

Reservation for Anglo Indians discontinued

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Source: *The Hindu*

Manifest pedagogy: Reservations is an important issue for UPSC. Because of the numerous changes occurring in the overall reservation framework every aspect of it is important for both prelims and mains.

In news: The Parliament scrapped the quota for Anglo-Indians in the Lok Sabha and State Assemblies which was due to expire on January 25, 2020.

Placing it in syllabus: Indian Polity GS Paper-2

Static dimensions:

- Anglo Indians in constituent assembly and history of acceptance of reservation
- Constitutional provisions for AIs

Current dimensions: Reasons for discontinuation & Criticisms

Content: The **One Hundred and Twenty-sixth (126th) Constitutional Amendment Bill, 2019** has been passed by the parliament which extended the reservation provided for SCs and STs communities in Parliament and Assemblies and also provided **stopping the nomination of Anglo-Indians to Lok Sabha and certain State Assemblies.**

Anglo Indians in constituent assembly and history of acceptance of reservation:

Article 366 of the Indian Constitution defines an Anglo Indian (AI) as *“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”.

Frank Anthony, founder of the All India Anglo-Indian Educational Trust, was **president-in-chief of the Anglo-Indian Association** from 1942 until 1993 and was a **member of the Constituent Assembly of India**, representing the Anglo-Indian community.

In the Assembly, he was a **part of Advisory Committee and Sub Committee on Minorities**. He convinced senior leaders that since the **AIs did not have their own state**, and were **too small and geographically spread out a minority to get elected**, they needed reserved seats in Parliament or state assemblies to represent community interests.

Mahatma Gandhi agreed to his request for three seats in the Constituent Assembly. Sardar Vallabhbhai Patel as Chairman of the Advisory Committee on Fundamental Rights, Minorities and Tribal and Excluded Areas was the person most directly responsible for the granting of these special concessions to AI community.

Anthony and his successors in the Lok Sabha voiced for an **independent, national view of the interests of India as a whole**. Even while supporting their own community's causes, in areas like education, they advanced the national interest and greatly benefited the country.

The **presence of Anglo-Indian MLAs** in many State legislatures similarly provided a **constructive pro-national voice**, less tied to parochialism or provincialism and emphatically **against linguistic and religious separatism** and narrow communal interests.

Constitutional provisions for AIs:

Article 331 says, President may nominate not more than two members of the AI community to the House of the People if he is of the opinion that the community is not adequately represented.

(Present Lok Sabha has no representation from this community).

Article 333 says, Governor of a State may nominate one member of the AI community to the State Assembly if he is of the opinion that the community is not adequately represented.

These provisions were intended to be phased out 10 years from the date of the Constitution, but regular amendments extended all of them in ten-year increments.

As per the **95th Constitutional Amendment in 2009, Article 334** says the reservations “shall cease to have effect on the expiration of a period of seventy years from the commencement of this Constitution” (i.e. 2020).

Reasons for discontinuation:

- The decision not to renew this provision was based on the view that the **community is doing well** and does not need these political reservations.
- Due to the **small population** of the community, it did not need a representation of two people in Parliament (recently law minister said that as per 2011 Census there are only 296 Anglo-Indians).

Criticisms:

- **Ministry of Minority Affairs report (2013) on the situation of Anglo-Indians** has revealed that Anglo-Indians are no longer identified as a separate category in the Census survey.
- In a number of cities, the report documented poor economic and social conditions for too many.
- The major challenges faced by the people of the

community were lack of employment, educational backwardness and lack of proper housing facilities.

- The document also explicitly commended the assistance AIs receive from their nominated MPs and MLAs. Now the community is deprived of that minimal assistance.
- The **AI diaspora is estimated at around 5 lakh**. All-India Anglo-Indian Association has 62 branches across 20 states and union territories. So cancelling reservation based on reason of small population is not correct.
- It would be a great loss to the nation if these voices are further marginalised by hasty decisions premised on short-term political considerations.
- The Opposition has protested the move, calling it a **“fraud on Constitution”**.