

THE CONSTITUTION (NINETY-THIRD AMENDMENT) ACT, 2005

India

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Act 93 of 2005

- Published in Gazette of India on 20 January 2006
- Commenced on 20 January 2006
- [This is the version of this document from 20 January 2006.]
- [Note: The original publication document is not available and this content could not be verified.]

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.

(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.

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." [The Constitution (Ninety-third Amendment) Act, 2005, adjoined a clause to Article 15 stating that the state has the authority to establish certain specific Provisions concerning accommodations for the progress of any sociologically and academically disadvantaged sectors of the society, as well as to the scheduled castes and scheduled tribes, with respect to their enrollment to academic institutions, including private academic institutions, whether assisted or unassisted by the state, except minority institutions. Also Refer]