

# DR. B,R AMBEDKAR AND SPECIAL PROVISION FOR THE SCHEDULED CASTES AND SCHEDULED TRIBES

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## ABSTRACT

*Dr. Ambedkar's Constitution to the evolution of free India lies in his striving for secularizing India parties, state and society and his struggle for making out justice, political, social and economic to one and all as a humanist. He breathed the spirit of liberalism and nationalism in to the lies of not only untouchables, but of all Indians.... In his capacity as the chairman of the committee, he hammered out a comprehensive workable Constitution in to which he incorporated. Some of his views though not all of them. He gave free Indian its legal frame and the people, the basis of their freedom. In order to explain the importance of the inauguration of the constitution. Dr. Ambedkar remarked in the constituent Assembly of Indian on 26<sup>th</sup> January 1950. We are going to enter in to a life of contributions. In politics we will have equality are in social and economic life we will not have equality in our social and economic life? If we continue to deny it for long we will do only by putting our political life in peril. We must remove this contradiction at the earliest possible moment or else those who suffer from in equality will below up the structure of political democracy which his Assembly was labously built up. In details and chairman of the drafting committee, Dr. Ambedkar's. It should be said to the credit of Ambedkar that he did a fine job of a bad situation.*

**KEY WORDS:** AMBEDKARISM, NATIONALISM, CONSTITUTION, PATRIOTISM, DEMOCRACY, SOCIAL HUMANISM, LIBERTY, EQUALTY, FERTANITY.

## INTRODUCTION

The concept of reservation advocated by Ambedkar as an effective means of emancipating the untouchables was an unparalleled contribution of his own in this socio-economic and political transformation of India. He claimed reservation for the untouchables as protection against the aggressive communalism of the governing classes of India. The atrocious treatment meted out to him and his communities by the Hindus, made him adopt a new emancipation strategy for the Scheduled Castes. As they were subjected to low social status and economic dependence, they had no access to political power till 1930s. No organized leadership was also available for them for their emancipation till the emergence of Ambedkar in public life. The Government of India Act 1858 and Indian Council Act of 1861, and 1892 did not recognize the special claims of them.

There was a new political device in the form of communal electorate for their emancipation; there was no one to guide them in availing of it until emergence of Ambedkar in public life. The foremost service of

Ambedkar to the untouchables was that he himself was source of their new awakening. He gave them the leadership which they sadly lacked. He was the first leader to put the problem of the untouchables before the country in its true perspective – political, social and economic.

It was his strong conviction and plea that the redemption of the untouchables, was possible if only the share in the political power.

Citing the system of Communal Electorates granted to other minorities, Ambedkar demanded special safeguards and statutory guarantees for the untouchables, under the new political strategy – protective discrimination. While adopting the policy of “Protective Discrimination” in their favour he, said that the untouchables who were socially discriminated and segregated should also be discriminated politically by according reservation. His contention in this aspect was that non-discrimination in their favour. He further opined that treating the unequal as equal would keep them in perpetual inequality. Hence he urged the government to follow the policy of affirmative or protective discrimination to wipe out all discriminations that they were suffering from, in the Hindu society. In order to secure the special safe-guards for the untouchables, Ambedkar had involved himself in all the constitutional development of India from South Borough Commission till the deliberation of the Constituent Assembly.

His demand of safeguards for the untouchables was on the policy of reservation granted to the disadvantaged sections in other countries. The reservation policy of the British Government was for the limited purpose of redressing communal inequalities in public service. Ambedkar sought to convert this policy, by expanding its purpose into a socio-economic mechanism could be ended and they could effectively be helped to come to the level of other sections of the society.

The reservation policy adopted by Ambedkar for untouchables took shape with the demand of separate electorates for them. He claimed special safeguards for the untouchables on the basis of communal award accorded to other minority communities in India.

He upheld the communal award as the nemesis following upon the neglect of social reforms for untouchables for several hundred years.

Justifying the need and importance of the communal representation for the uplift of the Scheduled Castes in India, he said:

“Communal representation is not a vicious thing it is not a poison, it is the best arrangement that can be made for the safety and security of the different classes in this country. I do not call it a disfiguring of the Constitution”.

