

RECENT CONSTITUTIONAL AMENDMENTS 1951 - 2019

FIRST CONSTITUTIONAL AMENDMENT ACT: 1951

- Added Ninth Schedule to protect the land reform and other laws included in it from the judicial review.
- Added three more grounds of restrictions on freedom of speech and expression, viz., public order, friendly relations with foreign states and incitement to an offence. Also, made the restrictions 'reasonable' and thus, justiciable in nature.
- Empowered the state to make special provisions for the advancement of socially and economically backward classes

SECOND CONSTITUTIONAL AMENDMENT ACT: 1952

- Readjusted the scale of representation in the Lok Sabha by providing that one member could represent even more than 7,50,000 persons.

THIRD CONSTITUTIONAL AMENDMENT ACT: 1954

- Empowered the Parliament to control the production, supply and distribution of the foodstuffs, cattle fodder, raw cotton, cotton seed and raw jute in the public interest

FOURTH CONSTITUTIONAL AMENDMENT ACT: 1955

- Made the scale of compensation given in lieu of compulsory acquisition of private property beyond the scrutiny of courts.

FIFTH AMENDMENT ACT, 1955

- Empowered the president to fix the time-limit for the state legislatures to express their views on the proposed Central legislation affecting the areas, boundaries and names of the states

SIXTH AMENDMENT ACT, 1956

- Included a new subject in the Union list i.e., taxes on the sale and purchase of goods in the course of inter-state trade and commerce and restricted the state's power in this regard

SEVENTH CONSTITUTIONAL AMENDMENT ACT-1956

- This constitutional amendment act was brought to give effect to recommendations of state reorganisation commission
- Provided for the establishment of a common high court for two or more states.
- Abolished the existing classification of states into four categories i.e., Part A, Part B, Part C and Part D states, and reorganised them into 14 states and 6 union territories
- Extended the jurisdiction of high courts to union territories.
- Provided for the appointment of additional and acting judges of the high court

EIGHT AMENDMENT ACT, 1960

- Extended the reservation of seats for the SCs and STs, and special representation for the Anglo-Indians in the Lok Sabha and the state legislative assemblies for a period of ten years (i.e., up to 1970).

NINTH AMENDMENT ACT, 1960

- Facilitated the cession of Indian territory of Berubari Union (located in West Bengal) to Pakistan as provided in the Indo-Pakistan Agreement (1958).

TENTH CONSTITUTIONAL AMENDMENT ACT-1961

- Incorporated Dadra and Nagar Haveli in the Indian Union

ELEVENTH AMENDMENT ACT, 1961

- Changed the procedure of election of the vice-president by providing for an electoral college instead of a joint meeting of the two Houses of Parliament.
- Provided that the election of the president or vice-president cannot be challenged on the ground of any vacancy in the appropriate electoral college.

TWELFTH CONSTITUTIONAL AMENDMENT ACT-1962

- Incorporated Goa, Daman and Diu in the Indian Union.

THIRTEENTH AMENDMENT ACT, 1962

- Gave the status of a state to Nagaland and made special provisions for it.

FOURTEENTH CONSTITUTIONAL AMENDMENT ACT-1962

- Incorporated Puducherry in the Indian Union

FIFTEENTH CONSTITUTIONAL AMENDMENT ACT-1963

- Increased the retirement age of high court judges from 60 to 62 years

SIXTEENTH AMENDMENT ACT, 1963

- Included sovereignty and integrity in the forms of oaths or affirmations to be subscribed by contestants to the legislatures, members of the legislatures, ministers, judges and CAG of India.

SEVENTEENTH AMENDMENT ACT, 1964

- Prohibited the acquisition of land under personal cultivation unless the market value of the land is paid as compensation.

EIGHTEENTH AMENDMENT ACT, 1966

- Made it clear that the power of Parliament to form a new state also includes a power to form a new state or union territory by uniting a part of a state or a union territory to another state or union territory.

NINETEENTH AMENDMENT ACT, 1966

- Abolished the system of Election Tribunals and vested the power to hear election

TWENTIETH AMENDMENT ACT, 1966

- Validated certain appointments of district judges in the UP which were declared void by the Supreme Court.

TWENTY-FIRST AMENDMENT ACT, 1967

- Included sindhi as the 15th language in the Eight Schedule.

