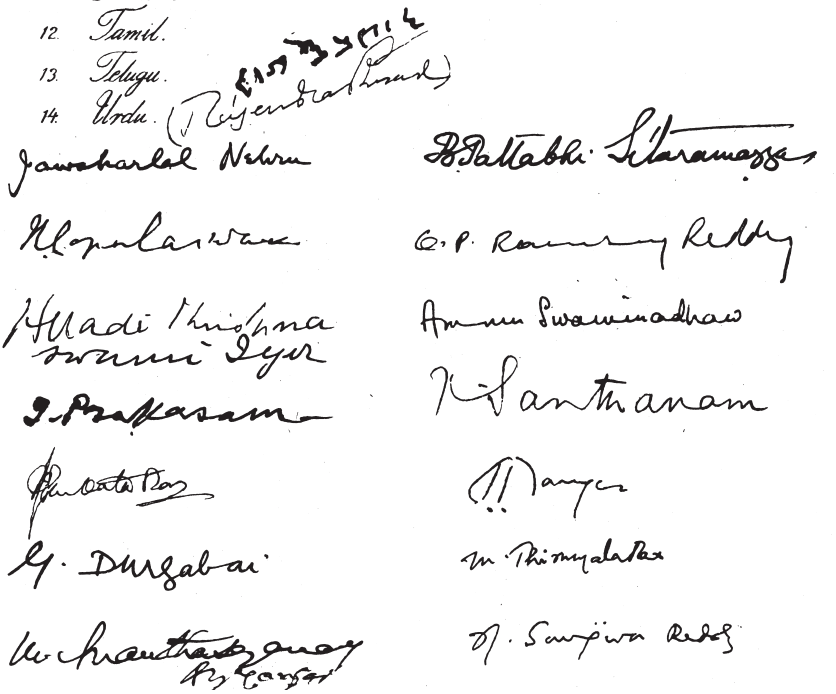
Eighth Schedule

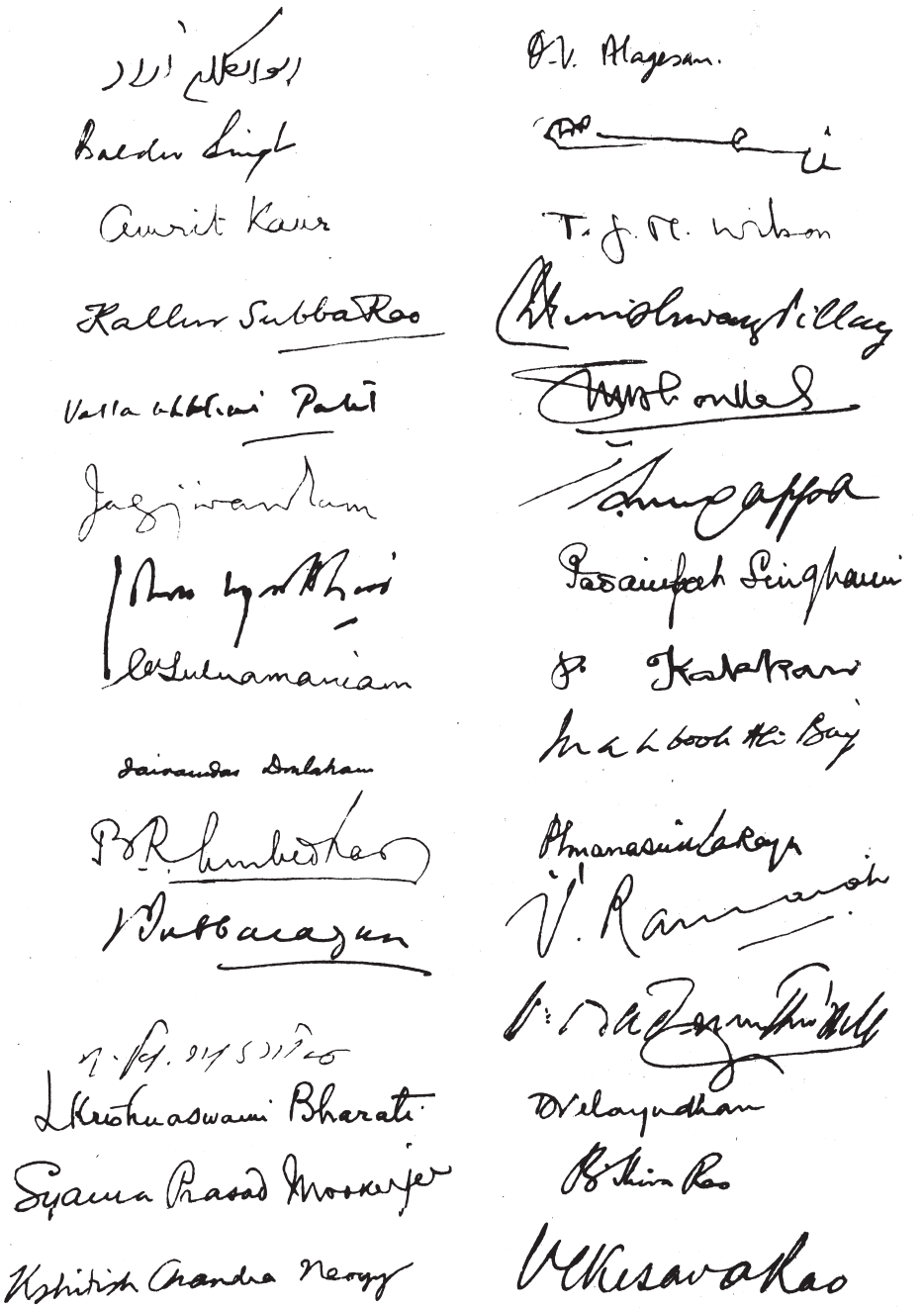
[Articles 344(1) and 351]

