

Module - Four

Amendment Procedure in the Constitution

Amendment procedure in the Indian Constitution has been borrowed from South Africa. Article 368 deals with the amendment procedure of the Constitution. This article empowers the Parliament to amend by variation or repeal any provisions of the Constitution.

A Bill for amendment may be initiated in either House of the Parliament. An amendment Bill can not be initiated in any State Legislature.

There are two types of procedures for amendment as mentioned in the Constitution:

1. Amendment by simple legislative procedure. The following provisions can be amended by this procedure
 - ◆ admission and formation of New States
 - ◆ citizenship
 - ◆ parliamentary privileges
2. By special majority + ratification by not less than $\frac{1}{2}$ of State Legislatures. The following provisions can be amended in this way
 - ◆ manner of President's election
 - ◆ extent of executive power of Union and States
 - ◆ VII Schedule
 - ◆ jurisdiction of Supreme Court and High Courts etc.

The second type amendments made to the constitution are amendments number 3, 6, 7, 8, 13, 14, 15, 16, 22, 23, 24, 25, 28, 30, 31, 32, 35, 36, 38, 39, 42, 43, 44, 45, 46, 51, 54, 61, 62, 70, 73, 74, 75, 79, 84, 88, 95 and 99.

The bill thus initiated must be passed by any one one of the procedures. After the Bill completes this procedure it is presented to the president for his assent. In 1976 the 42nd amendment made it obligatory for the President to give his assent to the amendment Bill.

Many provisions in the Constitution can be amended by simple majority of the members present and voting like creation of new States, reducing the area of the State, altering the name of the

state. The Rajya Sabha may recommend to the Parliament for the creation of one or more All India Services.

The Parliament on its own can amend the second Schedule which relates to Parliamentary quorum, salary and allowances of the M.P.s.

The main controversy regarding the power of the Parliament to amend the constitution centered round Article 13. Article 13 says “the State shall not make any law which takes away or abridges the rights conferred by this part and a law made in contravention of this clause, to the extent of the contravention, shall be void.” This precisely means that any amendment which is inconsistent with or in derogation of the fundamental rights shall be void (Article 13).

Amendment 24th (1971) removed the doubts regarding the powers of the Parliament to amend the Constitution including fundamental rights and therefore clause (4) was added to the Art. 13.

Amendment 25th (1972) recognized the primacy of the Article 39 (b) and (c) of the Directive Principles over Fundamental Rights.

In Golak Nath case the Supreme Court held that fundamental rights can not be abridged except by a new Constituent Assembly.

In Kesavnanda Bharati case, the Court overruled Golak Nath case and upheld the validity of the 24th amendment and decided that the Parliament has power to amend the Constitution under Article 368, but it had no right to “alter the basic structure or framework of the Constitution”.

The 42nd amendment went a step further by depriving the Judiciary to look into the constitutional validity of the amendments.

Major amendment to the Constitution

24th Amendment (5th November 1971) – Amend Articles 13 and 368. Parliament got the right to amend the fundamental right in the light of Golak Nath case.

25th Amendment (20th April 1972) – Amend Articles 31 and insert Article 31 C to mean that the Directive Principles of State Policies will gain supremacy if it came into conflict with

Fundamental Rights. Property may be acquired for public purpose and the amount of compensation can not be challenged in the court of law.

42nd Amendment (1976) - this Amendment came to be known as 'Mini Constitution'. Main issues of the amendment are:

- i. The words 'Secular', 'Socialist' were added to the Preamble. Chapter on Fundamental Duties was added.
- ii. Parliament's power to amend the Constitution was kept beyond the purview of the judicial scrutiny.
- iii. The primacy of the Directive Principles over Fundamental rights was ensured.
- iv. It became obligatory for the President to act on the advice of the Council of Ministers.
- v. Education was transferred to the concurrent list
- vi. It was laid down that Supreme Court alone can look into the constitutional validity of the Union laws. High courts can look into the laws made by the State legislature. Constitution bench would comprise of minimum of five judges and two-third majority would decide the matter.
- vii. Under Article 226 High Courts could not issue writs 'for any other purpose'.
- viii. Establishment of Administrative Tribunals.
- ix. 'Anti-national' activities were defined and Parliament were empowered to impose penalties under 31D

44th Amendment (1978) -

- i. Courts of law were given back the powers snatched away by 42nd Amendment.
- ii. Term of Lok Sabha was fixed for 5 years earlier it was extended to 6 years.
- iii. The President was bound to act on the advice of the council of ministers; however he could send back the bill for reconsideration only once.
- iv. The right to property was made a legal right and was withdrawn from the list of Fundamental rights.
- v. All disputes regarding the election of the President and Vice-President will be decided by the Supreme Court.
- vi. In case of armed rebellion, internal emergency could be declared and it will remain in force for a period of six months and not for a year.

