

Constitution of India

Chapter 2 - Public Service Commission

(1) Subject to the provisions of this article, there shall be a Public Service Commission for the Union and a Public Service Commission for each State.

(2) Two or more States may agree that there shall be one Public Service Commission for that group of States, and if a resolution to that effect is passed by the House or, where there are two Houses, by each House of the Legislature of each of those States, Parliament may by law provide for the appointment of a Joint State Public Service Commission (referred to in this Chapter as Joint Commission) to serve the needs of those States,

(3) Any such law as aforesaid may contain such incidental and consequential provisions as may be necessary or desirable for giving effect to the purposes of the law.

(4) The Public Service Commission for the Union, if requested so to do by the Governor 1[***] of a State, may, with the approval of the President, agree to serve all or any of the needs of the State.

(5) References in this Constitution to the Union Public Service Commission or a State Public Service Commission shall, unless the context otherwise requires, be construed as references to the Commission serving the needs of the Union or, as the case may be, the State as respects the particular matter in question.

1. The words "or the Rajpramukh" omitted by the Constitution (Seventh Amendment) Act, 1956, section 29 and Schedule.

Article 316 - Appointment and term of office of members

(1) The Chairman and other members of a Public Service Commission shall be appointed, in the case of the Union Commission or a Joint Commission, by the President, and in the case of a State Commission, by the Governor 1 [***] of the State:

Provided that as nearly as may be one-half of the members of every Public Service Commission shall be persons who at the dates of their respective appointments have held office for at least ten years either under the Government of India or under the Government of a State, and in computing the said period of ten years any period before the commencement of this Constitution during which a person has held office under the Crown in India or under the Government of an Indian State shall be included.

2 [(1A). If the office of the Chairman of the Commission becomes vacant or if any such Chairman is by reason of absence or for any other reason unable to perform the duties of his office, those duties shall, until some persons appointed under clause (1) to the vacant office has entered on the duties thereof or, as the case may be, until the Chairman has resumed his duties, be performed by such one of the other members of the Commission as the President, in the case of the Union Commission or a Joint Commission, and the Governor of the State in the case of a State in the case of a State Commission, may appoint for the purpose]

(2) A member of a Public Service Commission shall hold office for a term of six years from the date on which he enters upon his office or until he attains, in the case of the Union Commission, the age of sixty-five years, and in the case of a State Commission or a Joint Commission, the age of 3 [sixty-two years], whichever is earlier:

Provided that--

(a) a member of a Public Service Commission may, by writing under his hand addressed, in the case of the Union Commission or a Joint Commission, to the President, and in the case of a State Commission, to the Governor 1 [***] of the State, resign his office;

(b) a member of a Public Service Commission may be removed from his office in the manner provided in clause (1) or clause (3) of article 317.

(3) A person who holds office as a member of a Public Service Commission shall, on the expiration of his term of office, be ineligible for re-appointment to that office.

1. The words "or the Rajpramukh" omitted by the Constitution (Seventh Amendment) Act, 1956 section 29 and Schedule.

2. Inserted by the Constitution (Fifteenth Amendment) Act, 1963, section 11.

3. Substituted by the Constitution (Forty-first Amendment) Act, 1976, section 2 for "sixty years."

Article 317 - Removal and suspension of member of a Public Service Commission

(1) Subject to the provisions of clause (3), the Chairman or any other member of a Public Service Commission shall only be removed from his office by order of the President on the ground of misbehaviour after the Supreme Court, on reference being made to it by the President, has, on inquiry held in accordance with the procedure prescribed in that behalf under article 145, reported that the Chairman or such other member, as the case may be, ought on any such ground to be removed.

(2) The President, in the case of the Union Commission or a Joint Commission, and the Governor 1 [***] in the case of a State Commission, may suspend from office the Chairman or any other member of the Commission in respect of whom a reference has been made to the Supreme Court under clause (1) until the President has passed orders on receipt of the report of the Supreme Court on such reference.

(3) Notwithstanding anything in clause (1), the President may by order remove from office the Chairman or any other member of a Public Service Commission if the Chairman or such other member, as the case may be,--

(a) is adjudged an insolvent; or

(b) engages during his term of office in any paid employment outside the duties of his office; or

(c) is, in the opinion of the President, unfit to continue in office by reason of infirmity of mind or body.

(4) If the Chairman or any other member of a Public Service Commission is or becomes in any way concerned or interested in any contract or agreement made by or on behalf of the Government of India or the Government of a State or participates in any way in the profit thereof or in any benefit or emolument arising therefrom otherwise than as a member and in common with the other members of an incorporated company, he shall, for the purposes of clause (1), be deemed to be guilty of misbehaviour.

1. The words "or the Rajpramukh" omitted by the Constitution (Seventh Amendment) Act, 1956, section 29 and Schedule.

Article 318 - Power to make regulations as to conditions of service of members and staff of the Commission

In the case of the Union Commission or a Joint Commission, the President and, in the case of a State Commission, the Governor^[***] of the State may by regulations-

- (a) determine the, number of members of the Commission and their conditions of service; and
- (b) make provision with respect to the number of members of the staff of the Commission and their conditions of service:

Provided that the conditions of service of a member of a Public Service Commission shall not be varied to his disadvantage after his appointment.