Languages

1. Assamese.
2. Bengali.
3. Gujarati.
4. Hindi.
5. Kannada.
6. Kashmiri.
7. Malayalam.
8. Marathi.
9. Oriya.
10. Punjabi.
11. Sanskrit.
12. Tamil.
13. Telugu.
14. Urdu.



Facsimile of signature page Nos. 222 and 223 of the Constitution of India from the calligraphic edition published by the Survey of India Offices at Dehra Dun.



FOREWORD

The Government of Maharashtra has made a signal contribution to the study and understanding of the history of modern India by undertaking the monumental task of compiling, editing and publishing the works of Babasaheb Ambedkar. The present volume is the thirteenth in the series they have brought out. It is devoted exclusively to the writings and speeches of Dr. B. R. Ambedkar on the Constitution of India. As Chairman of the Drafting Committee and as the one who piloted this historic document through the Constituent Assembly, he was the principal architect of the Constitution.

Shri T. T. Krishnamachari, a colleague of his in the Drafting Committee, said in one of his speeches in the Constituent Assembly:

> "The House is perhaps aware that of the seven members nominated by you, one had resigned from the House and was replaced. One had died and was not replaced. One was away in America and his place was not filled up, and another person was engaged in State affairs, and there was a void to that extent. One or two people were far away from Delhi and perhaps reasons of health did not permit them to attend. So it happend ultimately that the burden of drafting this Constitution fell upon Dr. Ambedkar and I have no doubt that we are grateful to him for having achieved this task in a manner which is undoubtedly commendable."

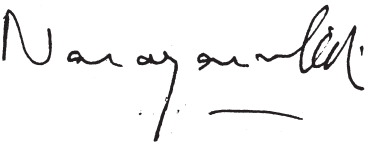
Dr. Ambedkar carried out this herculean intellectual labour "in spite of his indifferent health" as Dr. Rajendra Prasad put it, and "added lustre to the work he has done." His writings and speeches throw floodlight on the principles and ideas behind the Constitution, on its numerous provisions affecting the whole gamut of the life of the nation and the rights and liberties and obligations of the people. To read these to-day is an experience akin to being present at the creation of the Constitution. As Shri R. Venkataraman, the former President of India, said : "Dr. Ambedkar anticipated every conceivable requirement of the new polity." His words light up the context and the intent of the provisions of the Constitution that are periodically being interpreted and re-interpreted by our Courts. They also contain salutary warnings that we must pay heed to if we are to preserve the structure and the spirit of the Constitution, the unity of the nation and the welfare and progress of the people that it was intended to protect and advance.