Because of his initiative and leadership, the constitution of 1919, for the first time in the history of India had recognized untouchables as statutory minorities for special privileges. In the years that followed one of the representatives of the untouchables was nominated by the Governor-General to the Central Executive. They were also nominated to Provincial legislatures.

Ambedkar contended in the Round Table Conference of London, where he represented the untouchables that “social discrimination” and “social separation” should alone constitute the real test for determining whether or not a social group was a minority. According to this test, Ambedkar pleaded that the Scheduled Castes were the only group entitled to special protection as minority in India. While suggesting “social discrimination” as the Criteria, Ambedkar made a distinct contribution to the theory of minorities and their protection as against the usual criteria of numerical, religious or racial considerations.

While representing the untouchables at the Round Table Conferences of London, Ambedkar argued for “Weightage” for Scheduled Castes because “It (community) is weak either in numbers or because its social standing is low or its educational standing is backward as compared with others, or because its economic strength is not sufficient to place it on a footing on par with other communities.”

According to Ambedkar, the national well being and liberty should depend upon the rights enjoyed by the untouchables and regarding the transfer of powers by the British, he apprehended that there would be the rule by the orthodox Hindus by virtue of their numerical superiority. Hence, he demanded special safeguards for the minorities in general and the untouchables in particular, in the Constitution of India to safeguard them from the tyranny of the majority. He further argued that the problems of the untouchables had a special significance in so far so they were not entitled to even some of the basic rights and privileges enjoyed by the other minorities by law. He was even prepared to put off the independence from the British until and unless the question of constitutional safeguard, he demanded for untouchables were settled in their favour.

Hence, Ambedkar was convinced that there must be statutory or constitutional safeguards for them as a class but not as a caste. While demanding political and constitutional safeguards for them, Ambedkar followed not the religio-social approach but a politico-economic one.

In the memorandum that he submitted jointly with Rao Behadu R.Srinivasan to the minorities Committees of the Round table Conference, he had outlined the following political protection on which the depressed classes consented to place themselves under a majority rule in the self-governing India as follows:

1. Equal citizenship and fundamental rights declaring the practice of untouchability as illegal.
2. Free enjoyment of ‘Equal Rights’ protected by adequate constitutional remedies.
3. Protection against discrimination.
4. Adequate representation to the Depressed Classes in the legislatures: They must have the right to elect their own people to represent them through (a) adult suffrage and (b) Separate electorates for the first ten years and there-after by Joint Electorates and reserved seats: it being understood that joint electorates shall not be forced upon the Depressed Classes against their will unless such joint electorates are accompanied by adult suffrage.
5. Adequate representation in the services. The memorandum pleaded for the establishment of a public service commission in each province and in India to undertake recruitment and control of public services.
6. Redress against the prejudicial action or neglect of interest. An obligation should be imposed on the legislature and executive to make adequate provision for the education, sanitation, recruitment and other

matters of social and political advancement of the Depressed Classes on the line of section 93 of the British North America Act 1867.

7. Special Departmental care: It should be a statutory obligation for setting up a department-In-charge of a Minister and to appoint

Depressed Classes Welfare Bureause in each Province to work under the authority of and in co-operation with Minister.

8. Depressed classes should have a seat in the cabinet to have an opportunity in framing the general policy of the government.

His participation in the round table conference in 1930-32 enable him to secure from the British government, concessions such as, "Minority status" and "Communal Award" leading to "Separate Electorates" and "Double Voting " for the untouchables for the untouchables it was a landmark in their history, because their grievance were for the first time represented separately and they were recognize as separate element from the Hindus for according constitutional safeguard the foremost achievement of Ambedkar, as the leader of the untouchables was the recognition of the untouchables as a separate political entity who were subsequently given the name "Scheduled caste" in the second round table conferences in 1932.

By securing those safeguards for the untouchables, he made it almost impossible for the subsequent constitutional development to ignore the special rights of the untouchables.

Apprehending that the right guaranteed to the untouchables in the Reforms Act of 1935 would be taken away by the communal majority in the Constituent Assembly, he opposed the formation of it.

It was obvious that he entered the Constituent Assembly with no greater aspiration than safeguarding of the interest of the Scheduled Castes. With his entry into the Constituent Assembly, his attempt to put those safeguard in the constitution of India began. Thus his role in the Constituent Assembly, as far as the untouchables were concerned, was to complete his mission which he started for them much earlier.

