



# भारत का संविधान

[1 मई, 2024 को यथाविद्यमान]

## THE CONSTITUTION OF INDIA

[As on 1<sup>st</sup> May, 2024]

2024

भारत सरकार  
विधि और न्याय मंत्रालय  
विधायी विभाग, राजभाषा खण्ड  
GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
LEGISLATIVE DEPARTMENT, OFFICIAL LANGUAGES WING

## PREFACE

*This is the sixth pocket size edition of the Constitution of India in the diglot form. In this edition, the text of the Constitution of India has been brought up-to-date by incorporating therein all the amendments up to the Constitution (One Hundred and Sixth Amendment) Act, 2023. The foot notes below the text indicate the Constitution Amendment Acts by which such amendments have been made.*

*The Constitution (One Hundredth Amendment) Act, 2015 containing details of acquired and transferred territories between the Governments of India and Bangladesh has been provided in Appendix I.*

*The Constitution (Application to Jammu and Kashmir) Order, 2019 and the declaration under article 370(3) of the Constitution have been provided respectively in Appendix II and Appendix III for reference.*

New Delhi;  
1<sup>st</sup> May, 2024

**Dr. Rajiv Mani,**  
*Secretary to the Government of India.*

#### LIST OF ABBREVIATIONS USED

Art., arts.	.....	<i>for</i> Article, articles.
Cl., cls.	.....	" Clause, clauses.
C.O.	.....	" Constitution Order.
Ins.	.....	" Inserted.
P., pp.	.....	" Page, pages.
Pt.	.....	" Part.
Rep.	.....	" Repealed.
Ss., ss.	.....	" Section, sections.
Sch.	.....	" Schedule.
Subs.	.....	" Substituted.
w.e.f.	.....	" with effect from.
w.r.e.f.	.....	" with retrospective effect from.

# **THE CONSTITUTION OF INDIA**

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## **CONTENTS**

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### **PREAMBLE**

#### **PART I**

##### **THE UNION AND ITS TERRITORY**

###### **ARTICLES**

1. Name and territory of the Union.
2. Admission or establishment of new States.
- [2A. Sikkim to be associated with the Union.—*Omitted.*]
3. Formation of new States and alteration of areas, boundaries or names of existing States.
4. Laws made under articles 2 and 3 to provide for the amendment of the First and the Fourth Schedules and supplemental, incidental and consequential matters.

#### **PART II**

##### **CITIZENSHIP**

5. Citizenship at the commencement of the Constitution.
6. Rights of citizenship of certain persons who have migrated to India from Pakistan.
7. Rights of citizenship of certain migrants to Pakistan.
8. Rights of citizenship of certain persons of Indian origin residing outside India.
9. Persons voluntarily acquiring citizenship of a foreign State not to be citizens.
10. Continuance of the rights of citizenship.
11. Parliament to regulate the right of citizenship by law.

**ARTICLES**

**PART III**

**FUNDAMENTAL RIGHTS**

*General*

12. Definition.
13. Laws inconsistent with or in derogation of the fundamental rights.

*Right to Equality*

14. Equality before law.
15. Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.
16. Equality of opportunity in matters of public employment.
17. Abolition of Untouchability.
18. Abolition of titles.

*Right to Freedom*

19. Protection of certain rights regarding freedom of speech, etc.
20. Protection in respect of conviction for offences.
21. Protection of life and personal liberty.
- 21A. Right to education.
22. Protection against arrest and detention in certain cases.

*Right against Exploitation*

23. Prohibition of traffic in human beings and forced labour.
24. Prohibition of employment of children in factories, etc.

*Right to Freedom of Religion*

25. Freedom of conscience and free profession, practice and propagation of religion.
26. Freedom to manage religious affairs.
27. Freedom as to payment of taxes for promotion of any particular religion.
28. Freedom as to attendance at religious instruction or religious worship in certain educational institutions.

**ARTICLES***Cultural and Educational Rights*

- 29. Protection of interests of minorities.
- 30. Right of minorities to establish and administer educational institutions.
- [31. Compulsory acquisition of property —*Omitted.*]

*Saving of Certain Laws*

- 31A. Saving of Laws providing for acquisition of estates, etc.
- 31B. Validation of certain Acts and Regulations.
- 31C. Saving of laws giving effect to certain directive principles.
- [31D. Saving of laws in respect of anti-national activities.—*Omitted.*]

*Right to Constitutional Remedies*

- 32. Remedies for enforcement of rights conferred by this Part.
- [32A. Constitutional validity of State laws not to be considered in proceedings under article 32.—*Omitted.*]
- 33. Power of Parliament to modify the rights conferred by this Part in their application to Forces, etc.
- 34. Restriction on rights conferred by this Part while martial law is in force in any area.
- 35. Legislation to give effect to the provisions of this Part.

**PART IV****DIRECTIVE PRINCIPLES OF STATE POLICY**

- 36. Definition.
- 37. Application of the principles contained in this Part.
- 38. State to secure a social order for the promotion of welfare of the people.
- 39. Certain principles of policy to be followed by the State.
- 39A. Equal justice and free legal aid.

