THE CONSTITUTION OF INDIA

Satyamev Jayate
THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN DEMOCRATIC REPUBLIC and to secure to all its citizens:

JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity;

and to promote among them all

FRATERNITY assuring the dignity of the individual and the unity of the Nation;

IN OUR CONSTITUENT ASSEMBLY, this twenty-sixth day of November, 1949, do HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.
Part 1

The Union and its Territory

1. (a) India, that is to say, shall be a Union of States.
   (b) The States and the territories thereof shall be in the United
   and their territories specified in Parts A, B, and D of the First
   Schedule.
   (c) The Eastern provinces of the States shall—
   (i) the territories of the States;
   (ii) the territories specified in Part B of the First
   Schedule;
   (d) and such other territories as may be acquired.

2. Parliament may by law enact that—
   (a) any State is merged into the Union or split into two,
   (b) any State on such terms and conditions as it thinks fit.

3. Parliament may by law—
   (a) make a new State by separation from any State or by splitting
   any State into two or more States;
   (b) change the name of any State;
   (c) abolish the name of any State;
   (d) alter the boundaries of any State;
   (e) alter the name of any State;

Provided that no Bill for the purpose shall be introduced in
the House of Parliament except on the recommendation of the
President and unless, when the proposal contained in the Bill affects
من کتاب مرجعی در سه جلد، تألیف علی‌الدین محمدبی‌نام، نفیسه‌بی‌نام، نظام‌الدین محمدبی‌نام، اثر محمدحسین صفوی، نشر جامعه مددکاری انسانی تهران، ۱۳۹۴، صفحه ۱۴۸.
Citizenship

5. At the commencement of the Constitution, every person who has his domicile in the territory of India, and—
(a) who was born in the territory of India; or
(b) either of whose parents was born in the territory of India; or
(c) who has been ordinarily resident in the territory of India for not less than five years immediately preceding such commencement,
shall be a citizen of India.

Parishyathas of independent Indian States, future rulers of whom migrated into the territory of India from the territory now included in Pakistan shall be deemed to be citizens of India at the commencement of this Constitution if—
(a) he or either of his parents or any of his grand parents were born in India as defined in the Territorial Boundary of India, Act, 1935 (as originally enacted); and
(b) in the case where such person has so migrated before the nineteenth day of July, 1948, he has been ordinarily resident in the territory of India since the date of his migration, or
(c) in the case where such person has so migrated on or after the nineteenth day of July, 1948, he has been
registered as a citizen of India by an officer appointed in that behalf by the Government of the Dominion of India on an application made by him, either before, or after the commencement of this Constitution, in the form and manner prescribed by that Government.
Provided that no person shall be so registered unless he has been resident in the territory of India for at least six months immediately preceding the date of his application.

Right of citizenship of citizens of India join-occupying British India.

1. Notwithstanding anything in articles 5 and 6, a person who has after the first day of March, 1947, migrated from the territory of India to the territory now included in Pakistan shall not be deemed to be a citizen of India.
Provided that nothing in this article shall apply to a person who, after having migrated to the territory now included in Pakistan, has returned to the territory of India under a scheme for resettlement, or permanent return invited by or under the authority of any law not, every such person shall for the purposes of clause (b) of article 6 be deemed to have migrated to the territory of India after the nineteenth day of July, 1947.

Right of citizenship of citizens of India marrying outside India.

2. Notwithstanding anything in article 5, any person whose father or of whose mother’s parents was born in India, as defined in the Government of India Act, 1935, as originally enacted, and who is ordinarily resident in any country outside India, as so defined, shall be deemed to be a citizen of India if he has been registered as a citizen of India by the diplomatic or consular representative of India in the country where he is for the time being residing on an application made by him to such diplomatic or consular representative, whether before or after the commencement of this Constitution, on the form and manner provided by the Government of the Dominion of India or the Government of India.

Above voluntarily acquiring citizenship of a foreign State shall be deemed to be a citizen of India by virtue of article 5 or of article 6, and has voluntarily acquired the citizenship of any foreign State.

3. A person shall be a citizen of India by virtue of article 5 or of article 6:

- who has been adopted by an Indian citizen, or
- for the purposes of clause (b) of article 6, he has voluntarily acquired the citizenship of any foreign State.
10. Every person who is or is deemed to be a citizen of India under any of the preceding provisions of this Part shall, subject to the provisions of any law that may be made by Parliament, continue to be such citizen.

11. Nothing in the foregoing provisions of this Part shall deprive the power of Parliament to make any provision with respect to the acquisition and termination of citizenship, and all other matters relating to citizenship.
Part III

Fundamental Rights

General

12. In this Part, unless the context otherwise requires, the 'State' includes the Government and Parliament of India and the Government and the Legislature of each of the States and all local or other authorities within the territory of India or under the control of the Government of India.

13. All laws in force in the territory of India immediately before the commencement of this Constitution, in so far as they are inconsistent with the provisions of this Part, shall, to the extent of such inconsistency, be void.

14. The State shall not make any law which takes away or abridges the right conferred by this Part and any law made in contravention of this clause, shall be void to the extent of the contravention, to void.

15. In this article, unless the context otherwise requires—

1. "law" includes any law, order, rule, regulation, notification, custom, or usage having in the territory of India, the force of law;

2. "law in force" includes law passed or made by a Legislature or other competent authority in the territory of India before the commencement of this Constitution and not previously repealed, revoking anything that any such law or any part thereof, may not be then in operation, either at all, or in particular areas.
Right to equality

14. The State shall not deny to any person equally before the law or the equal protection of the law within the territory of India.

15. No citizen shall be discriminated against any citizen on grounds only of religion, race, caste, sex, place of birth or of any of them.

No citizen shall, on grounds only of religion, race, caste, sex, place of birth or of any of them, be subject to any disability or restriction or condition with regard to—

(a) access to shops, public restaurants, hotels and places of public entertainment;

(b) the use of wells, tanks, bathing spots, public gardens, public gardens, public parks, public roads maintained wholly or partly out of state funds or dedicated to the use of the general public;

(c) Nothing in this article shall prevent the State from making any special provision for women and children.

(d) There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.

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

(f) Nothing in this article shall prevent Parliament from making any law prescribing, in regard to a class or classes of employment or appointment to any office under any State, or any local or other authority within its territory, any requirement as to residence within that State prior to such employment or appointment.

(g) Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any scheduled class of citizens which, in the opinion of the State, is not adequately represented in the services under the State.
(b) Nothing in this article shall affect the operation of any law which provides that the incumbent of an office in connection with the affairs of any religious or denominational institution or any member of the governing body thereof shall be a person professing a particular religion or belonging to a particular denomination.

(17) Unanimity is established and to practice or to forbid. The enforcement of any disability arising out of Unanimity shall be an offence punishable in accordance with law.

(18) (a) No alien, not being a military or naval officer, shall be conferred by the State.
(b) No citizen of India shall accept any office from any foreign State.
(c) No person who is not a citizen of India shall, while he holds any office in the government or under the State, accept without the consent of the President any office from any foreign State.
(d) No person holding any office of profit or trust under the State shall, without the consent of the President, accept any present, emolument, or office of any kind from or under any foreign State.

Right to Freedom

(13) All citizens shall have the right to—
(a) the freedom of speech and expression;
(b) to assemble peaceably and without arms;
(c) to form associations or unions;
(d) to move freely throughout the territory of India;
(e) to reside and settle in any part of the territory of India;
(f) to acquire, hold and dispose of property;
(g) to practice any profession or to carry on any occupation, trade or business.

(19) Nothing in sub-article (a) of article 13 shall affect the operation of any existing law in so far as it relates to, or prevents the State from making any law relating to, alienation, defamatory, contempt of court or any matter which affords against slavery or servitude or which.
(1) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(2) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(3) Nothing in said clause 6(e) of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of any of the rights conferred by the said sub-clause.

(4) Nothing in said clause 6(f) of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(5) Nothing in said clause 6(e) and (f) of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of any of the rights conferred by the said sub-clause.

(6) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(7) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(8) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(9) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(10) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(11) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(12) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(13) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(14) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(15) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(16) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(17) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(18) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(19) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(20) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(21) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(22) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(23) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(24) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(25) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(26) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(27) Nothing in said clause 6 of the said clause shall affect the operation of any existing law in so far as it imposes or prevents the State from making any law imposing, in the interest of public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.
19. No person accused of any offence shall be compelled to be a witness against himself.

20. No person shall be deprived of his life or personal liberty, except according to procedure established by law.

21. (1) No person who is arrested shall be detained in custody without being informed, as soon as may be, of the grounds for such arrest, nor shall he be denied the right to consult, and to be defended by, a legal practitioner of his choice.

(2) Every person who is arrested and detained in custody shall be produced before the nearest magistrate within a period of twenty-four hours of such arrest excluding the time necessary for the journey from the place of arrest to the court of the magistrate and no such person shall be detained in custody beyond the said period without the authority of a magistrate.

(3) Nothing in clauses (1) and (2) shall apply—

(a) to any person who, for the time being, is an enemy alien;

(b) to any person who, is arrested, or detained under any law providing for preventive detention.

(4) No law providing for preventive detention shall authorize the detention of a person for a longer period than three months unless—

(a) a Advisory Board consisting of persons who are, or have been, or are qualified to be appointed as, judge of a High Court has reported before the expiration of the said period of three months that there is, in its opinion, sufficient cause for such detention.

Provided that nothing in this sub-clause shall authorize the detention of any person beyond the maximum period prescribed by any law made by Parliament under sub-clause (1) of clause (7), or

(b) such person is detained in accordance with the provisions of any law made by Parliament under sub-clauses (a) and (b) of clause (7).
religion.

(b) Nothing in this article shall affect the operation of any existing law or prevent the State from making any law—

(i) regulating or restricting any economic, financial, political or other secular activity which may be associated with religious practice;

(ii) providing for social welfare and reform or the diminishing share of Hindu religious institutions of a public character to all classes and sections of Hindus.

**Explanation 1.**—The meaning and meaning of “Hindus” shall be deemed to be included in the forbidding of the Hindu religion.

**Explanation 2.**—In sub-clause (b) of clause (2), the reference to Hindus shall be construed as including a reference to persons professing the Hindu, Jain or Buddhist religions, and the reference to Hindu religious institutions shall be construed accordingly.

26. Subject to public order, morality and public health, every religious denomination or any section thereof shall have the right—

(a) to establish and maintain institutions for religious and charitable purposes;

(b) to manage its own affairs in matters of religion;

(c) to own and acquire movable and immovable property, and

(d) to administer such property in accordance with law.

27. No person shall be compelled to pay any tax, the proceeds of which are specifically appropriated in payment of expenses for the promotion or maintenance of any particular religion or religious denomination.

28. No religious instruction shall be provided in any educational institution wholly maintained out of State funds.

29. Nothing in clause 27 shall apply to an educational institution which is administered by the State but has been established under any endowment or trust which requires that religious instruction shall be imparted in such institution.

30. No person attending any educational institution recognized by the State or receiving aid out of State funds shall be required to take part in any religious instruction that may be imparted in such.
Cultural and Educational Rights

29. (2) Any section of the citizens residing in the territories of India or any part thereof having a distinct language, script, or culture of its own shall have the right to conserve the same.

30. (1) No religion shall be denied admission into any educational institution maintained by the State or receiving aid from State funds on grounds only of religion, race, caste, language or any of these.

31. (1) All minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice.

32. (1) The State shall not, in granting aid to educational institutions, discriminate against any educational institution on the ground that it is under the management of a minority, whether based on religion or language.

Right to Property

33. (1) No person shall be deprived of his property save by authority of law.

34. (1) No property, movable or immovable, including any interest in, or in any company, stock, or company or industrial undertaking, shall be liable, without his consent, to be taken, possession of, or acquired for public purposes under any law authorizing the taking of such possession or such acquisition, unless the law provides for compensation for the property taken possession of or acquired, and either before the enactment of the compensation, or specifies the principles on which, and the manner in which, the compensation is to be determined, and given.

(2) Any law so as is referred to in clause (1) made by the Legislature of a State shall have effect under such law, having been moved for the consideration of the President, and received his assent.

35. (1) If any Act passing at the commencement of the Constitution, in the Legislature of a State has, after it has been passed, by such
Legislation for reserved for the consideration of the President and has reserved for assent, then, notwithstanding anything in this Constitution, the law so assented to shall not be called in question in any court, on the ground that it contravenes the provisions of clause (v).

(vii) Nothing in clause (v) shall affect—

(i) the provisions of any existing law other than one which is based on the provisions clause (v)用戶 or
(ii) the provisions of any law which the State may benefit make—

(i) for the purpose of imposing or levying any tax or fund;

(ii) for the purpose of imposing or levying any tax or fund;

(iii) for the purpose of imposing or levying any tax or fund;

(iv) for the purpose of imposing or levying any tax or fund;

(v) in pursuance of any agreement entered into between the Government of the Dominion of India and the Government of any other country, or otherwise, with respect to property declared by law to be conserve property.

(viii) Any law of the State enacted not more than eighteen months before the commencement of this Constitution shall, within six months from such commencement, be submitted to the President for his certification; and thereafter, if the President by public notification so certifies, it shall not be called in question in any court on the ground that it contravenes the provisions of clause (v) of Article 293 of the Constitution of India, 1950.

Right to Constitutional Remedies

32. The right to move the Supreme Court by appropriate proceedings for the enforcement of the rights conferred by this Part, is guaranteed.

33. The Supreme Court shall have power to issue directions or orders or writs, including writs in the nature of habeas corpus, mandamus, prohibition, quo warranto and certiorari, such writs or orders or directions or writs may be appropriate for the enforcement of any of the rights conferred...
any of the matters referred to in sub-clause (ii) or proceeding for punishment for any act referred to in sub-
clause (ii) of that clause shall, subject to the times thereof and to any adaptations and modifications that may be
made therein under article 312, continue in force until altered, or repealed or amended by Parliament.

Explanation.—In this article, the expression law in force has the same meaning as in article 372.
Part IV
Directive Principles of State Policy

36. In this Part, unless the context otherwise requires, the word "Principl" has the same meaning as in Part III.

37. The principles contained in this Part shall not be enforceable by any court, but the principles herein laid down are nevertheless fundamental in the governance of the country and it shall be the duty of the State to apply those principles in making laws.

38. The State shall strive to promote the welfare of the people by ensuring and protecting as effectively as it may a social order in which justice, social, economic and political shall inform all the institutions of the national life.

39. The State shall, in particular, direct its policy towards securing—

(a) that the citizens, men and women equally, have the right to an adequate means of livelihood;
(b) that the ownership and control of the material resources of the community are so distributed as best to ensure the common good;
(c) that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment;
(d) that there is equal pay for equal work for both men
and women,
(e) that the health and strength of workers, men and women, and the tender age of children are not abused and that children are not forced by economic necessity to undertake tasks un suited to their age or strength;
(f) that children and youth are protected against exploitation and against cruel and degrading punishment.

40. The State shall take steps to organize village panchayats and empower them with such powers and authority as may be necessary to enable them to function as units of self-government.

41. The State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education, and to public assistance in cases of unemployment, old age, sickness and disablement, and in other cases of inadequate income.

42. The State shall make provision for ensuring just and humane conditions of work and for maternity relief.

43. The State, shall endeavour to secure, by suitable legislation, social and economic organisation or in any other way, to all workers, agricultural, industrial or otherwise, work, a living wage, conditions of work ensuring a decent standard of life and full enjoyment of leisure and social and cultural opportunities and, in particular, the State shall endeavour to promote cottage industries on an individual or co-operative basis in rural areas.

44. The State shall endeavour to secure for the citizens uniform civil code throughout the territory of India.

45. The State shall endeavour to provide, within a period of ten years from the commencement of the Constitution, for free and compulsory education for all children until they complete the age of fourteen years.

46. The State shall promote, with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation.
47. The State shall regard the raising of the level of education and the standard of living of its people, and the improvement of public health and the fostering of family life and, in particular, the State shall endeavour to bring about prohibition of the consumption except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health.

48. The State shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and prohibiting the slaughter, of cows and calves and other bos taurus cattle.

49. It shall be the obligation of the State to protect every monument, rock, hill, or feature or object of artistic or historic interest, declared by Parliament by law to be of national importance, from spoliation, desecration, destruction, removal, disposal or exploitation in any way.

50. The State shall take steps to separate the judiciary from the executive in the public service of the State.

51. The State shall endeavour to promote international peace and security, to maintain just and honourable relations between nations, to foster respect for international law and treaty obligations in the dealings of organised peoples with one another, and, by encouraging settlement of international disputes by arbitration.
Chapter 1. The Executive
The President and the President

52. There shall be a President of India.

53. (a) The executive power of the Union shall be vested in the President and shall be exercised by him either directly or through officers subordinate to him in accordance with this Constitution.

(b) Without prejudice to the generality of the foregoing provision, the supreme command of the Defence Forces of the Union shall be vested in the President and the services thereof shall be regulated by law.

53A. Nothing in this article shall--

(a) be deemed to transfer to the President any functions conferred by any existing law on the Government of any State or other authority, or

(b) prevent Parliament from conferring by law functions on authorities other than the President.

54. The President shall be elected by the members of an electoral college consisting of--

(a) the elected members of both Houses of Parliament, and

(b) the elected members of the Legislative Assembly of the States.

55. (a) As far as practicable, there shall be conformity in the
scale of representation of the different States at the election of the President.

3. For the purpose of ensuring such uniformity among the States as to, as well as fairly between the States as a whole and the Union, the number of votes which each elected member of Parliament and of the Legislative Assembly of each State is entitled to cast at each election shall be determined in the following manner:

(a) every elected member of the Legislative Assembly of a State shall have as many votes as there are multiples of one thousand in the quotient obtained by dividing the population of the State by the total number of the elected members of the Assembly;

(b) if, after taking the said multiples of one thousand, the remainder is not less than five hundred, then the vote of each member referred to in sub-clause (a) shall be further increased by one; and

c) each elected member of either House of Parliament shall have such number of votes as may be obtained by subtracting the total number of votes assigned to the members of the Legislative Assembly of the State under sub-clause (a) by the total number of the elected members of both Houses of Parliament, fractions exceeding one half being counted as one and other fractions being disregarded.

The election of the President shall be held in accordance with the system of proportional representation by means of single transferable votes and the voting at such election shall be by secret ballot.

Explanation—In this article, the expression "population" means the population ascertained at the last preceding census of which the relevant figures have been published.

The President shall hold office for a term of five years from the date on which he takes upon his office:

The President may, by writing under his hand addressed to the Vice President, resign his office.
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enactments, allusions and privileges as may be determined by Parlia-
ment by law and, until provision in that behalf be so made, such
enactments, allusions and privileges as are specified in the Social Security
v. The encomiums and allusions of the President shall not be
diminished during his term of office.

60. Every President and every person acting as President or
discharging the functions of the President shall before entering upon
his office, make and subscribe to the preamble of the Chief Justice of
India or in his absence, the Governor and Judge of the Supreme Court and
able, an oath or affirmation in the following form, to wit—

I, A.B., do swear in the name of God, that I will faithfully
execute the office of President or discharge the
functions of the President of India and will to the best
of my ability preserve, protect and defend the Constitution
and the law, and that I will devote myself to the service and
good government of the people of India.

61. When a President is to be impeached for violation of the
Constitution, the charge shall be preferred by either House of Parlia-
ment.

(b) Such charge shall be preferred within
three months from the date on which such charge is contained in a
resolution which has been moved after at least fourteen
days' notice in writing signed by not less than one-
fourth of the total membership of the House,
has been given of three sessions, and the resolution
has been passed by a majority of not less than
six-thirds of the total membership of the House.

(c) When a charge has been so preferred by either House
of Parliament, the other House shall investigate the charge
or cause the charge to be investigated and the President shall
have the right to appear and be represented at such inquiry.

(d) If, as a result of the investigation, a resolution is passed
period while he is so acting as, or discharging the functions of President, he shall have all the powers and immunities of the President and be entitled to such emoluments, allowances and privileges as may be determined by Parliament by law and, until provision in that behalf is made, such emoluments, allowances and privileges as are specified in the First Schedule.

60. The Vice-President shall be elected by the members of both Houses of Parliament, assembled at a joint sitting in accordance with the system of proportionate representation by means of the single transferable vote and the voting at such election shall be by secret ballot.

61. The Vice-President shall not be a member of either House of Parliament or of a House of the Legislature of any State, and if a member of either House of Parliament or of a House of the Legislature of any State he holds Vice-President, he shall, in case he acts in that House on the date on which he vacates his seat, forfeit his seat in that House on the date on which he vacates his office as Vice-President.

62. No person shall be eligible for election as Vice-President unless he:

(a) is a citizen of India;
(b) has completed the age of thirty-five years; and
(c) is qualified for election as a member of the Council of States.

63. A person shall not be eligible for election as Vice-President if he holds any office of profit under the Government of India or the Government of any State or under any local or other authority subject to the control of any of the said Governments.

Explanation—For the purposes of this article, a person shall not be deemed to hold any office of profit by reason only that he is the President or Vice-President of the Union or the Governor or Rajpramukh or Deprajpramukh of any State or is a Minister either for the Union or for any State.

64. The Vice-President shall hold office for a term of five years from the date on which he vacates his office.
President shall—

(a) a Vice-President may, by writing under his hand addressed to the President, resign his office;
(b) a Vice-President may be removed from his office by a resolution of the Council of States passed by a majority of not less than two-thirds of the members of the Council and presented to the President by the House of the People, but no resolution for this purpose shall be moved unless at least fifteen days' notice has been given of the intention to move the resolution;
(c) a Vice-President shall, notwithstanding the expiration of his term, continue to hold office until the successor elected upon his date of resignation.

63. An election to fill a vacancy caused by the expiration of the term of office of Vice-President shall be completed before the expiration of the term.

64. An election to fill a vacancy on the inside of the President ceasing, by reason of his death, resignation or removal, or otherwise shall be held as soon as possible after the occurrence of the vacancy, and the person elected to fill the vacancy shall, subject to the provisions of article 62, be enabled to hold office for the full term of five years from the date on which he is elected.

65. Every Vice-President shall, before entering upon his office, make and subscribe before the President, or some person appointed in that behalf by him, an oath or affirmation in the following form, that is to say—

I, A.B., do solemnly and sincerely affirm and declare, that I will faithfully discharge the duties upon which I am about to enter.

66. Parliament may make such provisions as it thinks fit for the discharge of the functions of the President in any contingency not provided for in this Chapter.

67. All doubts and disputes arising out of or in connection with the election of a President or Vice-President shall be decided by the Supreme Court whose decision shall be final.
(1) The salary of a person as President or Vice-President is declared and paid by the Supreme Court, and it may be fixed by him in the exercise and performance of the powers and duties of the office of President or Vice-President, as the case may be, on or before the date of the decision of the Supreme Court. Such order shall not be invalidated by reason of that declaration.

(2) Subject to the provisions of this Constitution, the power to declare any person or any matter relating to or connected with the office of a President or Vice-President shall be exercised by a Court-Martial.

In all cases when the punishment or sentence is for an offence against any law relating to a matter to which the executive power of the Union extends,

(a) in all cases where the sentence is a sentence of death;

(b) Nothing in sub-clause (a) of clause (1) shall affect the power conferred by law on any person of the Armed Forces of the Union to suspend, remit or commute a sentence imposed by a Court-Martial.

Nothing in sub-clause (c) of clause (1) shall affect the power to suspend, remit or commute a sentence of death passable by the President or Governor of a State under any law for the time being in force.

(3) Subject to the provisions of this Constitution, the executive power of the Union shall extend—

(a) to the matters with respect to which Parliament has power to make laws, and

(b) to the exercise of such rights, authority and jurisdiction as are exercisable by the Government of India by virtue of any treaty or agreement:

Provided that the executive power referred to in sub-clauses
The Attorney-General for India

7. (1) The President shall appoint in persons who are qualified to be appointed to be a Judge of the Supreme Court to be Attorney-General for India.

(2) It shall be the duty of the Attorney-General to give advice to the Government of India on such legal matters, and to perform such other duties of a legal character, as may from time to time be referred or assigned to him by the President, and to discharge the functions imposed on him by or under this Constitution or any other law for the time being in force.

(3) In the performance of his duties the Attorney-General shall have right of audience in all courts in the territory of India.

(4) The Attorney-General shall hold office during the pleasure of the President, and shall receive such remuneration as the President may determine.

Contact of Government Business

8. (1) All executive action of the Government of India shall be signed in the name of the President.

(2) Orders and other instruments made and executed in the name of the President shall be authenticated in such manner as may be specified in rules to be made by the President, and the validity of an order or instrument, which is so authenticated, shall not be called in question on the ground that it is not an order or instrument made or executed by the President.

(3) The President shall make rules for the more convenient transacting of the business of the Government of India, and for the allocation among Ministers of the said business.

9. It shall be the duty of the Prime Minister—

(a) to communicate to the President all decisions of the Council of Ministers relating to the administration of the affairs of the Union and proposal for legislation;

(b) to furnish such information relating to the administration of
the affairs of the Union and depart for legislation as the President may call for, and
(6) if the President so requires, to submit for the consideration of the Council of Ministers any matter in which a decision has been taken by a Minister but which has not been considered by the Council,

Chapter 17 - Parliament

General

17. There shall be a Parliament for the Union which shall consist of the President and the House to be known respectively as the Council of States and the House of the People.

18. The Council of States shall consist of—
(a) such members to be nominated by the President in accordance with the provisions of clause (2); and
(b) not more than two hundred and thirty-eight representatives of the States.

19. The allocation of seats in the Council of States to be filled by representatives of the States shall be in accordance with the provisions in that behalf contained in the Sixth Schedule.

20. The members to be nominated by the President under sub-clause (a) of clause (1) shall consist of persons having special knowledge or practical experience in respect of such matters as the following namely:-

Advisory council, art and social services.

21. The representation of each State specified in Part II of the Sixth Schedule in the Council of States shall be divided by the elected members of the Legislative Assembly of the State, in accordance with the system of proportional representation by means of the single transferable vote.

22. The representation of the States specified in Part V of the Sixth Schedule in the Council of States shall be chosen in such manner as Parliament may by law provide.

23. (1) Subject to the provisions of clause (2) and sub-clause (1)
and 321, the House of the People shall consist of not more than five hundred members directly elected by the voters in the States.

(16) For the purpose of subclause (15), the States shall be divided, grouped as former, territorial constituencies in such numbers as the number of members to be assembled in each such constituency shall be so determined as to cause that there shall be not less than one member for every 150,000 of the population and not more than one member for every 200,000 of the population:

(17) The rules between the number of members allotted to each territorial constituency and the population of that constituency or amendment of the first preceding sentence of which the relevant figures have been published shall, as far as practicable, be the same throughout the territory of India.

(18) The representation in the House of the People of the territories comprised within the territory of India but not included within any State shall be such as Parliament may by law provide.

(19) Upon the conclusion of each census, the representation of the several territorial constituencies in the House of the People shall be reapportioned by such authority, in such manner and with effect from such date, as Parliament may by law determine.

Provided that such reapportionment shall not affect representation in the House of the People until the dissolution of the 16th term.

(20) Notwithstanding anything in clause (19) of article 261, Parliament may by law provide for the representation in the House of the People of the territories specified in part II of the First Schedule or of any territory comprised within the territory of India but not included within any State, on a basis or in a manner other than that provided in clause (19).

(21) The Council of States shall not be subject to dissolution but as nearly as practicable, one-third of the members thereof shall retire so as to be on the expiration of every second year in accordance with the provisions made in that behalf by Parliament by law.

(22) The House of the People, unless sooner dissolved, shall
...
8.19. At the commencement of every session the President shall address both Houses of Parliament assembled together and before Parliament of the cause of its summons.

(b) Provisions shall be made by the rules regulating the procedure of each House for the allotment of time for discussion of the business referred to in such address and for the prosecution of such discussion over other business of the House.

8.20. Every Minister and the Attorney-General of India shall have the right to speak in, and address to, and take part in the proceedings of, either House, and in any committee of Parliament of which he may be named a member, but shall not by virtue of this article be entitled to vote.

Officer of Parliament

8.21. The Vice-President of India shall be a member of the Council of States.

(b) The Council of States shall, as soon as may be, choose a member of the Council to be Deputy Chairman thereof, and, as often as the office of Deputy Chairman becomes vacant, the Council shall choose another member to be Deputy Chairman thereof.

8.22. A member holding office as Deputy Chairman of the Council of States—

(a) shall vacate his office of the same, to be a member of the Council;
(b) may, at any time, by writing under his hand addressed to the Chairman, resign his office, and
(c) may be removed from his office by a resolution of the Council passed by a majority of all the members of the same.

Provided that no resolution for the purpose of clause (c) shall be moved unless at least fourteen days' notice has been given of the intention to move the resolution.
34

P. 10 While the office of Chairman is vacant, or during any period when the Vice-President is acting as, or discharging the functions of, President, the duties of the office shall be performed by the Deputy Chairman, or, if the office of Deputy Chairman is also vacant, by such member of the Council of State as the President may appoint for the purpose.

(2) During the absence of the Chairman from any sitting of the Council of State, the Deputy Chairman, or, if he is also absent, such person as may be determined by the rules of procedure of the Council, or if no such person is present, such other person as may be determined by the Council, shall act as Chairman.

P. 11 At any sitting of the Council of State, while any resolution for the removal of the Vice-President from his office is under consideration, the Chairman, or while any resolution for the removal of the Deputy Chairman from his office is under consideration, the Deputy Chairman, shall act, though he be present, for all and the purposes of clause (3) of which it shall apply in relation to every such sitting as they apply in relation to a sitting from which the Chairman or the case may be, the Deputy Chairman, is absent.

P. 12 The Chairman shall have the right to speak in, and to ask to be heard, in the proceedings of the Council of State while any resolution for the removal of the Vice-President from his office is under consideration in the Council, but, notwithstanding anything contained in clause (3), shall not be entitled to vote on any resolution or on any other matter, during such proceedings.

P. 13 The House of the People shall, as soon as may be, choose a member of the House to be indirectly Speaker and Deputy Speaker; and, if such member of the House is not willing, or if the Speaker or Deputy Speaker becomes vacant, the House shall choose another member to be Speaker or Deputy Speaker, as the case may be.

P. 14 A member holding office as Speaker or Deputy Speaker of the House of the People—

(a) shall vacate his office if he ceases to be a member of the House of the People;
The Speaker of the House, or his deputy, shall have the right to speak in, and to take part in the proceedings of, the House of the People while any question for his removal from office is under consideration in the House.
and shall, notwithstanding anything in article 100, be entitled to vote
only as often as in any other matter during
such proceedings but not in the case of an equality of votes.

7. Any shall be paid to the Chairman and the Deputy
Chairman of the Council of State, and to the Speaker and
the Deputy Speaker of the House of the People, such salaries
and allowances as may be respectively fixed by Parliament by law
and shall, unless specified in that behalf in so made, such salaries
and allowances as are specified in the Second Schedule.

33. Each House of Parliament shall have a separate
secretarial staff.

Provided that nothing in this clause shall be construc
ted as permitting the creation of posts common to both Houses of Parliament.