1. The words "or the Rajpramukh" omitted by the Constitution (Seventh Amendment) Act, 1956 section 29 and Schedule.

Article 319 - Prohibition as to the holding of offices by members of Commission on ceasing to be such members

On ceasing to hold office--

- (a) the Chairman of the Union Public Service Commission shall be ineligible for further employment either under the Government of India or under the Government of a State;
 - (b) the Chairman of a State Public Service Commission shall be eligible for appointment as the Chairman or any other member of the Union Public Service Commission or as the Chairman of any other State Public Service Commission, but not for any other employment either under the Government of India or under the Government of a State;
 - (c) a member other than the Chairman of the Union Public Service Commission shall be eligible for appointment as the Chairman of the Union Public Service Commission or as the Chairman of a State Public Service Commission, but not for any other employment either under the Government of India or under the Government of a State;
 - (d) a member other than the Chairman of a State Public Service Commission shall be eligible for appointment as the Chairman or any other member of the Union Public Service Commission or as the Chairman of that or any other State Public Service Commission, but not for any other employment either under the Government of India or under the Government of a State.
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Article 320 - Functions of Public Service Commissions

(1) It shall be the duty of the Union and the State Public Service Commissions to conduct examinations for appointments to the services of the Union and the services of the State respectively.

(2) It shall also be the duty of the Union Public Service Commission, if requested by any two or more States so to do, to assist those States in framing and operating schemes of joint recruitment for any services for which candidates possessing special qualifications are required.

(3) The Union Public Service Commission or the State Public Service Commission, as the case may be, shall be consulted--

(a) on all matters relating to methods of recruitment to civil services and for civil posts;

(b) on the principles to be followed in making appointments to civil services and posts and in making promotions and transfers from one service to another and on the suitability of candidates for such appointments, promotions or transfers;

(c) on all disciplinary matters affecting a person serving under the Government of India or the Government of a State in a civil capacity, including memorials or petitions relating to such matters;

(d) on any claim by or in respect of a person who is serving or has served under the Government of India or the Government of a State or under the Crown in India or under the Government of an Indian State, in a civil capacity, that any costs incurred by him in defending legal proceedings instituted against him in respect of acts done or purporting to be done in the execution of his duty should be paid out of the Consolidated Fund of India, or, as the case may be, out of the Consolidated Fund of the State;

(e) on any claim for the award of a pension in respect of injuries sustained by a person while serving under the Government of India or the Government of a State or under the Crown in India or under the Government of an Indian State, in a civil capacity, and any question as to the amount of any such award,

and it shall be the duty of a Public Service Commission to advise on any matter so referred to them and on any other matter which the President, or, as the case may be, the Governor¹ of the State, may refer to them:

Provided that the President as respects the all-India services and also as respects other services and posts in connection with the affairs of the Union, and the Governor² as respects other services and posts in connection with the affairs of a State, may make regulations specifying the matters in which either generally, or in any particular class of case or in any particular circumstances, it shall not be necessary for a Public Service Commission to be consulted.

(4) Nothing in clause (3) shall require a Public Service Commission to be consulted as respects the manner in which any provision referred to in clause (4) of article 16 may be made or as respects the manner in which effect may be given to the provisions of article 335 .

(5) All regulations made under the proviso to clause (3) by the President or the Governor¹ of a State shall be laid for not less than fourteen days before each House of Parliament or the House or each House of the Legislature of the State, as the case may be, as soon as possible after they are made, and shall be subject to such modifications, whether by way of repeal or amendment, as both Houses of Parliament or the House or both Houses of the Legislature of the State may make during the session in which they are so laid.

1. The words "or Rajpramukh" omitted by the Constitution (Seventh Amendment) Act, 1956, section 29 and Schedule.

2. The words "or Rajpramukh" as the case may be" omitted by the Constitution (Seventh Amendment) Act, 1956, section 29 and Schedule .

Article 321 - Power to extend functions of Public Service Commissions

An Act made by Parliament or, as the case may be, the Legislature of a State may provide for the exercise of additional functions by the Union Public Service Commission or the State Public Service Commission as respects the services of the Union or the State and also as respects the services of any

local authority or other body corporate constituted by law or of any public institution.

Article 322 - Expenses of Public Service Commissions

The expenses of the Union or a State Public Service Commission, including any salaries, allowances and pensions payable to or in respect of the members or staff of the Commission, shall be charged on the Consolidated Fund of India or, as the case may be, the Consolidated Fund of the State.

Article 323 - Reports of Public Service Commissions

(1) It shall be the duty of the Union Commission to present annually to the President a report as to the work done by the Commission and on receipt of such report the President shall cause a copy thereof together with a memorandum explaining, as respects the cases, if any, where the advice of the Commission was not accepted, the reason for such non-acceptance to be laid before each House of Parliament.

(2) It shall be the duty of a State Commission to present annually to the Governor¹ of the State a report as to the work done by the Commission, and it shall be the duty of a Joint Commission to present annually to the Governor¹ of each of the States the needs of which are served by the Joint Commission a report as to the work done by the Commission in relation to that State, and in either case the Governor² shall, on receipt of such report, cause a copy thereof together with a memorandum explaining, as respects the cases, if any, where the advice of the Commission was not accepted, the reasons for such non-acceptance to be laid before the Legislature of the State.