Pandit Jawaharlal Nehru had described Dr. Ambedkar as "a symbol of the revolt against all the oppressive features of Hindu society." Dr. Ambedkar was indeed a symbol of revolt by all the oppressed and deprived sections of our society, a symbol which is to-day inspiring millions of our people into widespread social and political action. A passionate believer in democracy he also believed that "social and economic democracy are the tissues and the fibre of political democracy". He warned in one of his speeches in the Constituent Assembly that:—"To leave equality between class and class, between sex and sex which is the soul of Hindu society untouched and to go on passing legislation relating to economic problems is to make a farce of our Constitution and to build a palace on a dung heap." It is this passion for equality and social justice which was expressed in different but equally impassioned forms by Mahatma Gandhi

and Jawaharlal Nehru and embodied in the Constitution that has made Indian democracy not a fragile "palace on a dung heap" but a solid edifice that has stood the stresses and strains of our myriad and massive problems. Dr. Ambedkar's contribution to this was of seminal importance.

It is interesting to recall that Dr. Ambedkar defined democracy as: "A form or method of government whereby revolutionary changes in the economic and social life of the people are brought about without bloodshed." While a revolutionary he was also an uncompromising constitutionalist who advocated that changes, however radical should be effected through constitutional methods and within the constitutional framework. He repeatedly emphasized the paramount need for the diffusion of "constitutional morality" in society, which he held "is not a natural sentiment. It has to be cultivated. We must realize that our people have yet to learn it." In his devotion to the practice of constitutional morality he went to the extent of ruling out even non-violent extra-constitutional methods like "satyagraha" from the politics of post-independent India. He visualized democracy as the "golden mean" the method of the Buddha which in his view was the best and the safest method of action. His vision of India and the future of the oppressed sections and the minorities in the country was in line with this basic philosophy. In one of his important speeches he said : "In this country both the minorities and the majorities have followed a wrong path. It is wrong for the majority to deny the existence of minorities. It is equally wrong for the minorities to perpetuate themselves. A solution must be found which will serve a double purpose. It must recognize the existence of the minorities to start with. It must also be such that it will enable majorities and minorities merge some day into one." He believed that the Constitution drafted under his Chairmanship will serve this double purpose.

Dr. Ambedkar had faith in the Constitution that he helped to fashion for India. "I feel", he said, "that it is workable, it is flexible and it is strong enough to hold the country together both in peace time and in war time. Indeed, if I may say so, if things go wrong under the new Constitution, the reason will not be that we had a bad Constitution. What we will have to say is, that Man was vile." His faith in the future of India and in the people of India was profound. He told the Constituent Assembly, "I know to-day we are divided politically, socially and economically. We are a group of warring camps, and I may even go to the extent of confessing that I am probably one of the leaders of such a camp. But, Sir, with all this, I am quite convinced that given time and circumstances nothing in the world will prevent this country from becoming one." Dr. Ambedkar emerges from this Volume not only as a man of immense erudition and foresight, but one who had faith in the people of India and in the future of India under a political system which is at once strictly constitutional and socially and economically progressive.



New Delhi,
April 5, 1994

(K. R. NARAYANAN)
Vice-President of India

PREFACE

Dr. Ambedkar is the prime architect of free India's Constitution which has served the country well for 44 years. A constitution is the grand norm of legislation. Laws made by the Parliament and the State legislatures are examined in the light of the paramount constitutional provisions. Preparation of the Constitution, therefore, is a matter of great importance. The existing constitutional provisions have their roots in the discussions that had taken place in the Constituent Assembly. This perception of the genesis of the Constitution is the first step towards its understanding. Dr. Ambedkar and the Constitution have become synonymous. The present volume contains the Draft Constitution as conceived by him. There have been some amendments afterwards with reference to the changing social context, but the basic features of the Constitution have remained unaltered. The life, liberty and the pursuit of happiness enshrined in the fundamental rights which are available to citizens constitute its basic features and there is the golden thread of humanism and reasonableness in its framework.

The Indian Constitution is a detailed document which takes cognizance of every aspect of the Government. Its detailed character is sometimes assailed by critics as a lawyer's paradise. However, 44 years of its working has shown that the common man is the central theme of the Constitution. The reader will be able to appreciate the present Constitution in the light of the background material which is contained in the present volume. The originality of approach and masterly organisation of details

of principles which we find in the Indian Constitution are the fruits of scholarly research and high pragmatism of Dr. Ambedkar. The volume will be useful to jurists, constitutionalists and lay readers alike and should prove a welcome addition to the literature on and by Dr. Ambedkar.