3. Parliament, may by law regulate the recruitment,
and the conditions of service of persons appointed, to the secretarial
staff of either House of Parliament.

4. Until provision is made by Parliament under clauses
3, the President may, after consultation with the Speaker or the
Chairman of the Council of State, by such order regulating the recruitment
and the conditions of service of persons appointed, to the secretarial
staff of the House of the People or the Council of State,
any order so made shall have effect subject to the provisions of
any law made under the said clause.

Conduct of Business

39. Every member of either House of Parliament shall, before
taking his seat, make and subscribe before the President, or some
person appointed in that behalf by him, an oath or affirmation
according to the form set out for the purpose in the Second
Schedule.

40. Any oath or affirmation provided in this Constitution, at any
sitting of either House, or joint sitting of the House shall
be determined by a majority of votes of the members present, and...
(7) Either House of Parliament shall have power to set notwithstanding any vacancy in the membership thereof, and any proceedings in Parliament shall be valid notwithstanding that it is discovered subsequently that some person who was not entitled so to be sat or voted, or otherwise took part in the proceedings.

(8) Until Parliament by law otherwise provides, the quorum to constitute a meeting of either House of Parliament shall be one-twentieth of the total number of members of the House.

(9) If at any time during a meeting of a House there is no quorum, it shall be the duty of the Chairman or Speaker, or person acting as such, either to adjourn the House or to suspend the meeting until there is a quorum.

Disqualifications of members

Section 6

10. (1) No person shall be a member of both Houses of Parliament and provision shall be made by Parliament by law for the vacating by a person who is chosen a member of both Houses of his seat in one House or the other.

(2) No person shall be a member both of Parliament and of a House of the Legislature of a State specified in Part A or Part B of the First Schedule, and of a person chosen a member both of Parliament and of a House of the Legislature of such a State, thus, at the expiration of such period as may be specified in rules made by the President, that person shall become vacated, when he has previously resigned his seat in the Legislature of the State.

(3) If a member of either House of Parliament ceases to be subject to any of the disqualifications mentioned in clause (1) of article 102, or
shall not accede to such opinion.

16. If a person, as a result of the Court's decision, is disqualified from participating in the proceedings of Parliament, he shall not be entitled to vote or to speak in the House of Commons or in the Senate.

**Powers, Privileges and Immunities of Parliament and its Members**

17. Subject to the provisions of this Constitution, any Member of Parliament shall be entitled to the powers, privileges, and immunities of Parliament, and as such, he shall be entitled to the rights and privileges of a Member of Parliament.

18. All Members of Parliament shall be entitled to the powers, privileges, and immunities of Parliament, and as such, he shall be entitled to the rights and privileges of a Member of Parliament.

19. All Members of Parliament shall be entitled to the powers, privileges, and immunities of Parliament, and as such, he shall be entitled to the rights and privileges of a Member of Parliament.

20. All Members of Parliament shall be entitled to the powers, privileges, and immunities of Parliament, and as such, he shall be entitled to the rights and privileges of a Member of Parliament.

21. All Members of Parliament shall be entitled to the powers, privileges, and immunities of Parliament, and as such, he shall be entitled to the rights and privileges of a Member of Parliament.
to receive such salaries and allowances as may from time to time be determined by Parliament by law and, until provision in that behalf is so made, salaries at such rates and upon such conditions as were immediately before the commencement of this Constitution applicable in the case of members of the Constituent Assembly of the Dominion of India.

Legislative Procedure

107. Subject to the provisions of sections 105 and 106 with respect to Money Bills and the provisions hereinafter, a Bill may originate in either House of Parliament:

(1) Subject to the provision of sections 106 and 108, a Bill shall not be deemed to have been passed by the House of Parliament when it has been agreed to by both Houses, either without amendment or with such amendments as may be agreed to by both Houses.

(2) A Bill pending in Parliament shall not be held as reason of the prorogation of the House.

(3) A Bill pending in the Council of States which has not been passed by the House of the People shall not be taken on a division of the House of the People.

(4) A Bill pending in the House of the People which has not been passed by the Council of States shall not be taken on a division of the House of the People.

108. If after a Bill has been passed by one House and transmitted to the other House—

(1) the Bill is rejected by the other House; or

(2) the House has finally disagreed as to the amendments to be made in the Bill; or

(3) more than six months elapse from the date of the reception of the Bill by the other House without the Bill being passed by it,

the President may, unless the Bill has been passed by reason of a
section of the House of the Baptist, notify to the House by message if they are asking or by public notification if they are not asking, his intention to announce them to meet in a joint sitting for the purpose of deliberating and voting on the Bill.

Provided that sitting in this clause shall apply to a Mary Mat.

(2) In reckoning any such period of six months as is referred to in clause (1), no account shall be taken of any period during which the House referred to in sub-clause (1) of that clause is suspended or adjourned for more than four consecutive days.

(3) When the President has written to the House intimated of summoning the House to meet in a joint sitting, neither House shall proceed further with the Bill, but the President may at any time after the date of that intimation summon the House to meet in a joint sitting for the purpose specified in the notification and, if he chooses, the House shall meet accordingly.

(4) If at the joint sitting of the two Houses the Bill, with such amendments, if any, as are agreed to in joint sitting, is passed by a majority of the total number of members of both Houses present and voting, it shall be deemed for the purpose of this Convention to have been passed by both Houses.

Provided that at a joint sitting—

(1) if the Bill has been passed by one House, has not been passed by the other House with amendments and returned to the House in which it originated, no amendment shall be proposed to the Bill other than such amendments (if any) as were made necessary by the delay in the passage of the Bill;

(2) if the Bill has been so passed and returned, only such amendments as referred shall be proposed to the Bill and such other amendments as are referred to the matter with respect to which the
Houses have not agreed, and the decision of the House prevailing as to the amendments which are admissible under the clause shall be final.

19. A joint sitting may be held under this article nor not a Bill passed through, notwithstanding that a senator of the House of the People has intervened since the President notified his intention to summon the Houses to meet therein.

20. A Money Bill shall not be introduced in the Council of States.

21. After a Money Bill has been passed by the House of the People, it shall be transmitted to the Council of States for its recommendations and the Council of States shall, within a period of fourteen days from the date of its receipt of the Bill, return the Bill to the House of the People with its recommendations and the House of the People may thereafter either accept or reject all or any of the recommendations of the Council of States.

22. If the House of the People accepts any of the recommendations of the Council of States, the Money Bill shall be deemed to have been passed by both Houses with the amendments recommended by the Council of States and accepted by the House of the People.

23. If the House of the People does not accept any of the recommendations of the Council of States, the Money Bill shall be deemed to have been passed by both Houses in the form in which it was passed by the House of the People without any of the amendments recommended by the Council of States.

24. If a Money Bill passed by the House of the People and transmitted to the Council of States for its recommendations is not transmitted to the House of the People within the said period of fourteen days, it shall be deemed to have been passed by both Houses at the expiration of the said period in the form in which it was passed by the House.
of the Bills

III. (1) For the purposes of this Chapter a Bill shall be deemed to be a Money Bill if it contains or provides dealing with any or any of the following matters, namely—

(a) the imposition, abolition, remission, alteration or regulation of any tax;

(b) the regulation of the borrowing of money or the giving of any guarantee by the Government of India, or the amendment of the law with respect to any financial obligation undertaken or to be undertaken by the Government of India;

(c) the viability of the Consolidated Fund or the Reckoning Fund of India, the payment or recovery of the withdrawal of revenue from any such Fund;

(d) the approbation of revenue out of the Consolidated Fund of India;

(e) the allocating of any expenditure to be expenditure charged on the Consolidated Fund of India or the increasing of the amount of any such expenditure;

(f) the receipt of money on account of the Consolidated Fund of India or the public account of India or the treasury or issue of such money or the audit of the accounts of the Union or of a State or

(g) any matter incidental to any of the matters specified in sub-section (1).

(h) A Bill shall not be deemed to be a Money Bill by reason only that it provides for the imposition of fees or other becoming payable, or for the demand or payment of fee for license or fee for service rendered, or by reason that it provides for the imposition, abolition, remission, alteration or regulation of any tax.
By any local authority or body for local purposes.

3. If any question arises whether a Bill is a Money
    Bill or not, the division of the Speaker of the House of
    the People, House shall be final.

4. A Bill shall be considered as a Money Bill when
    it is transmitted to the Council of States under article 115, and
    when it is presented to the President for assent under article
    117, the certificate of the Speaker of the House of the People,
    signed by him, that it is a Money Bill.

Assent & Bill

111. When a Bill has been passed by the House of Parlia-
    ment, it shall be presented to the President, and the President
    shall declare either that he assents to the Bill, or that he
    withholds assent therefrom.

Provided that the President may, as soon as possible after
the presentation to him of a Bill for assent, return the Bill
if it is not a Money Bill to the House with a message
requesting that they will reconsider the Bill or any specified
provisions thereof, and in particular, will consider the
feasibility of introducing any such amendments as he may recommend,
in his message, and when a Bill is so returned, the House
shall reconsider the Bill accordingly, and if the Bill is passed
again by the House with or without amendment and
presented to the President for assent, the President shall not
withhold assent therefrom.

Procedures in financial matters

112. The President shall, in respect of every financial
    year, cause to be laid before both the House of Parliament
    a statement of the estimated receipts and expenditure of the
    Government of India for that year, in this Bill referred to
    as the annual financial statement.

113. The estimate of expenditure submitted in the annual
    financial statement shall show separately—
    in the case regarded to each expenditure described by
in the Consolidated Fund of India, and the decision of the
Finance Commission as to whether an expenditure is justifiably
the charge shall be final.

113. Subject to the provisions of articles 112 and 114, no money
shall be withdrawn from the Consolidated Fund of India except
under appropriation made by law passed in accordance with the
provisions of this article.

Supplementary,
additional or
extra grants

115. (a) The President shall—

(i) of the amount authorised by any law made in
accordance with the provisions of article 114 to be
expended for a particular service for the current
financial year is found to be insufficient for the
purposes of that year or when a need has arisen
during the current financial year for supplementary
or additional expenditure upon some new
service not contemplated in the annual financial
statement for that year, or

(ii) if any money has been spent on any service during
a financial year in excess of the amount granted
for that service and for that year,

cause to be laid before both the House of Parliament another
statement showing the estimated amount of that expenditure or
cause to be presented to the house of the House of the People a demand for
such excess, as the case may be.

(b) The provisions of articles 112, 113 and 114 shall have
effect in relation to any such statement and expenditure so
demanded and also to any law to be made authorising the
appropriation of money out of the Consolidated Fund of India to meet
such expenditure or the grant in respect of such demand as they have
effect in relation to the annual financial statement and the
expenditure mentioned therein, or to a demand for a grant out
the law to be made for the authorisation of appropriation of
money out of the Consolidated Fund of India to meet
such expenditure or grant.
116. (1) Notwithstanding anything in the foregoing provisions of this Chapter, the House of the People shall have power—
   (a) to make any grant in advance in respect of the estimated expenditure for a part of any financial year, pending the completion of the proceedings prescribed in article 113 for the raising of such grant, and the framing of the law in accordance with the provisions of article 114 in relation to that expenditure;
   (b) to make a grant for meeting an unexpected demand upon the resources of India, when, in account of the magnitude or the indefinite character of the same, the demand cannot be stated with the details ordinarily given in annual financial statements;
   (c) to make an exceptional grant which forms no part of the current status of any financial year.

(2) Parliament shall have power to authorize by law the withdrawal of margins from the Consolidated Fund of India for the purpose for which the said grants are made.

(3) The provision of articles 113 and 114 shall have effect in relation to the making of any grant under clause (a) and to any law to be made under that clause as they have effect in relation to the making of a grant with regard to any expenditure mentioned in the annual financial statement and the law to be made for the authorization of appropriation of margins out of the Consolidated Fund of India to meet such expenditure.

117. (1) A Bill or an amended making provision for any of the matters specified in sub-clause (a) or (b) of clause (1) of article 110 shall not be introduced or moved except on the recommendation of the President and a Bill making such provision shall not be introduced on the Council of States.

Provided that no recommendation shall be required under this clause for the making of any amendment making provision for the reduction or abolition of any tax.
103. A Bill or resolution shall not be deemed to make provision for any of the matters referred to in Clause 5 that it provides for the imposition of fees or other penalising penalties, or for the demand or payment of fees for licences or fees for services rendered, or by reason that it provides for the imposition, abolition, variation, alteration or regulation of any tax, by any local authority or body for local purposes.

104. A Bill which, if enacted and brought into operation, would enable expenditure from the Consolidated Fund of India which is not passed by either House of Parliament unless the President has recommended to either House the consideration of the Bill.

Procedural Note

Rule of Procedure

103. Each House of Parliament may make rules for regulating, subject to the provisions of this Constitution, the procedure and the conduct of its business.

104. Such rules may be made under clause 103, the rules of procedure and standing orders in force immediately before the commencement of this Constitution, with respect to the Legislature of the Dominion of India, shall have effect as it relates to Parliament, subject to such modifications and adaptations as may be made therein by the Chairman of the Council of States or the Speaker of the House of the People, as the case may be.

105. The President, after consultation with the Chairman of the Council of States and the Speaker of the House of the People, may make rules as to the procedure with respect to joint sittings of, and communications between, the two Houses.

106. At a joint sitting of the two Houses the Speaker of the House of the People, or in his absence the person so may be determined by rules of procedure made under clause 103, shall preside.

107. Parliament may, for the purpose of the timely completion of financial business, regulate by law the procedure of, and the conduct of business in, each House of Parliament, in relation to any financial
read, or to any Bill for the appropriation of money out of the Consolidated Fund of India, and, if and so far as any provision of any law so made is inconsistent with any rule made by a House of Parliament under clause (b) of article 105 or with any rule or standing order having effect in relation to Parliament under clause (b) of that article, such provision shall prevail.

120. (1) Notwithstanding anything in Part III, subject to the provisions of article 308, business in Parliament shall be transacted in Hindi or in English:

Provided that the Chairman of the Council of States or Speaker of the House of the People or persons acting as such, as the case may be, may permit any member who cannot adequately express himself in Hindi or in English to address the House in his mother tongue.

(2) After the thirteenth provision, the article shall, after the expiration of a period of fifteen years from the commencement of this Constitution, have effect as if the words "or in English" were omitted therefrom.

121. A discussion shall take place in Parliament with respect to the conduct of any Judge of the Supreme Court or of a High Court in the discharge of his duties, except when a motion for proceeding on address to the President for the removal of the Judge is entertained.

122. (1) The validity of any proceedings in Parliament shall not be called in question on the ground of any alleged irregularity of procedure.

(2) An officer or member of Parliament in whom powers are vested by or under the Constitution for regulating procedure or the conduct of business or for maintaining order, an Parliament shall be subject to the jurisdiction of any court in respect of the exercise by him of those powers.

Chapter III—Legislative Powers of the President

123. (1) If at any time, except when both Houses of Parliament are in session, the President is satisfied that circumstances exist which
order of procedure for him to take immediate action, so as prevent such ordinance as this constitution appoints to him to require.

12. An ordinance promulgated under this article shall have the same force and effect as an Act of Parliament, but every such ordinance—
   (a) shall be laid before the two Houses of Parliament and shall cease to operate at the expiration of six weeks from the session of Parliament; and if before the expiration of that period resolutions disapproving it are passed by both Houses, upon the laying of the second of those resolutions, and
   (b) may be withdrawn at any time by the President.

Explanation—Where the House of Parliament is summoned to assemble on different dates, the period of six weeks shall be reckoned from the date of those dates for the purpose of this clause.

13. If and so far as an ordinance under this article makes any provision which Parliament would not under the Constitution be competent to enact, it shall be void.

Chapter 12. The Union Judiciary

12. The President shall be the Supreme Court, consisting of a Judge, it consists of, and it shall be the duty of the President to appoint.a Judge of the Supreme Court of India, who may be removed by the Court, by a warrant signed by both Houses of Parliament, or by the President, if he shall be satisfied that such a Judge is not fit to hold office, and shall hold office until he attains the age of sixty-five years.

Provided that, in the case of retirement of a Judge other than the Chief Justice, the Chief Justice of India shall always be consulted.

Provided that—

18. A Judge may, by writing signed by his hand addressed to
the President, resign his office.

To a judge may be removed from his office in the manner specified in clause 149.

(3) A person shall not be qualified for appointment as a judge of the Supreme Court unless he is a citizen of India and—

(a) has been for at least five years a judge of a High Court, or of two or more such Courts in succession, or

(b) has been for at least ten years an advocate of a High Court of two or more such Courts in succession; or

(c) is, or was, on the occasion of the President, a distinguished jurist.

Explanation 1—In this clause, "High Court" means a High Court which exercises, or which at any time before the commencement of this Constitution exercised, jurisdiction in any part of the territory of India.

Explanation 2—In explaining for the purpose of this clause the period during which a person has held judicial office, reference shall be made to that of a district judge, after he becomes an advocate shall be included.

(4) A judge of the Supreme Court shall not be removed from his office except by an order of the President passed after an address by each House of Parliament intimated by a majority of the total membership of that House, and by a majority of not less than two-thirds of the members of that House, intimated has been presented to the President in the same session for such removal on the ground of proved misbehavior or incapacity.

(5) Parliament may by law regulate the procedure for the presentation of an address and for the investigation and proof of the misbehavior or incapacity of a judge under clause 149.

(6) Any person appointed to a judge of the Supreme Court shall, before he enters upon his office, make and subscribe before the President, or some person appointed in his behalf, by him an oath or affirmation according to the form set out for the purpose in the Third Schedule.

(7) No person who has held office as a judge of the Supreme...
Court shall be held or act in any civil or before any authority within the territory of India.

125. There shall be paid to the judge of the Supreme Court such salaries as are specified in the Second Schedule.

126. Every judge shall be entitled to such privileges and allowances and to such rights in respect of tenure of office and pension as may from time to time be determined by or under law made by Parliament, and, until so determined, to such privileges, allowances and rights as are specified in the Second Schedule.

Provided that unless the privileges or the allowances of a judge are his rights in respect of tenure of office or pension shall be varied to his disadvantage after his appointment.

127. When the office of Chief Justice of India is vacant or when the Chief Justice is, by reason of absence or otherwise, unable to perform the duties of the office, the duties of the office shall be performed by such one of the other judges of the Court as the President may appoint for the purpose.

128. At any time, there should not be a vacancy of the judges of the Supreme Court available to hold or continue in office of the Court, the Chief Justice of India may, with the previous consent of the President and after consultation with the Chief Justice of the High Court concerned, request in writing the assignment of the sitting of the Court, as on not two judges, for each period as may be necessary, of a judge of a High Court duly qualified for appointment as a judge of the Supreme Court to be designated by the Chief Justice of India.

129. It shall be the duty of the judge who has been designated in priority to other duties of the office, to attend the sitting of the Supreme Court at the time and for the period for which his absence is required, and while so attending, he shall have all the jurisdiction, powers and privileges, and shall discharge the duties of a judge of the Supreme Court.

139. Provided nothing in this Chapter, the Chief Justice of India may at any time, with the previous consent of the President,

Appointment of non-judicial
Appointments of certain
judges as members to the
Supreme Court

Retention of certain
judges as members to the
Supreme Court

Supreme

Presumably anything in this Chapter, the Chief Justice of India may at any time, with the previous consent of the President,
before the commencement of the said
law, or has been, continued in operation after such
commencement;
Thirdly, as a defect to which any State is a party to the dispute
arises out of any provision of a treaty, agreement, covenant, engagement, warrant or other similar instru-
ment, which precludes that the said jurisdictions shall not
extend to such a dispute.

132. An appeal shall lie to the Imperial Court from any
judgment, decree or final order of the High Court in the territory
of India, whether in a civil, criminal or other proceeding, of the
High Court where the case involves a substantial question of
law as to the interpretation of this Constitution.

133. When the High Court has refused to give such a certificate
the Imperial Court may, if it is satisfied that the case involves
a substantial question of law as to the interpretation of this
Constitution, grant special leave to appeal from such judgment, decree or final order.

Explanations—1. The expression “final order” includes an order deciding an issue which, if decided in
favour of the defendant, would be sufficient for the final disposal of the case.

134. An appeal shall lie to the Imperial Court from any judgment,
decree or final order in a civil proceeding of a High Court in the
territory of India, if the High Court so orders—

(a) that the amount or value of the subject matter of the
dispute in the court of first instance and still in dispute
on appeal was and is not less than ten thousand rupees or
such other sum as may be specified in that behalf by-
Parliament by law, or
To that the judgment, decree or final order, whether directly or indirectly, same abuse or question respecting property of the like nature or value, or

(1) that the case is a fit one for appeal to the Supreme Court;

and where the judgment, decree or final order, appealed from affirms the decision of the court immediately below in any case other than a case referred to in sub-clause (c) of the High Court failure certifies that the appeal, mere more some substantial question of law.

(2) Notwithstanding anything in article 132, any party appeal may to the Supreme Court under clause (1) may argue on the grounds in such appeal that a substantial question of law has been wrongly decided.

(3) Notwithstanding anything in this article, no appeal shall, in the sense of Articles 131 to 137, from the judgment, decree or final order of one judge of a High Court, lie to the Supreme Court from any judgment, final order or sentence in a criminal proceeding of a High Court in the territory of India of the High Court.

13(1) An appeal shall lie to the Supreme Court from any judgment, final order or sentence in a criminal proceeding of a High Court in the territory of India of the High Court—

(a) has a criminal appeal; or

(b) where an order of acquittal, sentence, or death, or

(c) has been withdrawn in bad faith before the trial, or

(d) any court subordinate to its authority and has in such case convicted the accused person, and

(e) to the sentence, or

(f) certifies that the case is a fit case for appeal to the Supreme Court.

Provided that an appeal under sub-clause (e) shall be subject to such provisions as may be made in that behalf under clause (c) of article 135, and to such condition as the High Court may establish or require.

13(2) Provided, as far as may be consistent with the Supreme Court, may further proceed to determine and hear appeals from any judgment, final order or sentence in a criminal proceeding of a High Court in the.
133. Until Parliament by law otherwise provides, the Supreme Court shall have jurisdiction and powers with respect to any matter to which the provisions of articles 133 or 134 do not apply, of jurisdiction and powers in relation to which matters were exercisable by the Federal Court immediately before the commencement of this Constitution under any existing law.

134. (1) Notwithstanding anything in the Code of Civil Procedure, 1908, the Supreme Court may, in its discretion, grant special leave to appeal from any judgment, decree, determination, sentence or order in any cause or matter passed or made by any court or tribunal in the territory of India.

(2) Nothing in clause (1) shall apply to any judgment, determination, sentence or order passed or made by any court or tribunal constituted under any law relating to the Armed Forces.

135. Subject to the provisions of any law made by Parliament, or any rule made under article 143, the Supreme Court shall have power, to revise any judgment, determination, sentence or order passed or made by it.

136. (1) The Supreme Court shall have such further jurisdiction and powers with respect to any matter in the Union List or the Concurrent List as Parliament may by law confer.

(2) The Supreme Court shall have such further jurisdiction and powers with respect to any matter in the Concurrent List as Parliament may by special agreement confer, if Parliament by law provides for the exercise of such jurisdiction and powers by the Supreme Court.

137. (1) Parliament may by law confer on the Supreme Court power to make, in consultation with the Governor-General in Council, rules or orders, including rules in the nature of regulations and notifications, providing for warrants and certificates, or any of them, for any purpose other than those mentioned in clause (2) of article 143.

(2) Parliament may by law make provision for conferring upon the Supreme Court such supplementary powers not inconsistent with any of the provisions of the Constitution as may appear to be necessary or desirable for the proper exercise of the Court more effectively to perform
the jurisdiction conferred upon it by or under this Constitution.

141. The law declared by the Supreme Court shall be binding on all courts within the territory of India.

142. (1) The Supreme Court in the exercise of its jurisdiction may issue such orders or make such rulings as it considers necessary for trying, determining, or enforcing any cause or matter pending before it, and any phrase or finding or order or ruling shall be enforceable throughout the territory of India, in such manner as may be prescribed by or under any law made by Parliament, and, until provision is made in that behalf, it is made, in such manner as the President may by order prescribe.

(2) Subject to the provisions of any law made in the behalf of India, the Supreme Court shall, as respects the whole of the territory of India, have all and every power to make any order for the purpose of securing the attendance of any person, the discovery or production of any documents, or the investigation or punishment of any contempt of itself.

143. (1) If at any time it appears to the President that a question of law or fact has arisen, or is likely to arise, which is of such a nature and of such public importance that it is expedient to attain the opinion of the Supreme Court on it, he may refer the question to that Court for consideration, and the Court may, after such hearing as it thinks fit, report to the President its opinion thereon.

(2) The President may, whenever anything in relation to the Supreme Court is laid before Parliament, refer to the President of the Supreme Court for opinion whether the Supreme Court should or should not be continued.

144. All authorities, civil and judicial, in the territory of India shall act in aid of the Supreme Court.

145. (1) Subject to the provisions of any law made by Parliament, the Supreme Court may from time to time, with the approval of the President, make rules for regulating generally the practice and procedure of the Court including—

(a) rules as to the manner of hearing appeals, and other matters pertaining to appeals, excluding the time,

(b) rules as to the manner of hearing cases and other matters pertaining to appeals, excluding the time,
within which appeals to the Court are to be inserted, (a) rules as to the proceedings in the Court for the enforcement of any of the rights conferred by Part II, (b) rules as to the determination of appeals under sub-clause (d) of clause (ii) of Article 129, (c) rules as to the conditions subject to which any judgment, determination or order made by the Court may be revised and the procedures for such revision, including the time within which applications to the Court for such revision are to be made, (d) rules as to the costs of and incidental to any proceedings in the Court and as to the fees to be charged in respect of proceedings therein, (e) rules as to the granting of bail, (f) rules as to the day of proceedings, (g) rules providing for the expeditious determination of any appeal which appears to the Court to be frivolous or vexatious or brought for the purpose of delay, (h) rules as to the procedure for inquiries referred to in clause (f) of Article 39, (i) rules relating to the functions of chief judges who are to sit for any purpose, and any provision for the formation of single judges and Divisional Courts, (j) the minimum number of judges who are to sit for the purpose of deciding any case involving a substantial question of law as to the interpretation of the Constitution or for the purpose of hearing any reference under Article 193 shall be five. Provided that, when the Court hearing an appeal under any of the provisions of this Chapter other than Article 122 consists of less than five judges and in the case of the hearing of the appeal, the Chief Justice is satisfied that the appeal involves a substantial question of law as to the interpretation of the Constitution, the determination of which is necessary for the disposal of the appeal, such Court shall be five.
question for opinion to a Court, constituted as required by this clause, for the purpose of deciding any case involving such question and shall be entitled to the opinion of the Chief Justice of the Supreme Court in conformity with such opinion.

143. A judgment shall be delivered by the Supreme Court in open Court and no report shall be made unless within 143 days in accordance with the opinion given in open Court.

144. A judgment on such opinion shall be delivered by the Supreme Court, save with the concurrence of a majority of the judges present at the hearing of the case, but nothing in this clause shall be deemed to prevent a Judge from dissenting to a dissenting judgment or opinion.

145. The powers and authority of the Supreme Court shall be made by the Chief Justice of India or such other Judge as the Court may direct.

Provided that the President may by rule require that in such cases as may be specified in any rule, or person not already a member of the Court, be appointed to any office connected with the Court, on the advice of the President.

Subject to the provisions of any law made by Parliament, the remuneration of officers and servants of the Supreme Court shall be such as may be prescribed by rules made by the Chief Justice of India or by any other Judge or office of the Court authorized by the Chief Justice of India to make rules for the purpose:

Provided that the rules made under this clause shall, so far as they relate to salaries, allowances, leaves or pensions, require the approval of the President.

146. The administration of the Supreme Court, including the salaries, allowances and pensions payable to or in respect of the officers and servants of the Court, shall be regulated under the Federal Civil Service of India, and any fees or other charges taken by the Court shall be paid out of that Fund.

147. In this Chapter and in Chapter V of Part VI, references to any unenumerated question of law as to the interpretation of this
Chapter v.- Comptroller and Auditor General of India

Vol 21. There shall be a Comptroller and Auditor General of India who shall be appointed by the President by warrant under his hand and seal and shall hold office in the manner specified in the Constitution as a Judge of the Supreme Court.

21. Every person appointed to the Comptroller and Auditor General of India shall, before his entry into office, make and subscribe before the President, or some person appointed in his behalf by him, an oath or affirmation according to the form set out for the purpose in the Third Schedule.

22. The salaries and other conditions of service of the Comptroller and Auditor General shall be such as may be determined by Parliament by law and, until they are so determined, shall be as specified in the Third Schedule.

Provided that neither the salary of a Comptroller and Auditor General nor his right in respect of tenure of office, pension or age of retirement shall be varied to his disadvantage after his appointment.

23. The Comptroller and Auditor General shall, with the advice of the House of Representatives, appoint a competent person to hold the office of a Commissioner of Audit.
Part VI
The States in Part A of the First Schedule

Chapter I—General

152. In this Part, unless the context otherwise requires, the expression "State" means a State classified in Part A of the First Schedule.

Chapter II—The Executive

153. The power of a Governor for each State shall be vested in the Governor and shall be exercised by him either directly or through officials subordinate to him in accordance with the Constitution.

154. Nothing in this article shall—

(a) be deemed to transfer to the Governor any function conferred by any existing law on any other authority or
(b) prevent the Governor or the Legislature of the State from confirming by due process or any authority subordinate to the Governor.

155. The Governor of a State shall be appointed by the President by warrant under his hand and seal.

156. The Governor shall hold office during the pleasure of the President.

157. The Governor may, by writing under his hand addressed to
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the President, resign his office.

15. Subject to the foregoing provisions of this article, a Governor shall hold office for a term of five years from the date on which he enters upon his office.

Provided that a Governor shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.

157. A person shall be eligible for appointment as Governor unless he is a citizen of India and has completed the age of thirty-five years.

158. The Governor shall not be a member of either House of Parliament or of a House of the Legislature of any State specified in the First Schedule, and if a member of either House of Parliament or of a House of the Legislature of any such State be appointed Governor, he shall be deemed to have vacated his seat in that House on the date on which he enters upon his office as Governor.

16. The Governor shall not hold any other office of profit.

17. The Governor shall be entitled without prejudice to the use of his official residence and shall be entitled to such emoluments, allowances and privileges as may be determined by Parliament by law and, until provisions in that behalf are so made, such emoluments, allowances and privileges as are specified in the Second Schedule.

18. The emoluments and allowances of the Governor shall not be diminished during the term of office.

159. Every Governor and every person discharging the functions of the Governor shall, before entering upon his office, make and subscribe in the presence of the Chief Justice of the High Court exercising jurisdiction in relation to the State, or in his absence, the Law Officer of the State, the following oath, to-wit—

I, (full name of Governor), do solemnly and sincerely swear that I will faithfully execute the office of Governor (or discharge the functions of the Governor of (name of the State)) and will to the best of my ability preserve, protect and defend the Constitution and the laws and that I will devote myself to the service and
well being of the people of (State)

160. The President may make such provision as he thinks fit for the discharge of the functions of the Governor of a State in any contingency not provided for in this Schedule.

