

CHAPTER XI

THE CENTRAL LEGISLATURE

Amendment of the Constitution

Amendment or
repeal of the
Constitution.

99. (1) Notwithstanding anything in this Constitution but subject to paragraph (2) of this Article, Parliament shall have exclusive power to make law repealing or amending any provision of the Constitution, or adding any provision to the Constitution.

(2) Parliament shall not make any law-

(a) suspending the operation of the Constitution or any part thereof;
or

(b) repealing the Constitution as a whole unless such law also enacts a new Constitution to replace it.

Amendment or
repeal of the
Constitution to
be express.

100. (1) Any Bill for the amendment of any provision of the Constitution shall not be placed on the Order Paper of Parliament unless the provision to be repealed, altered or added, and consequential amendments, if any, are expressly specified in the Bill and is described in the long title thereto as being an Act for the amendment of the Constitution.

(2) Any Bill for the repeal of the Constitution shall not be placed on the Order Paper of Parliament unless the Bill contains provisions replacing the Constitution and is described in the long title thereof as being an Act for the repeal and replacement of the Constitution.

(3) If in the opinion of the Speaker, a Bill does not comply with the requirements of paragraph (1) or paragraph (2) of this Article, the Speaker shall direct that such Bill be not proceeded with, unless it is amended so as to comply with those requirements.

(4) Notwithstanding anything in the preceding provisions of this Article, it shall be lawful for a Bill which complies with the requirements of paragraph (1) or paragraph (2) of this Article to be amended by Parliament provided that the Bill as so amended shall comply with those requirements.

(5) A Bill for the amendment of any provision of the Constitution or for the repeal and replacement of the Constitution shall become law if the number of votes cast in favour thereof amounts to not less than two thirds of the whole number of Members (including those not present) and upon a certificate by the President or Speaker, as the case may be, being endorsed thereon in accordance with the provisions of Article 95 or 96.

(6) Any provision in any law shall not, or shall not be deemed to, amend, repeal or replace the Constitution or any provision thereof, or be so interpreted or construed, unless enacted in accordance with the requirement of the preceding provisions of this Article.

(7) In this Chapter, "amendment" includes repeal, alteration and addition.

101. (1) Notwithstanding anything to the contrary in the provisions of Article 100, a Bill —

Special procedure relating to certain Bills.

(a) for the amendment or for the repeal and replacement of or which is inconsistent with any of the provisions of Articles 1, 2, 3, 4, 5, 6, 7, 8, 9, 15 and 127 or this Article ; and

(b) for the amendment or for the repeal and replacement of or which is inconsistent with the provisions of paragraph (2) of Article 77 which would extend the duration of Parliament to over six years,

shall become law if the number of votes cast in favour thereof, amount to not less than two-thirds of the whole number of Members (including those not present), is approved by the People at a Referendum and a certificate endorsed thereon by the President in accordance with Article 96.

(2) Notwithstanding anything to the contrary in this Chapter, but subject to the provisions of paragraph (1) of this Article, any Act or any provision thereof amending or repealing and replacing or which is inconsistent with any of the provisions of Chapter XV, the First Schedule, the Second Schedule or this paragraph shall not come into operation in respect of a Region until and unless such Act or provision has been approved by a resolution of the Regional Council established for that Region.

(3) Where a resolution referred to in paragraph (2) of this Article has been approved by a Regional Council, the Speaker of such Regional Council shall cause a Notification of such approval to be published in the *Gazette* and, accordingly, the Act or provision to which such approval relates shall come into operation with respect to that Region from the date of such Notification.

102. (1) A Bill which is not for the amendment of any provision of the Constitution or for the repeal and replacement of the Constitution, but which is inconsistent with any provision of the Constitution may be placed on the Order Paper of Parliament without complying with the requirements of paragraph (1) or paragraph (2) of Article 100.

Bills inconsistent with the Constitution.

(2) Where the Cabinet of Ministers has certified that a Bill referred to in paragraph (1) is intended to be passed by the special majority required by this Article or where the Supreme Court has determined that a Bill requires

to be passed by such special majority, or by such special majority and approved by the People at a Referendum, such Bill shall become law only if the number of votes cast in favour thereof amounts to not less than two-thirds of the whole number of members (including those not present) and a certificate by the Speaker or the President and the Speaker, as the case may be, is endorsed thereon in accordance with the provisions of Article 95 or Article 96.

(3) Such a Bill when enacted into law shall not, and shall not be deemed to, amend, repeal or replace the Constitution or any provision thereof, and shall not be so interpreted or construed, and may thereafter be repealed by a majority of the votes of the Members present and voting.