

TO BE INTRODUCED IN THE RAJYA SABHA

**Bill No. XX of 2009.**

THE CONSTITUTION (ONE HUNDRED AND NINTH AMENDMENT)  
BILL, 2009

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BILL

*further to amend the Constitution of India.*

BE it enacted by Parliament in the Sixtieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (One Hundred and Ninth Amendment) Bill, 2009.

Short title.  
and commen-  
cement.

(2) It shall come into force on the 25th day of January, 2010.

2. In article 334 of the Constitution, for the words "sixty years", the words "seventy years" shall be substituted.

Amendment of  
article 334.

#### STATEMENT OF OBJECTS AND REASONS

Article 334 of the Constitution lays down that the provisions of the Constitution relating to the reservation of seats for the Scheduled Castes and the Scheduled Tribes and the representation of the Anglo-Indian community by nomination in the House of the People and the Legislative Assemblies of the States shall cease to have effect on the expiration of the period of sixty years from the commencement of the Constitution. In other words, these provisions will cease to have effect on the 25th January, 2010, if not extended further.

2. Although the Scheduled Castes and the Scheduled Tribes have made considerable progress in the last sixty years, the reasons which weighed with the Constituent Assembly in making provisions with regard to the aforesaid reservation of seats and nomination of members have not ceased to exist. It is, therefore, proposed to continue the reservation for the Scheduled Castes and the Scheduled Tribes and the representation of the Anglo-Indian community by nomination for a further period of ten years.

3. The Bill seeks to achieve the above object.

NEW DELHI;  
*The 27th July, 2009.*

M. VEERAPPA MOILY.

#### FINANCIAL MEMORANDUM

Clause 2 of the Bill seeks to amend article 334 of the Constitution to provide for the continuous representation of the Anglo-Indian Community in the House of the People and in the Legislative Assemblies of the States by nomination for a further period of ten years. The expenditure incurred during the financial year was Rs. 10,08,000 under the head salary and Rs. 1,48,766 under the head Traveling Allowance and Daily Allowance on two Members of the Anglo-Indian Community nominated from Raipur and Dehradun. The financial expenditure on Traveling Allowance and Daily Allowance would depend upon the place from where such Members are nominated. It is not practicable to exactly assess the financial expenditure on Traveling Allowance and Daily Allowance to be incurred on such Members.

2. There will be no non-recurring expenditure.

ANNEXURE

EXTRACT FROM THE CONSTITUTION OF INDIA

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Reservation of  
seats and  
special  
representation  
to cease after  
sixty years.

**334.** Notwithstanding anything in the foregoing provisions of this Part, 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 sixty 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.

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RAJYA SABHA

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*(Shri M. Veerappa Moily, Minister of Law and Justice)*