161. The Governor of a State shall have the power to grant pardons, remissions of punishment, or to suspend, commute or remit the sentence of any person convicted of any offence against any law relating to a matter to which the executive power of the State extends.

162. Subject to the provisions of this Constitution, the executive power of a State shall extend to the matters with respect to which the Legislature of the State has power to make laws.

Provided that in any matter with respect to which the Legislature of a State and Parliament have power to make laws, the executive power of the State shall be subject to, and limited by, the executive power conferred by this Constitution or by any law made by Parliament before the Union or authorized thereof.

Council of Ministers

163. There shall be a Council of Ministers with the Chief Minister at the head, to aid and advise the Governor in the exercise of his functions, except in so far as he is by or under this Constitution empowered to exercise his functions or any of them on his own discretion.

13. If any question arises whether any matter is or is not a matter on which the Governor is by or under this Constitution required to act in the exercise of his functions, the decision of the Governor in his discretion shall be final, and the validity of anything done by the Governor shall not be called in question on the ground that it ought or ought not to have acted in the discretion.

14. The Chief Minister shall be appointed by the Governor.
and the same Ministers shall be appointed by the Governor on the advice of the Chief Minister, and the Ministers shall hold office during the pleasure of the Governor.

Provided that in the State of Bihar, Madaus, Madhya Pradesh, and Orissa, there shall be a Minister in charge of tribal welfare who may in addition be in charge of the welfare of the Scheduled Castes and backward classes or any other work.

(2) The Council of Ministers shall be collectively responsible to the Legislature Assembly of the State.

(3) Before a Minister retires from his office, the Governor shall administer to him the oath of office and of secrecy according to the forms set out in the First Schedule.

(4) A Minister who for any period of one continuous month is not a member of the Legislature of the State shall at the expiration of that period cease to be a Minister.

(5) The tenure and tenure of Ministers shall be such as to legislate the State may from time to time by law determine and until the Legislature of the State or determine, shall be as specified in the Second Schedule.

The Advocate-General for the State

(6) Subject to the provisions of the Constitution of the State, the Advocate-General shall hold office during the pleasure of the Governor and shall receive such remuneration as the Governor may determine.

Conduct of Government Business

(7) All executive orders of the Government of a State shall be superintended and executed in the name of the Governor.
of the Governor shall be authenticated in such manner as may be directed or rules to be made by the Governor, and the validity of any order or instrument which is so authenticated shall not be called in question on the ground that it is not an order or instrument made or executed by the Governor.

The Governor shall make rules for the more convenient transmis-
sion of the business of the Government of the State, and for the allocation, among Ministers of the said business so far as it is not business with-
respect to which the Governor is by or under the Constitution required to be done.

It shall be the duty of the Chief Minister of each State—
(i) to communicate to the Governor of the State all decisions of
the Council of Ministers relating to the administration of the affairs of the State and for legislative purposes,
(ii) to furnish such information relating to the administration of the affairs of the State and for legislative purposes as the Governor may call for; and
(iii) if the Governor so requires, to submit for the consideration of
the Council of Ministers any question on which a decision has been taken by a Minister but which has not been considered by the Council.

Chapter IV—The State Legislature

165. There shall be a Legislature which shall consist of the Governor, and
(a) in the States of North, Bombay, Madras, Punjab, the United Provinces and West Bengal, the
Speaker;
(b) in other States, one House.

When there are two Houses of the Legislature in a State, one shall be known as the Legislative Council and the other as the
Legislative Assembly, and where there is only one House, shall be known as the Legislative Assembly.
10(1) Notwithstanding anything in article 10, Parliament may by law provide for the abolition of the Legislative Council of a State having such a Council or for the creation of such a Council in a State having no such Council, if the Legislative Assembly of the State passes a resolution to that effect by a majority of the total membership of the Assembly and by a majority of not less than two-thirds of the members of the Assembly present and voting.

11. Any law referred to in clause (1) shall contain such provision for the amendment of this Constitution as may be necessary to give effect to the provisions of the law and may also contain such supplementary, incidental and consequential provisions as Parliament may deem necessary.

12. No such law as aforesaid shall be deemed to be an amendment of the Constitution for the purposes of article 368.

17. Subject to the provisions of article 371, the Legislative Assembly of each State shall be comprised of members chosen by direct election.

18. The representation of each territorial constituency in the Legislative Assembly of a State shall be on the basis of the population of that constituency as ascertained at the last preceding census of which the relevant figures have been published and shall, save in the case of the urban municipal districts of Bombay and the constituencies comprising the cantonment and municipality of Aden, be in a scale of not more than one member for every seventy five thousand of the population.

Provided that the total number of members in the Legislative Assembly of a State shall in no case be more than five hundred or less than sixty.

19. The ratio between the number of members to be allotted to each territorial constituency in a State and the population of that constituency as ascertained at the last preceding census of which the relevant figures have been published shall, as far as practicable, be the same throughout the State.

20. Upon the completion of such censuses, the representation of the several territorial constituencies in the Legislative Assembly of each
A bill shall be read by such authority, in such manner, and with effect from such date, as Parliament may by law determine.

Provided that such readjustment shall not affect representation in the Legislative Assembly until the dissolution of the then existing Assembly.

VII (a) The total number of members in the Legislative Council of a State having such a Council shall not exceed one-fourth of the total number of members in the Legislative Assembly of that State.

Provided that the total number of members in the Legislative Council of a State shall in no case be less than forty.

(b) The Parliament by law otherwise provides, the composition of the Legislative Council of a State shall be as provided in these rules.

(c) If the total number of members of the Legislative Council of a State—

(1) as nearly as may be, one-third shall be elected by electors consisting of members of municipalities, district boards and such other local authorities in the State or Parliament may by law specify,

(2) as nearly as may be, one-twelfth shall be elected by electors consisting of persons residing in the State who have been for at least three years graduates of any university in the territory of India or have been for at least three years on the staff of qualifications prescribed by or under any law made by Parliament, as equivalent to that of a graduate of any such university,

(3) as nearly as may be, one-twelfth shall be elected by electors consisting of persons who have been for at least three years engaged in teaching in such educational institutions within the State, as are maintained at the expense of the State or are maintained at the expense of the Government,

(4) as nearly as may be, one-twelfth shall be elected by electors consisting of persons who have been for at least three years engaged in the practice of any profession or occupation as may be prescribed by or under any law made by Parliament.

(5) as nearly as may be, one-half shall be elected by the
member of the Legislative Assembly of the State from amongst persons who are not members of the Assembly,
(c) the remainder shall be nominated by the Governor in accordance with the provisions of clause (6).
(6) The number of members to be elected under sub-clauses (3), (4) and (5) of clause (3) shall be chosen in such territorial constituencies as may be prescribed by or under any law made by Parliament, and the election under the said sub-clauses shall be held, in accordance with the system of proportional representation by means of the single transferable vote.
(7) The number to be nominated by the Governor under sub-clause (6) of clause (3) shall consist of persons having special knowledge or practical experience in respect of such matters as the following, namely:

Education, science, art, cooperative movement and social service.

17. (6) Every Legislative Assembly of every State, unless sooner dissolved, shall continue for five years from the date appointed for its first meeting and no longer and the expiration of the said period of five years shall operate as a dissolution of the Assembly:
Provided that the said period may, while a Proclamation of Emergency is in operation, be extended by Parliament by law for a period not exceeding one year at a time and not exceeding in any case beyond a period of six months after the Proclamation ceases to operate.

18. (6) The Legislative Council of a State shall not be subject to dissolution, but so nearly as practicable one-third of the members thereof shall retire at such time as may be on the expiration of every second year, in accordance with the provisions made in that behalf by Parliament by law.

17. (6) A person shall not be qualified to be chosen to fill a seat in the Legislative Assembly of a State unless he—
(a) is a citizen of India;
(b) is, in the case of a woman, not less than twenty-five years of age, and in the
the proceedings of the Legislative Assembly of the State or in the case of a State having a Legislative Council, both Houses, and to speak in and to take part in the proceedings of any committee of the Legislature of which he may be named a member, but shall not, by virtue of this article, be entitled to vote.

**Officers of the State Legislature**

178. Every Legislative Assembly of a State shall, as soon as may be, elect two members of the Assembly to be respectively Speaker and Deputy Speaker thereof, and, as often as the office of Speaker or Deputy Speaker becomes vacant, the Assembly shall choose another member to be Speaker or Deputy Speaker, as the case may be.

179. A member holding office as Speaker or Deputy Speaker of an Assembly—

(a) shall vacate his office if he ceases to be a member of the Assembly;
(b) may at any time by writing under his hand resign, if such member is the Speaker, to the Deputy Speaker, and, if such member is the Deputy Speaker, to the Speaker, resign his office; and
(c) may be removed from his office by a resolution of the Assembly passed by a majority of all the then members of the Assembly.

Provided that no resolution for the purpose of clause (b) or clause (c) shall be passed unless at least fifteen days notice has been given of the intention to move the resolution.

Provided further that, whenever the Assembly is adjourned, the Speaker shall not vacate his office until immediately before the first meeting of the Assembly after the adjournment.

180. While the office of Speaker is vacant, the duties of the office shall be performed by the Deputy Speaker, or, if the office of Deputy Speaker is also vacant, by any member of the Assembly, as the Governor may appoint for the purpose.

181. During the absence of the Speaker from any sitting of the
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Assembly the Deputy Speaker or, if he is also absent, such person as may be determined by the rules of procedure of the Assembly, or if no such person is found, such other person as may be determined by the Assembly, shall act as Speaker.

182. At any sitting of the Legislative Assembly, when any resolution for the removal of the Speaker from his office is under consideration, the Speaker, or while any resolution for the removal of the Deputy Speaker from his office is under consideration, the Deputy Speaker shall not, though he is present, preside, and the provisions of clause 135 of article 180 shall apply in relation to any such sitting as they apply in relation to a sitting from which the Speaker or the case may be, the Deputy Speaker is absent.

183. The Speaker shall have the right to speak, and shall have the right to vote, in the proceedings of the Legislative Assembly while any resolution for his removal from office is under consideration in the Assembly, and shall, notwithstanding anything in article 180, be entitled to vote only on the first instance on such resolution or on any other matter during such proceedings but not in the case of an equality of votes.

184. The Legislative Council of every State having such Council shall, as soon as may be, elect one member of the Council to be respectively Chairman and Deputy Chairman thereof and, as often as the office of Chairman or Deputy Chairman becomes vacant, the Council shall elect another member to be Chairman or Deputy Chairman, as the case may be.

185. A member holding office as Chairman or Deputy Chairman of a Legislative Council —

(a) shall vacate his office on the cessation of the Council,

(b) may at any time by writing under his hand acknowledge his voluntary removal from the Council, and if such member is the Chairman, the Deputy Chairman, or the Chairman resign his office, and

(c) may be removed from his office by a resolution of the...
Council passed by a majority of all the elected members of the Council.

Provided that no resolution for the purpose of clause (e) shall be moved unless at least fourteen days’ notice has been given of the intention to move the resolution.

15. While the office of Chairman is vacant, the duties of the office shall be performed by the Deputy Chairman or, if the office of Deputy Chairman is also vacant, by such member of the Council as the Governor may appoint for the purpose.

15.2. During the absence of the Chairman from any sitting of the Council, the Deputy Chairman or, if he is also absent, such person as may be determined by the rules of procedure of the Council, or, if no such person is present, such other person as may be determined by the Council, shall act as Chairman.

15.3. At any sitting of the Legislative Council, while any resolution for the removal of the Chairman from his office is under consideration, the Chairman, or while any resolution for the removal of the Deputy Chairman from his office is under consideration, the Deputy Chairman, shall act, though he is present, present, and the provision of clause 15.3 of article 15.1 shall apply in relation to every such sitting as they apply in relation to a sitting from which the Chairman or, as the case may be, the Deputy Chairman is absent.

15.3. The Chairman shall have the right to speak in, and to take part in the proceedings of, the Legislative Council, while any resolution for his removal from office is under consideration in the Council and shall, notwithstanding anything in article 15.5 or section 13 of the Organic Act, not be entitled to vote only on the first instance on such resolution or on any other matter during such proceedings but act on the vote of an equality of votes.

15.4. There shall be paid to the Speaker and the Deputy Speaker of the Legislative Assembly, and to the Chairman and the Deputy Chairman of the Legislative Council, such salaries and allowances as may be respectively fixed by the Legislature of the State by law, and, until provision in that behalf is so made, such salaries and allowances shall be paid to them by the Governor.
187. The House or each House of the Legislature of a State shall have a separate secretarial staff.

Provided that nothing in this clause shall, in the case of the Legislature of a State having a Legislative Council, be construed as precluding the creation of posts common to both Houses of such Legislature.

188. The Legislature of a State may by law regulate the recruitment, and the creation of service of persons appointed, to the secretarial staff of the House or Houses of the Legislature of the State.

189. Until provision is made by the Legislature of the State under clause 188, the Governor may, after consultation with the Speaker of the Legislative Assembly or the Chairman of the Legislative Council, as the case may be, make rules regulating the recruitment, and the creation of service of persons appointed, to the secretarial staff of the Assembly, or the Council, and any rules so made shall not be subject to the provisions of any law made under the said clause.

Conduct of Business

190. Every member of the Legislative Assembly or the Legislative Council of a State shall, before taking his seat, make such oath or affirmation as that behalf by him, as oath or affirmation according to the form set out for the purpose in the First Schedule.

191. Save as aforesaid provided in this Constitution, all questions at any sitting of a House of the Legislature of a State shall be determined by a majority of votes of the members present and voting, other than the Speaker or Chairman, or person acting as such.

The Speaker or Chairman, or person acting as such, shall not vote in the first instance, but shall have and exercise a casting vote in the case of an equality of votes.

192. A House of the Legislature of a State shall have power to fill aforesaid any vacancy in the membership thereof, and
any proceedings in the Legislature of a State shall be valid without
standing that it is discovered subsequently that some person who was
not entitled so to do was so voted or otherwise took part in the
proceeding.

8. Until the Legislature of the State by law otherwise provides,
the quorum to constitute a meeting of a House of the Legislature of
a State shall be one third of the total number of
members of the House, whichever is greater.

9. If at any time during a meeting of the Legislative Assembly or
the Legislative Council of a State there is no quorum, it shall be
the duty of the Speaker or Chairman, or person acting as such,
either to adjourn the House or to suspend the meeting until there
is a quorum.

Disqualifications of Members

10. No person shall be a member of both Houses of the Legis-
labure of a State unless provision shall be made by the Legislature of
that State by law for the exclusion of any person who is chosen a member of
both Houses of each of the Houses of the other.

11. No person shall be a member of the Legislature of two or
more States specified in the First Schedule and if a person is chosen
a member of the Legislatures of two or more such States, then, at the
expiration of each period as may be specified in rules made by the
President, that person's seat in the Legislatures of all such States
shall become vacant, unless he has previously resigned his seat in the
Legislature of such but one of the States.

12. If a member of a House of the Legislature of a State—
as becomes subject to any of the disqualifications mentioned
in clauses 8 to 11, or
as resigns his seat by writing under his hand addressed to
the Speaker or the Chairman, as the case may be,
his seat shall forthwith become
vacant.

13. If for a period of ninety days a member of a House of
the Legislature of a State is without presence at the House absent
from all meetings thereof, the House may declare his seat vacant.
Provided that in computing the said period of sixty days no account shall be taken of any period during which the House is prorogued or is adjourned for more than four consecutive days.

Section 117. A person shall be disqualified for being chosen or, and for being a member of the Legislative Assembly or Legislative Council of a State—

(a) if he holds any office of profit under the Government of India or the Government of any State specified in the First Schedule, other than an office declared by the Legislature of the State by law not to be disqualified by virtue of those provisions;

(b) if he is of unsound mind and the declaration made by a medical board;

(c) if he is an unconstituted candidate;

(d) if he is a disbarred or unconstituted candidate.

(2) For the purpose of this section, a person shall not be deemed to hold an office of profit under the Government of India or the Government of any State specified in the First Schedule by reason only that he is a Minister (whether for the Union or for such State).

Section 118. If any question arises as to whether a member of the Legislative Assembly of a State has become subject to any of the disqualifications mentioned in clause (a) of subsection (1) of section 117, the question shall be referred to the decision of the Governor and his decision shall be final.

(2) Before giving any decision on any such question the Governor shall obtain the opinion of the Election Commissioners, and shall act according to such opinion.

Section 119. A person shall be disqualified as a member of the Legislative Assembly of a State before he has completed with the requirements of section 118, or when he knows that he is not qualified or
subject to the provisions of this Constitution, and to the rules and standing orders regulating the proceedings of the Legislature, there shall be freedom of speech in the Legislature of every State.

(2) No member of the Legislature of a State shall be liable to any proceedings in any court in respect of anything said or any vote given by him in the Legislature or any committee thereof, and no person shall be liable in respect of any publication by or under the authority of a House of such a Legislature or any report, paper, vote, or proceedings.

(3) In so far as respects the power, privileges, and immunities of a House of the Legislature of a State, and of the members and committees of a House of such Legislature, such as may from time to time be defined by the Legislature by law, and, until so defined, shall be those of the House of Commons of the Parliament of the United Kingdom and under the authority of a House of such a Legislature or such committees or proceedings.

(4) The provisions of clauses (1), (3), and (5) shall apply to persons who, by virtue of this Constitution have the right to speak in, and otherwise to take part in, the proceedings of a House of the Legislature of a State or any committee thereof as they apply in relation to members of that Legislature.

(5) Members of the Legislative Assembly and the Legislative Council of a State shall be entitled to receive such salaries and allowances as may from time to time be determined by the Legislature of the State by law, and, until so determined, shall be such as were immediately before the commencement of this Constitution applicable in the case of members of the Legislative Assembly of
the corresponding Province.

Legislative Procedure

(1) Subject to the provisions of sections 125 and 127 with respect to Money Bills and other financial Bills, a Bill may originate in either House of the Legislature of a State which has a Legislative Council.

(2) Subject to the provisions of sections 125 and 127, a Bill shall not be deemed to have been passed by the House of the Legislature of a State having a Legislative Council unless it has been agreed to by both Houses, either without amendment or with such amendments only as are agreed to by both Houses.

(3) A Bill pending in the Legislature of a State shall not lapse by reason of the prorogation of the House or Houses thereof.

(4) A Bill pending in the Legislative Council of a State which has not been passed by the Legislative Assembly shall not lapse on a dissolution of the Assembly.

(5) A Bill which is pending in the Legislative Assembly of a State, or which having been passed by the Legislative Assembly is pending in the Legislative Council, shall not lapse on a dissolution of the Assembly.

(6) If a Bill has been passed by the Legislative Assembly of a State having a Legislative Council and recommitted to the Legislative Council:

(a) the Bill is rejected by the Council; or
(b) more than three months elapse from the date on which the Bill is laid before the Council without the Bill being passed by it; or
(c) the Bill is passed by the Council with amendments to which the Legislative Assembly does not agree.

The Legislative Assembly may, subject to the rules regulating its procedure, pass the Bill again in the same or in any subsequent session with or without such amendments; if any, as have been made, suggested or agreed to by the Legislative Council and then transact the Bill as so passed to the Legislative Council.

(7) If a Bill has been so passed for the second time
by the Legislative Assembly and transmitted to the Legislative Council:

1. The Bill is rejected by the Council, or
2. More than six months elapse from the date on which the Bill is laid before the Council without the Bill being passed by it, or
3. The Bill is passed by the Council with amendments to which the Legislative Assembly does not agree.

The Bill shall be deemed to have been passed by the House of the Legislative Council in the form in which it was passed by the Legislative Assembly for the second time with such amendments, if any, as have been made or suggested by the Legislative Council and agreed to by the Legislative Assembly.

Section 2 of the article shall apply to a Money Bill:

183. A Money Bill shall not be introduced in the Legislative Council.

After a Money Bill has been passed by the Legislative Council, it shall be transmitted to the Legislative Council, for its recommendation, and the Legislative Council shall, within a period of fourteen days from the date of its receipt of the Bill, pass the Bill to the Legislative Assembly with its recommendation, and the Legislative Assembly may then either accept or reject all or any of the recommendations of the Legislative Council.

If the Legislative Assembly accepts any of the recommendations of the Legislative Council, the Money Bill shall be deemed to have been passed by both Houses with the amendments recommended by the Legislative Council, and accepted by the Legislative Assembly.

If the Legislative Assembly does not accept any of the recommendations of the Legislative Council, the Money Bill shall be deemed to have been passed by both Houses in the form in which it was passed by the Legislative Assembly without any of the amendments recommended by the Legislative Council.

If a Money Bill passed by the Legislative Assembly and transmitted to the Legislative Council, for its recommendations is
not returned to the Legislative Assembly within the said period of fourteen days, it shall be deemed to have been passed by both Houses at the same time as the said period in the form in which it was passed by the Legislative Assembly.

139. For the purposes of this Chapter, a Bill shall be deemed to be a "Money Bill" if it contains only provisions dealing with all or any of the following matters, namely—

(a) the imposition, abolition, remission, alteration, or regulation of any tax;
(b) the regulation of the borrowing of money or the giving of any guarantee by the State, or the amendment of this law with respect to any financial obligation undertaken or to be undertaken by the State;
(c) the vesting of the Consolidated Fund or the Contingency Fund of the State, the place of moneys out of the Consolidated Fund of the State;
(d) the expenditure of moneys out of the Consolidated Fund of the State;
(e) the vesting, or灶 the amendment of the vesting, of any such expenditure; and
(f) the receipt of money on account of the Consolidated Fund of the State in the public account of the State, or the custody or issue of such moneys;
(g) any matter incidental to any of the matters specified in sub-clauses (a) to (f).

A Bill shall not be deemed to be a "Money Bill" by reason only that it provides for the imposition of fines or other pecuniary penalties, or for the demand and collection of fees for licenses or fees for services rendered, or by reason that it provides for the imposition, abolition, remission, alteration, or regulation of any tax by any local authority or local body pursuant.
The new shall be first,

20. When a Bill has been passed by the Legislature of a State or, in the case of a State having a Legislature only, has been passed by both Houses of the Legislature of the State, it shall be presented to the Governor and the Governor shall declare whether he assents to the Bill or that he withholds his assent therefrom or that he reserves the Bill for the consideration of the President.

Provided that the Governor may, as soon as practicable after the presentation to him of the Bill, for assent, when the Bill has been passed by the Legislature of a State, or, in the case of a State having a Legislature only, by both Houses of the Legislature of the State, return the Bill with a message stating that the Governor is of opinion that the Bill should be enacted into law in the same form in which it has been presented to him, and that he has accordingly assented thereto,

Provided further that, whenever the Governor or the Governor-in-Council is of opinion that any Bill should be enacted into law in the same form in which it has been presented to him, and that he has accordingly assented thereto,

20. When a Bill is returned by the Governor for the consideration of the President, the President shall declare either that he assents to the Bill or that he withholds his assent therefrom.

Provided that, whenever the President returns a Bill for the consideration of the Governor, the Governor may direct the Governor to return the Bill to the House or, in the case of a Single House, to the Governor, on which the Governor may direct the Governor to return the Bill to the House or, in the case of a Single House, to the Governor.
Bill as so referred, the House or Houses shall reconsider it monthly
within a period of two months from the date of receipt of such message;
and, if it is again passed by the House or Houses with or without
amendment, it shall be presented again to the President for his consid-
eration.

Procedure in Financial Matters

2020. The Governor shall in respect of every financial year cause
his books before the House or Houses of the Legislature of the State a
statement of the estimated receipts and expenditures of the State for that
year, in the Bill referred to as the "annual financial statement."
2021. An estimate of expenditure included in the annual financial
statement shall show separately—
2022. (a) the same required to meet expenditure described in this
Constitution as expenditure charged on the Consolidated
Fund of the State; and
2023. (b) the same required to meet other expenditure justifieed to be
made from the Consolidated Fund of the State;
and shall distinguish expenditure on revenue account from other
expenditure.
2024. The following expenditure shall be expenditure charged on
the Consolidated Fund of each State:
2025. (c) the amount and allowance of the Governor, and
2026. the expenditure relating to his office;
2027. (d) the amount and allowance of the Speaker and the Deputy Speaker of the
Legislative Assembly and, in the case of a State having
a Legislative Council, also of the Chairman and the
Deputy Chairman of the Legislative Council;
2028. (e) debt charges for which the State is liable, including interest,
repayment of principal and redemption charges, and
other expenditure relating to the raising of loans and
the service and redemption of debt;
2029. (f) expenditure in respect of the salaries and allowances of
judges of any High Court,
(1) any sums required to satisfy any judgment, decree, award, or
any other obligation declared by the Constitution, or by
the Legislature of the State, to be charged.

203.10. In each of the estimates as relates to expenditures charged
upon the Consolidated Fund of a State shall not be submitted to the
vote of the Legislature of the State, but nothing on this clause shall be construed
as preventing the discussion in the Legislature of any of these estimates.

203.11. In each of the estimates as relates to expenditures shall be submitted in the
form of estimates for grants to the Legislature of the State, and the Legislature of the State shall have power to accept or
refuse to accept, to any demand, to any demand, subject to a
resolution of the amount specified therein.

204. If a demand for a grant shall be made except on the
recommendation of the Governor.

Appropriation Bills.

Upon any of the grants under article 203, have
been made by the Assembly, there shall be introduced a Bill to provide for the appropriation out of the Consolidated Fund of the State of all
appropriation required to meet:

(a) the grants, so made by the Assembly.

(b) all expenditures charged on the Consolidated Fund of the
State but not exceeding in any case the amount shown on
the statement previously filed before the House or
Assembly.

(c) All amendments shall be framed to any such Bill in
the House or other House of the Legislature of the State which will have the effect of varying the amount or altering the destination of any
grant so made or of varying the amount of any expenditure charged on the Consolidated Fund of the State, and the division of the
funds providing as to whether an amendment is unanswerable made
this clause shall be fixed.

(d) Subject to the provisions of articles 203 and 204, no money
shall be withdrawn from the Consolidated Fund of the State, except
under appropriation made by law passed in accordance with the
the Governor has recommended to that House the consideration of the Bill.

Procedure Generally

203(1) A House of the Legislature of a State may make rules for regulating, subject to the provisions of this Constitution, its procedure and the conduct of its business.

(a) Until rules are made under clause (1), the rules of procedure and standing orders in force immediately before the commencement of this Constitution with respect to the Legislature for the corresponding Province shall have effect in relation to the Legislature of the State subject to such modifications and additions as may be made therein by the Speaker of the Legislative Assembly, or the Chairman of the Legislative Council, as the case may be.

(b) In a State having an Legislative Council, the Governor, after consultation with the Speaker of the Legislative Assembly and the Chairman of the Legislative Council, may make rules as to the procedure, with respect to communications between the two Houses.

204. The Legislature of a State may, for the purpose of the timely conclusion of financial business, regulate by law the procedure of, and the conduct of business in, the House or Houses of the Legislature of the State in relation to any financial matter or to any Bill for the appropriation of money out of the Consolidated Fund of the State, and, of and so far as any provision of any law or rule is inconsistent with any rule made by the House or either House of the Legislature of the State under clause (1) of article 203 or with any rule or standing order having effect in relation to the Legislature of the State under clause (1) of that article, such provision shall be deemed to be repealed and the power to make rule of the kind concerned shall vest in the House or either House of the Legislature of the State.

205(1) Notwithstanding anything in Part XXXI, but subject to the provisions of article 96(2), business in the Legislature of a State shall be transacted in the official language or languages of the State or in English.

Provided that the Speaker of the Legislative Assembly or Chairman of the Legislative Council, or person acting as such, as the case.
may be, may find any member who cannot adequately express himself on any of the languages referred to address the House in his mother tongue.

(9) Under the Constitution of the State by law therein provided, the said laws, after the expiration of a period of fifteen years from the commencement of the Constitution, shall be regarded as the words or in English, save not valid therefore.

39. All laws shall be made in the Legislature of a State with respect to the conduct of any Judge of the Supreme Court or a High Court in the discharge of his duties.

40. The validity of any proceedings in the Legislature of a State shall not be called in question on the ground of any alleged irregularity of procedure.

(1) No officer or member of the Legislature of a State in whom power is vested by or under the Constitution for regulating procedure or the conduct of business, or for maintaining order in the Legislature shall be subject to the jurisdiction of any court, in respect of the exercise of those powers.

Chap. IV. Legislative Power of the Governor.

25. (a) If at any time, except when the Legislature Amendment of a Bill is in progress, or when there is a Legislative Council in a State, except when both Houses of the Legislature are in session, the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action, he may promulgate such Ordinances as the circumstances appear to him to require.

Provided that the Governor shall not, without instruction from the President, promulgate any such Ordinance of

(a) a Bill containing the same provisions would under this Constitution have required the previous sanction of the President for the introduction thereof, made to the Legislature, or

(b) the President has declared it necessary to reserve a Bill containing the same provisions for the consideration of the President, or
10. an Act of the Legislature of the State containing the same provisions would under the Constitution have been enacted under, having been reserved for the consideration of the President, it had received the assent of the President.

11. An Ordinance promulgated under this article shall have the same force and effect as an Act of the Legislature of the State assented to by the Governor, but every such Ordinance—

(a) shall be laid before the Legislature Assembly of the State, or where there is a Legislature Council in the State, before both the House and shall come to operate at the expiration of six weeks from the reasonable of the Legislature, or if before the expiration of such period or resolution disposing of it is passed by the Legislature Assembly and agreed to by the Legislature Council, if any, upon the passing of the resolution or, as the case may be, on the resolution being agreed to by the Governor, and,

(b) may be withdrawn at any time by the Governor.

Explanation—Where the House of the Legislature of a State having a Legislature Council are summoned to meet on different dates, the period of six weeks shall be reckoned from the later of these dates for the purpose of this clause.

12. If and so far as an Ordinance under this article makes any provision which would not be valid if enacted in an Act of the Legislature of the State assented to by the Governor, it shall be valid—

Provided that, for the purpose of the provisions of the Constitution relating to the effect of an Act of the Legislature of a State which is repugnant to an Act of Parliament or an existing Law with respect to a matter enumerated in the Enactment Act, an Ordinance promulgated under this article in pursuance of such provision from the President shall be deemed to be an Act of the Legislature of the State which has been reserved for the consideration of the President and assented to by him.

13.
Chapter V. The High Courts in the States

A. There shall be a High Court for each State

1. For the purposes of this Constitution, the High Court exercising jurisdiction in relation to any Province immediately before the commencement of this Constitution shall be deemed to be the High Court for the corresponding State.

2. The provisions of this Chapter shall apply to every High Court referred to in this article.

B. Every High Court shall be a court of record and shall have all the powers of such a court, including the power to punish for contempt of court.

C. Every High Court shall consist of a Chief Justice and such other Judges as the President may, from time to time, deem it necessary to appoint.

Provided that the Judges so appointed shall at no time exceed in number such maximum number as the President may, from time to time, by order in writing, in relation to that Court.