- vii. No person would be prosecuted for publishing a true report of proceeding of any House of the Parliament or the Legislature.

52nd Amendment (1st March 1985)–

- i. Political defection sought to be curbed therefore **anti-defection measures were introduced.**
- ii. Matter relating to the disqualification of the member of the House will be decided by the Presiding officer of the House. No court will question the decision.

61st Amendment (28th March 1989)

Amend Article 326, reduce age of voting rights from 21 to 18.

65th Amendment (12th March 1992)

Amend Article 338, National Commission for SC & ST and its statutory powers specified in the Constitution.

73rd Amendment (24th April 1992)

Insert Part IX, Statutory provisions for Panchayati Raj as third level of administration in villages.

74th Amendment (1st June 1992)

Insert part IXA, Statutory provisions for Local Administrative bodies as third level of administration in urban areas.

80th Amendment (9th June 2000)

Amend Articles 269 and 270 and remove Article 272, Implement Tenth Finance Commission recommendations to simplify the Tax structure by pooling and sharing all taxes between states and the centre.

86th Amendment (22nd June 2003)

Amend Articles 45 and 51 A and insert Article 21A. Article 21A provides Right to Education until the age of 14 and Early Childhood care until the age of 6.

89th Amendment (28th September 2003)

Amend Article 338 and insert Article 338A, National Commission for SC & ST was bifurcated into The National Commission for SC and The National Commission for ST.

93rd Amendment (20th Jan 2006)

Amend Article 15, to enable provision of reservation in educational institutions.

Amendments to the Constitution of India at a Glance

No.	Amendments	Enforced since	Objectives
1.	Amend articles 15, 19, 85, 87, 174, 176, 341, 342, 372 and 376. Insert articles 31A and 31B. Insert schedule 9.	18 June 1951	To fully secure the constitutional validity of zamindari abolition laws and to place reasonable restriction on freedom of speech. A new constitutional device, called Schedule 9 introduced to protect laws that are contrary to the Constitutionally guaranteed fundamental rights. These laws encroach upon property rights, freedom of speech and equality before law
2.	Amend article 81(1)(b).	1 May 1953	Removed the upper population limit for a parliamentary constituency by amending Article 81(1)(b).
3.	Amend schedule 7.	22 February 1955	Re-enacted entry 33 of the Concurrent List in the Seventh Schedule with relation to include trade and commerce in, and the production, supply and distribution of 4 classes of essential commodities, viz., foodstuffs, including edible oil

			seeds and oils; cattle fodder, including oilcakes and other concentrates; raw cotton whether ginned or unginned, and cotton seeds; and raw jute.
4.	Amend articles 31, 35 and 305. Amend schedule 9.	27 April 1955	Restrictions on property rights and inclusion of related bills in Schedule 9 of the constitution
5.	Amend article 3.	24 December 1955	Empowered the President to prescribe a time limit for a State Legislature to convey its views on proposed Central laws relating to the formation of new States and alteration of areas, boundaries or names of existing States. Also permitted the President to extend the prescribed limit, and prohibited any such bill from being introduced in Parliament until after the expiry of the prescribed or extended period.
6.	Amend articles 269 and 286. Amend schedule 7.	11 September 1956	Amend the Union and State Lists with respect to raising of taxes
7.	Amend articles 1, 3, 49, 80, 81, 82, 131, 153, 158, 168, 170, 171, 216, 217, 220, 222, 224, 230, 231 and 232.	1 November 1956	Reorganization of states on linguistic lines, abolition of Class A, B, C, D states and introduction of Union Territories

