

THE CONSTITUTION (NINETY-THIRD AMENDMENT) ACT, 2005

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NO. 93 OF 2005

[20th January, 2006.]

An Act further to amend the Constitution of India.

BE it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:-

1.Short title and commencement.

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(1) This Act may be called the Constitution (Ninety-third Amendment) Act, 2005.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Amendment of article 15.

2. Amendment of article 15.-In article 15 of the Constitution, after clause (4), the following clause shall be inserted, namely:-

"(5) Nothing in this article or in sub-clause (g) of clause (1) of article 19 shall prevent the State from making any special provision, by law, for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes or the Scheduled Tribes in so far as such special provisions relate to their admission to educational institutions including private educational institutions, whether aided or unaided by the State, other than the minority educational institutions referred to in clause (1) of article 30."

T. K. VISWANATHAN,

Secy. to the Govt. of India.

STATEMENT OF OBJECTS AND REASONS

Greater access to higher education including professional education to a larger number of students belonging to the socially and educationally backward classes of citizens or for the Scheduled Castes and Scheduled Tribes has been a matter of major concern. At present, the number of seats available in aided or State maintained institutions, particularly in respect of professional education, is limited in comparison to those in private unaided institutions.

2. It is laid down in article 46, as a directive principle of State policy, that the State shall promote with special care the educational and economic interests of the weaker sections of the people and protect them from social injustice. To promote the educational advancement of the socially and educationally backward classes of citizens or of the Scheduled Castes and Scheduled Tribes in matters of admission of students belonging to these categories in unaided educational institutions, other than the minority educational institutions referred to in clause (1) of article 30 of the Constitution, it is proposed to amplify article 15.

3. The Bill seeks to achieve the above objects.

ARJUN SINGH

NEW DELHI;

The 9th December, 2005