TWENTY-SECOND AMENDMENT ACT, 1969

- Facilitated the creation of a new autonomous State of Meghalaya within the State of Assam.

TWENTY-THIRD AMENDMENT ACT, 1969

- Extended the reservation of seats for the SCs and STs, and special representation for the Anglo-Indians in the Lok Sabha and the state legislative assemblies for a further period of ten years (i.e., up to 1980).

TWENTY-FOURTH CONSTITUTIONAL AMENDMENT ACT-1971

- Affirmed the power of Parliament to amend any part of the constitution including fundamental rights.

- Made it compulsory for the president to give his assent to a Constitutional Amendment Bill.

TWENTY-FIFTH AMENDMENT ACT, 1971

- Curtailed the fundamental right to property.
- Provided that any law made to give effect to the Directive Principles contained in Article 39 (b) or (c) cannot be challenged on the ground of violation of the rights guaranteed by Articles 14, 19 and 31.

TWENTY-SIXTH AMENDMENT ACT, 1971

- Abolished the privy purses and privileges of the former rulers of princely states.

TWENTY-SEVENTH AMENDMENT, 1971

- Empowered the administrators of certain union territories to promulgate ordinances.

TWENTY-EIGHTH AMENDMENT ACT, 1972

- Abolished the special privileges of ICS officers and empowered the Parliament to determine their service conditions.

TWENTY-NINTH AMENDMENT ACT, 1972

- Included two Kerala Acts on land reforms in the Ninth Schedule.

THIRTIETH AMENDMENT ACT, 1972

- Did away with the provision which allowed appeal to the Supreme Court in civil cases involving an amount of ₹20,000, and provided instead that an appeal can be filed in the Supreme Court only if the case involves a substantial question of law.

THIRTY-FIRST AMENDMENT ACT, 1972

- Increased the number of Lok Sabha seats from 525 to 545.

THIRTY-SECOND CONSTITUTIONAL AMENDMENT ACT-1973

- Made special provisions to satisfy the aspirations of the people of the Telangana region in Andhra Pradesh.

THIRTY-THIRD AMENDMENT ACT, 1974

- Provided that the resignation of the members of Parliament and the state legislatures may be accepted by the Speaker/Chairman only if he is satisfied that the resignation is voluntary or genuine.

THIRTY-FOURTH AMENDMENT ACT, 1974

- Included twenty more land tenure and land reforms acts of various states in the Ninth Schedule.

THIRTY-FIFTH AMENDMENT ACT, 1974

- Terminated the protectorate status of Sikkim and conferred on it the status of an associate state of the Indian Union. The Tenth Schedule was added laying down the terms and conditions of association of Sikkim with the Indian Union.

THIRTY-SIXTH CONSTITUTIONAL AMENDMENT ACT-1975

- Made Sikkim a full-fledged State of the Indian Union and omitted the Tenth Schedule.

THIRTY-SEVENTH AMENDMENT ACT, 1975

- Provided legislative assembly and council of ministers for the Union Territory of Arunachal Pradesh.

THIRTY-EIGHTH AMENDMENT ACT, 1975

- Empowered the president to declare different proclamations of national emergency on different grounds simultaneously.

THIRTY-NINTH AMENDMENT ACT, 1975

- Placed the disputes relating to the president, vice-president, prime minister and Speaker beyond the scope of the judiciary. They are to be decided by such authority as may be determined by the Parliament.

FORTIETH AMENDMENT ACT, 1976

- Empowered the Parliament to specify from time to time the limits of the territorial waters, the continental shelf, the exclusive economic zone (EEZ) and the maritime zones of India.

FORTY-FIRST AMENDMENT ACT, 1976

- Raised the retirement age of members of State Public Service Commission and Joint Public Service Commission from 60 to 62.

FORTY-SECOND AMENDMENT ACT, 1976

- It is also known as Mini-Constitution. It was enacted to give effect to the recommendations of Swaran Singh Committee.)
- Added three new words (i.e., socialist, secular and integrity) in the Preamble.
- Added Fundamental Duties by the citizens (new Part IV A).
- Made the president bound by the advice of the cabinet
- Added three new Directive Principles viz., equal justice and free legal aid, participation of workers in the management of industries
- Shifted five subjects from the state list to the concurrent list, viz, education, forests, protection of wild animals and birds, weights and measures and administration of justice, constitution and organisation of all courts except the Supreme Court and the high courts
- Empowered the Centre to deploy its armed forces in any state to deal with a grave situation of law and order.