**ARTICLES**

40. Organisation of village panchayats.
41. Right to work, to education and to public assistance in certain cases.
42. Provision for just and humane conditions of work and maternity relief.
43. Living wage, etc., for workers.
- 43A. Participation of workers in management of Industries.
- 43B. Promotion of co-operative societies.
44. Uniform civil code for the citizens.
45. Provision for early childhood care and education to children below the age of six years.
46. Promotion of educational and economic interests of Scheduled Castes, Scheduled Tribes and other weaker sections.
47. Duty of the State to raise the level of nutrition and the standard of living and to improve public health.
48. Organisation of agriculture and animal husbandry.
- 48A. Protection and improvement of environment and safeguarding of forests and wild life.
49. Protection of monuments and places and objects of national importance.
50. Separation of judiciary from executive.
51. Promotion of international peace and security.

**PART IVA**

FUNDAMENTAL DUTIES

- 51A. Fundamental duties.

**PART V**

THE UNION

CHAPTER I.—THE EXECUTIVE

*The President and Vice-President*

52. The President of India.
53. Executive power of the Union.
54. Election of President.

**ARTICLES**

55. Manner of election of President.
56. Term of office of President.
57. Eligibility for re-election.
58. Qualifications for election as President.
59. Conditions of President's office.
60. Oath or affirmation by the President.
61. Procedure for impeachment of the President.
62. Time of holding election to fill vacancy in the office of President and the term of office of person elected to fill casual vacancy.
63. The Vice-President of India.
64. The Vice-President to be *ex officio* Chairman of the Council of States.
65. The Vice-President to act as President or to discharge his functions during casual vacancies in the office, or during the absence, of President.
66. Election of Vice-President.
67. Term of office of Vice-President.
68. Time of holding election to fill vacancy in the office of Vice-President and the term of office of person elected to fill casual vacancy.
69. Oath or affirmation by the Vice-President.
70. Discharge of President's functions in other contingencies.
71. Matters relating to, or connected with, the election of a President or Vice-President.
72. Power of President to grant pardons, etc., and to suspend, remit or commute sentences in certain cases.
73. Extent of executive power of the Union.  
*Council of Ministers*
74. Council of Ministers to aid and advise President.
75. Other provisions as to Ministers.  
*The Attorney-General for India*
76. Attorney-General for India.

**ARTICLES***Conduct of Government Business*

- 77. Conduct of business of the Government of India.
- 78. Duties of Prime Minister as respects the furnishing of information to the President, etc.

**CHAPTER II.—PARLIAMENT***General*

- 79. Constitution of Parliament.
- 80. Composition of the Council of States.
- 81. Composition of the House of the People.
- 82. Readjustment after each census.
- 83. Duration of Houses of Parliament.
- 84. Qualification for membership of Parliament.
- 85. Sessions of Parliament, prorogation and dissolution.
- 86. Right of President to address and send messages to Houses.
- 87. Special address by the President.
- 88. Rights of Ministers and Attorney-General as respects Houses.

*Officers of Parliament*

- 89. The Chairman and Deputy Chairman of the Council of States.
- 90. Vacation and resignation of, and removal from, the office of Deputy Chairman.
- 91. Power of the Deputy Chairman or other person to perform the duties of the office of, or to act as, Chairman.
- 92. The Chairman or the Deputy Chairman not to preside while a resolution for his removal from office is under consideration.
- 93. The Speaker and Deputy Speaker of the House of the People.
- 94. Vacation and resignation of, and removal from, the offices of Speaker and Deputy Speaker.
- 95. Power of the Deputy Speaker or other person to perform the duties of the office of, or to act as, Speaker.

**ARTICLES**

96. The Speaker or the Deputy Speaker not to preside while a resolution for his removal from office is under consideration.
97. Salaries and allowances of the Chairman and Deputy Chairman and the Speaker and Deputy Speaker.
98. Secretariat of Parliament.

*Conduct of Business*

99. Oath or affirmation by members.
100. Voting in Houses, power of Houses to act notwithstanding vacancies and quorum.

*Disqualifications of Members*

101. Vacation of seats.
102. Disqualifications for membership.
103. Decision on questions as to disqualifications of members.
104. Penalty for sitting and voting before making oath or affirmation under article 99 or when not qualified or when disqualified.

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

105. Powers, privileges, etc., of the Houses of Parliament and of the members and committees thereof.
106. Salaries and allowances of members.

*Legislative Procedure*

107. Provisions as to introduction and passing of Bills.
108. Joint sitting of both Houses in certain cases.
109. Special procedure in respect of Money Bills.
110. Definition of "Money Bills".
111. Assent to Bills.