	Insert articles 258A, 290A, 298, 350A, 350B, 371, 372A and 378A. Amend part 8. Amend schedules 1, 2, 4 and 7.			
8.	Amend article 334.	5 January 1960		Extended the period of reservation of seats for the Scheduled Castes and Scheduled Tribes and Anglo- Indians in the Lok Sabha and the State Legislative Assemblies till 1970
9.	Amend schedule 1.	28 December 1960		Minor adjustments to territory of Indian Union consequent to agreement with Pakistan for settlement of disputes by demarcation of border villages, etc.
10.	Amend article 240. Amend schedule 1.	11 August 1961		Incorporation of Dadra, Nagar and Haveli as a Union Territory, consequent to acquisition from Portugal
11.	Amend articles 66 and 71.	19 December 1961		Election of Vice President by Electoral College consisting of members of both Houses of Parliament, instead of election by a Joint Sitting of Parliament. Indemnify the President and Vice President Election

				procedure from challenge on grounds of existence of any vacancies in the electoral college
12.	Amend article 240. Amend schedule 1.	20 December 1961		Incorporation of Goa, Daman and Diu as a Union Territory, consequent to acquisition from Portugal
13.	Amend article 170. Insert new article 371A.	1 December 1963		Formation of State of Nagaland, with special protection under Article 371A
14.	Amend articles 81 and 240. Insert article 239A. Amend schedules 1 and 4.	28 December 1962		Incorporation of Pondicherry into the Union of India and creation of Legislative Assemblies for Himachal Pradesh, Tripura, Manipur and Goa
15.	Amend articles 124, 128, 217, 222, 224, 226, 297, 311 and 316. Insert article 224A. Amend schedule 7.	5 October 1963		Raise retirement age of High court judges from 60 to 62 and other minor amendments for rationalizing interpretation of rules regarding judges etc.
16.	Amend articles 19, 84 and 173. Amend schedule 3.	5 October 1963		Make it obligatory for seekers of public office to swear their allegiance to the Indian Republic and prescribe the various obligatory templates
17.	Amend article 31A. Amend schedule 9.	20 June 1964		To secure the constitutional validity of acquisition of Estates and place land acquisition laws in Schedule 9 of the constitution

18.	Amend article 3.	27 August 1966	Technical Amendment to include Union Territories in Article 3 and hence permit reorganisation of Union Territories
19.	Amend article 324.	11 December 1966	Abolish Election Tribunals and enable trial of election petitions by regular High Courts
20.	Insert article 233A.	22 December 1966	Indemnify & validate judgments, decrees, orders and sentences passed by judges and to validate the appointment, posting, promotion and transfer of judges barring a few who were not eligible for appointment under article 233. Amendment needed to overcome the effect of judgement invalidating appointments of certain judges in the state of Uttar Pradesh
21.	Amend schedule 8.	10 April 1967	Include Sindhi as an Official Language
22.	Amend article 275. Insert articles 244A and 371B.	25 September 1969	Provision to form Autonomous states within the State of Assam
23.	Amend articles 330, 332, 333 and 334.	23 January 1970	Discontinued reservation of seats for the Scheduled Tribes in Nagaland, both in the Lok Sabha and the State Legislative Assembly and stipulated that not more than one Anglo-Indian

			could be nominated by the Governor to any State Legislative Assembly. Extend reservation for SC/ST and Anglo Indian members in the Lok Sabha and State Assemblies for another ten years, i.e. up to 1980.
24.	Amend articles 13 and 368.	5 November 1971	Enable parliament to dilute fundamental rights through amendments to the constitution
25.	Amend article 31. Insert article 31C.	20 April 1972	Restrict property rights and compensation in case the state takes over private property
26.	Amend article 366. Insert article 363A. Remove articles 291 and 362.	28 December 1971	Abolition of privy purse paid to former rulers of princely states which were incorporated into the Indian Republic
27.	Amend articles 239A and 240. Insert articles 239B and 371C.	15 February 1972	Reorganization of Mizoram into a Union Territory with a legislature and council of ministers
28.	Insert article 312A. Remove article 314.	29 August 1972	Rationalize Civil Service rules to make it uniform across those appointed prior to Independence and post independence
29.	Amend schedule 9.	9 June 1972	Place land reform acts and amendments to these act under Schedule 9 of the constitution
30.	Amend article 133.	27 February	Change the basis for appeals in