D. Every judge of a High Court shall be appointed by the President by warrant under his hand and seal, after consultation with the Chief Justice of India, the Governor of the State, and, in the case of appointment of a Judge other than the Chief Justice, the Chief Justice of the High Court, and shall hold office until he attains the age of sixty-five years.

Provided that—

1. a judge may, by writing under his hand addressed to the President, resign his office,

2. a judge may be removed from his office by the President in the manner provided in clause (p) of article 213 for the removal of a judge of the Supreme Court,

3. in the case of a judge shall be vacated by his being appointed by the President to be a Judge of the Supreme Court, or by his being transferred by the President to any other High Court within the territory of India.
(2) A person shall not be qualified for appointment as a Judge of a High Court unless he is a citizen of India and—
(a) has for at least ten years held a judicial office in the territory of India, or
(b) has for at least ten years been an advocate of a High Court in any State specified in the First Schedule or of the Supreme Court in succession.

Explanation—For the purpose of this clause—

(a) in computing the period during which a person has been an advocate of a High Court, there shall be included any period during which the person has held a judicial office after he became an advocate,
(b) in computing the period during which a person has held a judicial office in the territory of India or been an advocate of a High Court, there shall be included any period before the commencement of this Constitution during which he has held a judicial office in any area which was comprised before the fifteenth day of August, 1947, within India as defined by the Government of India Act, 1935, or has been an advocate of any High Court in any such area, as the case may be.

219. The provisions of clauses (a) and (b) of sub-section (2) shall apply in relation to a High Court as they apply in relation to the Supreme Court with the substitution of references to the High Court for references to the Supreme Court.

220. Every person appointed to be a Judge of a High Court in a State shall, before he takes upon his office, make and subscribe before the Governor of the State or, if no person appointed on that behalf by him, an oath or affirmation according to the form set out for the purpose in the First Schedule.

221. No person who has held office as a Judge of a High Court after the commencement of this Constitution shall hold or act as a Judge in any court or before any authority within the territory of India.
Court under the consent so to do.

225. Subject to the provisions of this Constitution and to the provisions of any law of the Scottish Parliament made by virtue of powers conferred on that Parliament by this Constitution, the jurisdiction of and the administration in any existing High Court, and the execution powers of the judges thereof in relation to the administration of justice in the Court, including any power to make rules of Court and to regulate the sitting of the Court and of members thereof, sitting alone or in division courts, shall be the same as immediately before the commencement of this Constitution.

Provided that any restriction, to which the exercise of original jurisdiction by any of the High Courts, with respect to any matter concerning the revenue or concerning any act ordered or done is the collection thereof, are subject immediately before the commencement of this Constitution, shall no longer apply to the exercise of such jurisdiction.

226. Notwithstanding anything in article 22, every High Court shall have power, throughout the territories in relation to which it exercises jurisdiction, to make to any person or authority, including any appropriate law, any Government, any territory, any department, authority, or council, including any such as in matters of trade or commerce, or in any other matters, for the enforcement of any of the laws of the legislature by the High Court, by clause (3) of sub-section (2) of article 220.

227. Every High Court shall have superintendence over all courts and tribunals throughout the territories in relation to which it exercises jurisdiction.

Provided, notwithstanding the generality of the foregoing provision, the High Court may:
(a) call for reports from such courts;
(b) make and use general rules and precedents for regulating the practice and proceedings of such courts, and
(c) prescribe forms in which books, orders and accounts shall be
Appointments of officers and servants of a High Court shall be made by the Chief Justice of the Court or such other judge or officer of the Court as he may direct.

Provided that the Governor of the State in which the High Court has its principal seat may by rule require that in such cases as may be specified in the rule no person not already attached to the Court shall be appointed to any office connected with the Court save after consultation with the Public Service Commission.

Subject to the provisions of any law made by the Legislature of the State, the conditions of service of officers and servants of a High Court shall be such as may be provided by rules made by the Chief Justice of the Court or by some other judge or officer of the Court authorized.
by the Chief Justice to make rules for the purpose:

Provided that the rules made under this clause shall, so far as they
relate to salaries, allowances, leave or假期, require the approval of the
Governor of the State on which the High Court has its principal seat.

2. The administrative expenses of a High Court, including all
salaries, allowances and expenses payable to or in respect of the officers and
servants of the Court, shall be charged upon the Consolidated Fund of the
State, and any fees or other revenue taken by the Court shall form part of
that Fund.

230. Parliament may by law—

(a) extend the jurisdiction of a High Court to, or
(b) exclude the jurisdiction of a High Court from,
any State specified in the First Schedule or any area not
specified in the Schedule, in which the High Court has its principal seat,

231. When a High Court exercises jurisdiction in relation to any area
outside the State in which it has its principal seat, nothing in this Section
shall be construed—

(a) as empowering the Legislature of the State in which the
Court has its principal seat to increase, restrict or
abolish that jurisdiction;

(b) as empowering the Legislature of a State specified in Part
A or Part B of the First Schedule in which any such area is
situated to abolish that jurisdiction;

(c) as preventing the Legislature having power to make laws
in that behalf for any such area, from passing subject
to the provisions of clause (a), such laws with respect
to the jurisdiction of the Court in relation to that
area so as it would be competent to hear of the principal
seat of the Court were on that area.

232. When a High Court exercises jurisdiction in relation to
more than one State specified in the First Schedule or in relation to
a State and an area not forming part of the State—

(a) references in the Schedule to the Governor in relation to
the Judge of a High Court shall be construed as

reference to the Governor of the State in which the Court has its principal seat,
and the reference to the approval by the Governor of rules, forms and tables for subordinate courts shall be construed as a reference to the approval thereof by the Governor or the Representative of the State in which the subordinate court is situate, or if it is situate in an area not forming part of any State specified in Part I or Part II of the First Schedule by the President, and
so reference to the Consolidated Fund of the State shall be construed as reference to the Consolidated Fund of the State in which the Court has its principal seat.

Chapter IV—Subordinate Courts

233. Appointment of persons to be, and the paying and provision of district judge in every State shall be made by the Governor of the State in consultation with the High Court exercising jurisdiction in relation to such State.

234. Appointments of persons other than district judges to the judicial service of a State shall be made by the Governor of the State in consultation with the Governor of the State. The recommendations of such persons shall be submitted to the High Court exercising jurisdiction in relation to such State.

235. The control of all subordinate courts, including the paying and provision of, and the grant of leave to persons belonging to the judicial service of a State and holding any public service to the feel of district judge shall be vested in the High Court, but nothing in the aforesaid shall be construed as taking away from any such
person any right of appeal which he may have under the law regulating
the condition of his service or as authorizing the High Court to deal with
him otherwise than in accordance with the condition of his service pro-
vided under such law.

Subparagraphs

23. In the Table—

(a) the expression "district judge" includes judge of a city court,
   additional district judge, joint district judge, assistant
district judge, chief judge of a small cause
court, chief presiding magistrate, additional chief
   presiding magistrate, session judge, additional
   session judge, and assistant session judge.

(b) the expression "judicial service" means a service consisting
   exclusively of persons intended to fill the post of
   district judge and other civil judicial posts inferior
   to the post of district judge.

23. The Governor may by public notification direct that the
   forgery provision of this Chapter and any other similar provision
   shall with effect from such date as may be fixed by him in that
department in relation to any class or classes of magistrate in the State
   as they apply in relation to persons referred to the judicial service of the
   State subject to such conditions and modifications as may be specified
   in the notification.
Part XIV
The States in Part B of the First Schedule

238. The provisions of Part W shall apply in relation to the States specified in Part B of the First Schedule as they apply in relation to the States specified in Part A of that Schedule subject to the following modifications and exceptions, namely—

1. In the case of the States in Part B of the First Schedule, the word "Governor" wherever it occurs in the said Part W, shall be substituted for the word "Chief Minister".

2. In article 302, for the word and latter Part A of the said and latter Part B shall be substituted.

3. Articles 155, 156 and 157 shall be omitted.

4. In article 356—
   a. in clause (a), the words "appeals" shall be substituted for the word "cases";
   b. in clause (b), the following clause shall be substituted, namely—

5. The Provisions shall, subject to the States in Part B of the First Schedule, be applicable without prejudice to the use of any official residence and shall be subject to such other conditions and restrictions as the President may, by general or special order, determine;

6. In clause 177, the words "in such case and shall be" shall be omitted.
(3) In article 520, after the words "court of law of that State" the words "or in such other manner as may be prescribed in that behalf by the President" shall be inserted.

(4) In article 161, for the power to clothe the following provision shall be substituted, namely:

"Provided that for the State of Madhya Pradesh there shall be a Minister in-charge of tribal affairs who may in addition be in charge of the welfare of the Scheduled Castes and backward classes or any other work."

(5) In article 161, for clause (1), the following clause shall be substituted, namely:

"For every State there shall be a Legislature which shall consist of the Regional Assembly and—

(a) in the State of Mysore, two Houses;

(b) in other States, one House."

(6) In article 165, for the words "as are specified in the Second Schedule" the words "as the Regional Assembly may determine" shall be substituted.

(7) In article 193, for the words "as are immediately before the commencement of this Constitution applicable in the case of members of the Legislative Assembly of the corresponding Province the words as the Regional Assembly may determine" shall be substituted.

(8) In clause (1) of article 202—

(a) for sub-clause (a), the following sub-clause shall be substituted, namely:

"as the Administrator of the Regional Assembly and other authorities relating to the welfare of the President by general or special order;"

(b) for sub-clause (f), the following sub-clause shall be substituted, namely:

"in the case of the States of Travancore-Cochin, a sum of fifty-one lakhs of rupees, payable annually to the Travancore fund under the several sections
...
may be determined by the President, after consultation with the Senate.
Part X

The States in Part C of the First Schedule

241. Subject to the other provisions of this Part, a State specified in Part C of the First Schedule shall be administered by the President acting, to such extent as he thinks fit, through a Chief Commissioner or Lieutenant-Governor to be appointed by him or through the Government of a neighbouring State:

Provided that the President shall act through the Government of a neighbouring State in such cases:

(a) consulting the Government concerned; and

(b) empowering in such manner as he thinks fit to appoint the persons and to determine the functions of the Public Services of the State to be administered.

241. In this article references to a State shall include references to a part of a State.

241. (1) Parliament may by law create or continue for any State specified in Part C of the First Schedule and administered through a Chief Commissioner or Lieutenant-Governor:

(a) a body, whether nominated, elected or partly nominated and partly elected, to function as a Legislature for the State;

(b) a Council of Advisers or Ministers;

or both with such constitution, powers and functions, in each case, as may be specified in the law.
(2) Any such law as is referred to in clause (1) shall not be deemed to be an amendment of this Constitution for the purposes of article 98 notwithstanding that it contains any provision which amounts to or has the effect of an amendment.

(3) The provisions of sections 97 and 98 of the Constitution shall be read as applying in relation to every law of the Parliament as if it were a law made by the Parliament as an amendment of this Constitution.

(4) Subject to the provisions of this Constitution, any law passed by the Parliament in exercise of the powers conferred on it by or under this Constitution is, in relation to the States, subject to the provisions of section 97 of the Constitution, subject to the extent of any provision of that section which is inconsistent with this Constitution.

(5) Nothing in this section derogates from the power of the Parliament to extend or exclude the jurisdiction of a State to any extent as may be provided by law in Part III of the Constitution or in any other provision of the Constitution.

(6) Subject to the provisions of this Constitution, the Constitution, powers and functions of the Parliaments and the provisions of this Constitution shall be the same as they were immediately before the commencement of this Constitution.

(7) All provisions of such law as may be passed by the Parliament in exercise of the powers conferred on it by or under this Constitution are hereby preserved and shall remain in force until such law is extended or excluded by the Parliament by law in accordance with section 97 of the Constitution.
Part IX

The Territories in Part IV of the First Schedule and other Territories not specified in that Schedule

243. Any territory specified in Part IV of the First Schedule and any other territory contained within the territory of India but not specified in that Schedule shall be administered by the President acting through a Chief Commissioner or other authority appointed by him.

(a) The President may make regulations for the peace and good government of any such territory and any regulation so made may repeal or amend any law made by Parliament or any existing law which is for the time being applicable to such territory and, when promulgated by the President, shall have the same force and effect as an act of Parliament which applies to such territory.
Part X
The Scheduled and Tribal Areas

Administration of Scheduled Areas and tribal areas.

24. (1) The provisions of the Fifth Schedule shall apply to the administration and control of the Scheduled Areas and Scheduled Tribes in any State specified in Part A or Part B of the First Schedule other than the State of Assam.

(2) The provisions of the Sixth Schedule shall apply to the administration of the tribal areas in the State of Assam.
Part XI

Relations between the Union and the States

Chapter 1: Legislative Relations

Distribution of Legislative Power

Subject to the provisions of this Constitution, Parliament may make laws for the whole or any part of the territory of India, and the legislature of a State may make laws for the whole or any part of the State.

(1) No law made by Parliament shall be deemed to be invalid on the ground that it would have the effect of derogating from the territorial jurisdiction of a State.

(2) Subject to the provisions of this Constitution, Parliament has exclusive power to make laws with respect to any of the matters enumerated in List I in the Seventh Schedule (in this Constitution referred to as the "Union List").

(3) Subject to the provisions of this Constitution, the legislature of any State specified in Part A or Part B of the First Schedule (in this Constitution referred to as the "Concurrent List") or any part thereof with respect to any of the matters enumerated in List II in the Seventh Schedule (in this Constitution referred to as the "State List")

(4) Parliament has power to make laws with respect to any...
24. Notwithstanding anything in this Chapter, Parliament may, by law provide for the establishment of any additional courts for the better administration of law made by Parliament or of any existing law with respect to any matter enumerated in the Union List.

25. Parliament has exclusive power to make any law with respect to any matter not enumerated in the Concurrent List or State List.

(2) Such power which includes the power of making any law imposing a tax not mentioned on either of these Lists.

26. Notwithstanding anything in the foregoing provisions of this Chapter, if the Council of States has dissented by resolution supported by not less than two-thirds of the members present and voting that it is necessary or expedient in the national interest that Parliament should make law with respect to any matter enumerated in the State List excepted in the resolution, it shall be lawful for Parliament to make law for the whole or any part of the territory of India with respect to that matter, while the resolution remains in force.

12. A resolution passed under clause (1) shall remain in force for such period not exceeding one year as may be specified therein.

Provided that, if and as often as a resolution approving the continuance in force of any such resolution is passed in the manner provided in clause (1), such resolution shall continue in force for a further period of one year from the date on which under this clause it would otherwise have ceased to do so.

13. A law made by Parliament which Parliament would not but for the passing of a resolution under clause (1) have been competent to make shall, to the extent of the inconsistency, cease to have effect on the expiration of a period of one month after the resolution has ceased to be in force, except as regards things done or omitted to be done before the expiration of the said period.

25(1) Notwithstanding anything in this Chapter, Parliament shall, while a Proclamation of Emergency is in operation, have power to make
25. Nothing in articles 249 and 250 shall restrict the power of the Legislature of a State to make any law which under the Constitution it has power to make, but if any provision of a law made by the Legislature of a State is repugnant to any provision of a law made by Parliament, the law made by the Legislature of the State shall be void to the extent of the repugnancy, but nothing contained in this Article shall be so construed as to prevent Parliament from enacting a law which is repugnant to any provision of a law made by the Legislature of a State.

26. Nothing in this Chapter shall preclude the Legislature of two or more States from co-operating with each other in the establishment of a system of education or any other scheme of public advantage.

27. Nothing in this Chapter shall preclude the legislation by any State or Union Territory for the purposes of the Constitution.

28. Nothing in this Chapter shall preclude the legislation by any State or Union Territory for the purposes of the Constitution.

29. Nothing in this Chapter shall preclude the legislation by any State or Union Territory for the purposes of the Constitution.

30. Nothing in this Chapter shall preclude the legislation by any State or Union Territory for the purposes of the Constitution.

31. Nothing in this Chapter shall preclude the legislation by any State or Union Territory for the purposes of the Constitution.

32. Nothing in this Chapter shall preclude the legislation by any State or Union Territory for the purposes of the Constitution.

33. Nothing in this Chapter shall preclude the legislation by any State or Union Territory for the purposes of the Constitution.
with any other country or colony or any division made at any international conference, convention or other body.

25A. (1) If any provision of a law made by the Legislature of a State is repugnant to any provision of a law made by Parliament which Parliament is competent to make, or to any provision of an existing law with respect to one of the matters enumerated in the Concurrent List, then, subject to the provisions of clause (2), the law made by Parliament, whether passed before or after the law made by the Legislature of such State or as the case may be, the existing law, shall prevail and the law made by the Legislature of the State shall, to the extent of the repugnancy, be void.

(2) Where a law made by the Legislature of a State specified in Part A or Part B of the First Schedule with respect to one of the matters enumerated in the Concurrent List contains any provision repugnant to the provision of an earlier law made by Parliament on an existing law with respect to that matter, then the law so made by the Legislature of such State shall, if it has been made for the consideration of the President and has received his assent, prevail in that State.

Provided that nothing in this clause shall prevent Parliament from enacting any law with respect to the same matter including a law adding to, amending, varying or repealing the law so made by the Legislature of the State.

25B. An Act of Parliament or of the Legislature of a State specified in Part A or Part B of the First Schedule, and no provision in any such Act, shall be void if made only that some recommendation or previous concurrence required by this Constitution is not given, if any, to that Act as soon as—

(a) where the recommendation required is that of the Governor or by the Governor or by the President;

(b) where the recommendation required is that of the High Commissioner by the High Commissioner or by the President;

(c) where the recommendation or previous concurrence required is that of the President or by the President.
Chapter II - Administrative Relations

General

256. The executive power of every State shall be so exercised as to ensure compliance with the law made by Parliament and any existing law which applies to that State, and the executive power of the Union shall extend to the giving of such directions to a State as may appear necessary for the Government of India to be necessary for that purpose.

257. The executive power of every State shall be so exercised as not to impede or prejudice the exercise of the executive powers of the Union, and the executive power of the Union shall extend to the giving of such directions to a State as may appear necessary for the Government of India to be necessary for that purpose.

258. The executive power of the Union shall also extend to the giving of directions to a State as to the construction and maintenance of means of communication declared in the Union to be of national or military importance.

Guided that nothing in this clause shall be taken as restricting the power of Parliament to declare highways or undertakings to be national highways or national undertakings as the power of the Union with respect to the highways or undertakings so declared in the power of the Union to control and maintain means of communication is part of its functions with respect to road, military and air force works.

259. The executive power of the Union shall also extend to the giving of directions to a State as to the measures to be taken for the protection of the railways within the State.

260. Where no carrying out any donation given to a State under clause (2) to the construction or maintenance of any means of communication or under clause (3) to the measures to be taken for the protection of any railway, costs have been incurred in excess of those which would have been incurred in the discharge of the normal duties of the State of such donation had not been given, there shall be paid by the Government of India to the State such sum as may be agreed or in default of agreement, as may be determined by an arbitrator appointed by the Chief Justice of
38. notwithstanding anything in the Constitution, the President may, with the consent of the Government of India, make in the discretion of the President or by the President or by any person or thing in the discretion of the President, any matter to which the executive power of the Union extends.

39. No State, or any State law, shall have any application to anything which is or shall be made or done under this Constitution.

40. The power of the President shall be exercisable in the matter of the execution of any law made by the President in the exercise of the powers conferred by this Constitution to the extent that the President shall, with the consent of the Governor-General in Council, make such law for the purpose of bringing the provisions of this Constitution into full effect.

41. The President may, with the consent of the Governor-General in Council, make any law for the purpose of bringing the provisions of this Constitution into full effect.

42. The Governor-General in Council may, with the consent of the President, make any law for the purpose of bringing the provisions of this Constitution into full effect.

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109. The Governor-General in Council may, with the consent of the President, make any law for the purpose of bringing the provisions of this Constitution into full effect.

110. The Governor-General in Council may, with the consent of the President, make any law for the purpose of bringing the provisions of this Constitution into full effect.
The manner in which such the resolution under which the sit, record and proceedings referred to in clause (1) shall be forwarded and the effect thereof determined shall be as provided by law made by Parliament.

5. Final judgments or orders declared or passed by civil courts in any part of the territory of India shall be capable of execution anywhere within that territory according to law.

Disputes relating to Waters

The Parliament may by law provide for the adjudication of any dispute or complaint with regard to the use, allocation or control of the waters of or in any river, State river or river valley.

6. Notwithstanding anything in the Constitution, Parliament may, by law provide that neither the Supreme Court nor any other court shall exercise jurisdiction in respect of any such dispute or complaint as is referred to in clause (5).

Co-operation between States

7. At any time it appears to the President that the public interest would be served by the establishment of a Council charged with the duty of—

(a) settling and administering upon disputes which may arise between States,

(b) settling and administering subjects in which one or more of the States or the Union, and one or more of the States, have a common interest,

(c) making recommendations upon any such subject and, in particular recommendations for the better co-ordination of policy and action with respect to that subject.

It shall be lawful for the President by order to establish such a Council, and to define the nature of the duties to be performed by it and its organisation and procedure.

Postscript
Part XII

Section, Revenue, Contracts and Suits

Chapter 1: Revenue

General

264. In the Part under the several articles respecting—
(a) "Revenue Commissioner" means a Revenue Commissioner created under article 260A;
(b) "State" does not include a State specified in Part V of the First Schedule;
(c) references to "State" specified in Part V of the First Schedule shall include references to any territory specified in Part V of the First Schedule and any other territory comprised within the territory of India but not specified in that Schedule.

265. No tax shall be levied or collected except by authority of law.

266. Subject to the provisions of article 265 and to the provisions of this Chapter with respect to the assessment of the whole or part of the net proceeds of urban taxes and duties to States, all revenue received by the Government of India, all loans raised by that Government by the issue of treasury bills, loans or urges and taxes advances and all monies received by that Government in employment of these shall form one consolidated fund to be included in the Consolidated Fund of India, and all revenues received by the Governments of States, all loans raised by that Government by the issue of treasury bills, loans or urges and taxes advances and all monies received by that Government.
لا يوجد نص يمكن قراءته بشكل طبيعي من الصورة المقدمة.
Government in repayment of loans shall be one consolidated fund to be called the "Consolidated Fund of the State."

(1) All moneys, whether raised by or on behalf of the Government of India or the Government of a State, shall be credited to the public account of India or the public account of the State, as the case may be.

(2) Any expenditure out of the Consolidated Fund of India or the Consolidated Fund of a State shall be approved except in accordance with the rules and in the manner provided in this Constitution.

206. Parliament may by law establish a Contingency Fund in the nature of an escrow to be entitled the "Contingency Fund of India," into which shall be paid, from time to time, such sums as may be determined by each law, and the said Fund shall be held at the disposal of the President to make advances to be made by him out of such Fund for the purpose of meeting unforeseen expenditure pending authorization of such expenditure by Parliament by law under article 112 or article 200.

(1) The Legislature of a State may by law establish a Contingency Fund in the nature of an escrow to be entitled the "Contingency Fund of the State," into which shall be paid, from time to time, such sums as may be determined by such law, and the said Fund shall be held at the disposal of the Governor or, President-in-Council of the State, to make advances to be made by him out of such Fund for the purpose of meeting unforeseen expenditure pending authorization of such expenditure by the Legislature of the State by law under article 203 or article 204.

Distribution of Revenue between the Union and the State

208. A State shall pay such sums as may be determined by rule in the matter of distribution of revenue between the Union and the State. The distribution of revenue between the Union and the State shall be determined by the Union under rules made by the Government of India and shall be so determined as to be in accordance with the principles laid down in the First Schedule and in any manner prescribed in the Second Schedule by the Government of India, and in any other manner by the State within which such duties are respectively levied.
The following duties and taxes shall be levied and collected by the Government of India but shall be assigned to the States in the manner provided in clause (c), namely—

1. duties on goods or passengers carried by railway,
2. duties on railway stores and freight,
3. duties on stamps duties on instruments in stock exchange and futures markets,
4. duties on the sale or purchase of newspapers and advertisements published therein.

5. The duties on goods or even expenses of any such duty or tax, except in so far as these expenses represent amounts attributable to States specified in Part C of the First Schedule, shall not from part of the Consolidated Fund of India, but shall be assigned to the States within which that duty or tax is levied in that year, and such duty or tax shall be distributed among the States in accordance with the formula of distribution as may be formulated by Parliament by law.

6. Income other than agricultural income shall be levied and collected by the Government of India and distributed between the Union and the States in the manner provided in clause (b).

7. Such percentages, as may be prescribed by the Central Government, on any financial year of any such income, except in so far as these expenses represent amounts attributable to States specified in Part C of the First Schedule, shall be payable in respect of those expenses, which shall not from part of the Consolidated Fund of India, but shall be assigned to the States within which that income is levied in that year, and such income shall be distributed among the States in such manner and from such time as may be prescribed.
For the purpose of clause (v), in each financial year such percentage as may be prescribed if so much of the net proceeds of linear or revenue income not retained, the net proceeds of linear expenditure on roads of Union and expenditure shall be deemed to represent proceeds attributable to States specified in Part E of the First Schedule.

(v) In this section—

(a) "linear income" does not include a capitalisation tax;
(b) "procedural" means—
(c) until a Finance Commission has been constituted, prescribed by the President by order and
(d) after a Finance Commission has been constituted, prescribed by the President by order after considering the recommendations of the Finance Commission;
(e) "Union expenditure" includes all expenditure and precautionary pay other than the Consolidated Fund of India on respect of which revenue-tax is chargeable.

271. Notwithstanding anything in articles 269 and 270, Parliament may at any time increase any of the duties or duties referred to in those articles by a rate more than that levied on any such duty by virtue of the Consolidated Fund of India.

272. Union duties of excise other than such duties of excise as mentioned and duty, prepayments so are mentioned in this Act shall be levied and administered by the Government of India. All duties of tax imposed by law shall be levied and imposed by the Government of India on the States in accordance with such principles of distribution as may be prescribed by law.

273. (1) There shall be charged on the Consolidated Fund of India in each year an amount in each of the States of Assam, Bihar, Orissa and West Bengal, in lieu of assignment of any share of the net proceeds of each year of export duties on jute and jute products to those States, such sum as may be prescribed.

(2) The sum so prescribed shall continue to be charged on the
(c) the average area of cultivation over the previous ten years immediately preceding the commencement of the provisions in respect of the administration of the lease, as specified in Part I of the Schedule appended to paragraphs 20 of the Sixth Schedule, and

(d) the extent, such scheme of development as may be sanctioned by the State and approved by the Government of India for the purpose of raising the level of administration of the said area to that of the administration of the rest of the area of the State

(2) a provision as made by Parliament under clause (c) the provision conferred on Parliament under that clause shall be exercisable by the President by order and any order made by the President under this clause which has effect subject to any provision so made by Parliament.

Provided that after a Finance Commission has been constituted in accordance with the provisions of the Constitution other than the recommendations of the Finance Commission.

(3) Without prejudice to anything contained in article 246, any law of the Legislature of a State relating to the manner of taxation of the State or of any municipality, district, town or other local authority therein in respect of personal, local, estates, salaries or employment tax shall be made on the ground that it relates to a matter in the list in Schedule XVI.

(4) The land revenue payable in respect of any one person in the State or in any one municipality, district, town or other local authority in the State by any of those in possession, rents, salaries or employment tax shall not exceed five hundred and fifty rupees per annum.

Provided that if in the financial year immediately preceding the commencement of this Schedule there was in force on the date of commencement of this Schedule in any municipality, district, town or other local authority in the State, the maximum rate of taxation to which the provisions contained in this Schedule refer were such that, if the rate of taxation were fifty rupees per annum, such tax may continue to be levied under provisions to this effect as made by Parliament by law, and any law or made by Parliament may be made either generally or in relation to any specified States, municipalities, boards or authorities.
The power of the Legislature of a State to make laws or ordinances with respect to taxes on professions, trades, callings and employments shall not be construed as limiting in any way the power of Parliament to make laws with respect to taxes on income accruing from or arising out of professions, trades, callings and employments.

Any duty, tax or fee which, immediately before the commencement of the Constitution, were being lawfully levied by the Government of any State or by any municipality or other local authority or body for the purpose of the State, municipality, district or other local area may, without altering the rates thereof, be continued to be levied and be paid into the same fund or revenue account as used by the Legislature to which it was payable.

Agreement with States or Provinces for the transfer of financial relations

271. (1) Subject to anything in the Constitution, the Government of India may, subject to the provisions of clause (2), enter into an agreement with the Government of a State specified in Part B of the First Schedule with respect to any of the following:

(a) the levy and collection of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof; and
(b) any arrangement under clause (a) for the transfer of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof, in accordance with the provisions of the Constitution.

272. (1) Subject to anything in the Constitution, the Government of India may, subject to the provisions of clause (1) of section 3, enter into an agreement with the Government of a State specified in Part B of the First Schedule with respect to any of the following:

(a) the levy and collection of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.
(b) any arrangement under clause (a) for the transfer of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.

273. (1) Subject to anything in the Constitution, the Government of India may, subject to the provisions of clause (1) of section 3, enter into an agreement with the Government of a State specified in Part B of the First Schedule with respect to any of the following:

(a) the levy and collection of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.
(b) any arrangement under clause (a) for the transfer of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.

274. (1) Subject to anything in the Constitution, the Government of India may, subject to the provisions of clause (1) of section 3, enter into an agreement with the Government of a State specified in Part B of the First Schedule with respect to any of the following:

(a) the levy and collection of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.
(b) any arrangement under clause (a) for the transfer of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.

275. (1) Subject to anything in the Constitution, the Government of India may, subject to the provisions of clause (1) of section 3, enter into an agreement with the Government of a State specified in Part B of the First Schedule with respect to any of the following:

(a) the levy and collection of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.
(b) any arrangement under clause (a) for the transfer of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.

276. (1) Subject to anything in the Constitution, the Government of India may, subject to the provisions of clause (1) of section 3, enter into an agreement with the Government of a State specified in Part B of the First Schedule with respect to any of the following:

(a) the levy and collection of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.
(b) any arrangement under clause (a) for the transfer of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.

277. (1) Subject to anything in the Constitution, the Government of India may, subject to the provisions of clause (1) of section 3, enter into an agreement with the Government of a State specified in Part B of the First Schedule with respect to any of the following:

(a) the levy and collection of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.
(b) any arrangement under clause (a) for the transfer of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.

278. (1) Subject to anything in the Constitution, the Government of India may, subject to the provisions of clause (1) of section 3, enter into an agreement with the Government of a State specified in Part B of the First Schedule with respect to any of the following:

(a) the levy and collection of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.
(b) any arrangement under clause (a) for the transfer of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.

279. (1) Subject to anything in the Constitution, the Government of India may, subject to the provisions of clause (1) of section 3, enter into an agreement with the Government of a State specified in Part B of the First Schedule with respect to any of the following:

(a) the levy and collection of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.
(b) any arrangement under clause (a) for the transfer of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.

