAKER: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.