		1973	Supreme Court of India in case of Civil Suits from value criteria to one involving substantial question of law
31.	Amend articles 81, 330 and 332.	17 October 1973	Increase size of Parliament from 525 to 545 seats. Increased seats going to the new states formed in North East India and minor adjustment consequent to 1971 Delimitation exercise
32.	Amend article 371. Insert articles 371D and 371E. Amend schedule 7.	1 July 1974	Protection of regional rights in Telengana and Andhra regions of State of Andhra Pradesh
33.	Amend articles 101 and 190.	19 May 1974	Prescribes procedure for resignation by members of parliament and state legislatures and the procedure for verification and acceptance of resignation by house speaker
34.	Amend schedule 9.	7 September 1974	Place land reform acts and amendments to these act under Schedule 9 of the constitution
35.	Amend articles 80 and 81. Insert article 2A. Insert schedule 10.	1 March 1975	Terms and Conditions for the Incorporation of Sikkim into the Union of India
36.	Amend articles 80 and 81. Insert article 371F. Remove article 2A. Amend schedules 1 and 4.	26 April 1975	Formation of Sikkim as a State within the Indian Union

	Remove schedule 10.		
37.	Amend articles 239A and 240.	3 May 1975	Formation of Arunachal Pradesh legislative assembly
38.	Amend articles 123, 213, 239B, 352, 356, 359 and 360.	1 August 1975	Enhances the powers of President and Governors to pass ordinances
39.	Amend articles 71 and 329. Insert article 329A. Amend schedule 9.	10 August 1975	Amendment designed to negate the judgement of Allahabad High Court invalidating Prime Minister Indira Gandhi's election to parliament. Amendment placed restrictions on judicial scrutiny of post of Prime Minister
40.	Amend article 297. Amend schedule 9.	27 May 1976	Enable Parliament to make laws with respect to Exclusive Economic Zone and vest the mineral wealth with Union of India Place land reform & other acts and amendments to these act under Schedule 9 of the constitution
41.	Amend article 316.	7 September 1976	Raise Retirement Age Limit of Chairmen and Members of Joint Public Service Commissions and State Public Service Commissions from sixty to sixty two.
42.	Amend articles 31, 31C, 39, 55, 74, 77, 81, 82, 83, 100,	1 April 1977	Amendment passed during internal emergency by Indira

102, 103, 105, 118, 145, 150, 166, 170, 172, 189, 191, 192, 194, 208, 217, 225, 226, 227, 228, 311, 312, 330, 352, 353, 356, 357, 358, 359, 366, 368 and 371F.

Insert articles 31D, 32A, 39A, 43A, 48A, 131A, 139A, 144A, 226A, 228A and 257A.

Insert parts 4A and 14A.

Amend schedule 7.

43.

Amend articles 145, 226, 228 and 366.

Remove articles 31D, 32A, 131A, 144A, 226A and 228A.

13 April 1978

Gandhi. Provides for curtailment of fundamental rights, imposes fundamental duties and changes to the basic structure of the constitution by making India a "Socialist Secular" Republic

Amendment passed after revocation of internal emergency in the Country. Repeals some of the more 'Anti-Freedom' amendments enacted through Amendment Bill 42

44.

Amend articles 19, 22, 30, 31A, 31C, 38, 71, 74, 77, 83, 103, 105, 123, 132, 133, 134, 139A, 150, 166, 172, 192, 194, 213, 217, 225, 226, 227, 239B, 329, 352, 356, 358, 359, 360 and 371F.

Insert articles 134A and 361A.

Remove articles 31, 257A

6 September 1978

Amendment passed after revocation of internal emergency in the Country. Provides for human rights safeguards and mechanisms to prevent abuse of executive and legislative authority. Annuls some Amendments enacted in Amendment Bill 42

	and	329A.		
	Amend	part	12.	
	Amend schedule 9.			
45.	Amend article 334.		25 January 1980	Extend reservation for SC / ST and nomination of Anglo Indian members in Parliament and State Assemblies for another ten years i.e. up to 1990
46.	Amend articles 269, 286 and	286 366.	2 February 1983	Amendment to negate judicial pronouncements on scope and applicability on Sales Tax
47.	Amend schedule 9.		26 August 1984	Place land reform acts and amendments to these act under Schedule 9 of the constitution
48.	Amend article 356.		1 April 1985	Article 356 amended to permit President's rule up to two years in the state of Punjab
49.	Amend article	244.	11 September 1984	Recognize Tripura as a Tribal State and enable the creation of a Tripura Tribal Areas Autonomous District Council
50.	Amend article 33		11 September 1984	Technical Amendment to curtailment of Fundamental Rights as per Part III as prescribed in Article 33 to cover Security Personnel protecting property and communication infrastructure
51.	Amend articles 330 and	332.	16 June 1986	Provide reservation to Scheduled Tribes in Nagaland,