280. (1) Subject to anything in the Constitution, the Government of India may, subject to the provisions of clause (1) of section 3, enter into an agreement with the Government of a State specified in Part B of the First Schedule with respect to any of the following:

(a) the levy and collection of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.
(b) any arrangement under clause (a) for the transfer of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.

281. (1) Subject to anything in the Constitution, the Government of India may, subject to the provisions of clause (1) of section 3, enter into an agreement with the Government of a State specified in Part B of the First Schedule with respect to any of the following:

(a) the levy and collection of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.
(b) any arrangement under clause (a) for the transfer of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.

282. (1) Subject to anything in the Constitution, the Government of India may, subject to the provisions of clause (1) of section 3, enter into an agreement with the Government of a State specified in Part B of the First Schedule with respect to any of the following:

(a) the levy and collection of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.
(b) any arrangement under clause (a) for the transfer of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.

283. (1) Subject to anything in the Constitution, the Government of India may, subject to the provisions of clause (1) of section 3, enter into an agreement with the Government of a State specified in Part B of the First Schedule with respect to any of the following:

(a) the levy and collection of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.
(b) any arrangement under clause (a) for the transfer of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.

284. (1) Subject to anything in the Constitution, the Government of India may, subject to the provisions of clause (1) of section 3, enter into an agreement with the Government of a State specified in Part B of the First Schedule with respect to any of the following:

(a) the levy and collection of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.
(b) any arrangement under clause (a) for the transfer of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.

285. (1) Subject to anything in the Constitution, the Government of India may, subject to the provisions of clause (1) of section 3, enter into an agreement with the Government of a State specified in Part B of the First Schedule with respect to any of the following:

(a) the levy and collection of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.
(b) any arrangement under clause (a) for the transfer of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.

286. (1) Subject to anything in the Constitution, the Government of India may, subject to the provisions of clause (1) of section 3, enter into an agreement with the Government of a State specified in Part B of the First Schedule with respect to any of the following:

(a) the levy and collection of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.
(b) any arrangement under clause (a) for the transfer of any tax or duty leviable by the Government of India on such State and for the distribution of the proceeds thereof.
of after consideration of the report of the Finance Commission he thinks it necessary to do so.

7(1) In the foregoing provision of this Chapter, it is further provided in relation to any tax or duty the proceeds thereof reduced by the cost of initiation, and for the purposes of those provisions the net proceeds of any tax or duty, or of any part of any tax or duty, as or attributable to any such tax or duty, as assigned to any State, provide for the manner in which the proceeds are to be calculated, for the time from or at which the manner in which any fragments are to be made, for the making of adjustments between two financial year and another, and for any other incidental or concurring matter.

7(2) The President shall, within one year from the commencement of this Constitution and thereafter at the expiration of every fifth year of such term or such longer time as the President may consider necessary, by order constitute a Finance Commission which shall consist of a Chairman and five other members to be appointed by the President.

7(3) Parliament may by law determine the qualifications which shall be required for appointment as members of the Commission and the manner in which they shall be selected.

7(4) It shall be the duty of the Commission to make recommendation to the President to—

(a) the distribution between the Union and the States of the net proceeds of any tax or duty, or of any part of any tax or duty, as assigned to any State, and the distribution between the States of the respective shares of such proceeds;

(b) the principles which should govern the grants in aid of the revenues of the States out of the Consolidated Fund of India;

(c) the continuance or modification of the terms of any agreement entered into by the Government of India and the Government.
no officer employed or connected with the affairs of the Union or of a State in his capacity as such, either in revenue or public money raised or received by the Government of India or the Government of the State, as the case may be, or in any civil, criminal or revenue matter, interest or process.

shall be paid into the public account of India or the public account of the State, as the case may be.

285. In the property of the Union shall cease in so far as Parliament may by law otherwise provide, to exempt from all taxes imposed by a State or any authority within a State.

Nothing in clauses (a) and (b) of Clause (2) shall prevent any authority within a State from keeping any entry of any property of the Union to which such property was immediately before the commencement of the Constitution belonged or vested in the State, so long as such entry continues to be kept in that State.

286. In the case of a State, shall impose, or authorize the imposition of, a tax on the sale or purchase of goods where such sale or purchase takes place—

(a) outside the State, or

(b) in the course of the export of the goods sold, or export of the goods out of the territory of India.

Explanation.—A tax on the sale or purchase of goods shall be deemed to have taken place in the State in which the goods have actually been delivered, as a direct result of such sale or purchase for the purpose of consumption in that State, notwithstanding the fact that under the general law relating to sale of goods the property in the goods has by reason of such sale or purchase passed out of the State.
indicating that the imposition of such tax is restricted to the provisions of
this clause, continues to be levied until the thirty-first day of March 1931.

A tax made by the Legislature of a State superseding, or authorising
the imposition of, a tax on the sale or purchase of any such goods as have been
declared by Parliament by law to be conferred for the life of the community shall
have effect unless it has been reserved for the consideration of the President and
has received his assent.

287. [....] as far as Parliament may by two-thirds of the total number of
members of each House of the Indian Parliament represent, or authorise the imposition of, a tax on the consump-
tion or sale of electricity (whether produced by a Government or other person)
which is—

as prescribed by the Government of India or sold to the Government of India for consumption by that Government,
arising in the construction, maintenance or operation of any
railway by the Government of India or any railway company
operating that railway, or sold to that Government or any
such railway company for consumption in the construction,
maintenance or operation of any railway;

and any such tax imposing, or authorising the imposition of, a tax on the sale of electricity shall secure that the price of electricity sold to the Government of
India for consumption by that Government, or to any such railway company as
referred to in the construction, maintenance or operation of any
railway, shall be less than the amount of the tax less the tax charged to
those concerns of a substantially complete quantity of electricity.

288. [....] as far as the President may by order otherwise provide,
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Explanatory Note—The imposition of a tax on or in respect of any such goods as have been declared by Parliament by law to be conferred for the life of the community shall have effect unless it has been reserved for the consideration of the President and has received his assent.
11. The Legislature of a State may by law empower, or authorize the enactment of any such law as is mentioned in clauses (1) and (2), but no such law shall have any effect unless it has, after having been reserved for the consideration of the President, received his assent, or if any such law provides for the creation of the office and other incidents of such law by means of rules or orders framed under the law by any authority, the law shall provide for the previous concurrence of the President being obtained to the making of any such rule or order.

28. No law shall be deemed to be void or inoperative for the reason that it is not consistent with the Constitution.

29. Nothing in clauses (2) shall apply to any trade or business, or to any class of trade or business, which Parliament may by law declare to be incidental to the ordinary functions of government.

29A. Where under the provisions of this Constitution the office of any court or commission, or the function performed by or in respect of a person who has held before the commencement of this Constitution under the Crown or a State, or after such commencement in connection with the affairs of the Union or of a State, are charged on the Consolidated Fund of India or the Consolidated Fund of a State, then if—

(a) in the case of a change on the Consolidated Fund of India, the court or commission serves any of the other needs of a State, or the person has served wholly or in part in connection with the affairs of a State, or

(b) in the case of a change on the Consolidated Fund of a State, the court or commission serves any of the other needs of the Union or another State, or the person has served wholly or in part in connection with the affairs of the Union or another State,

then shall be changed on each foot out of the Consolidated Fund of the State.
on the one hand to the Consolidated Fund of India or the Consolidated Fund of the other State, such contribution in respect of the expenses or losses as may be incurred, as may be determined in accordance with any arrangement made for the appointment by the Chief Justice of India.

24. Where under any agreement or arrangement entered into by the States of any Indian State before the commencement of the Constitution, the payment of any sum, free of tax, has been guaranteed or assumed by the Government of the Dominion of India to any State or part of such State as being due—

(a) such sum shall be charged on, and paid out of, the Consolidated Fund of India, and
(b) the same as paid to any State shall be exempted from all duties or income.

23. Where the duration of any such Indian State as a separate part of the Union is specified in Part I of the Schedule to the Act, such payments shall be charged on, and paid out of, the Consolidated Fund of the State, such contribution, if any, in respect of the expenses incurred by the Government of India under clause (i) and the such period as may, subject to any agreement entered into in that behalf under clause (ii) of article 262, be determined by order of the President.

Chapter II—Borrowing

232. The executive power of the Union extends to borrowing upon any of the security of the Consolidated Fund of India within such limits, if any, as may from time to time be fixed by Parliament by law and to the giving of guarantees within such limits, if any, as may be so fixed.

234. Subject to the provisions of this article, the executive power of a State extends to borrowing within the territory of India upon the security of the Consolidated Fund of the State within such limits, if any, as may from time to time be fixed by the Legislature of such State by law and to the giving of guarantees within such limits, if any, as may be so fixed:

235. The Government of India, subject to such conditions as may be laid down by or under any law made by Parliament, may borrow from any State or in any manner fixed under article 232, or not exceeded, any guarantees in respect of losses incurred by any State, and any sum
required for the purpose of making such laws shall be charged on the Consolidated Fund of India.

A State may not without the consent of the Government of India take any loan of money or fall sub judice any suit or a claim which has been made to the State by the Government of India or by its predecessor Government, in respect of which a guarantee has been given by the Government of India or by its predecessor Government.

(b) A suit under clause (a) may be granted subject to such conditions of any, as the Government of India may think fit to impose.

Chapter III: Property, Civil and Rights, Liabilities, Obligations and Taxes

294. As from the commencement of the Constitution—

(a) all property and assets which immediately before such commencement were vested in the Ministry for the purposes of the Government of the Dominion of India and all property and assets which immediately before such commencement were vested in the Ministry for the purposes of the Government of each Governor's Province, shall vest absolutely in the Union and the corresponding State, and in all rights, liabilities and obligations of the Government of the Dominion of India and of the Government of each Governor's Province, whether arising out of any contract or otherwise, shall be the rights, liabilities and obligations respectively of the Government of India and the Government of each corresponding State,

subject to any adjustment made or to be made by reason of the enactment before the commencement of the Constitution of the Dominion of Pakistan or of the Province of West Bengal, East Bengal, West Bengal and East Bengal.

(d) As from the commencement of the Constitution—

(a) all property and assets which immediately before such commencement were vested in any Indian State corresponding to a State specified in Part III of the First Schedule
shall vest in the Union of the fuflowers for which such property and assets were held immediately before such commencement with thereafter be parks of the Union relating to any of the matters enumerated in the Union List, and to all rights, liabilities and obligations of the Government of any Indian State corresponding to a Part B of the First Schedule, whether arising out of any conduct or otherwise, shall be the rights, liabilities and obligations of the Government of India, if the fuflowers for which such rights were acquired or liabilities or obligations incurred before such commencement, and thereby to the fuflowers of the Government of India relating to any of the matters enumerated in the Union List, subject to any agreement made in that behalf by the Government of India with the Government of that Indian State.

Subject as aforesaid, the fuflowers of each Indian State specified in Part B of the First Schedule shall, as from the commencement of this Constitution, be the successor of the Government of the corresponding Indian State as regards all property and assets and all rights, liabilities and obligations, whether arising out of any conduct or otherwise, other than those referred to in clause (16). Subject as aforesaid, and further provided, any property in the territory of India which, of this Constitution, had not been sold or acquired, would have accrued to His Majesty or, as the case may be, to the Ruler of an Indian State by conduct or otherwise than by an assignment to the Crown of any Indian State, shall be vesting in a State and assets in such State, and shall, in any other case, vest in the Union.

Provided that any property which at the date when it would have so vested in the Ruler or in the Ruler of an Indian State, was in the possession or under the control of the Government of India or the Government of a State, shall, vesting as if it were a fuflower for which it was then vested or held were fuflowers of the Union or of a State, vest in the Union or in that State. Explanation: In this article, the expression "Ruler and Indian State" have the same meanings as in article 363.
In any legal proceedings to which a Province or an Indian State is a party, the corresponding State shall be deemed to be substituted for the Province or the Indian State in those proceedings.
Part X

Trade, Commerce and Intercourse within the territory of India

303. (1) Subject to the other provisions of this Part, trade, commerce and intercourse throughout the territory of India shall be free.

304. Parliament may by law impose such restrictions on the freedom of trade, commerce or intercourse between one State and another or within any part of the territory of India as may be required in the public interest.

305. (1) Notwithstanding anything contained in sub-section (1), no law made by the Legislature of any State shall have power to make any law giving or authorising the giving of any preference to one State over another, or making or authorising the making of any discrimination between one State and another, by means of any duty relating to trade and commerce in any of the parts of the territory of India.

(2) Nothing in sub-section (1) shall prevent Parliament from making any law giving or authorising the giving of any preference or making or authorising the making of any discrimination if it is declared by such law that it is necessary to do so for the purpose of dealing with a situation arising from scarcity of goods or any part of the territory of India.

306. (1) Notwithstanding anything in sub-section (1) or sub-section (1A) the Legislature of any State may by law —

(a) impose a tax exclusively imposed by or on behalf of any other State on any tax to which excise duties are imposed or included in the value of such tax, or

(b) authorise the making of any discrimination between goods manufactured or produced in that State and goods manufactured or produced in another State.
Part X

Securing the Union and the States

Chapter 1: Service

388. In the Part, unless the context otherwise requires, the expression "State" means a State specified in Part A or Part B of the First Schedule.

389. Subject to the provisions of this Constitution, Acts of the State Legislature may regulate the recruitment, and conditions of service of persons appointed to public service and posts in connection with the affairs of the Union or of any State.

Provided that it shall be competent for the President or such person as he may direct in the case of service and posts in connection with the affairs of the Union, and for the Governor or Government of a State or such person as he may direct in the case of service and posts in connection with the affairs of the State, to make rules regulating the recruitment, and the conditions of service of persons appointed to such service and posts and in that behalf is made by or under an Act of the State Legislature under this article, and any rules so made shall have effect subject to the provisions of any such Act.

390. In Part X, expressly provided by this Constitution, every person who is a member of a defence service or of a civil service of the Union or of an State, holds any post connected with defence or any civil post under the Union held office during the lifetime of the President, and every person who is a member of a civil service of a State or holds any civil post under a State held office during the lifetime of the Governor or, so the case may be, the Government of the State.
23. Notwithstanding that a person holding a civil post under the Union or a State holds office during the pleasure of the President or, in the case may be, of the Governor or Governor-General of the State, any contract under which a person, not being a member of a defence service or of an all India service or of a civil service of the Union or a State, is appointed under this Constitution to hold such a post may, if the President or the Governor or the Governor-General, as the case may be, deems it necessary in order to secure the service of a person having special qualifications, provide for the payment to him of compensation, if before the expiration of an agreed period that fact is discovered or he is, for reasons not connected with any misconduct in his conduct, required to resign that post.

31. No person who is a member of a civil service of the Union or an all-India service or a civil service of a State or holds a civil post under the Union or a State shall be dismissed or removed by an authority subordinate to that by which he was appointed.

32. No such person so dismissed or removed or reduced in rank shall he be dismissed or removed from the service in which he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him:

Provided that this clause shall not apply—

(a) where a person is dismissed or removed or reduced in rank on the ground of conduct which has led to his conviction on a criminal charge;

(b) where an authority empowered to dismiss or remove a person or to reduce him in rank is satisfied that for some reason, to be recorded by that authority in writing, it is not reasonably practicable to give to that person an opportunity of showing cause;

(c) where the President or Governor or Governor-General, as the case may be, is satisfied that in the interest of the security of the State it is not expedient to give to that person such an opportunity.

33. If any question arises whether it is reasonably practicable to give to any person an opportunity of showing cause under clause (b), the decision thereof of the authority empowered to dismiss or remove such person or to reduce him in rank, as the case may be, shall be final.
XI. All other services in Part IV of the Constitution of India, in the absence of resolution or resolution, may be declared by resolution or resolution, or by a majority of the members present, and voting that it is necessary or expedient in the national interest to do so. The President may by resolution for the creation of one or more new public services. The President may, subject to the provisions of this Chapter, regulate the recruitment, and the conditions of service, of persons appointed to any such service.

35. The service known at the commencement of the Constitution in the Indian Administrative Service and the Indian Police Service shall be deemed to be services created by Parliament under this article.

36. All other services in the service of the Union, shall be deemed to be services created by Parliament under this article.

37. All other services, whether in the service of the Union or the States or in the service of any other body corporate or authority or person, shall be in force so far as consistent with the provisions of this Constitution.

38. Except as otherwise expressly provided by the Constitution, every person who having been appointed by the President of the Union as Secretary of the Union or a part of the services of the Union, shall be deemed to have been so appointed by the President of the Union.

Chapter II: Public Service Commission

39. Subject to the provisions of this article, there shall be a Public Service Commission for the Union and a Public Service Commission for each State.

40. Two or more States may agree that there shall be one Public Service Commission for the group of States, and if so, a resolution to that effect is passed by the President or, where there are two Houses, by each House of the Legislature of each of those States, Parliament may by resolution for the
afforded to the Public Service Commission for the time being or to be done by the Governor or Viceroy in the State, may, with the approval of the President, agree to make all or any of the needs of the State.

10. The Public Service Commission shall be a State Public Service Commission, under the control and direction of the Governor or the Government of India, as the case may be, and shall have such powers as may be necessary or desirable for giving effect to the provision of the law.

11. The Public Service Commission for the Union of a State, may, with the approval of the President, agree to make all or any of the needs of the State.

12. Reference to the Constitution of the Union Public Service Commission or to a State Public Service Commission shall, under the control and direction of the Governor or the Government of India, as the case may be, be construed as reference to the Public Service Commission for the time being or to the Government of India, as the case may be, and shall have such powers as may be necessary or desirable for giving effect to the provision of the law.

13. The Chairman and other members of a Public Service Commission shall be appointed, in the case of the Union Public Service Commission, by the President, and in the case of a State Public Service Commission, by the Governor or Viceroy of the State.

Provided that so much as may be one half of the members of every Public Service Commission shall be persons who at the date of the separation or discontinuation have held office for at least ten years either under the Government of India or under the Government of a State or under the Government of an Indian State.

14. A member of a Public Service Commission shall hold office for a term of not less than five years from the date on which he enters upon his office or until his retirement, in the case of the Union Public Service Commission, the age of sixty-five years, and in the case of a State Public Service Commission, the age of sixty years, whichever is earlier.

Provided that

(a) a member of a Public Service Commission may, by writing under his hand addressed in the case of the Union Public Service Commission or a State Public Service Commission, to the President, and in the case of a State Public Service Commission, to the Governor or Viceroy of the State, resign.
the State resign his office.
As a member of a Public Service Commission may be removed from his office on the ground provided in clauses iii or iv of article 143.

(3) A person who holds office as a member of a Public Service Commission shall, on the expiration of his term of office, be ineligible for re-appointment to that office.

(4) Subject to the proviso of clause (i), the Chairman or any other member of a Public Service Commission shall not be removed from his office by order of the President for the ground of misbehaviour after the Supreme Court, on reference being made to it by the President, has on inquiry held in accordance with the procedure prescribed in that behalf under clause (ii), reported that the Chairman or such other member, as the case may be, caught on any such ground to be removed.

(5) The President, in the case of the Union Commission or a Joint Commission, and the Governor or Governor-in-Council, in the case of a State Commission, may suspend from office the Chairman or any other member of the Commission on the ground of misbehaviour where a reference has been made to the Supreme Court under clause (iii) until the President has passed orders on receipt of the report of the Supreme Court on such reference.

(6) Notwithstanding anything in clause (5), the President may, by order remove from office the Chairman or any other member of a Public Service Commission of the Chairman or such other member, as the case may be—

(a) if adjudged not guilty, or

(b) if guilty of breach of the terms of office or any fraud or employment outside the duties of his office, or

(c) if, in the opinion of the President, ought to continue in office by reason of infirmity of mind or body.

(7) If the Chairman or any other member of a Public Service Commission is or becomes in any way concerned or interested in any contract or agreement made by or on behalf of the Government of India or the Government of a State or directly or indirectly in any way in the profit thereof or in any benefit or pecuniary advantage therefore otherwise than as a member and in common with the other members of an incorporated company, he, shall, in the event of it being proved to his satisfaction that he knew to be guilty of such breach of conduct.
38. In the case of the Union Public Service Commission, the President, and in the case of a State Public Service Commission, the Governor of the State may by regulations—

to determine the number of members of the Commission and their conditions of service, and

to make provision with respect to the number of members of the staff of the Commission and their conditions of service.

Provided that the conditions of service of a member of a State Public Service Commission shall not be varied to his disadvantage after his appointment.

39. On ceasing to hold office—

(a) the Chairman of the Union Public Service Commission shall be ineligible for further employment either under the Government of India or under the Government of a State;

(b) the Chairman of a State Public Service Commission shall be ineligible for appointment as the Chairman or any other member of the Union Public Service Commission or as the Chairman of any other State Public Service Commission, but not for any other employment either under the Government of India or under the Government of a State;

(c) a member other than the Chairman of the Union Public Service Commission shall be ineligible for appointment as the Chairman of the Union Public Service Commission or as the Chairman of a State Public Service Commission, but not for any other employment either under the Government of India or under the Government of a State;

(d) a member other than the Chairman of a State Public Service Commission shall be ineligible for appointment as the Chairman or any other member of the Union Public Service Commission or as the Chairman of any other State Public Service Commission, but not for any other employment either under the Government of India or under the Government of a State;

300. It shall be the duty of the Union and the State Public Service Commissioners to conduct examinations for appointments to the service of the Union.
and the services of the State respectively.

21. It shall also be the duty of the Union Public Service Commission, if requested by any law or rule, to assist the State in forming and

22. expanding schemes of joint recruitment for any services for which consolidated financing special qualifications are required.

23. The Union Public Service Commission or the Public Service Commision as the case may be, shall be consulted—

24. on all matters relating to methods of recruitment to civil service and for civil posts.

25. on the principles to be followed in making appointments to civil service and posts and in making promotions and transfers

26. from one service to another and on the suitability of candidates for such appointments, promotions or transfers.

27. on all disciplinary matters affecting a person serving under the

28. Government of India or the Government of a State in a civil capacity, excluding matters or positions relating to

29. such matters;

30. on any claim by or on behalf of a person who is serving or has

31. served under the Government of India or the Government of a State or under the Government of an Indian State in a civil capacity, that any such

32. claim or any matter referred to or action taken against such person in respect of such claim or action, or the amount of any such claim, or any question as to the amount of any such claim, or any other matter which the President or the
may be, the Governor or Representative of the State may refer to them:-

Provided that the President or the Governor or Representative of the State, and the Governor or Representative, as the case may be, as respects other services and posts on connection with the affairs of the Union, and the Governor or Representative, as the case may be, as respects other services and posts on connection with the affairs of a State, may make regulations specifying the duties in which either generally, or in any particular case or in any particular circumstances, it shall not be necessary for a Public Service Commission to be consulted.

Nothing in clause (b) shall require a State Service Commission to assist in the manner in which any provision referred to in clause (a) of article 355 may be made or to respect the manner in which effect may be given to the provision of article 355.

356. All regulations made under the powers to clause (b) of the President or the Governor or Representative of a State shall be laid to be laid for a period not exceeding 60 days before each House of Parliament or the House or a House of the Legislature of the State, as the case may be, as soon as possible after they are made, and shall be subject to such modifications, whether by way of repeal or amendment, as both Houses of Parliament or the House or House of the Legislature of the State may make during the six months on which they are laid.

321. An Act made by Parliament or, as the case may be, the Legislature of a State may provide for the exercise of additional functions by the Union Public Service Commission or the State Public Service Commission or by the servants of the Union or of the State and also for the services of any local authority or other body corporate constituted by law or of any public institution.

322. The servants of the Union or of the State Public Service Commission, including any salaries, allowances and pensions payable to or in respect of the members or staff of the Commission, shall be charged on the Consolidated Fund of India or, in the case may be, the Consolidated Fund of the State.

323. It shall be the duty of the Union Commission to forward annually to the President a report as to the work done by the Commission and, in respect of each report, the President shall cause a copy thereof, together with an explanation, explaining, or refunding the cases of any, where the advice of the Commission was not accepted, the reasons for such non-acceptance to be laid before each House of Parliament.

It shall be the duty of a State Commission to forward annually...
to the Governor as Representative of the State, a report as to the work done by the
Commission, and it shall be the duty of a Joint Commission to forward annually to
the Governor as Representative of each of the States the needs of which are
served by the joint Commission, a report as to the work done by the Commission
on relation to that State; and in either case the Governor as Representative, in
the case may be, shall, on receipt of such report, cause a copy thereof to be
with a memorandum explaining, as respects the case of any, where the advice of the
Commission was not accepted, the reasons for such non-acceptance to be laid before
the Legislature of the State.
Part X
Elections

324. The superintendent, election and conduct of the preparation of the electoral rolls for, and the conduct of, all elections to Parliament, and to the Legislatures of every State, and of elections to the office of President and Vice-President shall be carried on by the Election Commissioner, including the appointment of election officers, for the decision of disputes arising out of or in connection with elections to Parliament and to the Legislatures of States, shall be carried on by a Commissioner (referred to in this Constitution as the Election Commissioner).

The Election Commissioner shall consist of the Chief Election Commissioner and such number of other Election Commissioners, if any, as the President may from time to time, and the appointment of the Chief Election Commissioner and other Election Commissioners shall, subject to the provisions of any law made on that behalf, be appointed by the President.

No other Election Commissioner shall be appointed the Chief Election Commissioner shall act as the President of the Election Commissioners.

Before such general election to the House of the People and the Legislature-Assembly of each State, and before the first general election and thereafter before each second election to the Legislative Council of each State, during each session, the President may, if he is of the opinion after consultation with the Election Commissioner and Regional Commissioners, as he may consider necessary, appoint, to assist the Election Commissioner in the performance of the functions conferred on him by clause (1),

Subject to the provisions of any law made by Parliament, the...
from time to time by law make provision with respect to all matters relating to: or in connection with, the elections to the House or other House of the Legislature of the State including the furnishing of electoral rolls and all other matters necessary for securing the due constitution of such House or Houses.

329. Abolishing anything in the Constitution – as the validity of any law relating to the determination of conditions, or the allotment of seats to such conditions, made or purported to be made under Article 329, shall be called in question in any court;

329. Abolishing anything in the Constitution – as the validity of any law relating to the determination of conditions, or the allotment of seats to such conditions, made or purported to be made under Article 329, shall be called in question in any court;

the election to either House of Parliament or to the House or other House of the Legislature of a State, shall be called in question except by an election petition presented to such authority and in such manner as may be provided for by or under any law made by the appropriate Legislature.
Part xvi

Special Provisions relating to Certain Clauses

330. In suits shall be moved in the House of the People for—

(a) in the Scheduled Caste
(b) in the Scheduled Tribe; except the Scheduled Tribe in the tribal areas of Assam, and
(c) in the Scheduled Tribe in the autonomous districts of Assam.

The number of suits reserved in any suit for the Scheduled Caste or the Scheduled Tribe under clause (a) shall be as nearly as may be to the same proportion as the total number of suits admissible to that suit in the House of the People at the beginning of the Scheduled Caste in the State or of the Scheduled Tribe in the State or of the House of the People, as the case may be, in respect of which suits are so reserved, bears to the total population of the State.

331. Nothing in anything in this article in the Scheduled caste of the Assam of special provision the Anglo-Indian community is not adequately represented in the House of the People, no natives more than ten members of that community in the House of the People.

332. Suits shall be moved for the Scheduled Caste and the Scheduled Tribe, except the Scheduled Tribe in the tribal areas of Assam in the Legislative Assembly of every State specified in Part I or Part II of the First Schedule.

Suit shall be reserved also for the autonomous district in the Legislative Assembly of the State of Assam.

The number of suits reserved for the Scheduled Caste or the
Scheduled Tribes on the Legislative Assembly of any State order shall be allotted, as nearly as may be, the same proportion to the total number of seats in the Assembly, as the population of the Scheduled Caste in the State or of the Scheduled Tribe in the State or part of the State, as the case may be, in respect of which seats are so allotted, bears to the total population of the State.

The number of seats reserved for any autonomous district in the Legislative Assembly of the State of Assam shall be to the total number of seats in that Assembly in proportion not less than the proportion of the Scheduled Tribe to the total population of the State.

The constituency for the seat reserved for any autonomous district of Assam shall not comprise any area outside the Scheduled Caste except in the case of the constituency comprising the constituency and municipality of Hollong.

No person who is not a member of a Scheduled Tribe of autonomous district of the State of Assam shall be eligible for election to the Legislative Assembly of the State for any constituency of that Schedule except from the constituency comprising the constituency and municipality of Hollong.

33. Notwithstanding anything in article 170, the Governor of a State may, by an order, direct that the Anglo-Indian community needs representation in the Legislative Assembly of the State and is not adequately represented therein, nominate such number of members of the community to the Assembly as he considers appropriate.

34. Notwithstanding anything in the foregoing provision of this Part, the provision of the Constitution relating to:

   (a) the reservation of seats for the Scheduled Castes and the Scheduled Tribes in the House of the People and in the Legislative Assembly of the State;

   (b) the representation of the Anglo-Indian community in the House of the People and in the Legislative Assembly of the State by nomination,

shall cease to have effect on the expiration of a period of ten years from the commencement of the Constitution.

Provided that nothing in this article shall affect any representation in the House of the People or in the Legislative Assembly of a State until the dissolution of the then existing House or Assembly, as the case may be.
335. The share of the members of the Scheduled Castes and the Scheduled Tribes shall be based on considerations, consistent with the maintenance of efficiency of administration, on the carrying out of appointments to services and posts in connection with the affairs of the Union or of a State.

336 (1) During the first ten years after the commencement of this Constitution, appointments of members of the Anglo-Indian community to posts in the judiciary, customs, postal and telegraphic services of the Union shall be made on the same basis as immediately before the fifteenth day of August, 1947.

During every succeeding period of five years, the number of posts reserved for the members of the said community in the said services shall, as nearly as possible, be one by one per cent more than the number so reserved during the immediately preceding period of the five years:

Provided that at the end of the period from the commencement of this Constitution all such reservations shall cease.

(2) Nothing in clause (1) shall bar the appointment of members of the Anglo-Indian community to posts other than, or in addition to, those reserved for the community under that clause of such number as are found qualified for appointment as under as compared with the members of other communities.

337. During the first three financial years after the commencement of this Constitution, the amounts paid by the Union and by each State specified in Part A of Part B of the First Schedule for the benefit of the Anglo-Indian community in respect of education as were made in the financial year ending on the thirty-first day of March, 1949:

During every succeeding period of three years the grand may be increased by two per cent to that for the immediately preceding period of three years:

Provided that at the end of the period from the commencement of the Constitution such grand, or the extent to which they are a special concession to the Anglo-Indian community, shall cease:

Provided further that an educational institution shall be entitled to receive any grant under this article when at least forty per cent of the teachers and principal teachers are members of communities other than the Anglo-Indian community.

338 (1) There shall be a Special Officer for the Scheduled Castes and Scheduled Tribes to be appointed by the President.
It shall be the duty of the Annual Office to investigate all matters relating to the safeguards provided for in the Act and the Act shall be enforced by the President, and shall be on the advice of the President, and the President shall cause such report to be laid before each House of Parliament.

