

Bill No. XLVI of 2010

THE CONSTITUTION (AMENDMENT) BILL, 2010

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further to amend the Constitution of India.

BE it enacted by the Parliament in the Sixty-first Year of the Republic of India as follows:—

- 1.** (1) This Act may be called the Constitution (Amendment) Act, 2010. Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.
- 2.** In Article 15 of the Constitution, for clause (1), the following clause shall be substituted, namely:— Amendment of article 15.

“(1) The State shall not discriminate against any citizen on grounds of religion, race, caste, sex, disability, place of birth or any of them.”
- 3.** In article 16 of the Constitution, for clause (2), the following clause shall be substituted, namely:— Amendment of article 16.

“(2) No citizen shall, on grounds only of religion, race, caste, sex, descent, disability, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State.”

STATEMENT OF OBJECTS AND REASONS

The Constitution mentions specifically different spheres of discrimination and mandates equality of treatment. It is only fair and just that when a large number of citizens come in the category of “disabled” and suffer from multiple discrimination, the Constitution should offer protection against any such discrimination based on disability. The amendment in articles 15(1) and 16(2) of the Constitution is proposed to remove discrimination against disabled persons.

The Bill seeks to achieve the above objectives.

Hence this Bill.

BRINDA KARAT

ANNEXURE

EXTRACTS FROM THE CONSTITUTION OF INDIA

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15. Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth—(1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.

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(2) No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State.

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(Shrimati Brindra Karat, M.P.)