FORTY-THIRD AMENDMENT ACT, 1977

- Restored the jurisdiction of the Supreme Court and the high courts in respect of judicial review and issue of writs

FORTY-FOURTH AMENDMENT ACT, 1978

- Empowered the president to send back once the advice of cabinet for reconsideration. But, the reconsidered advice is to be binding on the president
- Replaced the term 'internal disturbance' by 'armed rebellion' in respect of national emergency.
- Made the President to declare a national emergency only on the written recommendation of the cabinet.
- Deleted the right to property from the list of Fundamental Rights and made it only a legal right.

FORTY-FIFTH AMENDMENT ACT, 1980

- Extended the reservation of seats for the SCs and STs and special representation for the Anglo-Indians in the Lok Sabha and the state legislative assemblies for a further period of ten years (i.e., up to 1990).

FORTY-SIXTH AMENDMENT ACT, 1982

- Enabled the states to plug loopholes in the laws and realise sales tax dues.

FORTY-SEVENTH AMENDMENT ACT, 1984

- Included 14 land reforms Acts of various states in the Ninth Schedule.

FORTY-EIGHTH AMENDMENT ACT, 1984

- Facilitated the extension of President's rule in Punjab beyond one year without meeting the two special conditions for such extension.

FORTY-NINTH AMENDMENT ACT, 1984

- Gave a constitutional sanctity to the Autonomous District Council in Tripura.

FIFTIETH AMENDMENT ACT, 1984

- Empowered the Parliament to restrict the Fundamental Rights of persons employed in intelligence organisations and telecommunication systems set up for the armed forces or intelligence organisations.

FIFTY-FIRST AMENDMENT ACT, 1984

- Provided for reservation of seats in the Lok Sabha for STs in Meghalaya, Arunachal Pradesh, Nagaland and Mizoram as well as in the Legislative Assemblies of Meghalaya and Nagaland

FIFTY-SECOND AMENDMENT ACT, 1985

- This amendment popularly known as Anti-Defection Law
- Provided for disqualification of members of Parliament and state legislatures on the ground of defection and added a new Tenth Schedule containing the details in this regard.

FIFTY-THIRD AMENDMENT ACT, 1986

- Made special provisions in respect of Mizoram and fixed the strength of its Assembly at a minimum of 40 members

FIFTY-FOURTH AMENDMENT ACT, 1986

- Increased the salaries of the Supreme Court and high court judges and enabled the Parliament to change them in future by an ordinary law.

FIFTY-FIFTH AMENDMENT ACT, 1986

- Made special provisions in respect of Arunachal Pradesh and fixed the strength of its Assembly at a minimum of 30 members.

FIFTY-SIXTH AMENDMENT ACT, 1987

- Fixed the strength of the Goa Legislative Assembly at a minimum of 30 members.

FIFTY-SEVENTH AMENDMENT ACT, 1987

- Reserved seats for the STs in the legislative assemblies of the states of Arunachal Pradesh, Meghalaya, Mizoram and Nagaland.

FIFTY-EIGHTH AMENDMENT ACT, 1987

- Provided for an authoritative text of the Constitution in Hindi language and gave the same legal sanctity to the Hindi version of the Constitution.

FIFTY-NINTH AMENDMENT ACT, 1988

- Provided for the declaration of national emergency in Punjab on the ground of internal disturbance.

SIXTIETH AMENDMENT ACT, 1988

- Increased the ceiling of taxes on professions, trades, callings and employments from Rs 250 per annum to Rs 2,500 per annum

SIXTY-FIRST AMENDMENT ACT, 1989

- Reduced the voting age from 21 years to 18 years for the Lok Sabha and state legislative assembly elections.

SIXTY-SECOND AMENDMENT ACT, 1989

- Extended the reservation of seats for the SCs and STs and special representation for the Anglo-Indians in the Lok Sabha and the state legislative assemblies for the further period of ten years (i.e., up to 2000).

