

Indian Polity Notes Part 20 in English

20. Special Provisions Relating to Certain Classes

- In order to realise the objectives of equality and justice as laid down in the Preamble, the Constitution makes special provisions for the scheduled castes (SCs), the scheduled tribes (STs), the backward classes (BCs) and the Anglo-Indians.
- These special provisions are contained in Part XVI of the

Constitution from Articles 330 to 342. They are related to the following:

- Reservation in Legislatures
- Special Representation in Legislatures
- Reservation in Services and Posts
- Educational Grants
- Appointment of National Commissions
- Appointment of Commissions of Investigation

These special provisions can be classified into the following broad categories:

- Permanent and Temporary – Some of them are a permanent feature of the Constitution, while some others continue to operate only for a specified period.
- Protective and Developmental – Some of them aim at protecting these classes from all forms of injustice and exploitation, while some others aim at promoting their socio-economic interests.

Specification of Classes:

- The Constitution does not specify the castes or tribes which are to be called the SCs or the STs.
- It leaves to the President the power to specify as to what castes or tribes in each state and union territory are to be treated as the SCs and STs.
- Thus, the lists of the SCs or STs vary from state to state and union territory to union territory.
- In case of the states, the President issues the notification after consulting the governor of the state concerned.
- But, any inclusion or exclusion of any caste or tribe from Presidential notification can be done only by the Parliament and not by a subsequent Presidential notification.
- Presidents have issued several orders specifying the SCs and STs in different states and union territories and these have also been amended by the Parliament.
- Similarly, the Constitution has neither specified the BCs nor used a single uniform expression to characterise the BCs.

- The expression 'BCs' means such backward classes of citizens other than the SCs and the STs as may be specified by the Central Government.
- Thus the expression 'BCs' in this context means the 'Other Backward Classes' (OBCs) as the SCs and STs are also backward classes of citizens.
- Unlike in the case of SCs, STs and OBCs, the Constitution has defined the persons who belong to the Anglo-Indian community.
- Accordingly, 'an Anglo-Indian means a person whose father or any of whose other male progenitors in the male line is or was of European descent but who is domiciled within the territory of India and is or was born within such territory of parents habitually resident therein and not established there for temporary purposes only'.

Articles:

- **Article 330** Reservation of seats for scheduled castes and scheduled tribes in the House of the people
- **Article 331** Representation of the Anglo-Indian community in the House of the people
- **Article 332** Reservation of seats for scheduled castes and scheduled tribes in the legislative assemblies of the states
- **Article 333** Representation of the Anglo-Indian community in the legislative assemblies of the states
- **Article 334** Reservation of seats and special representation to cease after seventy years
- **Article 335** Claims of scheduled castes and scheduled tribes to services and posts
- **Article 336** Special provision for Anglo-Indian community in certain services
- **Article 337** Special provision with respect to educational grants for the benefit of Anglo-Indian community.
- **Article 338** National Commission for scheduled castes
- **Article 338A** National Commission for scheduled tribes
- **Article 339** Control of the Union over the administration of scheduled areas and the welfare of scheduled tribes
- **Article 340** Appointment of a commission to investigate the conditions of backward classes
- **Article 341** Scheduled castes
- **Article 342** Scheduled tribes