His role in the Fundamental Right, minorities etc., committees of the Constituent Assembly enabled him to propose and shape necessary provisions regarding the special safeguards of the untouchables.

His exhaustive memorandum submitted on behalf of the untouchables on February 27, 1947 listed the safeguards and privileges which were to be incorporated in the constitution for their safety and security in the independent India. Ambedkar had proposed that the Scheduled Castes should have a minimum representation according to their population ratio in the legislatures, ministries, municipalities and local boards for 25 years. These representatives were to be elected through separate communal Electorates. He insisted that there should be representation of Scheduled Castes in the Union Ministries and the units. He also suggested that the Scheduled Castes should have a minimum share of the posts in the various public works in proportion of their population. He had also suggested stringent punishment for social boycott and for promoting, instigating or threatening social boycott.

He had demanded generous provision of funds in the budgets of the union and units for the higher education and other education of Scheduled castes. He proposed the settlement of Scheduled Castes in

“Separate village” to free them from the economic dependence and social segregation of the Hindu villages. He wanted a “Settlement Commission” with constitutional recognition for settling the Scheduled Castes in separate village. To surprise and report the progress of the special safeguards of the untouchables he wanted an officer, Superintendent of Minorities, of the status of Auditor General of India.

Among the special safeguards claimed by Ambedkar for his people, the right regarding the separate electorate was disallowed by the House as it was already given up by him in the Poona pact concluded between him and Gandhi.

In the discussions held at the Advisory Committee, Ambedkar was vigilant in proposing suitable provisions not only to guarantee the special privileges for untouchables, but also to abrogate some of the pernicious laws and usages, which were the source of injustice and degradation.

While moulding the draft articles on the rights of “Religious Freedom” and “Equality Before Law”, Ambedkar put forth necessary provisions to nullify the pernicious laws and usages which subjugated the untouchables. His object of abrogating such laws was to free the untouchables. The same provision was later piloted and defended by him while he moved the draft article 9 (14).

At the time of shaping the new clause, “Equality Before Law he inserted the Provision,....” No citizen shall on any of the ground mentioned in the preceding section be ineligible for public office or be prohibited from acquiring, holding and disposing property or exercising or carrying on any occupation, trade....”.

This was done with a view to removing another injustice imposed on the untouchables by the legislation of certain states. In this connection, he referred to the land Alienation Act of Punjab and Bengal which had completely deprived the untouchables of the right of acquiring and disposing of lands and properties. To make enactment of such acts impossible, Ambedkar insisted on the above provisions. The caste system which perpetuated immeasurable injustices and injurious usages was sought to be replaced by Ambedkar with socialism and secularism. His idea of incorporating socialism in the constitution was not accepted apparently but his secular views were inserted in the articles on the Fundamental Rights and Directive Principles.

He wanted provisions regarding the appointment of independent officers to report on the working of the safeguards for the untouchables as he had already demanded it in his memorandum submitted to the Round Table Conferences in London. The same suggestion of Ambedkar was also later defended by himself in the Assembly without any dispute and necessary article to that effect was adopted in the constitution.

He moved another proposal in the Advisory Committee demanding that the candidates of the majority community contesting election in the general constituency should get the poll-minimum (minimum vote) from the untouchables of the respective constituencies. He thought that this arrangement would be a veto in the hands of the untouchables to check the majority. This was not accepted by the Committee. The extent of the safeguards that he wanted to incorporate in the constitution in favour of Scheduled Castes can be imagined from this proposal.

Ambedkar also initiated another proposal in the committee for adequate representation of the Backward Classes in the Central and State Legislatures and Government services. This was opposed by Alladi Krishnaswami. Later, this proved to be the foundation for the reservation policy in favour of the Scheduled Castes.

It may be pertinent to mention here. The decision taken by the Constituent Assembly on the reservation policy of the minorities in general and Scheduled Castes in particular.