SIXTY-THIRD AMENDMENT ACT, 1989

- Repealed the changes introduced by the 59th Amendment Act of 1988 in relation to Punjab. In other words, Punjab was brought at par with the other states in respect of emergency provisions.

SIXTY-FOURTH AMENDMENT ACT, 1990

- Facilitated the extension of the President's rule in Punjab upto a total period of three years and six months

SIXTY-FIFTH AMENDMENT ACT, 1990

- Provided for the establishment of a multi-member National Commission for SCs and STs in the place of a Special Officer for SCs and STs.

SIXTY-SIXTH AMENDMENT ACT, 1990

- Included 55 more land reforms Acts of various states in the Ninth Schedule.

SIXTY-SEVENTH AMENDMENT ACT, 1990

- Facilitated the extension of the President's rule in Punjab up to a total period of four years.

SIXTY-EIGHT AMENDMENT ACT, 1991

- Facilitated the extension of the President's rule in Punjab up to a total period of five years

SIXTY-NINTH AMENDMENT ACT, 1991

- Accorded a special status to the Union Territory of Delhi by designing it as the National Capital Territory of Delhi.

SEVENTIETH AMENDMENT ACT, 1992

- Provided for the inclusion of the members of the Legislative Assemblies of National Capital Territory of Delhi and the Union Territory of Puducherry in the Electoral College for the election of the president.

SEVENTY-FIRST AMENDMENT ACT, 1992

- Included Konkani, Manipuri and Nepali languages in the Eight Schedule. With this, the total number of scheduled languages increased to 18.

SEVENTY-SECOND AMENDMENT ACT, 1992

- Provided for reservation of seats for the STs in the Legislative Assembly of Tripura

SEVENTY-THIRD AMENDMENT ACT, 1992

- Granted constitutional status and protection to the panchayati raj institutions.
- For this purpose, the Amendment has added a new Part-IX entitled as 'the panchayats' and a new Eleventh Schedule containing 29 functional items of the panchayats

SEVENTY-FOURTH AMENDMENT ACT, 1992

- Granted constitutional status and protection to the urban local bodies.
- For this purpose, the Amendment has added a new Part IX-A entitled as 'the municipalities' and a new Twelfth Schedule containing 18 functional items of the municipalities

SEVENTY-FIFTH AMENDMENT ACT, 1994

- Provided for the establishment of rent tribunals for the adjudication of disputes with respect to rent, its regulation and control and tenancy issues including the rights, title and interest of landlords and tenants

SEVENTY-FIFTH AMENDMENT ACT, 1994

- Provided for the establishment of rent tribunals for the adjudication of disputes with respect to rent, its regulation and control and tenancy issues including the rights, title and interest of landlords and tenants

SEVENTY-SIXTH AMENDMENT ACT, 1994

- Included the Tamil Nadu Reservation Act of 1994 (which provides for 69 per cent reservation of seats in educational institutions and posts in state services) in the Ninth Schedule to protect it from judicial review. In 1992, the Supreme Court ruled that the total reservation should not exceed 50 percent.

SEVENTY-SEVENTH AMENDMENT ACT, 1995

- Provided for reservation in promotions in government jobs for SCs and STs. This amendment nullified the Supreme Court ruling with regard to reservation in promotions.

SEVENTY-EIGHTH AMENDMENT ACT, 1995

- Included 27 more land reforms Acts of various states in the Ninth Schedule. With this, the total number of Acts in the Schedule increased to 282. But, the last entry is numbered 284.

SEVENTY-NINTH AMENDMENT, 1999

- Extended the reservation of seats for the SCs and STs and special representation for the Anglo-Indians in the Lok Sabha and the state legislative assemblies for a further period of ten years (i.e., up to 2010).

EIGHTIETH AMENDMENT ACT, 2000

- Provided for an 'alternative scheme of devolution' of revenue between the Centre and states. This was enacted on the basis of the recommendations of the Tenth Finance Commission which has recommended that out of the total income obtained from Central taxes and duties, twenty-nine per cent should be distributed among the states.

EIGHTY-FIRST AMENDMENT ACT, 2000

- Empowered the state to consider the unfilled reserved vacancies of a year as a separate class of vacancies to be filled up in any succeeding year or years. Such class of vacancies are not to be combined with the vacancies of the year in which they are being filled up to determine the ceiling of 50 per cent reservation on total number of vacancies of that year. In brief, this amendment ended the 50 per cent ceiling on reservation in backlog vacancies.