			Meghalaya, Mizoram and Arunachal Pradesh Legislative Assemblies
52.	Amend articles 101, 102, 190 and 191. Insert schedule 10	1 March 1985	Anti Defection Law - Provide disqualification of members from parliament and assembly in case of defection from one party to other
53.	Insert article 371G.	20 February 1987	Special provision with respect to the State of Mizoram.
54.	Amend articles 125 and 221. Amend schedule 2	1 April 1986	Increase the salary of Chief Justice of India & other Judges and to provide for determining future increases without the need for constitutional amendment
55.	Insert article 371H.	20 February 1987	Special powers to Governor consequent to formation of state of Arunachal Pradesh
56.	Insert article 371I.	30 May 1987	Transition provision to enable formation of state of Goa
57.	Amend article 332.	21 September 1987	Provide reservation to Scheduled Tribes in Nagaland, Meghalaya, Mizoram and Arunachal Pradesh Legislative Assemblies
58.	Insert article 394A. Amend part 22.	9 December 1987	Provision to publish authentic Hindi translation of constitution as on date and provision to publish authentic Hindi

					translation of future amendments
59.	Amend article 356. Insert article 359A.	30 March 1988			Article 356 amended to permit President's rule up to three years in the state of Punjab, Articles 352 and Article 359A amended to permit imposing emergency in state of Punjab or in specific districts of the state of Punjab
60.	Amend article 276.	20 December 1988			Profession Tax increased from a minimum of Rs. 250/- to a maximum of Rs. 2500/-
61.	Amend article 326.	28 March 1989			Reduce age for voting rights from 21 to 18
62.	Amend article 334	20 December 1989			Extend reservation for SC / ST and nomination of Anglo Indian members in Parliament and State Assemblies for another ten years i.e. up to 2000
63.	Amend article 356. Remove article 359A.	6 January 1990			Emergency powers applicable to State of Punjab, accorded in Article 359A as per amendment 59 repealed
64.	Amend article 356.	16 April 1990			Article 356 amended to permit President's rule up to three years and six months in the state of Punjab
65.	Amend article 338.	12 March 1990			National Commission for Scheduled Castes and

			Scheduled Tribes formed and its statutory powers specified in The Constitution.
66.	Amend schedule 9.	7 June 1990	Place land reform acts and amendments to these act under Schedule 9 of the constitution
67.	Amend article 356.	4 October 1990	Article 356 amended to permit President's rule up to four years in the state of Punjab
68.	Amend article 356.	12 March 1991	Article 356 amended to permit President's rule up to five years in the state of Punjab
69.	Insert articles 239AA and 239AB.	1 February 1992	To provide for a legislative assembly and council of ministers for Federal National Capital of Delhi. Delhi continues to be a Union Territory
70.	Amend articles 54 and 239AA	21 December 1991	Include National Capital of Delhi and Union Territory of Pondicherry in electoral college for Presidential Election
71.	Amend schedule 8	31 August 1992	Include Konkani, Manipuri and Nepali as Official Languages
72.	Amend article 332.	5 December 1992	Provide reservation to Scheduled Tribes in Tripura State Legislative Assembly
73.	Insert part 9.	24 April 1992	Statutory provisions for Panchyat Raj as third level of administration in villages
74.	Insert part 9A.	1 June 1992	Statutory provisions for Local