Regarding the political safeguards of the minorities the Constituent Assembly had already accepted and embodied reservation for ten years on August 8, 1947 in part XIV of the Draft Commission. The partition of India and subsequent events that took place after independence made the Constituent Assembly, impossible to consider the question of minority safeguards. Members of the Congress Party such as Sardar Patel, K.K. Munshi etc, were not in favour of reviving the separate electorates and reservation for minorities. They were of the opinion that separate electorates and reservation of seats for untouchables would be illogical as their social barriers such as untouchability, discrimination and social boycott were to be eradicated by the introduction of new democratic provisions such as adult suffrage, secularism, and democracy embodied in the constitution. They feared that reservation would lead to a certain degree of separatism. Ambedkar totally differed from the above views of Congress leaders. Citing the peculiar social and economic conditions of the untouchables, Ambedkar pleaded for special political safeguards for them longer period.

Ambedkar had fittingly refuted the above view of the Congressmen in his writings even before the discussion of the issue in the House. Ambedkar had been stressing the point at the introduction of these democratic provisions would not be enough to protect them from the exploitation and tyranny of the governing classes of India. His argument in continuation of the reservation was:

“In some countries the adult suffrage may be quite enough for the service-classes to hold their own against the governing class. In India unlike other countries the governing class is so omnipotent and omnipresent that other remedies besides adult suffrage will be necessary to give adequate power to the servile classes to protect themselves against exploitation by the governing classes.

He referred, in this context, that the reservation was only another name for what the Americans called “checks and balance”. He insisted on reservation for the backward classes so that 2, “democracy is not overwhelmed by the enemies of democracy”.

On the request of Ambedkar, the Advisory Committee on minorities, fundamental rights committee etc, appointed a special Sub-Committee to solve the reservation issue of the minorities, the Special Committee passed the following resolution. “That all elections to the Central and Provincial Legislatures will be held on the basis of Joint electorates with reservation of seats for certain specified minorities on their population ratio. This reservation for ten years at the end of which the position is to be consider...”

Accordingly the advisory committee passed the following resolution

“That the system of reservation for minorities other than Scheduled Castes in legislature be abolished”.

The peculiar of Scheduled Caste was taken into consideration for recognizing reservation for them for a period of ten years, as originally decided. Ambedkar’s dissenting voice against the ten year reservation for

Scheduled Caste was within the house as well as outside. His interest was that all the safeguards to untouchables should continue for twenty years as he had insisted in his memorandum. His protest given against the ten year period of reservation was revealed by him in his public speech at Ramadaspur on October 27, 1951.

While piloting and adopting the articles 9 (14 & 15), 10 (16(4), 30(38), 37(46), 144(164) and 255(275) of the Draft Constitution, Ambedkar incorporated certain special political rights for Scheduled Castes.

By incorporating Draft article 9 (14 & 15) he defended the prohibition of discrimination against any citizen on the ground of religion, race, caste, sex or place of birth. Without the provision of this article in the constitution, the fundamental rights guaranteed for the Scheduled Castes would be on no use.

Embodying the draft articles 10 (3), (16(4)) Ambedkar adopted provisions for reservation of the Scheduled Castes in the Legislatures and government services of the states and center. This offer was to give opportunities to the weaker sections of India who were till independence not considered for any appointment in the state. With the adoption of this article Ambedkar included untouchables under the common category backward classes. It is to be pointed out here, that Ambedkar took enormous interest in shaping the article at the committee level discussions. He defended the article at all levels of constitution-making. Ambedkar, held the view that the backwardness of a community should be the criterion for deciding reservation to a community. It was his proposition that the term "Backward Classes" would be the qualifying term to include the Scheduled Castes and Scheduled Tribes for claiming reservation.

Drafty article 30 (38) was adopted by him to emphasis the fact that the state should strive to promote the welfare of the people and to build up a new social order based on the social, economic and political justice as professed in the preamble of the constitution. Though this article was inserted for promoting the general well-being of all, the Scheduled Castes and Scheduled Tribes were the main section to enjoy the benefit of this provision.

In adopting draft article 37 (46) he made necessary provisions to promote the educational and economic interest of the Scheduled Castes.

Besides by defending the draft article 144 (164) Ambedkar incorporated the provision that the Minister-in-charge of Tribal welfare in the States of Bihar, Madhya Pradesh and Orrisa would also be in charge of the Scheduled Castes and other backward classes. He inserted this provision as per the recommendation of the Sub-committee on tribal people. He adopted this provision for the purpose of integrating the Scheduled Castes and Scheduled Tribes since both categories of people were untouchables in the broader sense.