EIGHTY-SECOND AMENDMENT ACT, 2000

- Provided for making of any provision in favour of the SCs and STs for relaxation in qualifying marks in any examination or lowering the standards of evaluation, for reservation in matters of promotion to the public services of the Centre and the states.

EIGHTY-THIRD AMENDMENT ACT, 2000

- Provided that no reservation in panchayats need be made for SCs in Arunachal Pradesh. The total population of the state is tribal and there are no SCs.

EIGHTY-FOURTH AMENDMENT ACT, 2001

- Extended the ban on readjustment of seats in the Lok Sabha and the state legislative assemblies for another 25 years (i.e., up to 2026) with the same objective of encouraging population limiting measures.
- In other words, the number of seats in the Lok Sabha and the assemblies are to remain same till 2026.
- It also provided for the readjustment and rationalisation of territorial constituencies in the states on the basis of the population figures of 1991 census

EIGHTY-FIFTH AMENDMENT ACT, 2001

- Provided for 'consequential seniority' in the case of promotion by virtue of rule of reservation for the government servants belonging to the SCs and STs with retrospective effect from June 1995.

EIGHTY-SIXTH AMENDMENT ACT, 2002

- Made elementary education a fundamental right. The newly-added Article 21-A declares that "the State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may determine".
- Changed the subject matter of Article 45 in Directive Principles. It now reads—"The State shall endeavour to provide early childhood care and education for all children until they complete the age of six years".
- Added a new fundamental duty under Article 51-A which reads—"It shall be the duty of every citizen of India who is a parent or guardian to provide opportunities for education to his child or ward between the age of six and fourteen years".

EIGHTY-SEVENTH AMENDMENT ACT, 2003

- Provided for the readjustment and rationalisation of territorial constituencies in the states on the basis of the population figures of 2001 census and not 1991 census as provided earlier by the 84th Amendment Act of 2001.

EIGHTY-EIGHTH AMENDMENT ACT, 2003

- Made a provision for service tax (Article 268-A). Taxes on services are levied by the Centre. But, their proceeds are collected as well as appropriated by both the Centre and the states in accordance with the principles formulated by parliament

EIGHTY-NINTH AMENDMENT ACT, 2003

- Bifurcated the erstwhile combined National Commission for Scheduled Castes and Scheduled Tribes into two separate bodies, namely, National Commission for Scheduled Castes (Article 338) and National Commission for Scheduled Tribes (Article 338-A). Both the Commissions consist of a Chairperson, a Vice-Chairperson and three other members. They are appointed by the President.

NINETIETH AMENDMENT ACT, 2003

- Provided for maintaining the erstwhile representation of the Scheduled Tribes and non- Scheduled Tribes in the Assam legislative assembly from the Bodoland Territorial Areas District (Article 332 (6)).

NINETY-FIRST AMENDMENT ACT, 2003

- The total number of ministers, including the Prime Minister, in the Central Council of Ministers shall not exceed 15% of the total strength of the Lok Sabha (Article 75(1A)).
- The total number of ministers, including the Chief Minister, in the Council of Ministers in a state shall not exceed 15% of the total strength of the legislative Assembly of that state. But, the number of ministers, including the Chief Minister, in a state shall not be less than 12 (Article 164(1A)).
- The provision of the Tenth Schedule (anti-defection law) pertaining to exemption from disqualification in case of split by one-third members of legislature party has been deleted. It means that the defectors have no more protection on grounds of splits.

NINETY-SECOND AMENDMENT ACT, 2003

- Included four more languages in the Eighth Schedule. They are Bodo, Dogri (Dongri), Maithili (Maithili) and Santhali. With this, the total number of constitutionally recognised languages increased to 22

NINETY-THIRD AMENDMENT ACT, 2005

- Empowered the state to make special provisions for the socially and educationally backward classes or the Scheduled Castes or the Scheduled Tribes in educational institutions including private educational institutions (whether aided or unaided by the state), except the minority educational institutions (clause (5) in Article 15). This Amendment was enacted to nullify the Supreme Court judgement in the Inamdar case (2005) where the apex court ruled that the state cannot impose its reservation policy on minority and non-minority unaided private colleges, including professional colleges. The court declared that reservation in private, unaided educational institutions was unconstitutional.

