

PART XIV

Special Provisions Relating to Minorities

Reservation of seats for minorities in the House of the People.

292. Seats shall be reserved in the House of the People for— 5

(a) the Muslim community and the Scheduled Castes;

(b) the scheduled tribes in every State for the time being specified in Part I of the first Schedule; and 10

(c) the Indian Christian community in the States of Madras and Bombay, according to the scale prescribed in sub-clause (b) of clause (5) of article 67 of this Constitution.

Special provisions regarding the representation of the Anglo-Indian community in the House of the People.

293. Notwithstanding anything contained in article 67 of this Constitution, the President may, if he is of opinion that the Anglo-Indian community is not adequately represented in the House of the People, nominate not more than two members of the community to the House of the People. 20

Reservation of seats for minorities in the Legislative Assemblies of the States.

294. (1) Seats shall be reserved for—

(a) the Muslim community, the Scheduled Castes and the scheduled tribes (except the scheduled tribes in the autonomous districts of Assam) in the Legislative Assembly of every State for the time being specified in Part I of the First Schedule; and 25

(b) the Indian Christian community in the Legislative Assemblies of the States of Madras and Bombay, according to the scale prescribed in clause (3) of article 149 of this Constitution. 30

(2) Seats shall be reserved also for the autonomous districts in the Legislative Assembly of the State of Assam. 35

(3) The number of seats reserved for any community in the Legislative Assembly of any State for the time being specified in Part I of the First Schedule shall bear, as nearly as may be, the same proportion 40

to the total number of seats in that Assembly as the population of the community in the State bears to the total population of the State.

Explanation.—All the Scheduled Castes in a State shall be deemed to be a single community for the purposes of this clause and so also all the scheduled tribes in a State. 5

(4) The number of seats reserved for an autonomous district in the Legislative Assembly of the State of Assam shall bear to the total number of 10 seats in that Assembly a proportion not less than the population of the district bears to the total population of the State.

(5) The constituencies for the seats reserved for any autonomous district of the State of Assam shall 15 not comprise any area outside that district.

(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 consti- 20 tuency of that district * [except from the constituency comprising the cantonment and municipality of Shillong].

Special provisions regarding the representation of the Anglo-Indian community in the Legislative Assemblies of the States.

295. Notwithstanding anything contained in 25 article 149 of this Constitution, the Governor of a State may, if he is of opinion that the Anglo-Indian community is not adequately represented in the Legislative Assembly of the State, nominate such number of members of the community to the Legis- 30 lative Assembly as he considers appropriate.

Claims of minority communities to services and posts.

296. Subject to the provisions of the next succeeding article the claims of all minority communities shall be taken into consideration, consistently with the maintenance of efficiency of administration, in 35 the making of appointments to services and posts in connection with the affairs of the Union or of a

* The words within square brackets should be deleted if the words 'excluding the town of Shillong' is retained in item 1 of Part I of the table appended to paragraph 19 of the Sixth Schedule to the Constitution.

State for the time being specified in Part I of the First Schedule.

Special provision for Anglo-Indian community in certain services.

297. (1) During the first two years after the commencement of this Constitution, appointments of members of the Anglo-Indian community to posts in the railway, customs, postal and telegraph services of the Union shall be made on the same basis as immediately before the fifteenth day of August 1947. 5

During every succeeding period of two years, the number of posts reserved for the members of the said community in the said services shall, as nearly as possible, be less by ten per cent than the numbers so reserved during the immediately preceding period of two years: 10

Provided that at the end of ten years from the commencement of this Constitution all such reservations shall cease. 15

(2) Nothing in clause (1) shall bar the appointment of members of the Anglo-Indian community to posts other than, or in addition to, those reserved for the community under that clause if such members are found qualified for appointment on merit as compared with the members of other communities. 20

Special provision with respect to educational grants for the benefit of Anglo-Indian community.

298. During the first three financial years after the commencement of this Constitution, the same grants, if any, shall be made by the Union and by each State for the time being specified in Part I of the First Schedule for the benefit of the Anglo-Indian community in respect of education as were made in the financial year ending on the 31st day of March 1948. 25

During every succeeding period of three years the grants may be less by ten per cent than those for the immediately preceding period of three years:

Provided that at the end of ten years from the commencement of this Constitution, such grants, to the extent to which they are a special concession to the Anglo-Indian community, shall cease: 35

Provided further that no educational institution shall be entitled to receive any grant under this 40

article unless at least forty per cent of the annual admissions therein are made available to members of communities other than the Anglo-Indian community

Special Officers for minorities for the Union and the States.

299. (1) There shall be a Special Officer for minorities for the Union who shall be appointed by the President, and a Special Officer for minorities for each State for the time being specified in Part I of the First Schedule who shall be appointed by the Governor of the State. 5 10

(2) It shall be the duty of the Special Officer for the Union to investigate all matters relating to the safeguards provided for minorities under this Constitution in connection with the affairs of the Union and to report to the President upon the working of the safeguards at such intervals as the President may direct, and the President shall cause all such reports to be laid before Parliament. 15

(3) It shall be the duty of the Special Officer for a State so specified to investigate all matters relating to the safeguards provided for minorities under this Constitution in connection with the affairs of the State and to report to the Governor of the State upon the working of the safeguards at such intervals as the Governor may direct and the Governor shall cause all such reports to be laid before the Legislature of the State. 20 25

Control of the Union over the administration of scheduled areas and welfare of scheduled tribes in States in Part I of the First Schedule.

300. (1) The President may at any time and shall, on the expiration of ten years from the commencement of this Constitution, by order, appoint a Commission to report on the administration of the scheduled areas and the welfare of the scheduled tribes in the States for the time being specified in Part I of the First Schedule. 30

The order may define the composition, powers and procedure of the Commission and may contain such incidental or ancillary provisions as the President may consider necessary or desirable. 35

(2) The executive power of the Union shall extend to the giving of directions to such a State as to the drawing up and execution of schemes specified in the direction to be essential for the welfare of the scheduled tribes in the State. 40

Appointment
of a Com-
mission to
investigate
the condi-
tions of
backward
classes.

301. (1) The President may by order appoint a Commission consisting of such persons as he thinks fit to investigate the conditions of socially and educationally backward classes within the territory of India and the difficulties under which they labour and to make recommendations as to the steps that should be taken by the Union or any State to remove such difficulties and to improve their condition and as to the grants that should be given for the purpose by the Union or any State and the conditions subject to which such grants should be given, and the order appointing such Commission shall define the procedure to be followed by the Commission. 5

(2) A Commission so appointed shall investigate the matters referred to them and present to the President a report setting out the facts as found by them and making such recommendations as they think proper. 15

(3) The President shall cause a copy of the report so presented, together with a memorandum explaining the action taken thereon to be laid before Parliament. 20