Similarly, he accepted article 255 (275(1)), as the provision of the article directed the Union Government to give grant-in-aid to the Sates for meeting the costs of Schemes of the welfare of the Scheduled Tribes.

The safeguards mentioned in the above articles in part III, IV etc, were of certain general preferences provided for the Scheduled Castes. In addition to these provisions, Ambedkar incorporated certain special safeguards for them especially, in Part XIV (XVI) of the Draft Constitution with a view to ensure constitutional sanction for the reservation of seats for Scheduled Castes in the legislatures and the Government services.

He it is to be pointed out that, as per the decision of the Advisory Committee on Fundamental Rights, minorities committee etc, Ambedkar modified some of the draft articles of Part XVI of the Draft Constitution in favour of the Scheduled Castes because, the articles in this part were originally drafted in favour of all minorities in India.

As per the decision of the Advisory Committee of Fundamental Rights, Minorities, etc, held on December 30, 1948, Ambedkar revised the title of the Draft Constitution from “Special Provision relating to minorities” to “Special Provision relating to certain classes.

The following draft articles were piloted and got adopted by Ambedkar to secure political rights for Scheduled Castes and Scheduled Tribes.

### **Reservation of Seats for Scheduled Castes and Scheduled Tribes in the House of People.**

Draft Article 292 (33)

Ambedkar wowed this draft article in the Assembly on August 24, 1949 after revising the contents of the provision in favour of Scheduled Castes and Scheduled Tribes. It is to be borne in mind that this draft article was formerly designed for all minorities in India.

Ambedkar, by embodying this article stated that the Scheduled Castes and Scheduled Tribes were alone entitled for reservation of seats in the House of People but not the other minorities as it was formerly mentioned in Draft Article 292 of Part XIV of the Draft Constitution. Thus the names Muslims, Indian Christian etc who were considered for reservation of seats in the House of People of India in this article were dropped in the revised article introduced by Ambedkar.

He further elucidated that the number of seats for the Scheduled Castes and Scheduled Tribes to the House of people in any state would be in proportion to the total number of the seats allotted to that state in the House of People and the population of the Scheduled Castes and Scheduled Tribes of the State.

Answering the amendment of Hukarn Singh, Ambedkar said at the Scheduled Castes and Scheduled Tribes were also eligible to contest in all general seats though they were given reservation.

In adopting this article Ambedkar had simply reproduced the notification made by the special Sub-Committee the Advisory Committee of the minorities.

### **Reservation of Seats for Scheduled Casts and Scheduled Tribes in Assemblies of the States**

Draft Article 294 (332)

Ambedkar introduced this article as it stood in the Draft Constitution with necessary amendments in favour of Scheduled Castes. The only amendment the defended in this article was the omission of reservation of seats for the Muslim and Christian. As per the provisions incorporated in this article, the seats in the Legislative Assembly could be reserved for the Scheduled Tribes in the state. As per the provision Clause (6) of the articles, no person who was not a member of the Scheduled Tribes of any autonomous district of Assam State, was a reasonable constitutional safeguard to the tribes. Ambedkar adopted this article in accordance with decision of the House.



## Reservation of Seats and Special Representation to cease in ten years.

Draft Article 295A (334)

This article was also piloted by Ambedkar in accordance with the decision of the special sub-committee for the Advisory Committee which was later accepted by the House. This was a slight modification of the original draft article.

While piloting this article on 24<sup>th</sup> August 1949, Ambedkar had to act in the House to please the majority members. This was another occasion when he pivoted the article against his will. He was not convinced with the ten year period of reservation decided for Scheduled Castes. His protest against the period of ten year reservation was already registered by him.

Though he had his personal disagreement with the provision of the article, which specified a ten year period of reservation for the untouchable, he was bound to pilot this article as he was entrusted with the responsibility of shaping the constitution. His farsightedness and statesman like approach had not been taken note of by the Chairman and other of the Constituent Assembly at the time of the registration of protest against the ten year period of reservation.

It is to be mentioned in this connection, that the ten year period of reservation was moved by one Munisami Pillai, a Scheduled Caste member of Madra Province. Later it was unanimously accepted by the Advisory Committee of Fundamental Rights and Minority Committee.

This was a disheartening occasion to Ambedkar to pilot the draft article for ten year reservation for untouchable whereas he was longing for longer period of reservation for them. His foresight in this problem, was later on realized by the members of the Parliament when they extended reservation for untouchables up to 1990 in the subsequent amendments in the Parliament.