1. The words "or the Rajpramukh" omitted by the Constitution (Seventh Amendment) Act, 1956, section 29 and Schedule.

2. The words "or the Rajpramukh" as the case may be" omitted by the Constitution (Seventh Amendment) Act, 1956, section 29 and Schedule.

CONSTITUTION OF INDIA Part 14A - TRIBUNALS

1[PART XIV A

TRIBUNALS

1. Inserted by the Constitution (Forth-second Amendment) Act, 1976, section 46 (w.e.f. 3-1-1977).

Article 323A - Administrative tribunals

Parliament may, by law, provide for the adjudication or trial by administrative tribunals of disputes and complaints with respect to recruitment and conditions of service of persons appointed to public services and posts in connection with the affairs of the Union or of any State or of any local or other authority within the territory of India or under the control of the Government of India or of any corporation owned or controlled by the Government.

(2) A law made under clause (1) may--

(a) provide for the establishment of an administrative tribunal for the Union and a separate administrative tribunal for each State or for two or more States;

(b) specify the jurisdiction, powers (including the power to punish for contempt) and authority which may be exercised by each of the said tribunals;

(c) provide for the procedure (including provisions as to limitation and rules of evidence) to be followed by the said tribunals;

(d) exclude the jurisdiction of all courts, except the jurisdiction of the Supreme Court under article 136, with respect to the disputes or complaints referred to in clause (1);

(e) provide for the transfer to each such administrative tribunal of any cases pending before any court or other authority immediately before the establishment of such tribunal as would have been within the jurisdiction of such tribunal if the cause of action on which such suits or proceedings are based had arisen after such establishment;

(f) repeal or amend any order made by the President under clause (3) of article 371D;

(g) contain such supplemental, incidental and consequential provisions (including provisions as to fees) as Parliament may deem necessary for the effective functioning of, and for the speedy disposal of cases by, and the enforcement of the orders of, such tribunals.

(3) The provisions of this article shall have effect notwithstanding anything in any other provision of this Constitution or in any other law for the time being in force.

Article 323B - Tribunals for other matters

(1) The appropriate Legislature may, by law, provide for the adjudication or trial by tribunals of any disputes, complaints, or offences with respect to all or any of the matters specified in clause (2) with respect to which such Legislature has power to make laws.

(2) The matters referred to in clause (1) are the following, namely

(a) levy, assessment, collection and enforcement of any tax;

(b) foreign exchange, import and export across customs frontiers;

(c) industrial and labour disputes;

(d) land reforms by way of acquisition by the State of any estate as defined in article 31A or of any rights therein or the extinguishment or modification of any such rights or by way of ceiling on agricultural land or in any other way;

(e) ceiling on urban property;-

(f) elections to either House of Parliament or the House or either House of the Legislature of a State, but excluding the matters referred to in article 329 and article 329A;

(g) production, procurement, supply and distribution of foodstuffs (including edible oilseeds and oils) and such other goods as the President may, by public notification, declare to be essential goods for the purpose of this article and control of prices of such goods;

1 [(h) rent, its regulation and control and tenancy issues including the rights, title and interest of landlords and tenants--.,]

2 [(i) offences against laws with respect to any of the matters specified in sub-clause (a) to 3 [(h)] and fees in respect of any of those matters;

2 [(j) any mailer incidental to any of the matters specified in sub-clause (a) to 4 [(i)].

(3) A law made under clause (1) may--

(a) provide for the establishment of a hierarchy of tribunals;

(b) specify the jurisdiction, powers (including the power to punish for contempt) and authority which may be exercised by each of the said tribunals;

(c) provide for the procedure (including provisions as to limitation and rules of evidence) to be followed by the said tribunals;

(d) exclude the jurisdiction of all courts except the jurisdiction of the Supreme Court under article 136 with respect to all or any of the matters falling within the jurisdiction of the said tribunals;

(e) provide for the transfer to each such tribunal of any cases pending before any court or any other authority immediately before the establishment of such tribunal as would have been within the jurisdiction of such tribunal if the causes of action on which such suits or proceedings are based had arisen after such establishment;

(f) contain such supplemental, incidental and consequential provisions (including provisions as to fees) as the appropriate Legislature may deem necessary for the effective functioning of, and for the speedy disposal of cases by, and the enforcement of the orders of, such tribunals.

(4) The provisions of this article shall have effect notwithstanding anything in any other provision of this Constitution or in any other law for the time being in force.

Explanation--In this article, "appropriate Legislature", in relation to any matter, means Parliament or, as the case may be, a State Legislature competent to make laws with respect to such matter in accordance with the provisions of Part XI.]

1. Inserted by the Constitution (Seventy-fifty Amendment) Act, 1993, section 2 (w.e.f. 15-5-1994).

2. Sub-clauses (h) and (i) relettered as sub-clauses (i) and (j) by the Constitution (Seventy-fifth Amendment) Act, 1993, section 2, (w.e.f. 15-5-1994).

