

## **1. Constitution (126<sup>th</sup> amendment) bill, 2019**

**Prelims level: Polity and Governance**

**Mains level: GS-II Welfare schemes for vulnerable sections of the population by the Centre and States.**

### **Why in News?**

- The Constitution (126<sup>th</sup> amendment bill), 2019 was introduced recently in the Lok Sabha which seeks to extend the reservation provided to the Scheduled Caste and Scheduled Tribes for another 10 years (i.e. till 2030).

### **Why a New Amendment Bill is Needed?**

- The reservation being provided to the SC, ST and nomination of Anglo-Indians in Lok Sabha and state Legislatures under article 334 is about to end by January 25, 2020. The new bill is introduced to continue the reservation of seats for another 10 years (that is till January, 25, 2030).
- Since the amendment involves the changes in Art 334, a constitutional Amendment bill under Art 368 has been introduced.

### **Key Features of the Bill:**

- The bill provides for the extension of reservations for the SC and ST for the next years (i.e. till 2030) in Lok Sabha and state legislatures. This bill does this by amending the Article 334.
- But the bill does not provide for the nomination of Anglo-Indians in legislatures. This means that nomination of Anglo-Indians will effectively end by Jan 25, 2020.
- The reason given by the government for this is the very minimal strength of Anglo-Indian citizens in India (only 296 members).

### **Current Reservation Scenario:**

- The population of Scheduled Castes and Scheduled Tribes in India in percentage terms is 16.2% and 8.2% as per 2011 census.
- Currently, Reserved Seats for SC in Lok Sabha: 84. Reserved Seats for ST in Lok Sabha: 47
- Allocation of seats for Scheduled Castes and Scheduled Tribes in the Lok Sabha are made on the basis of proportion of Scheduled Castes and Scheduled Tribes in the State concerned to that of the total population.
- Out of 545 seats in Lok Sabha, 2 seats have been reserved for Anglo Indians through Nominations.

## Background Information:

### About Article 334:

- Article 334 of the Indian Constitution lays down that the provisions for reservation of seats and special representation of Anglo-Indians, SC and ST in Central and state legislatures.
- Article 334 of the Indian Constitution had originally required the reservation of elected seats to cease in 1960 (only for 10 years after the commencement of constitution), but this was extended to 1970 by the 8th Amendment.
- The period of reservation was then extended successively till 1980, 1990, 2000 and 2010 by the 23<sup>rd</sup>, 45<sup>th</sup>, 62<sup>nd</sup> and 79<sup>th</sup> Amendments respectively. Finally the 95<sup>th</sup> Amendment extended the period of reservation to 2020.

### Ninety-fifth constitutional Amendment Act:

- The Ninety-fifth Amendment of the Constitution of India, 2009, extended the period of reservation of seats for the Scheduled Castes and Scheduled Tribes and representation of the Anglo-Indians in the Lok Sabha and the State Legislative Assemblies for another ten years, i.e. up to 26 January 2020.

### The full text of Article 334 of the Constitution, after the 95th Amendment, is given below:

- Notwithstanding anything in the foregoing provisions of this Part [Part XVI], the provisions of this Constitution relating to—
  - a) The **reservation** of seats for the Scheduled Castes and the Scheduled Tribes in the House of the People and in the Legislative Assemblies of the States; and
  - b) The representation of the Anglo Indian community in the House of the People and in the Legislative Assemblies of the States by **nomination**, shall cease to have effect on the expiration of **a period of Seventy Years** from the commencement of this Constitution.