Ambedkar, while defending this article, was in a distressed mood, because being the Chairman of the Drafting Committee he had to make the House agree to the ten year period of reservation. But at the same time as champion of the rights of Scheduled Castes, he was bound to reveal the fact that the ten year period would not be enough to improve the conditions of the untouchables. Indeed, it was a unique occasion when he had to play his role in a judicious manner. Placing the interest of the nation above his community he defended the article as the decision was taken in the Advisory Committee.

He also expected that the House would adopt a magnanimous approach on this matter. To quote Ambedkar,

“It (House) would have been quite proper....  
..... generous on the part of the House to have  
given the Scheduled Castes a longer term with  
regard to these reservation”.

His suggestion was also agreeable when he cited the longer period of reservation allotted to other minorities of India. According to Ambedkar, the reservation accorded to Muslims in 1892 had been practically enjoyed by them for more or less sixty years. Similarly the Christians who got the same privilege under the Constitution of 1920 had enjoyed it for 28 years. But the Scheduled Castes were given the benefit of the

reservation only for a few years ie, from 1939 to 1942. Under the above circumstances he stated that the House could have given the untouchables a longer term of reservation.

He then, negative the amendments of the members, which insisted that the reservation provisions of the Scheduled Castes could be altered by a Parliamentary act passed with a simple majority. But at the same time, he insisted that for any change in the policy of reservation, a constitutional amendment should be the requirement.

For those Scheduled Castes members who insisted on reservation for more than ten years, Ambedkar assured that it was possible for them provided they tried for the same through the concerted efforts of the representatives of the Scheduled Castes. His indirect advice to them in this regard was that they should work for further extension of the reservation through their representatives.

Although he preferred a longer period of reservation for the untouchable, he knew well that, he could do nothing against the opinion of those who had been meticulously working, to limit the period of reservation for ten years in the constitution. He was aware of the fact that the century old social disabilities of the untouchables could not be removed with in a limited period of ten years. Whatever might be his individual interest in this issue, he persuaded the House to adopt in for ten years. He was loyal to the Congress party which trusted him to pilot the article for ten year reservation. This was one of the few occasions when he defended the policy of Congress Party, though it was against his commitment to his community.

It is to be concluded in the end that the reservation retained to untouchables, when it was abolished for all other minorities, would have convinced him to pilot the draft article for ten years.

### **The claims of the Scheduled Castes and Scheduled Tribes to Service and Posts**

Draft Article 296 (335)

As per the decision of the Advisory Committee, this draft article was also revised and moved by Ambedkar in such a way to guarantee reservation in the services of the Central and State Governments for the Scheduled Castes.

In order to ensure reservation of seats and posts for the Scheduled Castes alone in the Central and State Governments, Ambedkar substituted the words “the claims of Scheduled Castes and Scheduled Tribes” for the words “Subject to the provisions of the next succeeding articles the claims of minorities” found in the original draft article 296. By adopting this article Ambedkar confirmed that the Scheduled Castes and Scheduled Tribes were considered for reservation of Seats and Posts in the government but not other minorities in India. In this regard he negative the claims of Muslim as claimed by Muslim member; Nassiruddin Ahmad, for reservation in government services as their claim had already been rejected by Advisory Committee on Fundamental Right Committee.

### **Special Officer for Scheduled Castes and Scheduled Tribes**

Draft Article 299 (338)

The draft article 299 (338) was incorporated in the Draft constitution to create a post of Special Officer for minorities for reporting on the measures of the Central and State Governments regarding special political rights

of the minorities. After the abolition of the reservation for all other minorities except the untouchables the provisions of the article 299 was redrafted in such a way to create the special officer's post for reporting on the activities of the Central and State Governments in implementing the reservation in favour of the Scheduled Castes.

Ambedkar, in this article accepted only one special officer to be appointed by the President of India who would function for the Centre as well as for the State governments for reporting the activities of the Centre and State government in implementing their reservation in favour of the Scheduled Castes.

In fact, Ambedkar had sponsored the reservation discussion at the Advisory Committee. One of his avowed aims in safeguarding the rights of the untouchables in the constitution was that their conditions should be brought to the notice of the government by a authority for further action, so that the reservation guaranteed for them could effectively be implemented.