3. Substituted by the Constitution (Seventy-fifth Amendment) Act, 1993, section 2, for "(g)" (w.e.f. 15-5-1994).

4. Substituted by the Constitution (Seventy-fifth Amendment) Act, 1993, section 2, for "(h)" (w.e.f. 15-5-1994).

CONSTITUTION OF INDIA Part 15 - ELECTIONS

Article 324 - Superintendence, direction and control of elections to be vested in an Election Commission

(1) The superintendence, direction and control of the preparation of the electoral rolls for, and the conduct of, all elections to Parliament and to the Legislature of every State and of elections to the offices of President and Vice-President held under this Constitution 1 [***] shall be vested in a Commission (referred to in this Constitution as the Election Commission).

(2) The Election Commission shall consist of the Chief Election Commissioner and such number of other Election Commissioners, if any, as the President may from time to time fix and the appointment of the Chief Election Commissioner and other Election Commissioners shall, subject to the provisions of any law made in that behalf by Parliament, be made by the President.

(3) When any other Election Commissioner is so appointed the Chief Election Commissioner shall act as the Chairman of the Election Commission.

(4) Before each general election to the House of the People and to the Legislative Assembly of each State, and before the first general election and thereafter before each biennial election to the Legislative Council of each State having such Council, the President may also appoint after consultation with the Election Commission such Regional Commissioners as he may consider necessary to assist the Election Commission in the performance of the functions conferred on the Commission by clause (1).

(5) Subject to the provisions of any law made by Parliament, the conditions of service and tenure of office of the Election Commissioners and the Regional Commissioners shall be such as the President may by rule determine:

Provided that the Chief Election Commissioner shall not be removed from his office except in like manner and on the like grounds as a Judge of the Supreme Court and the conditions of service of the Chief Election Commissioner shall not be varied to his disadvantage after his appointment:

Provided further that any other Election Commissioner or a Regional Commissioner shall not be removed from office except on the recommendation of the Chief Election Commissioner.

(6) The President, or the Governor [2](#) [***] of a State, shall, when so requested by the Election Commission, make available to the Election Commission or to a Regional Commissioner such staff as may be necessary for the discharge of the functions conferred on the Election Commission by clause (1).

1. Certain words omitted by the Constitution (Nineteenth Amendment) Act, 1966, section 2 (w.e.f. 11-12-1966).

2. The words "or the Rajpramukh" omitted by the Constitution (Seventh Amendment) Act, 1956, section 29 and Schedule.

Article 325 - No person to be ineligible for inclusion in, or to claim to be included in a special, electoral roll on grounds of religion, race, caste or sex

There shall be one general electoral roll for every territorial constituency for election to either House of Parliament or to the House or either House of the Legislature of a State and no person shall be ineligible for inclusion in any such roll or claim to be included in any special electoral roll for any such constituency on grounds only of religion, race, caste, sex or any of them.

Article 326 - Elections to the House of the People and to the Legislative Assemblies of States to be on the basis of adult suffrage

The elections to the House of the People and to the Legislative Assembly of every State shall be on the basis of adult suffrage; that is to say, every person who is a citizen of India and who is not less than [1](#)[eighteen years] of age on such date as may be fixed in that behalf by or under any law made by the appropriate Legislature and is not otherwise disqualified under this Constitution or any law made by the appropriate Legislature on the ground of non-residence, unsoundness of mind, crime or corrupt or illegal practice, shall be entitled to be registered as a voter at any such election.

1. Substituted by the Constitution (Sixty-first Amendment) Act, 1988, section 2, for "twenty-one years" (w.e.f. 28-3-1989).

Article 327 - Power of Parliament to make provision with respect to elections to Legislatures

Subject to the provisions of this Constitution, Parliament may from time to time by law make provision with respect to all matters relating to, or in Connection with, elections to either House of Parliament or to the House or either House of the Legislature of a State including the preparation of electoral rolls, the delimitation of constituencies and all other matters necessary for securing the due constitution of such House or Houses.

Article 328 - Power of Legislature of a State to make provision with respect to elections to such Legislature

Subject to the provisions of this Constitution and in so far as provision in that behalf is not made by Parliament, the Legislature of a State may from time to time by law make provision with respect to all matters relating to, or in connection with, the elections to the House or either House of the Legislature of the State including the preparation of electoral rolls and all other matters necessary for securing the due constitution of such House or Houses.

Article 329 - Bar to interference by courts in electoral matters

1[Notwithstanding anything in this Constitution2[***]]

(a) the validity of any law relating to the delimitation of constituencies or the allotment of seats to such constituencies, made or purporting to be made under article 327 or article 328, shall not be called in question in any court;

(b) no election to either House of Parliament or to the House or either House of the Legislature of a State shall be called in question except by an election petition presented to such authority and in such manner as may be provided for by or under any law made by the appropriate Legislature.