75.	Amend article 323B.	15 May 1994	Administrative bodies as third level of administration in urban areas such as towns and cities Provisions for setting up Rent Control Tribunals
76.	Amend schedule 9.	31 August 1994	Enable continuance of 69% reservation in Tamil Nadu by including the relevant Tamil Nadu Act under 9th Schedule of the constitution
77.	Amend article 16.	17 June 1995	A technical amendment to protect reservation to SC/ST Employees in promotions
78.	Amend schedule 9.	30 August 1995	Place land reform acts and amendments to these act under Schedule 9 of the constitution
79.	Amend article 334.	25 January 2000	Extend reservation for SC / ST and nomination of Anglo Indian members in Parliament and State Assemblies for another ten years i.e. up to 2010
80.	Amend articles 269 and 270. Remove article 272.	9 June 2000	Implement Tenth Finance Commission recommendation to simplify the tax structures by pooling and sharing all taxes between states and The Centre
81.	Amend article 16.	9 June 2000	Protect SC / ST reservation in filling backlog of vacancies
82.	Amend article 335.	8 September 2000	Permit relaxation of qualifying marks and other criteria in

			reservation in promotion for SC / ST candidates
83.	Amend article 243M.	8 September 2000	Exempt Arunachal Pradesh from reservation for Scheduled Castes in Panchayati Raj institutions
84.	Amend articles 55, 81, 82, 170, 330 and 332.	21 February 2002	Extend the usage of 1971 national census population figures for statewide distribution of parliamentary seats
85.	Amend article 16.	4 January 2002	A technical amendment to protect Consequential seniority in case of promotions of SC/ST Employees
86.	Amend articles 45 and 51A. Insert article 21A.	12 December 2002	Provides Right to Education until the age of fourteen and Early childhood care until the age of six
87.	Amend articles 81, 82, 170 and 330.	22 June 2003	Extend the usage of 2001 national census population figures for statewide distribution of parliamentary seats
88.	Amend article 270. Insert article 268A. Amend schedule 7.	15 January 2004	To extend statutory cover for levy and utilization of Service Tax
89.	Amend article 338. Insert article 338A.	28 September 2003	The National Commission for Scheduled Castes and Scheduled Tribes was bifurcated into The National Commission for Scheduled Castes and The

			National Commission for Scheduled Tribes
90.	Amend article 332.	28 September 2003	Reservation in Assam Assembly relating to Bodoland Territory Area
91.	Amend articles 75 and 164. Insert article 361B. Amend schedule 10.	1 January 2004	Restrict the size of council of ministers to 15% of legislative members & to strengthen Anti Defection laws
92.	Amend schedule 8.	7 January 2004	Include Bodo, Dogri, Santali and Maithali as official languages
93.	Amend article 15.	20 January 2006	To enable provision of reservation(27%) for other backward classes (O.B.C.) in government as well as private educational institutions
94.	Amend article 164.	12 June 2006	To provide for a Minister of Tribal Welfare in newly created Jharkhand and Chhattisgarh States including Madhyapradesh, Orissa.
95.	Amend article 334.	25 January 2010	To extend the reservation of seats for SCs and STs in the Lok Sabha and states assemblies from Sixty years to Seventy years
96.	Amend schedule 8.	23 September 2011	Substituted "Odia" for "Oriya"
97.	Amend Art 19 and added	12 January	Added the words "or co-

Part IXB.	2012	operative societies" after the word "or unions" in Article 19(l)(c) and insertion of article 43B i.e., Promotion of Co-operative Societies and added Part-IXB i.e., The Co-operative Societies. The amendment objective is to encourage economic activities of cooperatives which in turn help progress of rural India. It is expected to not only ensure autonomous and democratic functioning of cooperatives, but also the accountability of the management to the members and other stakeholders.
98.	To insert Article 371J in the Constitution 2 January 2013	To empower the Governor of Karnataka to take steps to develop the Hyderabad-Karnataka Region.
99.	Insertion of new articles 124A, 124B and 124C. Amendments to Articles 127, 128, 217, 222, 224A, 231. 31 December 2014	The amendment provides for the formation of a National Judicial Appointments Commission. 16 State assemblies out of 29 States including Goa, Rajasthan, Tripura, Gujarat and Telangana ratified the Central Legislation, enabling the President of India to give assent to the bill.
100	Amendment of First Schedule 1 August 2015	Exchange of certain enclave

to Constitution

territories with Bangladesh and conferment of citizenship rights to residents of enclaves consequent to signing of Land Boundary Agreement (LBA) Treaty between India and Bangladesh.

Addition of articles 246A, 269A, 279A. Deletion of Article 268A.

101 Amendment of articles 248, 249, 250, 268, 269, 270, 271, 286, 366, 368, Sixth Schedule, Seventh Schedule.

1 July 2017

Introduced the Goods and Services Tax.