The President may at any time and shall, at the expiration of two years from the commencement of the Constitution, by order, appoint a Commission to report on the administration of the Constitution, and the draft of the Scheduled Areas in the States specified in Part A and Part B of this Part D and the Union territories specified in Part C of this Act.

The President may define the commission, functions and powers of the Commission, and may appoint such officers or members as he may think fit to form such Commission, and the President may appoint such officers or members as he may think fit to form such Commission.

The President may order the constitution of such a Commission consisting of officers of such rank as the President may appoint, to investigate the condition of society and culture, language, education and the condition of the Scheduled Areas in the States.

The President may, by order, appoint a Commission consisting of such officers as he may think fit to investigate the condition of society and culture, language, education and the condition of the Scheduled Areas in the States.

The President shall cause a copy of the report so required to be laid before each House of Parliament.
Chapter 1—Language of the Union

Section 343. The official language of the Union shall be Hindi or Devanagari script.

The form of numerals to be used for the official purposes of the Union shall be the International form of Indian numerals.

Within the period of fifteen years from the commencement of this Constitution, the English language shall continue to be used for all the official purposes of the Union for which it was being used immediately before such commencement.

Provided that the President may, during the said period, by order authorize the use of the Hindi language in addition to the English language and of the Devanagari form of numerals in addition to the International form of Indian numerals for any of the official purposes of the Union.

21. After the said period of fifteen years, if the President may by law provide for the use, in the official purposes of the Union, in addition to the English language or in the Devanagari form of numerals, for the purposes as may be described in the law.

Provided that the President, at the expiration of five years from the commencement of this Constitution and thereafter at the expiration of ten years from such commencement, by order constitute a commission which shall consist of Mahatma and such other members representing the different languages specified in the...
Chapter VIII - Regional Languages

Scheduled to the provisions of sections 346 and 394, the Legislature of a State
may be used, any one or more of the languages in use in the State or States in the language or languages to be used for all or any of the official purposes of that State.

Provided that until the Legislature of the State otherwise provides by law the English language shall continue to be used for all official purposes within the State for which it was being used immediately before the commencement of this Constitution.

The language for the time being authorized for use in the States for official purposes shall be the official language for communication between the States and another State or States, and between the States and the Union.

Provided that if two or more States agree that the Amdar language should be the official language for communication between such States, all language may be used for such communication.

Chapter II—Language of the Supreme Court, High Courts, etc.

Wherever anything in the foregoing provisions of the Part, or in this Parliament by law otherwise provides—

(a) all proceedings in the Supreme Court and in every High Court,

(b) all proceedings in the Supreme Court and in every High Court,

(c) all proceedings in the Supreme Court and in every High Court,

(d) all proceedings in the Supreme Court and in every High Court,

(e) all proceedings in the Supreme Court and in every High Court,

(f) all proceedings in the Supreme Court and in every High Court,

shall be in the English language.
22. All authorities anything in sub-clause (a) of clause (1), the Governor or Governor-in-Council of a State may, with the previous sanction of the Governor, authorize the use of the Hindi language, or any other language, for any official purpose of the State, in proceedings in the High Court hearing or pronouncing, or in that State.

Provided that nothing in the clause shall apply to any judgment, decree or order passed or made by such High Court.

23. All authorities anything in sub-clause (c) of clause (1), where the Legislature of a State has prescribed any language other than the English language for use in Bills introduced or, an Act passed by, the Legislature of the State or an Ordinance promulgated by the Governor or Governor-in-Council of the State or any order, rule, regulation or bye-law referred to in paragraph (a) of that sub-clause, a translation of the same in the English language shall be made under the authority of the Governor or Governor-in-Council of the State in the Official Language of that State shall be deemed to be the authoritative text thereof in the English language under this article.

349. During the period of fifteen years from the commencement of this Constitution or, Bill or amendment making provision for the language to be used for any of the purposes mentioned in clause (1) of article 348, shall be introduced or moved in either House of Parliament without the previous sanction of the President, and the President shall not give his sanction to the introduction of any such Bill or the passing of any such amendment except after he has given due consideration the recommendation of the Commission constituted under clause (1) of article 344 and the report of the Committee constituted under clause (4) of that article.

Chapter VII—Special Directions

Languages to be used in legislations and other purposes

350. Every person shall be entitled to address a representation for the reformation of any grievance to any officer or authority of the Union or a State, in any of the languages used in the Union or in the State, as the case may be.

59. It shall be the duty of the Union to promote the spread of the Hindi language, to develop it so that it may serve as a medium of expression for all the elements of the composite culture of India and to ensure its unobstructed development without interfering with its gross form, style and expression used, in
Hindustani and in the other language of India specified in the English Schedule, and by drawing, whenever necessary or desirable, for the elucidation, formally in Sanskrit and secondarily in other languages.
332. (1) If the President is satisfied that a great emergency exists whereby the security of India or of any part of the territory thereof is threatened, whether by war or external aggression or internal disturbance, he may, by Proclamation, make an declaration to that effect.

(1) A Proclamation issued under clause (1) --

(1) may be revoked by a subsequent Proclamation;

(2) shall be laid before each House of Parliament;

(3) shall cease to operate six months after the expiration of that period if it has not been approved by resolution of both Houses of Parliament;

Resolved that if any such Proclamation is issued at a time when the House of the People has been dissolved or the dissolution of the House of the People has been pending or the period of six months referred to in subsection (2), and if in resolution approving the Proclamation has been passed by the Council of States, but no resolution with respect to such Proclamation has been passed by the House of the People prior to the expiration of that period, the Proclamation shall cease to operate six months after the expiration of that period.

(3) A Proclamation of Emergency declaring that the security of India or any part of the territory thereof is threatened by war or external
353. While a Proclamation of Emergency is in operation, the executive power of the Union shall extend to the giving of directions to any State as to the manner in which its executive power thereof is to be exercised.

354. The President may, when a Proclamation of Emergency is in operation, by order under his seal or any of the signatures of his delegates, declare for such period, not exceeding in any case beyond the expiration of the financial year in which such Proclamation was to operate, or may be specified in the order, that it is necessary to suspend such right or privilege as he thinks fit.

355. It shall be the duty of the Union to supply every State against external aggression and armed rebellion, and to ensure that the government of any State is carried on in accordance with the provisions of this Constitution.

356. If the President, on receipt of a report from the Governor or Governor-Member of a State, or otherwise, is satisfied that a situation has arisen in which the government of the State cannot be carried on in accordance with the provisions of the Constitution, the President may, by proclamation:

(a) assume, himself, all or any of the functions of the Governor of the State, and call, or cause any of the persons vested in or invested with the Governor or Governor-Member, as the case may be, of any function or authority in the State other than the Legislature of the State.
to declare that the powers of the Legislature of the State shall
be exercisable by or under the authority of Parliament;
and such incidental and consequential provisions as appear to
the President to be necessary or desirable for giving effect to
the object of the Proclamation, including provisions for
suspension in whole or in part, the operation of any provision
of the Constitution, relating to any body or authority in
the State.
Provided that nothing in this clause shall authorize the President to assume
himself any of the powers vested in or exercisable by a High Court, or to
suspend in whole or in part the operation of any provision of the Constitution
relating to High Courts.
Any such Proclamation may be revoked or amended by a subsequent
Proclamation.
Every Proclamation under this article shall be laid before each House of
Parliament and shall, except when it is a Proclamation making a previous
Proclamation, come into operation at the expiration of six months after the
taking of such resolution it has been approved by resolutions of both Houses of
Parliament.
Provided that if any such Proclamation (not being a Proclamation making a
previous Proclamation) is assented to at a time when the House of the People is
suspended or the dissolution of the House of the People takes place during
the period of six months referred to in this clause, and of a resolution approving
the Proclamation has been passed by the House of People, but no resolution with
respect to such Proclamation has been passed by the House of the People before
the expiration of that period, the Proclamation shall cease to operate at the expiration
of thirty days from the date on which the House of the People first sits after
the expiration of the said period, or thirty days from the resolution approving
the Proclamation has been also passed by the House of the People.
A Proclamation or Proclamation, under revoked, once it operates on
the expiration of a period of six months from the date of the passing of the second
of the resolutions approving the Proclamation under clause (3),
Provided that if so assent to a resolution approving the continuance in
face of such a Proclamation is passed by both Houses of Parliament, the Proclamation
shall, under verdict, continue in force for a further period of six months from the date on which under this clause it would otherwise have ceased to operate, but no such Proclamation shall in any case remain in force for more than three years.

Provided further that if the dissolution of the House of the People shall take place during any such period of six months and a resolution approving the continuance in force of such Proclamation has been passed by the Council of State, but no resolution with respect to the continuance in force of such Proclamation has been passed by the House of the People during the said period, the Proclamation shall cease to operate at the expiration of thirty days from the date on which the House of the People first met after its reconstitution unless before the expiration of the said period of thirty days a resolution approving the continuance in force of the Proclamation has been also passed by the House of the People.

38. (1) Where a Proclamation issued under clause (1) of article 376, it has been declared that the power of the Legislature of the State shall be exercisable by or under the authority of Parliament, it shall be confined—

(a) to Parliament, or for the President, the power of the Legislature to make laws, and to empower the President to delegate, subject to such conditions as the may think fit to impose, the power so conferred to any other authority to be specified by him in that behalf;

(b) for Parliament, or for the President, or other authority in whom such power to make laws in relation under sub-clause (a), to make law conferring powers and imposing duties, or authorising the conferring of powers and the imposition of duties, upon the Union or officers and authorities thereof;

(c) for the President in accordance with the House of the People, or for the President in accordance with the Council of State, and the House of the People, in accordance with the Council of State, the power of such appointment by Parliament.

(2) Any law made in exercise of the powers, of the Legislature of the State by Parliament, or the President, or any other authority, referred to in sub-clause (a) or clause (1), or in sub-clause (a) of clause (1), which Parliament or the President, or such other authority would not, had for the time to a Proclamation under article 376 have been completed to make.
shall, to the extent of the unexhausted, cease to have effect on the expiration of a period of one year after the Proclamation has ceased to operate, except as respects things done or omitted to be done before the expiration of the said period, under the provisions which shall, in case of such operation, be complied with in relation to the control of the emergency.

350. While a Proclamation of Emergency is in operation, nothing in article 19 shall bar the power of the State to declare in Part III, or to take any executive action which the State would take, for the purposes contained in that Part, to be committed, or to take, but, any law so made shall, in the event of the emergency, cease to have effect so soon as the Proclamation ceases to operate. nothing in respect of the same to be done before the law so made to have effect.

351. Where a Proclamation of Emergency is in operation, the President may by order declare that the right to make any such law for the enforcement of each of the rights conferred by Part III as may be mentioned in the order and set forth may pending any such law for the enforcement of the right so mentioned, shall remain suspended until the period during which the Proclamation is in force or for such shorter period as may be specified in the order.

(a) An order made as aforesaid may extend to the whole or any part of the territory of India.

(b) Every order made under clause (a) shall, as soon as may be after it is made, be laid before each House of Parliament.

360. If the President is satisfied that a situation has arisen whereby the financial stability or credit of India or of any part of the territory of India is endangered, he may, by a Proclamation made so declaration to that effect.

(b) The provisions of clause (a) of article 350 shall apply in relation to a Proclamation issued under this article as they apply in relation to a Proclamation of Emergency issued under article 352.

(c) During the period any such Proclamation as aforesaid is in operation, the executive authority of the Union shall extend to the giving of directions to any State to secure such course of financial policy as may be specified in the directions, and to the giving of such other directions as the President may from time to time direct.

(d) Nothing contained in this Constitution.
(a) any such discretion may include—
(b) a provision regarding the residence or absence of
(c) any such act of disbarment or removal of
(d) any such act of disbarment or removal of
(e) any such act of disbarment or removal of
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(z) any such act of disbarment or removal of
Part XIX
Miscellaneous

361. (1) The President, or the Governor or Rajpramukh of a State, shall not be answerable to any court for the conduct and performance of the person and duties of the office or the way and manner or manner or the manner of how he or the conduct and performance of the person and duties of the office or the way and manner or the manner of how he takes any action or the way and manner or the manner of how he performs any action or the way and manner or the manner of how he performs any action or the way and manner or the manner of how he performs any action.

(1) Provided that the conduct of the President may be brought under review by any court, such court, as may be appointed, or designated by the President, for the investigation of such conduct, article 93.

(2) Provided further that nothing in this clause shall be construed as restricting the right of any person to bring appropriate proceedings against the Government of India or the Government of a State.

(3) A criminal proceeding whatever shall be instituted in connection with the President, or the Governor or Rajpramukh of a State, or any person during his term of office.

(4) A person for the said or any proceeding the President, or the Governor or Rajpramukh of a State, shall cease from any such proceeding during his term of office.

(5) He and proceedings in which relief is claimed against the President, or the Governor or Rajpramukh of a State, shall be instituted during his term of office or any such action against any such person or proceeding to be done by him in his personal capacity, whether before or after he entered upon his office as President, or as Governor or Rajpramukh of such State, until the completion of three months from the date on which the action or proceeding has been instituted to the President, or the Governor or
the President, as the case may be, at his office stating the nature of the proceedings, the name, if given therein, the name, description and place of residence of the party by whom such proceedings are to be instituted and the relief which he claims.

362. In the exercise of the power of Parliament or the Legislature of a State to make laws or in the exercise of the executive power of the Governor or of a Governor, the record shall be kept in the manner or manner given under any such agreement or agreement as is referred to in clause (a) of article 230 with respect to the personal rights, privileges and obligations of the State of an Indian State.

363. Notwithstanding anything in this Constitution, subject to this provision of article 193, any law of the Supreme Court or any other court shall have priority to any action arising out of any provision of a treaty, agreement, covenant, engagement, earnest, guarantee, security or any other similar instrument which was entered into or executed before the commencement of this Constitution by any State or of an Indian State and to which the Government of the Dominion of India or any of its predecessor Governments was a party and which has or has been sanctioned, or in any other action or any suit or act arising under or in any treaty or obligation, arising out of any of the provisions of the Constitution relating to any such treaty, agreement, covenant, engagement, earnest or any such similar instrument:

(a) In this article—

(1) Indian State means any territory recognized before the commencement of this Constitution by the or the Governor of the Dominion of India as being such a State, and

(2) State includes the Province, State or other form recognized before such commencement by the or the Governor of the Dominion of India as the State of any Indian State.

364. Notwithstanding anything in this Constitution, the President may, by public notification, declare that from such date as may be specified in such notification—

(i) any law made by Parliament or by the Legislature of a State shall not apply to any such part or area as the President, acting on the notification, may specify.
to any existing law shall cease to have effect in any major part or omnibus section or relative to things done or omitted to be done before the said date, or shall in its application to such parts or conditions have effect subject to such conditions and limitations as may be prescribed by the Constitution.

12. In this article—

(a) "major part" means a part declared to be a major part by or under any law made by Parliament or any existing law and includes areas for the time being included within the limits of such part;

(b) "omnibus section" means section as defined for the purposes of the said measure relating to incomes, aircraft, and armament.

125. Where any State has failed to comply with or to give effect to, or any law passed or in force or the Commissioner in the exercise of the executive power of the Union under any of the provisions of the Constitution, it shall be lawful for the President to hold that a situation has arisen in which the government of the State cannot be ensured or in accordance with the purpose of this Constitution.

14. In this Constitution unless the context otherwise requires, the following expressions have the meanings respectively assigned to them, that is to say—

(a) "agricultural income" means agricultural income as defined for the purposes of the income tax laws;

(b) "area" includes a town or city or any of the municipalities or the area or parts thereof declared to be a town or city or included within the limits thereof;

(c) "arrest" means an arrest of the Constitution;

(d) "arrest" includes the remand of any person in the custody of arrest and means that to be continued accordingly;

(e) "arrest" means a clause of the arrears in which the arrears occur;

(f) "arrest" means in the case of the arrears in which the arrears occur.

15. Every law made by Parliament or any law made by or under any law made by a State shall be subject to such modifications as may be prescribed by the Constitution.

16. In the Constitution unless the context otherwise requires, the following expressions have the meanings respectively assigned to them, that is to say—

(a) "agricultural income" means agricultural income as defined for the purposes of the income tax laws;

(b) "area" includes a town or city or any of the municipalities or the area or parts thereof declared to be a town or city or included within the limits thereof;

(c) "arrest" means an arrest of the Constitution;

(d) "arrest" includes the remand of any person in the custody of arrest and means that to be continued accordingly;

(e) "arrest" means a clause of the arrears in which the arrears occur.

17. In any law made by Parliament or any law made by or under any law made by a State shall be subject to such modifications as may be prescribed by the Constitution.
so that it is not chargeable in respect of agricultural income;
for that no deduction in respect of the tax paid by companies or by any
conventions which may apply to the tax, authorized to be made
from dividends paid by the companies to individuals;
so that no provision exists for taking the tax in full into account in
computing for the purposes of Indian income-tax the total
income of individuals receiving such dividends, or in computing
the Indian income-tax payable by, or refundable to, such
individuals.

"Corresponding Province"; "corresponding Indian State" or "corresponding
State" means in case of doubt such Province, Indian State or State
as may be determined by the President to be the "corresponding Province, the corresponding Indian State or the corresponding State
as the case may be, for the purposes hereinafter in question;
"State" includes any disability in respect of any obligation to-apply capital
sum by way of contribution and any liability under any guarantee
and "debts" chargeable in the said manner;
"State" duty means a duty to be assessed as or by reference to the principal
value, assessed in accordance with such rules as may be prescribed by or under laws made by Parliament or the Legislation of a State
relating to the duty, if the property passing upon death or during the
tenure of the said duty, is to be paid;
"Existing law" means any law, Ordinance, rule, by-law, rule or regulation
passed or made before the commencement of this Statute or by any
Legislature, authority or Power having power to make a law;
"Ordinance" means an Ordinance passed by the
Indian Government in 1855
"Ordinance" means the Indian Central Administration under the
Government of India Act, 1855
"Ordinance" includes all subordinate, ordinances, and rules;
"tax" includes any obligation undertaken before the commence-
ment of this Statute to make payments or in the event of the
foregoing of an undertaking paying more of a short period;
"Tax" means any court which is created for the purposes of
this Statute to be a "Tax court", and includes—
(65) any Court in the territory of India constituted or reconstituted under the Constitution as a High Court, and its any other Court on the territory of India which may be declared by Parliament by law to be a High Court for all or any of the purposes of the Constitution.

(66) Indian State means any territory which the Government of India recognized as such a State.

(67) Part means a Part of the Constitution.

(68) union means a union, whether contributory or not, of any kind whatever payable to or in respect of any person, and includes related pay or payable as a gratuity or payable and any sum or sums payable by any of the aforesaid, with or without interest thrown or any other additional threat of subscription to a provident fund.

(69) Proclamation of Emergency means a Proclamation under clause

(70) public notification means any notification in the Gazette of India.

(71) military does not include

(72) a territory wholly within a municipal area, or

(73) any other law of communication wholly within one State and declared by Parliament by law not to be a military.

4. In relation to the State of Hyderabad, the power to the said power to be recognized by the President as the Agent of Hyderabad;

5. In relation to the State of Jamna and Hariyana or the State of Punjab, the power to the said power to be recognized by the President as the Agent of said State, and

6. In relation to any other State specified in Part B of the First Schedule, the power to the said power to be recognized by the President as the Agent of said State, and

7. Repealed.
(20) "Ruler" in relation to an Indian State means the Plan or Chief or other person or authority or agreement or convention or reference to or exercise of all or any such powers or agreements, or powers or of acts or orders, or any other acts or who is, or who has been, or who is recognised by the President as the Ruler of the State, and includes any person who for the time being is recognised by the President as the successor of such Ruler;

(21) "Schedule" means a Schedule to the Constitution;

(22) "Scheduled Tribe" means such tribe or tribes or sub-tribe or sub-tribes or groups within such tribe or tribes as are deemed under article 342 to be Scheduled Tribes for the purposes of this Constitution;

(23) "Scheduled Area" means such tribe or tribes or backward communities or parts of or groups within such tribes or backward communities as are deemed under article 342 to be Scheduled Areas for the purposes of this Constitution;

(24) "writ petition" means a writ petition;

(25) "sub-clause" means a sub-clause of the clause in which the expression occurs;

(26) "taxation" includes the imposition of any tax or impost, whether general or local or special, and "tax" shall be construed accordingly;

(27) "tax income" includes tax on the income of an income-tax liability;

(28) "fiscal powers" in relation to any State means the powers conferred on the State under Part V of the Constitution or the Fiscal Powers of the State Act, 1979, which includes the central assistance received by the States under article 277, subject to any adaptation and modifications that may be made therein under article 277A, applied for the interpretation of the Constitution or Act of the Legislature of the Union of India.

(29) Any reference in the Constitution to Act or law of, or made by, the President, or to an Act or law of, or made by, the Legislature of a State, drafted or passed under Part IX or Part X of the Constitution, shall be construed as including a reference to an Ordinance made by the President or to an Ordinance made by a Governor or a Governor, as the case may be.

(30) For the purposes of this Constitution "foreign State" means any State other than India.
Provided that, subject to the provisions of any law made by Parliament, the President may by order declare any State not to be a foreign State for such purposes as may be specified in the order.
Part XX
Amendment of the Constitution

363. An amendment of the Constitution may be initiated only by the introduction of a Bill for the purpose in either House of Parliament, and where the Bill is passed in either House by a majority of the total membership of that House, and by a majority of not less than two-thirds of the members of that House present and voting, it shall be presented to the President for his assent, and after such assent being given to the Bill, the Constitution shall stand amended in accordance with the terms of the Bill:

Provided that if such amendment seeks to make any change in—

(a) any of the Schedule of the Third Schedule, or
(b) the reformation of any Act on Parliament, or
(c) the provisions of this article,

the amendment shall also require to be ratified by the Legislatures of not less than one-half of the States numbered in Part B and of the Third Schedule by resolutions to that effect passed by them; where the remaining provision for such amendment is presented to the President for assent.
Part I
Temporary and Transitional Provisions

36. Notwithstanding anything in the Constitution, Parliament shall during a period of five years from the commencement of the Constitution, have power to make laws with respect to the following matters as if they were enumerated in the Constitution Act, namely:

- wages and salaries for judge of the Federal Court, and the provision of such and any and all taxes, duties, and assessments 
- such and all matters, in relation to the freedom and security of the subject, to be done or omitted to be done, that is or may be done or omitted to be done before the expiration thereof.

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the State of Jammu and Kashmir
in the form of Parliament to make laws for the said State shall be limited to—

1. such matters as the Union List and the Concurrent List

which, in consideration with the Government of the State, are declared by the President to correspond to matters open
first in the Instrument of Accession governing the accession of the State to the Union of India as the
matters with respect to which the Roman Legislature may make laws for that State, and

2. such other matters as the said List as with the concurrence
of the Government of the State, the President, may by

order specify.

Explanation.—For the purposes of the article, the Government of the State means the power for the time being recognised by the President as the
delegation of Jammu and Kashmir acting in the advice of the Council of Ministers for
the time being in office under the Administrator's Proclamation dated the fifth
day of March 1948;

so the proviso of article 5 and of the article shall apply in

relation to that State;

so none of the other provisions of the Constitution shall apply

in relation to that State subject to such exceptional mode

functions as the President may by order specify.

Provided that no such order which relates to the matters

excluded in the Instrument of Accession of the State

referred to in paragraph (ii) of sub-clause (a) of clause (vi) shall be made

except in consultation with the Government of the State;

Provided further that no such order which relates to matters

other than those referred to in the last preceding provision

shall be made except with the concurrence of that Government.

(ii) If the concurrence of the Government of the State referred to

in paragraph (ii) of sub-clause (a) of clause (vi) or in the second paragraph of sub-
clause (d) of that clause be given before the Constitution Assembly for that
of framing the Constitution of the State is continued, it shall be lawful before such Assembly for such Assembly to enact laws for the peace, order, and good government of the State, and for the protection of the persons and property of the subjects thereof.

27. No law made by the Constitution shall be repugnant to any law of the State. If any law of the Constitution be repugnant to any law of the State, the law of the Constitution shall prevail.

28. The President shall give effect to the provisions of the Constitution in accordance with the provisions of the Constitution. Any law of the Constitution may be repugnant to any law of the State, and the President shall give effect to the provisions of the Constitution.

29. The President shall give effect to the provisions of the Constitution in accordance with the provisions of the Constitution. Any law of the Constitution may be repugnant to any law of the State, and the President shall give effect to the provisions of the Constitution.

30. Nothing in this Article shall be deemed to confer any power upon the President to make any provision for the peace, order, and good government of the State, or for the protection of the persons and property of the subjects thereof.
from repealing or amending any law adopted or modified by the President under the said clause.

Explanation I—The expression law in force in that article shall include a law passed or made by a Legislature or other competent authority in the territory of India before the commencement of this Constitution and not previously repealed, notwithstanding that it or parts of it may not be in operation either at all or in particular areas.

Explanation II—Any law passed or made by a Legislature or other competent authority in the territory of India which immediately before the commencement of this Constitution had not entered into force as well as in force in the territory of India shall, subject to any such adaptations and modifications as aforesaid, continue to have such effect.

Explanation III—Nothing in this article shall be construed as continuing any temporary law in force beyond the date fixed for its expiration or the date on which it would have entered into force.

Explanation IV—An Ordinance promulgated by the President under section 83 of the Government of India Act, 1915, and in force immediately before the commencement of this Constitution shall, under authority by the President of the corresponding Union territory, cease to operate at the expiration of six weeks from the first meeting after such commencement of the Legislative Assembly of that territory conducted under clause (1) of article 313 and nothing in the said article shall be construed as excluding any such Ordinance in force beyond the said period.

373. (1) If no law is made by Parliament under clause (1) of article 371 or until the expiration of one year from the commencement of this Constitution, whichever is earlier, the said articles shall have effect as if for any reference to Parliament in clause (1) and (1A) thereof there were substituted a reference to the President and for any reference to any law made by Parliament in those clauses there were substituted a reference to any order made by the President.

374. (1) The Judges of the Federal Court holding office immediately before the commencement of this Constitution shall, unless they have elected otherwise, continue in such office and shall be entitled to such salaries and allowances and to such rights in respect...
of laws of appeal and revision as were provided for under article 125 in respect of the judges of the Supreme Court.

23. All suits, appeals and proceedings, civil or criminal, pending in the Federal Court at the commencement of this Constitution shall stand stayed to the Supreme Court, and the Supreme Court shall have jurisdiction to hear and determine the same, and the judgments and orders of the Federal Court delivered or made before the commencement of this Constitution shall have the same force and effect as if they had been delivered or made by the Supreme Court.

24. Notwithstanding anything in clause (2) of article 125, the judges of the Federal Court shall, in all cases pending before the commencement of this Constitution, have jurisdiction to hear and determine all such suits, appeals, and proceedings as are hereby provided for in clauses 23.

25. The judges of the Federal Court shall continue to hold office and shall exercise their jurisdiction subject to the provisions of this Constitution.

26. Notwithstanding anything in clause (2) of article 125, the judges of the Federal Court shall, in all cases pending before the commencement of this Constitution, have jurisdiction to hear and determine all such suits, appeals, and proceedings as are hereby provided for in clauses 23.
shall thereafter be entitled to such salaries and advances and to such rights in respect of leave of absence and pension as are provided for under article 223 in respect of the judges of such High Court.

(7) the judge of a High Court in any Indian State corresponding to any State specified in Part B of the First Schedule holding office immediately before the commencement of the Constitution shall, unless he has elected otherwise, become on such commencement, the judge of the High Court in the State so specified and shall, notwithstanding anything in clause (6) and oath of which clause (6) bad subject to the proviso to clause (5) of that article, continue to hold office until the expiration of such period as the President may by order determine.

(8) In the article, the expression "judge" does not include an acting judge or an additional judge.

(9) The Auditor-General of India holding office immediately before the commencement of the Constitution shall, unless he has elected otherwise, become on such commencement, the Auditor-General of India and shall thereafter be entitled to such salaries and to such rights in respect of leave of absence and pension as are provided for under clause (2) of article 191 in respect of the Auditor-General of India and he shall continue to hold office until the expiration of the term of office as determined under the proviso which were applicable to him immediately before such commencement.

(10) The members of the Public Service Commission for the provinces of India holding office immediately before the commencement of the Constitution shall, unless they have elected otherwise, become on such commencement, the members of the Public Service Commission for the States and shall, notwithstanding anything in clause (9) and oath of which clause (9) bad subject to the proviso to clause (5) of that article, continue to hold office until the expiration of their term of office as determined under the proviso which were applicable immediately before such commencement to such members.

(11) The members of a Public Service Commission of a Province of a Public Service Commission having the status of a group of Provinces holding office immediately before the commencement of the Constitution shall, unless they have elected otherwise, become on such commencement, the members of the Public Service Commission for the corresponding State or the members of the joint Public Service Commission having the status of the corresponding State, as the case may be.
may be, and shall; notwithstanding anything in clauses (1) and (3) of article 36, be subject to the forces to clause (1) of that article, continue to hold office until the expiration of the term of office as determined under the rules which were applicable immediately before such commencement to such member.

313. (1) Until both Houses of Parliament have been duly constituted and summoned to meet for the first session under the provisions of this Constitution, the body functioning as the Constituent Assembly of the Dominion of India immediately before the commencement of this Constitution shall be the provisional Parliament and shall exercise all the powers and perform all the duties imposed by the provisions of this Constitution on Parliament.

Explanation. For the purposes of this clause, the Constituent Assembly of the Dominion of India includes—

(1) the members chosen to represent any State or other territory for which representation is provided under clause (2), and

(2) the members chosen to fill casual vacancies in the said Assembly.

(2) The President may by rule provide for—

(a) the representation in the provisional Parliament functioning under clause (1) of any State or other territory which was not represented in the Constituent Assembly of the Dominion of India immediately before the commencement of this Constitution,

(b) the manner in which the representation of such State or other territory in the provisional Parliament shall be chosen, and

(c) the qualifications to be possessed by each representative.

(3) If a member of the Constituent Assembly of the Dominion of India was, on the sixth day of October, 1945, or thereafter at any time before the commencement of this Constitution, a member of a House of the Legislature of a Province or of an Indian State corresponding to any State referred to in Part I or Part II of the First Schedule or a Member for any such State then, or from the commencement of this Constitution the said of such member in the Constituent Assembly shall, unless he has ceased to be a member...
[Text appears in a language that is not clearly identifiable due to the quality of the image.]
of that Assembly under, become vacated, and every such vacancy shall be deemed to be a casual vacancy.

(x) Notwithstanding that any such vacancy in the Council of State or in the Legislative Council of the Province of India as is mentioned in clause (v) has not occurred under that clause, steps may be taken before the commencement of this Constitution for the filling of such vacancy, but any person chosen before such commencement to fill the vacancy shall not be entitled to take his seat in the said Assembly until the vacancy has so occurred.

(5) Any person holding office immediately before the commencement of the Constitution as Speaker or Deputy Speaker of the Council of State or as a member of the House of the Provincial Legislature under the Government of India Act, 1861, shall continue to hold such office as such until such Speaker or Deputy Speaker of the provisional Parliament functioning under clause (v).