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1. Substituted by the Constitution (Thirty-ninth Amendment) Act, 1975, section 3, for certain words.
 2. The words, figures and letter "but subject to the provisions of article 329A" omitted by the Constitution (Forty-Fourth Amendment) Act, 1978 section 35 (w.e.f. 20.6.1979).
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Article 329A - Special provision as to elections to Parliament in the case of Prime Minister and Speaker [Repealed]

1[**329A. Special provision as to elections to Parliament in the case of Prime Minister and Speaker**

[Rep. by the Constitution (Forty-fourth Amendment) Act, 1978, section 36 (w.e.f. 20-6-1979)]]

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1. Inserted by the Constitution (Thirty-ninth Amendment) Act, 1975, section 4.
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CONSTITUTION OF INDIA Part 16 - SPECIAL PROVISIONS RELATING TO CERTAIN CLASSES

Article 330 - Reservation of seats for Scheduled Castes and Scheduled Tribes in the House of the People

(1) Seats shall be reserved in the House of the People for-

(a) the Scheduled Castes;

1 [(b) the Scheduled Tribes except the Scheduled Tribes in the autonomous districts of Assam; and]

(c) the Scheduled Tribes in the autonomous districts of Assam.

(2) The number of seats reserved in any State 2 [or Union territory] for the Scheduled Castes or the Scheduled Tribes under clause (1) shall bear, as nearly as may be, the same proportion to the total number of seats allotted to that State 3 [or Union territory] in the House of the People as the population of the Scheduled Castes in the State 2 [or Union territory] or of the Scheduled Tribes in the State [or Union territory] or part of the State 2 [or Union territory], as the case may be, in respect of which seats are so reserved, bears to the total population of the State 2 [or Union territory].

4 [(3) Notwithstanding anything contained in clause (2), the number of seats reserved in the House of the People for the Scheduled Tribes in the autonomous districts of Assam shall bear to the total number of seats allotted to that State a proportion not less than the population of the Scheduled Tribes in the said autonomous districts bears to the total population of the State.]

5 [Explanation-- In this article 332, the expression "population" means the population as ascertained at the last preceding census of which the relevant figures have been published:

Provided that the reference in this Explanation to the last preceding census of which the relevant figures have been published shall, until the relevant figures for the first census taken after the year 6 [2026] have been published, be construed as a reference to the 7 [2001] census.]

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1. Substituted by the Constitution (Fifty-first Amendment) Act, 1984, section 2 for sub-clause (b) (w.e.f. 16-6-1986).
 2. Inserted by the Constitution (Seventh Amendment) Act, 1956, section 29 and Schedule.
 3. Inserted by the Constitution (Thirty-first Amendment) Act, 1973, section 3 (w.e.f. 17.10.1973).
 4. Inserted by the Constitution (Fourty-second Amendment) Act, 1976, section 47 (w.e.f. 3-1-1977).
 5. Substituted by the Constitution (Eighty Forth Amendment) Act, 2001 section 6 for "2000" (w.e.f. 21-2-2002).
 6. Substituted by the Constitution (Eighty Forth Amendment) Act, 2001 section 6 for "1971" (w.e.f. 21-2-2002) and again substituted by the Constitution (Eighty-seventh Amendment) Act, 2003, for '1991' (w.e.f. 22-6-2003).
 7. Substituted for "[1991]" by the Constitution (Eighty-Seventh Amendment) Act, 2003 w.e.f. 22.06.2003.

Article 331 - Representation of the Anglo-Indian community in the House of the People

Notwithstanding anything in article 81, 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 that community to the House of the People.

Article 332 - Reservation of seats for Scheduled Castes and Scheduled Tribes in the Legislative Assemblies of the State

(1) Seats shall be reserved for the Scheduled Castes and the Scheduled Tribes,¹[except the Scheduled Tribes in the autonomous districts of Assam], in the Legislative Assembly of every State²[***].

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

(3) The number of seats reserved for the Scheduled Castes or the Scheduled Tribes in the Legislative Assembly of any State under clause (1) shall bear, as nearly as may be, the same proportion to the total number of seats in the Assembly as the population of the Scheduled Castes in the State or of the Scheduled Tribes in the State or part of the State, as the case may be, in respect of which seats are so reserved bears to the total population of the State.

³[(3 A) Notwithstanding anything contained in clause (3), until the taking effect, under article 170 , of the re-adjustment, on the basis of the first census after the year⁴[2026] , of the number of seats in the Legislative Assemblies of the States of Arunachal Pradesh, Meghalaya, Mizoram and Nagaland, the seats which shall be reserved for the Scheduled Tribes in the Legislative Assembly of any such State shall be--

(a) if all the seats in the Legislative Assembly of such State in existence on the date of coming into force of the Constitution (Fifty-seventh Amendment) Act, 1987 (hereafter in this clause referred to as the existing Assembly) are held by members of the Scheduled Tribes, all the seats except one;

(b) in any other case, such number of seats as bears to the total number of seats, a proportion not less than the number (as on the said date) of members belonging to the Scheduled Tribes in the existing Assembly bears to the total number of seats in existing Assembly.]

⁵[(3B) Notwithstanding anything contained in clause (3), until the re-adjustment, under article 170 , takes effect on the basis of the first census after the year⁴[2026] , of the number of seats in the Legislative Assembly of the State of Tripura, the seats which shall be reserved for the Scheduled Tribes in the legislative Assembly, shall be, such number of seats as bears to the total number of seats, a proportion not less than the number, as on the date of coming into force of the Constitution (Seventy-second Amendment) Act, 1992 , of members belonging to the Scheduled Tribes in the Legislative Assembly in existence on the said date bears to the total number of seats in that Assembly.]