Ambedkar originally suggested that the post of special officer should be equivalent to that of a Auditor and Comptroller General of India but that was not accepted by the Advisory Committee. Similarly, a settlement commission demanded by Ambedkar in his memorandum to settle the problems of Scheduled Castes such as the distribution of waste land, collective farming etc. had not been considered by the Assembly.

It was also the interest of Ambedkar that the benefit of the reservation guaranteed for the betterment of the victims of untouchability should really go to those victims by specifying all those castes and tribes or group thereof, deemed to be Scheduled Castes and Scheduled Tribes.

With the view to specify the beneficiaries of the reservation i.e., Scheduled Castes and Scheduled Tribes, Ambedkar moved the following two amendments in the Constituent Assembly on September 17, 1948 to substitute the sub-clause 'W' of Clause (1) and sub-clause 'X' of Clause (1) of the draft article 303 of the Draft Constitution.

1. " 'W' Scheduled Castes mean sub-castes races or tribes or parts of groups within such casts, races or tribes as are deemed under article 300 A of this Constitution to be Scheduled Castes for the purpose if the Constitution".
2. " 'X' Scheduled Tribes means such Tribes or tribal communities or parts or groups within such tribes or Tribal communities as are deemed under article 300A of this constitution to the Scheduled Tribes for the purpose of the constitution.

Ambedkar's interest in inserting these two articles was to avoid the necessity of burdening the constitution, with list of Scheduled Caste and Scheduled Tribes in the body constitution. With the consent of the House, Ambedkar adopted the provisions which empowered the President of India to issue general notifications in the Gazette specifying all the castes and Tribes or group thereof deemed to be Scheduled Castes and Scheduled Tribes for the purpose of according privileges. He was against the provisions which empowered the President to, eliminate any community from the list of Scheduled Castes. The power of eliminating any community from the list of Scheduled Castes and Scheduled Tribes was not given to the President but to the Parliament of India.

His observation regarding the procedure of eliminating of any community from the list of Scheduled Castes was:

“...Once a notification has been issued by, the President which undoubtedly he will be issuing in consultation with and the advice of the Government of each state, thereafter if any elimination was to be made from the list so notified or any addition was to be made that must be made by the Parliament and not by the President.

He was right in deciding the issue that the authority specified the list of untouchables communities should not be the authority to eliminate them from the list.

## CONCLUSION

Bhim Rao Ramji Ambedkar, was one among a few prominent non-congress leaders in the Constitution Assembly. He represented the untouchables of India in the constitution assembly through his political party-scheduled castes federation of India, from Bengal province. The constituent assembly which constituted a Drafting committee to draft the constitution of India elected Dr. Ambedkar, the member of the Drafting committee on August 29<sup>th</sup> 1947. The drafting committee in its term elected him its chairman in its first meeting held on August 30, 1947. As chairman of the drafting committee, he had ample opportunities to express his view on different aspects of the constitution. His views were seriously discussed, and in fact, were incorporated in different parts of the constitution. Thus, Ambedkar has played a constructive role in the constituent assembly and chairman of the drafting committee. In this context, the present study concentrates on assessing Ambedkar's role in the making of India constitution. Ambedkar's philosophy evolved because he was a victim of all social evils in younger days as well as an acclaimed intellectual. Ambedkarism actually based on the principles of social justice, social democracy, economic democracy and political democracy etc. Ambedkarism is otherwise known as the principles of “Equality, Fraternity, Liberty and the Dignity of Man”. These are the basis of the Indian Constitution. As the chief architect of the Indian constitution, he could be able to incorporate these principles in the constitution. His thought process was more out of his dejection with the inhuman treatment out to his fellow beings by the caste Hindus. Now the country is in the path of establishing justice to all for fulfilling the aspiration of the founding fathers of the Indian constitution. Ambedkarism is being studied as a relevant ideology to understand the real India. His philosophy was more of a practical nature and realistic in its approach, Dr. Ambedkar himself said that philosophy is not purely a theoretic matter. It has practical potentialities. Philosophy has its roots in the problem of life at whatever theories philosophy propounds must return to society as instruments of re-constructing society. This dialectical and pragmatic approach of Dr. Ambedkar could definitely establish him as a theoretician.

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