380. (1) Each person as the Governor, President of the Dominion of India shall have elected in that behalf shall be the President of India until a President has been elected, in accordance with the provisions contained in Chapter 1 of Part V and has ascended to the office.

(2) In the event of the occurrence of any vacancy in the office of the President elected by the Council of State, the President of the Dominion of India by reason of the death, resignation, or removal, or otherwise, it shall be filled by a person elected in that behalf by the provisional Parliament functioning under clause (v), and until a person is so elected, the Chief Justice of India shall act as President.

381. Each person as the President may appoint in that behalf shall become member of the Council of Ministers of the President under the Constitution, and, until such appointment is made, each person holding office as Minister for the Dominion of India immediately before the commencement of this Constitution shall hold such office as member of the Council of Ministers of the President under the Constitution.

383. (1) The House or House of the Legislature of each State specified in Part IV of the First Schedule has or have been duly constituted and commenced to meet for the first session under the provisions of this Constitution, the House or Houses of the Legislature of the corresponding Province functioning immediately before the commencement of this Constitution shall exercise the powers and perform the duties conferred by the provisions of the Constitution on the House or Houses of
the Legislature of such State.

25. Notwithstanding anything hereinbefore provided to the contrary, the Legislature of a Province has been reorganized before the commencement of this Constitution, the elections may be completed after such commencement, as if the Constitution had not come into operation, and the Assembly so reorganized shall be deemed to be the Legislature Assembly of that Province for the purposes of this clause.

26. Any person holding office immediately before the commencement of this Constitution as Speaker or Deputy Speaker of the Legislature, Assembly, President or Deputy President of the Legislative Council of a Province, who on such commencement is the Speaker or Deputy Speaker of the Legislature, Assembly or the Chairman or Deputy Chairman of the Legislative Council, as the case may be, of the corresponding State, specified in Part II of the Act Schedule to such Assembly or Council, under clause 11

Provided that when a general election has been ordered for the reorganization of the Legislature Assembly of a Province before the commencement of this Constitution, and the first meeting of the Assembly so reorganized is held after such commencement, the provisions of this clause shall apply and the Assembly so reorganized shall elect two members of the Assembly to be respectively the Speaker and Deputy Speaker thereof.

28. Any person holding office as Governor in any Province immediately before the commencement of this Constitution shall on such commencement be the Governor of the corresponding State specified in Part II of the Act Schedule to such Province has been appointed in accordance with the provisions of Part II of Part II

29. Such person as the Governor of a State may appoint on that behalf shall become member of the Cabinet of Ministers of the Governor under this Constitution, and, until appointments are so made, all persons holding office as Ministers in the corresponding Province immediately before the commencement of this Constitution shall on such commencement become, and shall continue to hold office as members of the Cabinet of Ministers of the Governor of the State under the Constitution.

33. Until the Speaker or President of the Legislature of a State specified in Part II of the Act Schedule has or have been duly constituted and empowered to act for the first session under the provisions of this Constitution, the High Court
functioning immediately before the commencement of the Constitution or the Legislature of the corresponding Indian State shall cease the powers and perform the duties conferred by the provisions of this Constitution on the Governor or Governor of the Legislature of the State in the said State.

358. Such persons as the Governor of a State specified in Part III of the Act 58 of the Government of India Act of 1929, shall be members of the Council of Ministers of such State, and shall continue to hold office as such until the commencement of the Constitution, shall cease to hold office as such until the commencement of such Constitution.

359. The Governor of a State specified in Part III of the Act 58 of the Government of India Act of 1929, shall be member of the Council of Ministers of such State, and shall cease to hold office as such until the commencement of the Constitution, shall cease to hold office as such until the commencement of such Constitution.

360. In the event of the death of the Governor or Governor of a State before the commencement of the Constitution, the Governor or Governor of such State shall, on the death of the Governor or Governor, cease to hold office as such until the commencement of the Constitution, shall cease to hold office as such until the commencement of such Constitution.

361. If any person is appointed as the Governor or Governor of a State before the commencement of the Constitution, the Governor or Governor of such State shall, on the appointment of the Governor or Governor, cease to hold office as such until the commencement of the Constitution, shall cease to hold office as such until the commencement of such Constitution.

362. The Governor or Governor of a State specified in Part III of the Act 58 of the Government of India Act of 1929, shall be member of the Council of Ministers of such State, and shall cease to hold office as such until the commencement of the Constitution, shall cease to hold office as such until the commencement of such Constitution.

363. In the event of the death of the Governor or Governor of a State before the commencement of the Constitution, the Governor or Governor of such State shall, on the death of the Governor or Governor, cease to hold office as such until the commencement of the Constitution, shall cease to hold office as such until the commencement of such Constitution.
...immediately before it becomes vacated, held by a person belonging to the Scheduled Caste or to the Muslim or the Sikh community and representing any Province or, as the case may be, a State specified in Part I of the First Schedule, the person so held shall, under the President of the Constituent Assembly or the President of India, as the case may be, continue to vacate or to hold the seat, or his seat, as the case may be, in the interest of justice or in order to facilitate otherwise, be of the same community.

Provided further that in an election to fill any such vacancy in the case of a member representing a Province or a State specified in Part I of the First Schedule, every member of the Legislative Assembly of that Province or of the corresponding State or of that State, as the case may be, shall be entitled to participate and vote.

Explanation—For the purposes of the clause—

as all such cases, mass or district or pride of or groups within cases, mass or based as case specified in the Government of India (Scheduled Castes) Order, 1950, or in a Scheduled Caste in relation to any Province, shall be deemed to be Scheduled Caste in relation to that Province or the corresponding State and a notification has been issued by the President under clause (c) of article 341 specifying the Scheduled Castes in relation to the corresponding State,

d to all the Scheduled Castes in any Province or State, shall be deemed to be a single community.

(7) A special vacancy in the case of a member representing a Province or a State specified in Part I of the First Schedule, in connection with the filling of such vacancies (including the election to fill such vacancies), shall be regulated in accordance with such provisions governing the filling of such vacancies and regulating such matters as are in force immediately before the commencement of this Constitution, subject to such exceptions and modifications as the President may by order direct.

38. (1) A Bill which immediately before the commencement of this Constitution was pending in the Legislative Assembly of the Dominion of India or in the Legislative Assembly of any Province or Indian State may, subject to any provision to the contrary which may be included in rules made by Parliament or the Legislature of the corresponding...
331. The provisions of this Constitution relating to the Consolidated Fund of India or the Consolidated Fund of any State and the appropriation or expenditure or any State shall not apply so far as concerns or relates or pertains or is connected or connected with the Consolidated Fund of any State.

332. The provisions of this Constitution relating to the Consolidated Fund of India or the Consolidated Fund of any State and the appropriation or expenditure or any State shall not apply so far as concerns or relates or pertains or is connected or connected with the Consolidated Fund of any State.

333. If at any time between the passing of this Constitution and its commencement any action is taken under the provisions of the Government of India Act, 1935, which the President or the Governor-General in Council may take under this Constitution, no order under this Constitution shall be made by the President or the Governor-General in Council except with the previous approval of the President for the purposes of this Constitution, and no order under this Constitution shall be made by the President or the Governor-General in Council except with the previous approval of the President for the purposes of this Constitution.

334. The President may for the purpose of removing any difficulties, particularly in relation to the transition from the provisions of the Government of India Act, 1935, to the provisions of this Constitution, by order direct that this Constitution shall, during such period as may be specified in the order, have effect subject to such adaptations, modifications, or amendments as the President may declare to be necessary or expedient.
Provided that no such order shall be made after the first meeting of Parliament duly constituted under Chapter II of Part V.

Every order made under clause 12 shall be laid before Parliament.

No power conferred on the President by this article by article 215, by clause 10 of article 347 and by article 381 shall be the commencement of this Constitution, to answer to the President of the Dominion of India.
Short Title, Commencement and Repeals

Part XXII

392. The Constitution may be called the Constitution of India.
394. This article and articles 3, 6, 7, 8, 9, 10, 324, 340, 347, 350, 399, 397, 395, 390, 387, 381 and 320 shall come into force at once, and the remaining provisions of this Constitution shall come into force on the twenty-sixth day of January, 1950, which day is referred to in this Constitution as the commencement of this Constitution.
395. The Indian Independence Act, 1947, and the Government of India Act, 1935, together with all amendments amending or supplementing the latter Act, but not including the Resolution of the Executive Council of the Act, 1945, are hereby repealed.
First Schedule

(Article 1(1) and (2))

The States and the territories of India

Part A

Name of State
1. Assam
2. Bihar
3. Bombay
4. Madhya Pradesh
5. Madras
6. Punjab
7. The United Provinces
8. West Bengal

Name of corresponding Province
Assam
Bihar
Bombay
Madhya Pradesh
Madras
Punjab
The United Provinces
West Bengal

Territories of States

The territory of the State of Assam shall consist of the territory which immediately before the commencement of this Constitution was comprised in the Province of Assam, the Assam State and the Assam tribal area.

The territory of the State of West Bengal shall consist of the territory which immediately before the commencement of this Constitution was comprised in the Province of West Bengal.

The territory of each of the other States in the Part shall consist of the territories which immediately before the commencement of this Constitution were comprised in the corresponding Province and the territories which, by virtue of an order made under section 360-A of the Government of India Act, 1935, were immediately before such commencement being administered as if they formed part of that Province.
Part C

States of India

1. Assam
2. Bihar
3. Bengal
4. United Provinces of Agra and Oudh
5. Benares
6. United Provinces of Agra and Oudh
7. Madras
8. Bombay
9. Sind
10. Baluchistan
11. Punjab
12. Ahmedabad
13. Berar
14. Rohilkhand
15. Patna
16. Orissa
17. Mysore
18. Travancore-Cochin
19. Cochin
20. Madras Presidency
21. United Provinces of Agra and Oudh
22. Bombay Presidency
23. Bengal Presidency
24. Punjab
25. Sind
26. Baluchistan
27. United Provinces of Agra and Oudh
28. Berar
29. Rohilkhand
30. Benares
31. United Provinces of Agra and Oudh
32. United Provinces of Agra and Oudh
33. Madras
34. Bombay
35. Benares
36. Ahmedabad
37. Berar
38. Rohilkhand
39. United Provinces of Agra and Oudh
40. United Provinces of Agra and Oudh
41. Madras
42. Bombay
43. Bengal Presidency
44. Punjab
45. Sind
46. Baluchistan
47. United Provinces of Agra and Oudh
48. Berar
49. Rohilkhand
50. Benares
51. United Provinces of Agra and Oudh
52. United Provinces of Agra and Oudh
53. Madras
54. Bombay
55. Bengal Presidency
56. Punjab
57. Sind
58. Baluchistan
59. United Provinces of Agra and Oudh
60. Berar
61. Rohilkhand
62. Benares
63. United Provinces of Agra and Oudh
64. United Provinces of Agra and Oudh
65. Madras
66. Bombay
67. Bengal Presidency
68. Punjab
69. Sind
70. Baluchistan
71. United Provinces of Agra and Oudh
72. Berar
73. Rohilkhand
74. Benares
75. United Provinces of Agra and Oudh
76. United Provinces of Agra and Oudh
77. Madras
78. Bombay
79. Bengal Presidency
80. Punjab
81. Sind
82. Baluchistan
83. United Provinces of Agra and Oudh
84. Berar
85. Rohilkhand
86. Benares
87. United Provinces of Agra and Oudh
88. United Provinces of Agra and Oudh
89. Madras
90. Bombay
91. Bengal Presidency
92. Punjab
93. Sind
94. Baluchistan
95. United Provinces of Agra and Oudh
96. Berar
97. Rohilkhand
98. Benares
99. United Provinces of Agra and Oudh
100. United Provinces of Agra and Oudh

Boundaries of India

The boundaries of the States of Assam, Bihar, and Delhi, which comprise the territories which immediately before the commencement of this Constitution were comprised in the
Chief Commissioner's Provinces of Assam, Bihar, and Delhi, respectively

The boundaries of each of the other States in this Part shall comprise the territories which, by virtue of an order made under section 235 of the Government of India Act, 1935, were immediately before the commencement of this Constitution being administered as if they were a Chief Commissioner's Province of the same name.

Pt. D

The Andaman and Nicobar Islands

The Andaman and Nicobar Islands
Second Schedule


Part A

Provision as to the President and the Governor of a State specified in Part A of the First Schedule

1. There shall be paid to the President and to the Governor of the State specified in Part A of the First Schedule the following remuneration for services, that is to say—

   The President
   ~~~~~~~~~~~~~~~~~~
   10,000 rupees
   
   The Governor of a State
   ~~~~~~~~~~~~~~~~~~~~~~~~~
   5,000 rupees

2. There shall be paid to the President and to the Governor of the State so specified such allowances as were payable respectively to the Governor-General of the Provinces of India and to the Governor of the corresponding Province immediately before the commencement of this Constitution.

3. To President and the Governors of such States throughout the period of their respective tenures of office shall be entitled to the same perquisites to which the Governor-General and the Governor of the corresponding Province were respectively entitled immediately before the commencement of this Constitution.

4. While the President, or any other person discharging the functions of, or in the absence of, President, or any person discharging the functions of the Governor, he shall be entitled to the same perquisites, advantages, and perquisites as the President or the Governor whose functions he discharges or in whose place, as the case may be.

Part B

Provision as to the Ministers for the Union and for the States in Part A and
Part B of the First Schedule

5. There shall be paid to the Union Minister and to each of the other Ministers for the Union such salaries and allowances as were payable respectively to the Prime Minister and to each of the other Ministers for the Provinces of India immediately before the commencement of this Constitution.

6. There shall be paid to the Minister for any State specified in Part B of Part
لا يوجد نص يمكن قراءته بشكل طبيعي من الصورة المقدمة.
B of the Act Schedule such salaries and allowances as were payable to such Attorney for the corresponding Province or the corresponding Indian State as the case may be, immediately before the commencement of this Constitution.

Part C

Provision as to the Speaker and the Deputy Speaker of the House of the People and the Chairman and the Deputy Chairman of the Council of States and the Speaker and the Deputy Speaker of the Legislative Assembly of a State in Part A of the Act Schedule, and the Chairman and the Deputy Chairman of the Legislative Council of any such State shall be made to the Speaker of the House of the People and the Chairman of the Council of States such salaries and allowances as were payable to the Speaker of the Legislative Council of the Dominion of India immediately before the commencement of this Constitution, and shall be made to the Deputy Speaker of the House of the People and to the Deputy Chairman of the Council of States such salaries and allowances as were payable to the Deputy Speaker of the Legislative Council of the Dominion of India immediately before such commencement.

There shall be made to the Speaker and the Deputy Speaker of the Legislative Assembly of a State specified in Part A of the Act Schedule, and to the Chairman and the Deputy Chairman of the Legislative Council of such State such salaries and allowances as were payable respectively to the Speaker and the Deputy Speaker of the Legislative Assembly, and the President and the Deputy President of the Legislative Council, of the corresponding Province immediately before the commencement of this Constitution, and when the corresponding Province has a Legislative Council immediately before such commencement, there shall be made to the Chairman and the Deputy Chairman of the Legislative Council of the State such salaries and allowances as the Governor of the State may determine.

Part D

Provision as to the judge of the Supreme Court and of the High Courts in State in Part A of the Act Schedule

There shall be made to the judge of the Supreme Court, in respect of time spent on actual service, customary at the following rates per annum, that is to
The Chief justice
Any other judge

Provided that if a judge of the Supreme Court at the time of his appointment is in receipt of a pension (other than a disability or annual pension) in respect of any previous service under the Government of India or any of its predecessor Governments or under the Government of a State or any of its predecessor Governments, no salary in respect of service in the Supreme Court shall be reduced by the amount of that pension.

(2) Every judge of the Supreme Court shall be entitled without prejudice to the use of an official residence.

(3) Nothing in sub-paragraph (2) of this paragraph shall apply to a judge who, immediately before the commencement of the Constitution,

(a) was holding office as the Chief Justice of the Federal Court and has become or such commencement, the Chief Justice of the Supreme Court under clause (b) of article 249 or

(b) was holding office as any other judge of the Federal Court and has or such commencement, become a judge (other than the Chief Justice) of the Supreme Court under the said clause.

during the period he held office as such Chief Justice or other judge, and every judge who, as becomes the Chief Justice or other judge of the Supreme Court, shall, in respect of time spent on actual service in such Chief Justice or other judge, as the case may be, be entitled to receive in addition to the salary specified in sub-paragraph (1) of this paragraph, an official bungalow or house equivalent to the difference between the salary so specified and the salary which he was drawing immediately before such commencement.

(4) Every judge of the Supreme Court shall receive such reasonable allowances as may be reasonable for expenses incurred on travelling or duty within the territory of India and shall be afforded such reasonable facilities in connection with travelling as the President may from time to time prescribe.

(5) The rights in respect of leave of absence (including leave on allowance) and pension of the judge of the Supreme Court shall be governed by the provisions which immediately before the commencement of this Constitution were applicable to the judges of the Federal Court.

(6) There shall be paid to the judges of the High Court of each State specified in Part A of the First Schedule, in respect of time spent on official service,
(a) in the following words for revenue, that is to say—

The Chief Justice ........................ 4,000 rupees
Any other Judge .............................. 2,500 rupees

(b) Every person who immediately before the commencement of the Constitution—

(1) was holding office as the Chief Justice of a High Court in any Province and has on such commencement become the Chief Justice of the High Court in the corresponding State under clause (i) of sub-article 356 or

(2) was holding office as any other Judge of a High Court in any Province and has on such commencement become a Judge other than the Chief Justice of the High Court in the corresponding State under the said clause;

shall, if he was immediately before such commencement drawing a salary at a rate higher than that specified in sub-paragraph (1) of this paragraph, be entitled to receive in respect of time spent in actual service as such Chief Justice or other Judge, as the case may be, in addition to the salary specified in the said sub-paragraph an amount equivalent to the difference between the salary so specified and the salary which he was drawing immediately before such commencement.

Every Judge of a High Court shall receive such remuneration allowances to reimburse him for expenses incurred in travelling on duty within the territory of India and shall be entitled such remuneration facilities in connection with travelling as the President may from time to time prescribe.

(2) The rights in respect of leave of absence (including leave allowances) and pension of the Judge of the High Court of any State shall be governed by the provisions which immediately before the commencement of this Constitution, were applicable to the Judges of the High Court in the corresponding Province.

In the Part, under the said enactor requires—

(a) the expression "Chief Justice" includes a Judge, and a "Judge" includes an all his Judge;

(b) in actual service includes—

(i) time spent by a Judge on duty as a Judge or in the performance of such other functions as he may at the request of the President undertake & discharge;

(ii) vacation, excluding any time during which the Judge is
Part C

Powers of the Comptroller and Auditor General of India.

12. (1) There shall be paid to the Comptroller and Auditor General of India a salary at the rate of five thousand rupees per mensem.

(2) The person who was holding office immediately before the commencement of this Constitution as Comptroller and Auditor General of India and has become on such commencement the Comptroller and Auditor General of India under article 311 shall in addition to the salary specified in sub paragraph (1) of this paragraph be entitled to receive or claim pay an amount equivalent to the difference between the salary so specified and the salary which he was drawing as Auditor General of India immediately before such commencement.

(3) The rights in respect of tenure of office and pension and the other conditions of service of the Comptroller and Auditor General of India shall be governed by Articles 308 to 313 and shall continue to be governed, as the case may be, by the provisions which were applicable to the Auditor General of India immediately before the commencement of this Constitution and all references in those provisions to the Governor General shall be construed as references to the President.
Third Schedule

[Articles 126(2), 31, 129A, 360(2), 44(3), 488 and 493A]

Forms of Oaths of Affirmation

I

Form of oath of office of a Minister for the Union—

I, A B, do solemnly and sincerely in the name of God, that I will be true to my trust and the provisions of the Constitution of India as by law established, that I will faithfully and unconditionally discharge my duties as a Minister for the Union and that I will do right to all manner of judgment in accordance with the Constitution and the law, without fear or favour, affection or enmity.

II

Form of oath of secrecy for a Minister for the Union—

I, A B, do solemnly and sincerely in the name of God, that I will not directly or indirectly communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as a Minister for the Union except as may be required for the due discharge of my duties as such Minister.

III

Form of oath or affirmation to be made by a member of Parliament—

I, A B, having been elected (or nominated) a member of the Council of States (or the House of the People) do solemnly and sincerely in the name of God, that I will be true to my trust and the provisions of the Constitution of India as by law established and that I will faithfully discharge the duty upon which I am about to enter.

IV

Form of oath or affirmation to be made by the Judge of the Supreme Court and the Comptroller and Auditor-General of India—

I, A B, having been appointed Chief Justice (or a judge) of the Supreme Court of India, do solemnly and sincerely in the name of God, that I will be true to my trust and the provisions of the Constitution of India as by law established.
Treaty of India (or Governor-General of India) at 1905 in the name of God that I will bear true faith and allegiance to the Constitution of India as by law established, that I will duly and faithfully apply to the test of my ability, knowledge, and judgment, for the welfare of the state of my office, without fear or favour, affection or ill-will, and that I will uphold the Constitution and the law.

V

Form of oath of office for a Minister for a State—

I, A.B., do swear in the name of God that I will bear true faith and allegiance to the Constitution of India as by law established, that I will faithfully and conscientiously discharge my duties as a Minister for the State of and that I will do right to all manner of people in accordance with the Constitution and the law, without fear or favour, affection or ill-will.

VI

Form of oath of office for a Member for a State—

I, A.B., do swear in the name of God that I will not directly or indirectly communicate or reveal to any person or persons any matter which shall be brought under my consideration which shall become known to me as a Member for the State of with such care as may be required for the proper discharge of my duties as such Member.

VII

Form of oath or affirmation to be made by a member of the Legislature of a State—

I, A.B., having been elected (or nominated) a member of the Legislative Assembly (or Legislative Council), do swear in the name of God that I will bear true faith and allegiance to the Constitution of India as by law established, and that I will faithfully discharge the duties of which I am called to perform.

VIII

Form of oath or affirmation to be made by the judge of a High Court—
I, A.B., having been appointed Chief Justice (or a judge) of the High Court at __________, do swear on the Koran of God, that I will bear true faith and allegiance to the Constitution of India as by law established, that I will duly and faithfully execute the duties of my office without fear, favour, affection or prejudice, and that I will uphold the Constitution and the law.

Name of Court

Chiefs Justice

Punjab and Haryana High Court
Fourth Schedule
[Articles 503, 503A and 503A]
 Allocation of seats in the Council of States

Each State or group of States specified in the first column of the table of seats appended to this Schedule in so far as the number of seats specified in the second column of said table opposite to that State or group of States as the case may be.

Table of Seats
The Council of States
Representation of States specified in Part I of the First Schedule

<table>
<thead>
<tr>
<th>State</th>
<th>Total Seats</th>
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<tbody>
<tr>
<td>Assam</td>
<td>6</td>
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<tr>
<td>Tripura</td>
<td>3</td>
</tr>
<tr>
<td>Arunachal Pradesh</td>
<td>2</td>
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<tr>
<td>Meghalaya</td>
<td>27</td>
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<tr>
<td>Manipur</td>
<td>17</td>
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<tr>
<td>Mizoram</td>
<td>15</td>
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<td>Tripura</td>
<td>9</td>
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<td>Assam</td>
<td>5</td>
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<td>The United Provinces of Te帮</td>
<td>30</td>
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<tr>
<td>West Bengal</td>
<td>14</td>
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Total: 167

Representation of States specified in Part II of the First Schedule

<table>
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<tr>
<th>State</th>
<th>Total Seats</th>
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<tr>
<td>Nagaland</td>
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<tr>
<td>Assam and Tripura</td>
<td>4</td>
</tr>
<tr>
<td>Meghalaya and Mizoram</td>
<td>6</td>
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<tr>
<td>Meghalaya</td>
<td>6</td>
</tr>
<tr>
<td>Assam and Tripura, British Indian States, and Old Bengal State Union</td>
<td>5</td>
</tr>
<tr>
<td>Sikkim</td>
<td>1</td>
</tr>
<tr>
<td>Arunachal</td>
<td>9</td>
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<tr>
<td>Manipur</td>
<td>4</td>
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<tr>
<td>Tripura</td>
<td>5</td>
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<tr>
<td>Assam</td>
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Total: 33
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<td>State and Town of State</td>
<td>Total sick</td>
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<td>1. Azmir</td>
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<td>2. Azmir</td>
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<td>10. Azmir</td>
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<tr>
<td>Total sick</td>
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<td>Total of all sick</td>
<td>205</td>
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Fifth Schedule
(Article 294(7) and Article 295(7))

Provision as to the Administration and Control of Scheduled Areas and Scheduled Tribes

Part A

General

1. Interpretation.—In this Schedule unless the context otherwise requires, the expression “State” means a State specified in Part A or Part B of the First Schedule but does not include the State of Assam.

2. Executive power of a State in Scheduled Areas.—Subject to the provisions of this Schedule, the executive power of a State extends to the Scheduled Areas therein.

3. Report by the Governor or Administrator to the President regarding the administration of Scheduled Areas.—The Governor or Administrator of such State having Scheduled Areas therein shall, annually, or whenever so required by the President, make a report to the President regarding the administration of the Scheduled Areas in that State and the executive power of the Union shall extend to the granting of directions to the State as to the administration of the said area.

Part B

Administration and Control of Scheduled Areas and Scheduled Tribes

4. Tribal Advisory Council.—There shall be established in each State having Scheduled Areas therein and of the President or directly or in any State having Scheduled Areas therein, a Tribal Advisory Council consisting of not more than twenty members of whom, as nearly as may be, three-fourth shall be the representatives of the Scheduled Tribes in the Legislative Assembly of the State.

5. The number of representatives of the Tribal Advisory Council on the Legislative Assembly of the State shall be less than the number of such in the Tribal Advisory Council to be filled by such representatives, the remaining such shall be filled by other members of those tribes.

6. It shall be the duty of the Tribal Advisory Council to advise on such
matters pertaining to the welfare and advancement of the Scheduled Tribes in the State as may be referred to them by the Governor or Rajpramukh, as the case may be.

39. The Governor or Rajpramukh may make rules prescribing or regulating, as the case may be—

(a) the number of members of the Council, the mode of their appointment, and the appointment of the Chairman of the Council and of the officers and servants thereof;
(b) the conduct of its meetings and its procedure in general;
(c) all other incidental matters.

39A. Such applicable to Scheduled Areas—(1) Notwithstanding anything in the Constitution, the Governor or Rajpramukh, as the case may be, may by such directive direct that any particular Act of Parliament or of the Legislature of the State, shall not apply to a Scheduled Area or any part thereof in the State or shall apply to a Scheduled Area or any part thereof in the State subject to such exceptions and modifications as he may specify in the directive and any deviation given under this sub-paragraph may be given so as to have retrospective effect.

(2) The Governor or Rajpramukh, as the case may be, may make regulations for the peace and good government of any area in a State which is for the time being a Scheduled Area.

In particular and without prejudice to the generality of the foregoing powers, such regulations may—

(a) forbid or restrict the transfer of land by or among members of the Scheduled Tribe in such areas;
(b) regulate the settlement of land by members of the Scheduled Tribe in such areas;
(c) regulate the carrying on of business as money lenders by persons who Applied money to members of the Scheduled Tribe in such areas.

39B. In making any such regulation as is referred to in sub-paragraph (2) of this paragraph, the Governor or Rajpramukh may repeal or amend any Act of Parliament or of the Legislature of the State or any existing law which is for the time being applicable to the area in question.

39C. All regulations made under this paragraph shall be submitted forthwith to the President and, until so advised by him, shall have no effect.
Part C
Scheduled Areas

6 Scheduled Areas—(1) In this Constitution, the expression "Scheduled Areas" means such areas as the President may by order declare to be Scheduled Areas.

(2) The President may at any time by order—

(a) direct that the whole or any specified part of a Scheduled Area shall cease to be a Scheduled Area or a part of such an area;

(b) alter, but only by any modification of boundaries, any Scheduled Area;

(c) cause any alteration of the boundaries of a State or on the extension into the Union or the establishment of a new State, district any territory not previously included in any State to be, or to form part of, a Scheduled Area;

and any such order may continue such incidental and consequential provisions as appear to the President to be necessary and proper, but save as aforesaid, the order made under sub-

paragraph (1) of this paragraph shall not be varied by any subsequent order.

Part D
Amendment of the Schedule

1. Amendment of the Schedule—(1) Parliament may from time to time by law amend by any of addition, reservation or repeal any of the provisions of this Schedule, and, when the Schedule is so amended any reference to the Schedule in the Constitution shall be construed as a reference to such Schedule as so amended.

(2) If such law as is mentioned in subparagraph (1) of this paragraph shall be deemed to be an amendment of this Constitution for the purpose of Article 368.
Second Schedule
(Aadha 224(0) and 1886)

Provisions as to the Administration of Tobol Amur in Amur

1. Autonomous districts and autonomous regions—Subject to the provisions of this paragraph, the tribal areas in each area of Part A of the table appended to paragraph 20 of the Schedule shall be an autonomous district.

2. If there are different tribal areas in an autonomous district, the Governor may, by public notification, divide the area or areas established by them into autonomous regions.

3. The Governor may, by public notification:
   a. include any area in Part A of the said table;
   b. exclude any area from Part A of the said table;
   c. declare a new autonomous district;
   d. reserve the area of any autonomous district;
   e. designate the area of any autonomous district;
   f. divide an existing autonomous district or parts thereof so as to form one autonomous district;

4. Subject to the provisions of sub-paragraph 3, the boundaries of any autonomous district:
   Provided that no order shall be made by the Governor under clauses (c), (d), (e) and (f) of the said paragraph except after consideration of the report of a Commission appointed under sub-paragraph (1) of paragraph 19 of the Schedule.

Constitution of District Councils and Regional Councils—There shall be a District Council for each autonomous district consisting of not more than twenty-four members, of which not less than three-fourths shall be elected on the basis of adult suffrage.

5. There shall be a separate Regional Council for each area established as an autonomous region under sub-paragraph (3) of paragraph 1 of the Schedule.

6. Each District council and each Regional Council shall be a body corporate by the name respectively of the District Council of a zone of districts or the Regional Council of a zone of districts, which shall have perpetual succession and a common seal and shall by the said name sue and be sued.

7. Subject to the provisions of this Schedule, the administration of an autonomous district...
لايمكنني قراءة النصوص العربية من الصور المزودة. إذا كنت بحاجة إلى مساعدة في شيء آخر، فأنا هنا للمساعدة.
district, so far as it is not vested under the Schedule in any Regional Council within such districts, to vest in the District Council for such district, and the administration of an autonomous region, shall vest in the Regional Council for such region.

11. In an autonomous district with Regional Councils, the District Council shall have only such powers with respect to the areas under the authority of the Regional Council as may be delegated to it by the Regional Council in addition to the power conferred on it by the Schedule with respect to such areas.