(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 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 Assam shall not comprise any area outside that district⁶[***].

(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 constituency of that district⁶[***].

⁷[Provided that for elections to the Legislative Assembly of the State of Assam, the representation of the Scheduled Tribes and non-Scheduled Tribes in the constituencies included in the B odoland Territorial Areas District, so notified, and existing prior to the constitution of the B odoland Territorial Areas District, sh all be maintained.]

1. Substituted by the Constitution (Fifty-first Amendment) Act, 1984, section 3, for certain words (w.e.f. 16-6-1986).

2. The words and letters "specified in Part A or Part B of the First schedule" omitted by the Constitution (Seventh Amendment) Act, 1956, section 29 and Schedule.
3. Inserted by the Constitution (Fifty-seventh Amendment) Act, 1987, section 2 (w.e.f. 21-9-1987).
4. Substituted by the Constitution (Eighty-fourth Amendment) Act, 2001, section 7, for "2000" (w.e.f. 21-02-2002).
5. Inserted by the Constitution (Seventy-second Amendment) Act, 1992, section 2 (w.e.f. 5-12-1992).
6. Certain words omitted by the North-Eastern Areas (Reorganisation) Act, 1971 (81 of 1971), section 71(i) (w.e.f. 21-1-1972).
7. Inserted by Constitution (Ninetieth Amendment) Act, 2003, section 2 (w.e.f. 28-9-2003).

Article 333 - Representation of the Anglo-Indian community in the Legislative Assemblies of the States

Notwithstanding anything in article 170, the Governor 1[***] of a State may, if he is of opinion that the Anglo-Indian community needs representation in the Legislative Assembly of the State and is not adequately represented therein, 2[nominate one member of that community to the Assembly].

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1. The words "or the Rajpramukh" omitted by the Constitution (Seventh Amendment) Act, 1956 section 29 and Schedule.
 2. Substituted by the Constitution (Twenty-third Amendment) Act, 1969, section 4, for "nominate such number of members of the community to the assembly as he considers appropriate". (w.e.f. 23-1-1970).

Article 334 - Reservation of seats and special representation to cease after sixty years

334. Reservation of seats and special representation to cease after 1[sixty years]

Notwithstanding anything in the foregoing provisions of this Part, the provisions of 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 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 2[seventy years] from the commencement of this Constitution:

Provided that nothing in this article shall affect any representation in the House of the People or in the Legislative Assembly of a State until the dissolution of the then existing House or Assembly, as the case may be.

1. Substituted by the Constitution (Sixty-second Amendment) Act, 1989, section 2, for "forty years" (w.e.f.20-12-1989), and again substituted by the Constitution (Seventy-ninth Amendment) Act, 1999, section 2 for "fifty years" (w.e.f. 25-1-2000).

2. Substituted by the Constitution (Ninety-Fifth Amendment) Act, 2009 effective from 25.01.2010 previous text was:- "1[sixty years]"

Article 335 - Claims of Scheduled Castes and Scheduled Tribes to services and posts

The claims of the members of the Scheduled Castes and the Scheduled Tribes shall be taken into consideration, consistently with the maintenance of efficiency of administration, in the making of appointments to services and posts in connection with the affairs of the Union or of a State:

1 [Provided that nothing in this article shall prevent in making of any provision in favour of the members of the Scheduled Castes and the Scheduled Tribes for relaxation in qualifying marks in any examination or lowering the standards of evaluation, for reservation in matters of promotion to any class or classes of services or posts in connection with the affairs of the Union or of a State.]

1. Inserted by the Constitution (Eighty-second Amendment) Act, 2000, section 2 (w.e.f. 8-9-2000).

Article 336 - Special provision for Anglo-Indian community in certain services

(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.

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:

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

(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.

Article 337 - Special provision with respect to educational grants for the benefit of Anglo-Indian community

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 1 [***] for the benefit of the Anglo-Indian community in respect of education as were made in the financial year ending on the thirty-first day of March, 1948 .

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:

Provided further that no educational institution shall be entitled to receive any grant under this article unless at least forty per cent of annual admissions therein are made available to members of communities other than the Anglo-Indian community.

1. The words and letters "specified in Part A or Part B of the First Schedule" omitted by the Constitution (Seventh Amendment) Act, 1956, section 29 and Schedule.

Article 338 - National Commission for Scheduled Castes

1 [338. National Commission for Scheduled Castes]

2 3 (1) There shall be a Commission for the Scheduled Castes to be known as the National Commission for the Scheduled Castes.

(2) Subject to the provisions of any law made in this behalf by Parliament, the Commission shall consist of a Chairperson, Vice-Chairperson and three other Members and the conditions of service and tenure of office of the Chairperson, Vice-Chairperson and other Members so appointed shall be such as the President may by rule determine.]

(3) The Chairperson, Vice-Chairperson and other Members of the Commission shall be appointed by the President by warrant under his hand and seal.

(4) The Commission shall have the power to regulate its own procedure.

