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SCHEDULES.

FIFTH SCHEDULE

COMPOSITION OF PROVINCIAL LEGISLATURES.

Legislative Assemblies.

- 3 The allocation of seats in Provincial Legislative Assemblies shall be as shown in the relevant Table of Seats appended to this Schedule.
- 4 In the Legislative Assembly of each Province specified in the first column of the Table of Seats there shall be the number of seats specified in the second column opposite to that Province, and of those seats—
- (i) the number specified in the third column shall be general seats, of which the number specified in the fourth column shall be reserved for members of the scheduled castes and, in the case of Bombay, seven shall be reserved for Marathas;
 - (ii) the numbers specified in the next ten columns shall be the numbers of seats to be filled by persons chosen to represent respectively—(a) backward areas and backward tribes; (b) the Sikh community; (c) the Muhammadan community; (d) the Anglo-Indian community; (e) the European community; (f) the Indian Christian community; (g) the interests of commerce, industry, mining and planting; (h) landholders; (i) universities; and (j) the interests of labour; and
 - (iii) the numbers specified in the last five columns shall be the numbers of seats (being either general seats, Sikh seats, Muhammadan seats, Anglo-Indian seats or Indian Christian seats) reserved for women.

In the Punjab one of the landholders' seats shall be a seat to be filled by a Tumandar.

- 5 A Province, exclusive of any portion thereof which His Majesty in Council may deem unsuitable for inclusion in any constituency or in any constituency of any particular class, shall be divided into territorial constituencies—
- (i) for the election of persons to fill the general seats;
 - (ii) for the election of persons to fill the Sikh seats, if any;
 - (iii) for the election of persons to fill the Muhammadan seats;
 - (iv) for the election of persons to fill the Anglo-Indian seats, if any;
 - (v) for the election of persons to fill the European seats, if any; and
 - (vi) except in the case of Bihar, for the election of persons to fill the Indian Christian seats, if any,
- or, if as respects any class of constituency it is so prescribed, may form one territorial constituency.

In the case of each such class of constituency as aforesaid the total number of seats available shall be distributed between the constituencies by the assignment of one or more of those seats to each constituency.

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- 6 The required number of general seats to be reserved for members of the scheduled castes, and in the Province of Bombay for Marathas, shall be reserved by reserving for members of those castes or, as the case may be, for Marathas one or more seats in each of so many of the general territorial constituencies as may be necessary, so, however, that in each such constituency there shall be at least one unreserved seat.
- 7 In a province in which any general seats are reserved for members of the scheduled castes, all members of those castes who are entitled to vote in a constituency in which any seat is so reserved shall be entitled to take part in a primary election held for the purpose of electing four candidates for each seat so reserved, and no member of those castes not elected as a candidate at such an election shall be qualified to hold—
- (a) a seat so reserved in that constituency;
 - (b) if it is so prescribed as respects that Province, any seat in that constituency.
- In relation to bye-elections this paragraph shall have effect with such adaptations and modifications as may be prescribed.
- 8 The persons to fill the seats specified in columns fifteen to nineteen of the Table of Seats as seats to be filled by women shall be chosen in territorial constituencies, which shall be either—
- (a) constituencies formed under paragraph five of this Schedule; or
 - (b) constituencies specially formed for the purpose of electing women members.
- 9 The provisions of the Sixth Schedule to this Act shall have effect with respect to the persons who are entitled to vote at elections in the territorial constituencies mentioned in paragraphs five and eight of this Schedule.
- 10 In a Province in which any seats are to be filled by representatives of backward areas or backward tribes, representatives of commerce, industry, mining and planting, representatives of landholders, representatives of universities or representatives of labour, persons to fill those seats, and in Bihar the person to fill the Indian Christian seat, shall be chosen in such manner as may be prescribed :
- Provided that in a Province in which any seats are to be filled by representatives of backward areas or backward tribes some or all of those seats may, if it is so prescribed, be treated in the prescribed manner as additional general seats to be reserved for representatives of such areas or tribes.
- 11 In the Punjab the landholder's seat to be filled by a Tumandar shall be assigned to such constituency as may be prescribed.
- 12 A person shall not be qualified to hold a seat in the Legislative Assembly of a Province unless—
- (a) in the case of a seat to be filled by a woman, by a European, by an Indian Christian, by a representative of backward areas or backward tribes, by a representative of commerce, industry, mining and planting, by a representative of universities or by a representative of labour, he possesses such qualifications as may be prescribed; and
 - (b) in the case of any other seat, he is entitled to vote in the choice of a member to fill that seat or any other seat of a similar class in that Province.