12. The President shall make rules for the first constitution of District Councils and Regional Councils in consultation with the existing local Councils or other representative local organizations within the autonomous districts or regions concerned, and such rules shall provide for:

(a) the composition of the District Councils and Regional Councils and the election of their members;
(b) the abolition of territorial constituencies for the purpose of elections to their Councils;
(c) the qualifications for voting at such elections and the preparation of electoral rolls thereof;
(d) the qualifications for being elected at such elections as members of such Councils;
(e) the term of office of members of such Councils;
(f) any other matter relating to or connected with elections or nominations to such Councils;
(g) the procedure and the conduct of business in the District and Regional Councils;
(h) the appointment of officers and staff of the District and Regional Councils.

13. The President or the Regional Council may after its first constitution make rules with respect to the matters specified in sub-paragraphs (a) of this paragraph and may also make rules regulating—

(a) the formation of autonomous local Councils or Boards and their procedure and the conduct of their business and
do generally all matters relating to the transmutation of business pertaining to the administration of the district or region, as the case may be.

Provided that such rules made by the District or the Regional Council
under this sub-paragraph the said note be made by the Governor under said paragraph (ii) of this paragraph shall have effect in respect of such piece, the officer and shall of, and the procedure and the conduct of business in, each such Council.

Provided further that the Deputy Commissioner or the Sub-Divisional Officer, as the case may be, of the North Koeho and, Akbar Naka shall be the Chairman ex officio of the District Council in respect of the territory included in item 5 and sub-paragraph 1 of the note appended to paragraph (ii) of the Schedule and shall have power for a period of one year after the first constitution of the District Council, subject to the control of the Governor, to amend or modify any resolution or decision of the District Council or to issue such instructions to the District Council, as he may consider appropriate, and the District Council shall comply with every such instruction issued.

7. Powers of the District Councils and Regional Councils to make laws—

(a) The Regional Council for an autonomous region, in respect of all areas within such region, and the District Council for an autonomous district, in respect of all areas within the district except those which are under the authority of Regional Council, if any, within the district, shall have power to make laws with respect to—

(i) any land which is a reserved forest, for the purpose of agriculture, grazing or for other non-agricultural purposes or for any other purpose likely to promote the interests of the inhabitants of any village or town,

(ii) any land which shall be considered as being acquired by the Government of Assam in accordance with the law for the time being in force authorising such acquisition,

(iii) the management of any forest not being a reserved forest,

(iv) the use of any canal or water course for the purpose of irrigation,

(v) the regulation of the fixation of prices or other forms of artificial cultivation,

(vi) the establishment of village or town committees or councils and their powers,

(vii) any other matter relating to village or town administration, including village or town police and public health and sanitation,
of the appointment or succession of Chiefs or Head-men.

3. In the inheritance of property:
   (a) marriage;
   (b) social custom.

4. In this paragraph, "inheritor" means any one which is a "inheritor" for the purposes of the Amarnath Regulation, 1836, or under any other law for the time being in force in the area in question.

5. All laws made under this paragraph shall be submitted forthwith to the Governor and shall be assented to by him, shall be no effect.

6. Administration of justice in autonomous districts and contiguous regions:

(i) The Regional Council for an autonomous region or in respect of any area within such region and the District Council for any autonomous district or in respect of areas within the district, other than those which are under the authority of the Regional Council, if any, within the district may constitute village councils or courts for the trial of suits and cases between the parties all of whom belong to Scheduled Tribes within such areas, other than suits and cases to which the provisions of sub-paragraph (1) of paragraph 5 of this Schedule apply, to the exclusion of any court in the State, and may appoint suitable persons to be members of such village councils or presiding officers of such courts, and may also appoint such officers as may be necessary for the administration of the laws made under paragraph 5 of this Schedule.

(ii) Notwithstanding anything in the Constitution, the Regional Council for an autonomous region or any court constituted in that behalf by the Regional Council or, if in respect of any area within an autonomous district, there is no Regional Council, the District Council for such district, or any court constituted in that behalf by the District Council, shall exercise the powers of a court of criminal jurisdiction in respect of all suits and cases triable by a village council or court constituted under sub-paragraph 5 of this paragraph, within such regions or areas, as the case may be, other than those to which the provisions of sub-paragraph (1) of paragraph 5 of this Schedule apply, and no other court except the High Court and the Supreme Court shall have jurisdiction over such suits or cases.

(iii) The High Court of Jammu shall have and pronounce such jurisdiction over the suits and cases to which the provisions of sub-paragraph (1) of this paragraph apply as the Governor may from time to time, by order, specify.

(iv) A Regional Council or District Council, as the case may be, may make the provisions referred to in the Governor makes rules regulating —

(a) the constitution of village councils and courts and the powers held.
3. Kindred of persons under the Code of Civil Procedure, 1850, and the
Code of Criminal Procedure, 1861, on the Regional and District Councils, and on certain courts and offices for the trial of certain suits, cases, and offences. — The Council may, for the trial of such suits, cases, arising out of any law in force in any autonomous district, or even being law created or enacted in that behalf by the Governor, or for the trial of offences punishable, with death, transportation for life, or imprisonment for a term of not less than five years under the Indian Penal Code or under any other law for the time being applicable, to each district or region, confine on the District Council or the Regional Council having authority over such district or region, or in courts established by such District Council or in any other office appointed in that behalf by the Governor, such person under the Code of Civil Procedure, 1850, or, as the case may be, under the Code of Criminal Procedure, 1861, to whom may be assigned, and therein the said Council, court, or office shall be the exercise of the power so conferred.

4. The Governor may substitute or modify any of the persons conferred on a
Regional Council, Regional Council, court or office under the paragraphs of the foregoing
5. Law as esoteric founded on the paragraphs, the Code of Civil Procedure, 1850, and the Code of Criminal Procedure, 1861, shall not apply to the trial of any case or offence in an autonomous district or in any autonomous region to which the provisions of the paragraph apply.

5. Power of the District Council to establish primary schools, etc. — The
District Council for an autonomous district may establish, control, or manage primary schools, for the purposes of the education, cultivation, or promotion of education, in the district, and, in particular, to promote the language and the manner in which primary education shall be imparted in the primary schools in the district.

7. District and Regional Funds (S and T) shall be constituted for such autonomous
district, a District Fund and for each autonomous region, a Regional Fund to which shall be credited all sums received separately by the District Council for that district and the Regional Council for that region in the course of the administration of such district or region, as the case may be, in accordance with the provisions of this Constitution.

3. Local to the approval of the Governor, rules may be made by the District Council and by the Regional Council for the management of the District Fund, as, in all cases, may be, the Regional Fund, and the rules so made may prescribe the procedure to be followed in respect of payment or transfer into the said Funds, the withdrawal of money therefrom, the custody of revenue documents and any other matter connected with or ancillary to the matters aforesaid.

3. Power to assess and collect land revenue and to impose taxes:—

(a) The Regional Council, for an autonomous region in respect of all lands within such region, and the District Council for an autonomous district in respect of all lands within the district except those which are in the name under the authority of Regional Councils, if any, within the district, shall have the power to assess and collect revenue in respect of such lands in accordance with the principles for the time being followed by the Government of Assam in assessing land tax in the province of land revenue in the State of Assam generally.

(b) The Regional Council, for an autonomous region in respect of all lands within such region and the District Council for an autonomous district in respect of all lands within the district except those which are under the authority of Regional Councils, if any, within the district, shall have power to buy and collect revenues on lands and buildings, and all other rural revenue within such areas.

(c) The District Council for an autonomous district, shall have the power to buy and collect all or any of the following taxes within such district, that is to say:

- taxes on professions, trades, callings, and employments,
- taxes on animals, vehicles, and boats,
- taxes on the selling of goods in a market for sale therein, and bills on passengers and goods carried by ferries, and
- taxes for the maintenance of schools, dispensaries, and roads,
- Regional Council or District Council, as the case may be, may make regulations to provide for the levy and collection of any of the taxes specified in sub-paragraphs (a) and (b) of this paragraph.

3. Power to assess for the purpose of prohibiting or a restriction of Premises:—

(a) Such power of the said councils, to the extent of the powers and to the extent of the provisions for the purpose of prohibiting or a restriction of Premises.
to the administration of mines and mineral fuels by the Government of Assam, on the condition that any area within an autonomous district, as may be agreed upon between the Government of Assam and the District Council of such district, shall be made over to that District Council.

12. In any dispute as to the share of such royalties to be made over to a District Council, it shall be referred to the Governor for determination, and the amount determined by the Governor in his discretion shall be deemed to be the amount payable under that paragraph if of the paragraph to the District Council and the decision of the Governor shall be final.

13. Power of District Council to make regulations for the control of money-lending and money-lending by non-bankers. The District Council of an autonomous district may make regulations for the regulation and control of money-lending or money-lending within the district by persons other than Scheduled Tribes resident in the district.

14. In furtherance of the provisions of the foregoing powers, such regulation may:

- prescribe that no one except the holder of a licence issued in that behalf shall engage in the business of money-lending,
- prescribe the maximum rate of interest which may be charged by a money-lender,
- provide for the maintenance of records by money-lenders and for the inspection of such records by officers appointed in that behalf by the District Council,
- prescribe that no person who is not a member of the Scheduled Tribes resident in the district shall engage in business in any comically or under a licence issued in that behalf by the District Council.

Provided that no regulations may be made under this paragraph unless they are passed by a majority of not less than three-fourths of the total membership of the District Council.

Provided further that it shall not be competent under any such regulation to refuse the grant of a licence to a money-lender or a trader who has been carrying on business within the district since before the time of the making of such regulation.

15. All regulations made under this paragraph shall be submitted forthwith to the Governor and, until accepted by him, shall have no effect.

16. Publication of laws, rules and regulations made under the Schedule. All laws, rules and regulations made under the Schedule by a District Council or a Regional
administration of the autonomous districts and autonomous regions in the State, including matters specified in clauses (a), (b), (c), and (d) of sub paragraph (c) of paragraph 1 of this Article, or may appoint a Commissioner to ensure such and subject from time to time on the administration of autonomous districts and autonomous regions in the State generally and in particular to—
(a) the provision of educational and medical facilities and communication in such districts and regions;
(b) the need for any new or special legislation in respect of such districts and regions, and
(c) the administration of the law, rule and regulations made by the District and Regional Councils;
and define the procedure to be followed by such Commissioner.

14. The report of every such Commission with the recommendations of the Governor with respect thereto shall be laid before the Legislature of the State by the Member concerned together with an explanatory memorandum regarding the action proposed to be taken thereon by the Government of Assam.

15. In attending the business of the Government of the State except when the Governor may place one of his Members specially in charge of the affairs of the autonomous districts and autonomous regions in the State.

16. Amendment or suspension of acts and resolutions of District and Regional Councils—(1) If at any time the Governor is satisfied that an act or resolution of a District or a Regional Council is likely to endanger the safety of India, he may annul or suspend such act or resolution and take such step as he may consider necessary (including the suspension of the Council and the assumption of all or any of the powers vested in accordance with the Constitution of such act or the giving of effect to such resolution.

(2) Any order made by the Governor under sub paragraph (1) of this paragraph together with the reasons therefor shall be laid before the Legislature of the State as soon as practicable and the order shall, unless varied or annulled by the Legislature of the State, continue in force for a period of twelve months from the date on which it was made.

Provided that if and as often as a resolution approving the continuance in force of such order is passed by the Legislature of the State, the order shall continue in force for a further period of twelve months from the date on which under this paragraph it would otherwise have ceased to operate.

17. Dissolution of a District or a Regional Council—The Governor may on
the recommendation of a Commission appointed under paragraph 14 of this Schedule by public notification, or the discontinuance of a District or a Regional Council and—

or direct that a fresh general election shall be held immediately for the reconstitution of the Council, or

or to the previous approval of the Legislature of the State where

the administration of the area under the authority of such Council, or

shall be under the authority of the Commission appointed under this paragraph or any other body, or

considered suitable by him for a period not exceeding twelve months.

Provided that where an order under clause (a) of this paragraph has been made,

the Governor may take the action referred to in clause (b) of this paragraph with respect to

the administration of the area in question pending the reconstitution of the Council or fresh

general election.

Provided further that an action shall be taken under clause (b) of this paragraph,

without giving the District or the Regional Council, as the case may be, an opportunity of

file it as was before the Legislature of the State.

17. Conclusion of areas from autonomous districts in forming constellations in

such districts—In the performance of duties to the Legislature of the Assembly, the Governor

may by order direct that any area within an autonomous district shall not form part of any

constellation to be held or held in the Assembly formed for any such district but shall

form part of a constellation to be held or held in the Assembly not so constituted by

the order.

18. Application of the provisions of this Schedule to areas specified in Part

(b) of the table appended to paragraph 20. In the Governor may—

or subject to the previous approval of the President, by public notification, apply all or any of the provisions of the Schedule to any

district area specified in Part (b) of the table appended to

paragraph 20 of this Schedule or any part of such area, and thereafter

such area or part shall be administered in accordance with such

provisions, and

or subject to such approval, by public notification, exclude from the said table any district area specified in Part (b) of that table or any part of

such area.

19. Hold a notification as void under sub-paragraph 11 of this paragraph.
respect if any breach were specified in Part A of the said title or any part of such area. The administration of such area or part thereof, in case may be, shall be undertaken or by the President through the Governor of Assam as his agent and the provisions of Part B shall apply thereto as if such area or part thereof were a territory specified in Part D of the said schedule.

19. In the discharge of his functions under each paragraph of this paragraph as the agent of the President, the Governor shall act on his discretion.

20. Transitory provisions.—(1) As soon as possible after the commencement of this Constitution the Governor shall take steps for the constitution of a District Council for each autonomous district in the State under the Schedule and, until a District Council is so constituted for an autonomous district, the administration of such district shall be vested in the Governor and the following provisions shall apply to the administration of the autonomous such district instead of the foregoing provisions of the Schedule, namely—

so as if the provisions of the Schedule were applicable to any such area under the Governor by virtue of section 29 of the Act of 1937, the Governor or any other officer appointed by the Governor in his executive capacity shall have the power to make regulations for the peace and good government of any such area and any regulations so made may be amended or revoked by the Governor from time to time. Any Act of Parliament or any Act of the Legislature of the State or any existing law which is for the time being applicable to such area.

21. Any direction given by the Governor under clauses of sub-paragraph (1) of this paragraph may be given so as to have retrospective effect.

22. Provisions made under clauses of such paragraph of the Schedule shall be submitted forthwith to the President, and, until assented to by him, shall have no effect.

23. Irish area.—The area specified in Parts A and B of the said title shall be the Irish area within the State of Assam.

The United States of the Irish District shall comprise the territories which before the commencement of this Constitution were known as the United States, and the United States of the Irish District, excluding any areas for the time being comprised within
The area comprised within the municipality of Aden, but including no much of the area occupied within the municipality of Aden as formed part of the Trust Territory of Aden:

Provided that for the purposes of sub-paragraphs 3, 5, 7 and sub-paragraphs 10 and 12 of paragraph 5 of the Trust Territory of Aden, the area comprised within the municipality of Aden shall be deemed to be within the District.

29. Any reference in the table below to any district (other than the United Arab Emirates District or the Administrative Area) shall be construed as a reference to that district or area at the commencement of this Constitution:

Provided that the table areas specified in Part B of the table below shall not include any such areas in the States as may, with the previous approval of the President, be added by the Governor of Aden or in that behalf.

Table

Part A

1. The United Arab Emirates District.
2. The Obock District.
3. The Djibouti District.
4. The Puntland District.
5. The South Puntland District.
6. The Abyan District.

Part B

1. North East Frontier Area including Bishah, Jibreen Trust, Joge Trust Trust, Abyan District and Asir District.
2. The Abyan District.
3. Amendment of the Schedule—Parliament may from time to time by law amend by any addition, variation or omission any of the provisions of the Schedule and when the Schedule is so amended, any reference to the Schedule in this Constitution shall be construed as a reference to such Schedule as so amended.

Provided that an amendment to any subparagraph of this paragraph shall be deemed to be an amendment of this Constitution for the purposes of Article 10.
Seventh Schedule

Schedules to the Constitution of India

Part I—Union List

1. Defence of India and every part thereof, including preparation for defence and all such acts as may be conducive in time of war to its prosecution and after its termination to effective demobilisation.
2. Naval, military and air forces, any other armed forces of the Union.
3. Delimitation of boundaries, area, land and civil administration of such areas, the town, cities and towns within such areas of boundary line, boundaries and the regulation of house accommodation (including the control of rents) in such areas.
4. Naval, military and air forces.
5. Arms, ammunition, explosives and explosive.
6. Atomic energy and nuclear energy necessary for its production.
7. Activities declared by Parliament by law to be necessary for the purpose of defence or for the prosecution of war.
8. Central Bureau of Intelligence and Investigation.
9. Preventive detention for reasons connected with Defence, Foreign Affairs or the security of India; persons subjected to such detention.
10. Foreign Affairs, all matters relating to the Union into relation with other foreign countries.
11. Diplomatic and Consular representation.
13. Diplomatic relations and international conferences, associations and other bodies and implementing of decisions made thereat.
14. Licensing and broker and agreements with foreign countries and implementing of treaties, agreements and conventions with foreign countries.
15. War and peace.
16. Foreign jurisdiction.
17. Citizenship, naturalisation and alienage.
18. Emigration.
19. Admission into, and emigration and expulsion from, Indian territories.
20. Powers to frame rules in India.
21. Bases, and crimes committed on the high seas or on the land or in the air.
22. Statutes.
23. Anyuary declared by or under law made by Parliament to be proclaimed High
   crime.
24. Shipping and navigation on inland waterways, declared by Parliament or law to be
criminal offences, as regards mechanically propelled vessels, or the safe naviga-
tion thereof.
25. Murder, poisoning, and navigational, including shipping and navigation, as
   regards inland waterways, or injury, provision of education and training for the
   enforcement and regulation of such education and training provided by State and
   other agencies.
26. Lighthouses, excluding lighthouses, beacons, and other facilities for the safety
   of shipping and aircraft.
27. Mercantile shipping and navigation, including shipping and navigation, as
titled under, provision of education and training for the enforcement and regula-
tion of such education and training provided by State and other agencies.
28. Maritime education and training, including shipping and navigation, as
titled under, provision of education and training for the enforcement and regula-
tion of such education and training provided by State and other agencies.
29. Ports declared by or under law made by Parliament to be major ports, including
   their administration, and the control and powers of port authorities therein.
30. Port authorities, including harbours connected therewith, marine and marine
   harbours.
31. Airports, aircraft and air navigation, provision of aerodromes, regulations and
   operations of air traffic, and of aerodromes, provision for aeronautical education
   and training, and regulation of such education and training provided by State and
   other agencies.
32. Lighthouses, excluding lighthouses, beacons, and other facilities for the safety
   of shipping and aircraft.
33. Property of the Union and the revenue therefrom, but no property, foreclosed
   in a State, situated in Part A or Part B of the First Schedule, subject to
   legislation by the State, may, as or for such reasons, be otherwise provided.
34. Acquisition or reacquisition of property for the benefit of the Union.
35. Value of goods for the estate of death of Indian State
36. Debt of the Union.
38. Banks of India.
6. Linen, jute, and hemp.
7. Tobacco and tobacco products.
10. Spinning and weaving.
11. Textile machinery.
12. Apparatus for textile manufacture.
15. Apparatus for textile printing.
17. Apparatus for textile bleaching.
18. Apparatus for textile finishing.
19. Apparatus for textile printing.
20. Apparatus for textile dyeing.
22. Apparatus for textile finishing.
23. Apparatus for textile printing.
25. Apparatus for textile bleaching.
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83. Apparatus for textile printing.
84. Apparatus for textile dyeing.
85. Apparatus for textile bleaching.
86. Apparatus for textile finishing.
25. The institutions known as the commercial college, the Indian Museum, the Imperial War Museum, the Indian Museum, and any other institution founded by the Government of India which is, in fact, declared by Parliament to be an institution of national importance.

26. The institutions known as the commercial college, the Bhavan Millingen University, the Sudder Bazar University, and the Delhi University, and any other institution declared by Parliament by law to be an institution of national importance.

27. Institutions for scientific and technical education founded by the Government of India which is, in fact, declared by Parliament by law to be institutions of national importance.

28. Urban areas and institutions for—
   a) professional, commercial, or technical training, including the training of legal officers,
   b) the promotion of social studies or research,
   c) scientific or technical assistance in the investigation or detection of crime,
   d) the promotion and determination of standards or institutions for higher education or research, and scientific and technical education.

29. Ancient and historical monuments and sites, and archaeological sites and remains, declared by Parliament by law to be of national importance.

30. The Survey of India, the Geological, Meteorological, and Agricultural Surveys of India, and the National Museum.

31. Fora.

32. The public service, all India service, the Public Service Commission.

33. Persons, that is to say, persons payable by the Government of India or out of the Consolidated Fund of India.

34. The President, the Legislature of India and to the office of President and in the President, the Prime Minister of India.

35. Members and officers of members of Parliament, the Prime Minister, the Deputy Prime Minister of India, and the Speaker and Deputy Speaker of the House of the People.

36. Possess, privileges, and immunity of each House of Parliament and of the members and the committees of each House, enforcement of attendance, privilege for proceedings or producing documents before committees of Parliament or convenes otherwise appointed by Parliament.
57. Emblems, alliances, privileges, and rights in respect of laws of colonies of the President and Governor, salaries and allowances of the Ministers for the Union, the salaries, alliances and rights in respect of laws of colonies and other conditions of service of the Secretary and Auditor General.

58. Audit of the accounts of the Union and of the States.

59. Constitution, organization, jurisdiction and powers of the Supreme Court (including all courts of such Court), and the fees, fines, etc., allowed to counsel before the Supreme Court.

60. Constitution and organization of the High Courts except provisions as to officers and servants of High Courts, fees allowed to counsel before the High Courts.

61. Extent of the jurisdiction of a High Court having its principal seat in any State to, and exclusion of the jurisdiction of any such High Court from, any area outside that State.

62. Extension of the powers and jurisdiction of courts of civil superior jurisdiction, to any State to any area outside that State, but not so as to enable the courts of any such State to exercise powers and jurisdiction in any area outside that State without the consent of the Government of the State in which such area is situated, extension of the powers and jurisdiction of courts of civil superior jurisdiction to any State to extend-area outside that State.

63. Sale of State emigration, inter-State guarantees.

64. Tax on income other than agricultural income.

65. Duties of customs excluding export duties.

66. Duties of excise on tobacco and other goods manufactured or produced in India except—

67. Articles for human consumption,

68. Tobacco, snuff, and other narcotics, drugs and narcotics, but excluding medicinal and toilet preparations containing alcohol or any substance included in such paragraphs as of this entry.

69. Protection of—

70. Immunity on the capital value of the assets, inclusion of agricultural land of individuals and companies, taxes on the capital of companies.

71. Estate duty on property other than agricultural land.

72. Duty on property succession to property other than agricultural land.

73. Taxation on goods or passengers, conveyed by rail, sea, steam, or railway firms and freight.
...
92. Cases other than those dealt with in transactions in stock exchanges and futures markets.
93. Rules of exchange duly in respect of bills of exchange, cheques, promissory notes, bills of handling, letters of credit, letters of acceptance, transfers of shares, debentures, preference and receipt.
94. Cases in the sale or purchase of securities and re-advertisements published therein.
95. Offences against law with respect to any of the matters in the Act.
96. Summary, summary and summary for the purpose of any of the matters in the Act.
97. Jurisdiction and power of all courts, except the Supreme Court, with respect to any of the matters in the Act.
98. In respect of any of the matters in the Act, but not including any act
not mentioned in either of these Acts.

Part 2: State List

1. Public order (but not including the use of force, military or any other form of the force in aid of the civil power).
2. Police, including mining and mining police.
3. Administration of justice, administration and organization of all courts, except the Supreme Court and the High Court, officers and amount of the High Court, provision in aid of and revenue funds for taken on all courts except the Supreme Court.
4. Prisons, prisons, and other similar institutions of a like nature, and persons therein, arrangements with other States for the use of persons and other institutions.
5. Local government, that is to say, the constitution and powers of municipal corporations, enforcement funds, local boards, railway settlement authorities and other local authorities for the purpose of local self-government or village administration.
6. Public health and sanitation, hospitals and institutions.
7. Urbanization, other than planning to further urban in India.
8. Cumberland law, that is to say, the production, manufacture, possession, transport,
22. Weights and measures except establishment of standards.
23. Mining, leasing, leasing, tenancy, relief of agricultural indebtedness.
25. Incorporation, regulation and winding up of corporations, other than those incorporated under the Companies Act, and unincorporated business, literary, scientific, religious and other societies and associations, as farther provided.
26. Theatres and public performances, cinema subject to the provisions of entry 20 of Part I, parks, playgrounds, and amusement.
27. Betting and gambling.
28. Marks, lands, and buildings vested in or on the tenure of the State.
29. Acquisition or expropriation of property, except for the purposes of the State, subject to the provisions of entry 40 of Part III.
30. Evidence to the Legislature of the State subject to the provisions of any law made by Parliament.
31. Salaries and allowances of members of the Legislature of the State, of the Speaker and Deputy Speaker of the Legislature, Assembly, and of officers of the Governor and Deputy Governor, respectively.
32. The use, possession and enjoyment of the Legislature, Assembly, and all the houses and the committees thereof, and if there is a Legislative Council, of that house and of the members and the committees thereof, improvement of all buildings or parts of buildings thereof, and the use, possession and enjoyment of such buildings or parts of buildings as may be required by the Legislature of the State.
33. Salaries and allowances of Members of the House.
34. State public service, State Police, Service Commission.
35. State process that is to say, process forgivable by the State or not of the State.
36. State debt of the State.
37. State debt of the State.
38. Finance law.
39. State revenue, including the assessment and collection of revenue, the maintaining of land records, surveying the revenue, purchase and records of interests, and valuation of revenues.
40. Loans on agricultural loans.
41. State or interest of succession to agricultural land.
42. State duty on interest of agricultural land.
43. Taxes on boats and buildings.
56. Taxes on personal rights subject to any limitations imposed by Parliament by law relating to personal development.
57. Duties of taxes on the following goods manufactured or produced in the State and circulating therein at the same or lower rate on similar goods manufactured or produced elsewhere in India:
   - schedule taxes on human consumption,
   - in states, Indian hemp and other narcotic drugs and narcotics,
   - but not including medicinal and toilet preparations containing alcohol or any substance included in the paragraph 63 of the entry.
52. Taxes on the entry of goods into a local area for consumption, use, or sale therein.
53. Taxes on the consumption or sale of electricity.
54. Taxes on the sale or purchase of goods other than newspaper.
55. Taxes on advertisements other than advertisements published in the newspapers.
56. Taxes on goods and services exported by retail or in bulk or wholesale.
57. Taxes on vehicles, whether mechanically propelled or not, suitable for use on roads, including taxes on subject to the provisions of entry 55 of List IV.
58. Taxes on animals and birds.
59. Fish.
60. Taxes on professions, trades, callings and employments.
61. Occupation taxes.
62. Taxes on houses, including taxes on entertainments, amusements, betting and gambling.
63. Sales of stamps duty in respect of documents other than those specified in the provision of this Act with regard to sale of stamps duty.
64. Offences against laws with respect to any of the matters in this Act.
65. Proceedings and powers of all courts, except the Supreme Court, with respect to any of the matters in this Act.
66. Tax in respect of any of the matters in this Act, but not excluding tax levied on any court.

List VIII - Concurrent List

Provided that, including all matters included in the Indian Penal Code at the commencement of this Constitution but not including offenses against laws with respect to any of the matters specified in List I or List II and including the use of words, writing or in signs or any other sound.
from the Union in aid of the civil powers.

1. Criminal procedure, including all matters included in the Code of Criminal Procedure at the commencement of this Constitution.

2. Procedure in admiralty for cases connected with the security of a State, the maintenance of public order, or the maintenance of supplies and services essential to the community, persons subject to such admiralty.

3. Removal from one State to another State of personal, real, personal, and personal privilege subject to such admiralty for reasons stated in entry 3 of this List.

4. Marriage and divorce: infants and minors, adoption, with the custody and maintenance, good family relations; all matters or relief of such families and persons proceeding immediately before the commencement of this Constitution subject to their personal law.

5. Transfer of property, other than agricultural land, registration of land and documents.

6. Contracts, including partnerships, agency, contracts of marriage, and other special forms of contracts, but not including contracts relating to agricultural land.

7. Several aspects.

8. Bankruptcy and insolvency.


10. Administration general and official trusts.


12. Civil procedure, including all matters included in the Code of Civil Procedure at the commencement of this Constitution, limitation and arbitration.

13. Conduct of court, but not including conduct of the Supreme Court.


15. Taxation and wealth verification, including provision for the collection or assessment of taxes and wealth verification.

16. Protection of property and personal property.

17. Administration of justice and other acts.

18. Peace and order, subject to the provisions of entry 53 of List 1 with respect to peace.

19. Economic and social planning.

20. Commercial and industrial monopolies, combines and trusts.

21. Trade unions, industrial and labor disputes.

22. Social security and social insurance, employment, and unemployment.
29. Wages of labour including conditions of work, prescribed funds, employers' liability, workers' compensation, unemployment and old age pension and maternity benefits.
30. Education and technical training of labour.
31. Legal, medical and other services.
32. Relief and rehabilitation of persons displaced from their original place of residence by reason of the setting up of the Dominion of India and Pakistan.
33. Industrial and charitable institutions, charitable and religious institutions and
   religious endowments.
34. Prevention of the extension from one State to another of infectious or contagious
   diseases or pests attacking man, animals or plants.
35. Interstate trade, including registration of birth and deaths.
36. Trade of the States, including registration of birth and deaths.
37. Trade other than that declared by or under law made by Parliament or existing
   law to be necessary.
38. Shipping and navigation on inland waterways as regards mechanically propelled
   vessels and the sale of the rent on such waterways, and the carriage of passengers and
   goods on inland waterways subject to the provisions of Sec. 1 with respect to national
   waterways.
39. Trade and commerce in and the production, supply and distribution of the
   products of industries where the control of such industries by the Union is declared by
   Parliament by law to be expedient in the public interest.
40. Forests.
41. Mechanics' institutes and mechanical trades.
42. Railways, steam and electric railways.
43. Navigation, trade and freezing piers.
44. Archaeological sites and remains other than those declared by Parliament
   by law to be of national importance.
45. Safety, management, and control of property (including agricultural lands) declared
   by law to be necessary for the public interest.
46. Powers in which compensation for property acquired or requisitioned for the
   purposes of the Union or of a State or for any other public purpose is to be determined,
   and the form and manner in which such compensation is to be given.
47. Recovery in a State of claims in respect of taxes and other public demands.
including some of land revenue and some remissible as such sum, arising outside that State.

4. Though duties other than duties so far collected by revenue of judicial stamps, but
not excluding rules of stamp duty

8. Magazines and stations for the preservation of any of the matters specified in

Sec 1 to Sec 13.

9. Jurisdiction and powers of all courts, except the Supreme Court, with respect to

any of the matters in this Act.

10. For in respect of any of the matters in this Act, but not including fine taken

in any court.
By M. D. Strachan, Master School, Brigade of Calcutta. By M. D. Strachan, Master School, Brigade of Calcutta.
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