

# THE CONSTITUTION (NINETY-FOURTH AMENDMENT) ACT, 2006

India

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### Act 94 of 2006

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An Act further to amend the Constitution of India Be it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:-

#### **1. Received the assent of the President on June 12, 2006 and published in the Gazette of India, Extra., Part II, Section 1.**

Prefatory Note-Statement of Objects and Reasons.- Proviso to clause (1) of Article 164 of the Constitution provides that there shall be a Minister in charge of tribal welfare who may in addition be in charge of the welfare of the Scheduled Castes and Backward Classes or any other work in the States of Bihar, Madhya Pradesh and Orissa.

**2. The new States of Chhattisgarh and Jharkhand came into being with the enactment of the Madhya Pradesh Reorganization Act, 2000 and the Bihar Reorganization Act, 2000, with effect from 1st November, 2000 and 15th November, 2000, respectively. Consequent upon the creation of the States of Chhattisgarh and Jharkhand, a sizable portion of the Scheduled Areas of the erstwhile State of Madhya Pradesh stands transferred to Chhattisgarh and the entire Scheduled Areas of the former Bihar State stand transferred to the newly formed Jharkhand State and the Scheduled Areas were redefined as per the Scheduled Areas (States of Chhattisgarh, Jharkhand and Madhya Pradesh) Order, 2003 (C.O. 192). Further, as per census figures of 2001, the percentage of the Scheduled Tribes population to total population in the four States are as follows:-**

Name of the State	Percentage of the Scheduled Tribes population to total
(i) Bihar	0.9
(ii) Jharkhand	26.3
(iii) Chhattisgarh	31.8
(iv) Madhya Pradesh	20.3

**3. As there are no Scheduled Areas in Bihar now and the fraction of population of the Scheduled Tribes is very small, it is proposed to exclude Bihar from the purview of the said proviso and also proposed to extend the provisions of clause (1) of Article 164 to the newly formed States of Chhattisgarh and Jharkhand.**

**4. This Bill seeks to achieve the above objects.**

### **1. Short title.-**

This Act may be called the Constitution (Ninety-fourth Amendment) Act, 2006.

### **2. Amendment of Article 164.-**

In Article 164 of the Constitution, in clause (1), in the proviso, for the word "Bihar", the words "Chhattisgarh, Jharkhand" shall be substituted.[The Constitution (Ninety-fourth Amendment) Act, 2006, mandates the appointment of a minister in charge of tribal welfare in the states of Chhattisgarh and Jharkhand. Bihar was exempted from the requirement to have a minister for tribal welfare under the Constitution, and Jharkhand and Chhattisgarh were granted the same relief. As per Article 164, Jharkhand, Chhattisgarh, Madhya Pradesh, and Odisha are now covered under the scope of this provision.Also Refer]