(5) It shall be the duty of the Commission--

(a) to investigate and monitor all matters relating to the safeguards provided for the Scheduled Castes 4 [***] under this Constitution or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards;

(b) to inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Castes 4 [***];

(c) to participate and advise on the planning process of socio-economic development of the Scheduled Castes 4 [***] and to evaluate the progress of their development under the Union and any State; the Scheduled Castes 4 [***] and to evaluate the progress of their development under the Union and any State;

(d) to present to the President, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards; deem fit, reports upon the working of those safeguards;

(e) to make in such reports recommendations as to the measures that should be taken by the Union or any State for the effective implementation of those safeguards and other measures for the protection, welfare and socio-economic development of the Scheduled Castes 4 [***]; and

(f) to discharge such other functions in relation to the protection, welfare and development and advancement of the Scheduled Castes 4 [***] as the President may, subject to the provisions of any law made by Parliament, by the rule specify.

(6) The President shall cause all such reports to be laid before each House of Parliament along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for the non-acceptance, if any, of any of such recommendations.

(7) Where any such report, or any part thereof, relates to any matter with which any State Government is concerned, a copy of such report shall be forwarded to the Governor of the State who shall cause it to be laid before the Legislature of the State along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the State and the reasons for the non-acceptance, if any, of any of such recommendations.

(8) The Commission shall, while investigating any matter referred to in sub-clause (a) or inquiring into any complaint referred to in sub-clause (b) of clause (5), have all the powers of a civil court trying a suit and in particular in respect of the following matters, namely:--

(a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;

(b) requiring the discovery and production of any documents;

(c) receiving evidence on affidavits;

(d) requisitioning any public or copy thereof from any court or office;

(e) issuing commissions for the examination of witnesses and documents;

(f) any other matter which the President may by rule determine.

(9) The Union and every State Government shall consult the Commission on all major policy matters affecting Scheduled Castes 4 [***].]

5 [(10)] In this article, references to the Scheduled Castes 4 [***] shall be construed as including references to such other backward classes as the President may, on receipt of the report of a Commission appointed under clause (1) of article 340 by order specify and also to the Anglo-Indian community.

1. Substituted by the Constitution (Sixty-fifth Amendment) Act, 1990, section 2 (w.e.f. 12-3-1992) and again substituted by the Constitution (Eighty-ninth Amendment) Act, 2003, section 2, for the

marginal heading "National Commission for Scheduled Castes and Scheduled Tribes" (w.e.f. 19.2.2004).

2. Substituted by the Constitution (Eighty-ninth Amendment) Act, 2003, section 2, for the marginal heading "National Commission for Scheduled Castes and Scheduled Tribes" (w.e.f. 19.2.2004).

3. Substituted by the Constitution (Eighty-Ninth Amendment) Act, 2003 section 2 for clauses (1) and (2) (w.e.f. 19-2-2004).

4. The Words "and Scheduled Tribes" omitted by Constitution (Eighty-Ninth Amendment) Act, 2003 section 2 (w.e.f. 19-2-2004).

5. Clause (3) renumbered as clause (10) by the Constitution (Sixty-fifth Amendment) Act, 1990, section 2 (w.e.f. 12.3.1992).

Article 338A - National Commission for Scheduled Tribes

1[338A. National Commission for Scheduled Tribes

- (1) There shall be a Commission for the Scheduled Tribes to be known as the National Commission for the Scheduled Tribes.
- (2) Subject to the provisions of any law made in this behalf by Parliament, the Commission shall consist of a Chairperson, Vice-Chairperson and three other Members and the conditions of service and tenure of office of the Chairperson, Vice-Chairperson and other Members so appointed shall be such as the President may by rule determine.
- (3) The Chairperson, Vice-Chairperson and other Members of the Commission shall be appointed by the President by warrant under his hand and seal,
- (4) The Commission shall have the power to regulate its own procedure.
- (5) It shall be the duty of the Commission--
 - (a) to investigate and monitor all matters relating to the safeguards provided for the Scheduled Tribes under this Constitution or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards;
 - (b) to inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Tribes;
 - (c) to participate and advise on the planning process of socio-economic development of the Scheduled Tribes and to evaluate the progress of their development under the Union and any State;
 - (d) to present to the President, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards;
 - (e) to make in such reports recommendations as to the measures that should be taken by the Union or any State for the effective implementation of those safeguards and other measures for the protection, welfare and socio-economic development of the Scheduled Tribes; and
 - (f) to discharge such other functions in relation to the protection, welfare and development and advancement of the Scheduled Tribes as the President may, subject to the provisions of any law made by Parliament, by rule specify.

(6) The President shall cause all such reports to be laid before each House of Parliament along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for the non-acceptance, if any, of any of such recommendations.

(7) Where any such report, or any part thereof, relates to any matter with which any State Government is concerned, a copy of such report shall be forwarded to the Governor of the State who shall cause it to be laid before the Legislature of the State along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the State and the reasons for the non-acceptance, if any, of any of such recommendations.