NINETY-FOURTH AMENDMENT ACT, 2006

- Freed Bihar from the obligation of having a tribal welfare minister and extended the same provision to Jharkhand and Chhattisgarh. This provision will now be applicable to the two newly formed states and Madhya Pradesh and Orissa, where it has already been in force (Article 164(1)).

NINETY-FIFTH AMENDMENT ACT, 2009

- Extended the reservation of seats for the SCs and STs and special representation for the Anglo-Indians in the Lok Sabha and the state legislative assemblies for a further period of ten years i.e., upto 2020 (Article 334).

NINETY-SIXTH AMENDMENT ACT, 2011

- Substituted “Odia” for “Oriya”. Consequently, the “Oriya” language in the Eighth Schedule shall be pronounced as “Odia”

NINETY-SEVENTH AMENDMENT ACT, 2011

- Gave a constitutional status and protection to co-operative societies. In this context, it made the following three changes in the constitution:
- It made the right to form co-operative societies a fundamental right (Article 19)
- It included a new Directive Principle of State Policy on the promotion of co-operative societies (Article 43-B).
- It added a new Part IX-B in the constitution which is entitled as “The Co-operative societies” (Articles 243-ZH to 243-ZT).

NINETY-EIGHT CONSTITUTIONAL AMENDMENT ACT, 2013:

- To empower the Governor of Karnataka to take steps to develop the Hyderabad-Karnataka Region

NINETY-NINTH CONSTITUTIONAL AMENDMENT ACT, 2014:

- It provided for establishment of National judicial commission

HUNDREDTH CONSTITUTIONAL AMENDMENT ACT 2015:

- This amendment is Land Boundary Agreement (LBA) between India and Bangladesh

101ST CONSTITUTIONAL AMENDMENT ACT, 2016

- Goods and Services Tax (GST) has commenced with the enactment of the 101st Constitution Amendment Act, 2016 on 8th September, 2016 and the subsequent notifications.
- Articles 246A, 269A and 279A were added in the constitution. The amendment made changes in the 7th schedule of the constitution. The entry 84 of Union List earlier comprised duties on tobacco, alcoholic liquors, opium, Indian hemp, narcotic drugs and narcotics, medical and toilet preparations. After amendment, it will comprise Petroleum crude, high speed diesel, motor spirit (petrol), natural gas, and aviation turbine fuel, tobacco and tobacco products. Entry 92 (newspapers and on advertisements published therein) has been deleted, they are now under GST. Entry 92-C (Service Tax) has now been deleted from union list. Under State list, entry 52 (entry tax for sale in state) has also been deleted. Entry

54, Taxes on the sale or purchase of goods other than newspapers, subject to the provisions of Entry 92-A of List I has now been replaced by Taxes on the sale of petroleum crude, high speed diesel, motor spirit (petrol), natural gas, aviation turbine fuel and alcoholic liquor for human consumption, but not including sale in the course of inter-State trade or commerce or sale in the course of international trade or commerce of such goods. Entry 55 (advertisement taxes) have been deleted. Entry 62 (Taxes on luxuries, including taxes on entertainments, amusements, betting and gambling) has now replaced by these taxes only to be levied by local governments (panchayats, municipality, regional council or district council).

THE CONSTITUTION (ONE HUNDRED AND SECOND AMENDMENT) ACT, 2018

- The bill seeks to give constitutional status to the National Commission for Backward Classes. It seeks to insert new article 338B in the constitution which provides for NCBC, its mandate, composition, functions and various officers. Inserted a new article 342-A which empowers president to notify the list of socially and educationally backward classes of that state/union territory.

THE CONSTITUTION (ONE HUNDRED AND THIRD AMENDMENT) ACT, 2019

- It changed two fundamental rights, Article 15 and 16. It provides for the advancement of the economically weaker sections of society. A big 10% of all government jobs and college seats will now have a reservation for people outside the high-income bracket. It states that bill is drafted with a will to mandate Article 46 of the Constitution of India, a Directive Principle that urges the government to protect the educational and the economic interests of the weaker sections of society.