(Sharad Pawar)
Chief Minister of Maharashtra State

EDITOR'S NOTE

The present volume of speeches and writings of Dr. Ambedkar brings out his pivotal role as the Chairman of the Drafting Committee of the Constitution. It contains the various motions he moved for amendments, his explanation and exposition of principles, his magnanimity in appreciating his opponents point of view and his readiness to change his views in the process. Truly, the volume brings out the quintessential democrat in Dr. Ambedkar who laid the foundation of the democratic edifice of the Government which is the government by discussion and criticism. His colleagues in the Constituent Assembly bestowed on him generous praise and candid approval of his role as the principle architect of our Constitution, and perhaps, Dr. Pattabhi Sitaramayya summed up the sentiments of the Constituent Assembly when he said, "What a steam-roller intellect he brought to bear upon this magnificent task : irresistible, indomitable, unconquerable, levelling down tall palms and short poppies; whatever he felt to be right he stood by, regardless of consequences".

Editing this volume has been an exciting, educative and illuminating experience. While the task has been difficult and every care has been bestowed on including every sentence of Dr. Ambedkar, there could be some shortcomings in comments, clarifications and in footnotes which one hopes would be corrected by frank criticism of readers and suggestions for improvement which will be gratefully acknowledged and deeply appreciated.

The Editor's Note will be incomplete without placing on record the grateful thanks :

* to His Excellency Shri K. R. NARAYANAN, the Vice President of India for the Foreword he has contributed to the present volume.

* to Shri SHARAD PAWAR, Hon. Chief Minister of Maharashtra whose encouragement has made this volume possible;

* to Shri PRABHAKAR DHARKAR, Hon'ble Minister for Education who took keen interest in the project;

* to Shri Navajeevan Lakhanpal, Secretary, Technical and Higher Education whose ready assistance and competent guidance enabled the Editor to resolve many administrative problems;

* to Shri B. M. Ambhaikar, Additional Municipal Commissioner, Municipal Corporation of Greater Bombay and Dr. Narendra Jadhav, Director, Department of Economic Analysis and Policy of the Reserve Bank of India for advice, suggestions and guidance in editing this volume.

Thanks are also due to :

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* to Dr. Keshao Phalkey, State Liaison Officer, Mantralaya and Shri J. M. Abhyankar, Dy. Director of Education, Greater Bombay for clearing various administrative

problems; Professor Pramod Ramteke and Shri Vijay Survade for sparing the illustrations; and members of the staff of the Education Department, *viz.* Shri Ravindra Sutar and Smt. S. M. Nevrekar who cheerfully typed and verified the material.

Last but not the least, the Members of the Committee who stood by the Editor in all those arduous assignments and reposed their confidence in him and there are of course many nameless admirers and well-wishers imbued with the philosophy and spirit of Dr. Ambedkar who helped the Editor in every way and whose names are too many and too numerous to be mentioned here.

Scholarship means essentially a collective enterprise and the Editor hopes that he would profit by the collective wisdom of criticism and suggestions coming from all quarters.

Bombay :
April 14, 1994

(Vasant Moon)
Editor

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ERRATA

Page	Line	Incorrect	Correct
442	16	negatived	adopted
449	29	word used is wjckd (Pradhan)	word used is (Pradhan)
375	21	though	thought
489	15	(Speech of N. A.)	substitute asterisks
504	29	inheres	inherent
538	Foot Note	*p. 1349	*p. 1347
566	8	Nagiruddin	Naziruddin
586	21	partically	practically
601	4	the articles speaking for myself	the articles relating to the Auditor-General in this House, assigns to him. Personally speaking for myself
606	3	Tahi	Tahir
783	18	Article 253 (contd.)	delete
822	2	withdraw	withdrawn
834	———	———	Put 'Article 284' as title
847	31	Bhopender Singh	Bhoopender Singh
888	(note in bracket)	Das were withdraw	Das was withdrawn
923	29	"That in entry 50 of List II the words 'or roads' be added at the end".	delete
1018	27	whome	whom
1163	1	englosing	eulogising
1168	19	Brabhu Dayal	Prabhu Dayal
1178	19	Mr. President	delete
Index	Under R	Round Table, a book	Round Table, a magazine

PART I

From Dr. Ambedkar's entry into the Constituent Assembly to the presentation of the Draft of the Indian Constitution to the Constituent Assembly

SECTION ONE

December 9, 1946 to July 31, 1947