(8) The Commission shall, while investigating any matter referred to in sub-clause (a) or inquiring into any complaint referred to in sub-clause (b) of clause (5), have all the powers of a civil court trying a suit and in particular in respect of the following matters, namely:--

(a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;

(b) requiring the discovery and production of any document;

(c) receiving evidence on affidavits;

(d) requisitioning any public record or copy thereof from any court or office;

(e) issuing commissions for the examination of witnesses and documents;

(f) any other matter which the President may, by rule, determine.

(9) The Union and every State Government shall consult the Commission on all major policy matters affecting Scheduled Tribes.]

1. Inserted by Constitution (Eighty-Ninth Amendment) Act, 2003, section 3 (w.e.f. 19-2-2004).

Article 339 - Control of the Union over the administration of Scheduled Areas and the welfare of Scheduled Tribes

(1) The President may at any time and shall, at 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 States¹[***].

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.

(2) The executive power of the Union shall extend to the giving of directions to²[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.

1. The words and letters "specified in Part A or Part B of the First Schedule" omitted by the Constitution (Seventh Amendment) Act, 1956, section 29 and Schedule.

2. Substituted by the Constitution (Seventh Amendment) Act, 1956, section 29 and Schedule for "any such State".

Article 340 - Appointment of a Commission to investigate the conditions of backward classes

(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 made for the purpose by the Union or any State and the conditions subject to which such grants should be made, and the order appointing such Commission shall define the procedure to be followed by the Commission.

(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.

(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 each House of Parliament.

Article 341 - Scheduled Castes

(1) The President 1 [may with respect to any State 2 [or Union territory], and where it is a State 3 [***] after consultation with the Governor 4 [***] thereof], by public notification⁵, specify the castes, races or tribes or parts of or group within castes, races or tribes which shall for the purposes of this Constitution be deemed to be Scheduled Castes in relation to that State 2 [or Union territory, as the case may be].

(2) Parliament may by law include in or exclude from the list of Scheduled Castes specified in a notification issued under clause (1) any caste, race or tribe or part of or group within any caste, race or tribe, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification.

1. Substituted by the Constitution (First Amendment) Act, 1951, section 10 for "may, after consultation with the Governor or Rajpramukh of a State".

2. Inserted by the Constitution (Seventh Amendment) Act, 1956, section 29 and Schedule.

3. The words and letters "specified in Part A or Part B of the First Schedule" omitted by the Constitution (Seventh Amendment) Act, 1956, section 29 and Schedule.

4. The words "or Rajpramukh" omitted by the Constitution (Seventh Amendment) Act, 1956, section 29 and Schedule.

5. See the Constitution (Scheduled Castes) Order, 1950 (C.O. 19), the Constitution (Scheduled Castes) (Union Territories) Order, 1951, (C.O. 32), the Constitution (Jammu and Kashmir) Scheduled Castes Order 1956 (C.O. 52), the Constitution (Dadra and Nagar Haveli) Scheduled Castes Order, 1962, (C.O. 64), the Constitution (Pondicherry) Scheduled Castes Order, 1964 (C.O. 68), the Constitution (Goa, Daman and Diu) Scheduled Castes Order, 1968 (C.O. 81) and the Constitution (Sikkim) Scheduled Castes Order, 1978 (C.O. 110).

Article 342 - Scheduled Tribes

(1) The President 1 [may with respect to any State 2 [or Union territory], and where it is a State 3 [***] after consultation with the Governor 4 [***] thereof], by public notification⁵ specify the tribes or tribal communities or parts of or groups within tribes or tribal communities which shall for the

purposes of this Constitution be deemed to be Scheduled Tribes in relation to that State [6](#) [or Union territory, as the case may be].

(2) Parliament may by law include in or exclude from the list of Scheduled Tribes specified in a notification issued under clause (1) any tribe or tribal community or part of or group within any tribe or tribal community, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification.

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1. Substituted by the Constitution (First Amendment) Act, 1951, section 11, for "may, after consultation with the Governor or Rajpramukh of a State".
 2. Inserted by the Constitution (Seventh Amendment) Act, 1956, section 29 and Schedule.
 3. The words and letters "specified in Part A or Part B of the First Schedule" omitted by the Constitution (Seventh Amendment) Act, 1956, section 29 and Schedule.
 4. The words "or Rajpramukh" omitted by the Constitution (Seventh Amendment) Act, 1951, section 29 and Schedule.
 5. See the Constitution (Scheduled Tribes Castes) Order, 1950 (C.O. 22), the Constitution (Scheduled Tribes) (Union Territories) Order, 1951, (C.O. 33), the Constitution (Andaman and Nicobar Islands) Scheduled Tribes Order, 1959 (C.O. 58), the Constitution (Dadra and Nagar Haveli) Scheduled Tribes Order, 1962 (C.O. 65), the Constitution (Scheduled Tribes) (Uttar Pradesh) Order, 1967 (C.O. 78), the Constitution (Goa, Daman and Diu) Scheduled Tribes Order, 1968 (C.O. 82), The Constitution (Nagaland) Scheduled Tribes Order, 1970 (C.O. 88) and the Constitution (Sikkim) Scheduled Tribes Order, 1978 (C.O. 111).
 6. Inserted by the Constitution (Seventh Amendment) Act, 1956, section 29 and Schedule.

CONSTITUTION OF INDIA Part 17 - OFFICIAL LANGUAGE