*Procedure in Financial Matters*

112. Annual financial statement.
113. Procedure in Parliament with respect to estimates.
114. Appropriation Bills.

**ARTICLES**

- 115. Supplementary, additional or excess grants.
- 116. Votes on account, votes of credit and exceptional grants.
- 117. Special provisions as to financial Bills.  
*Procedure Generally*
  - 118. Rules of procedure.
  - 119. Regulation by law of procedure in Parliament in relation to financial business.
  - 120. Language to be used in Parliament.
  - 121. Restriction on discussion in Parliament.
  - 122. Courts not to inquire into proceedings of Parliament.
- CHAPTER III.—LEGISLATIVE POWERS OF THE PRESIDENT
  - 123. Power of President to promulgate Ordinances during recess of Parliament.
- CHAPTER IV.—THE UNION JUDICIARY
  - 124. Establishment and constitution of the Supreme Court.
  - 124A. National Judicial Appointments Commission.
  - 124B. Functions of Commission.
  - 124C. Power of Parliament to make law.
  - 125. Salaries, etc., of Judges.
  - 126. Appointment of acting Chief Justice.
  - 127. Appointment of *ad hoc* Judges.
  - 128. Attendance of retired Judges at sittings of the Supreme Court.
  - 129. Supreme Court to be a court of record.
  - 130. Seat of Supreme Court.
  - 131. Original jurisdiction of the Supreme Court.
  - [131A. Exclusive jurisdiction of the Supreme Court in regard to questions as to constitutional validity of Central laws.—*Omitted.*]
  - 132. Appellate jurisdiction of the Supreme Court in appeals from High Courts in certain cases.
  - 133. Appellate jurisdiction of the Supreme Court in appeals from High Courts in regard to civil matters.
  - 134. Appellate jurisdiction of the Supreme Court in regard to criminal matters.

**ARTICLES**

- 134A. Certificate for appeal to the Supreme Court.
- 135. Jurisdiction and powers of the Federal Court under existing law to be exercisable by the Supreme Court.
- 136. Special leave to appeal by the Supreme Court.
- 137. Review of judgments or orders by the Supreme Court.
- 138. Enlargement of the jurisdiction of the Supreme Court.
- 139. Conferment on the Supreme Court of powers to issue certain writs.
- 139A. Transfer of certain cases.
- 140. Ancillary powers of the Supreme Court.
- 141. Law declared by Supreme Court to be binding on all courts.
- 142. Enforcement of decrees and orders of the Supreme Court and orders as to discovery, etc.
- 143. Power of the President to consult the Supreme Court.
- 144. Civil and judicial authorities to act in aid of the Supreme Court.
- [144A. Special provisions as to disposal of questions relating to constitutional validity of laws.—*Omitted.*]
- 145. Rules of Court, etc.
- 146. Officers and servants and the expenses of the Supreme Court.
- 147. Interpretation.
  - CHAPTER V.—COMPTROLLER AND AUDITOR-GENERAL OF INDIA
- 148. Comptroller and Auditor-General of India.
- 149. Duties and powers of the Comptroller and Auditor-General.
- 150. Form of accounts of the Union and of the States.
- 151. Audit reports.

**PART VI**  
**THE STATES**  
**CHAPTER I.—GENERAL**

- 152. Definition.

**ARTICLES****CHAPTER II.—THE EXECUTIVE***The Governor*

- 153. Governors of States.
- 154. Executive power of State.
- 155. Appointment of Governor.
- 156. Term of office of Governor.
- 157. Qualifications for appointment as Governor.
- 158. Conditions of Governor's office.
- 159. Oath or affirmation by the Governor.
- 160. Discharge of the functions of the Governor in certain contingencies.
- 161. Power of Governor to grant pardons, etc., and to suspend, remit or commute sentences in certain cases.
- 162. Extent of executive power of State.

*Council of Ministers*

- 163. Council of Ministers to aid and advise Governor.
- 164. Other provisions as to Ministers.

*The Advocate-General for the State*

- 165. Advocate-General for the State.
- Conduct of Government Business*
- 166. Conduct of business of the Government of a State.
  - 167. Duties of Chief Minister as respects the furnishing of information to Governor, etc.

**CHAPTER III.—THE STATE LEGISLATURE***General*

- 168. Constitution of Legislatures in States.
- 169. Abolition or creation of Legislative Councils in States.
- 170. Composition of the Legislative Assemblies.

**ARTICLES**

171. Composition of the Legislative Councils.
172. Duration of State Legislatures.
173. Qualification for membership of the State Legislature.
174. Sessions of the State Legislature, prorogation and dissolution.
175. Right of Governor to address and send messages to the House or Houses.
176. Special address by the Governor.
177. Rights of Ministers and Advocate-General as respects the Houses.

*Officers of the State Legislature*

178. The Speaker and Deputy Speaker of the Legislative Assembly.
179. Vacation and resignation of, and removal from, the offices of Speaker and Deputy Speaker.
180. Power of the Deputy Speaker or other person to perform the duties of the office of, or to act as, Speaker.
181. The Speaker or the Deputy Speaker not to preside while a resolution for his removal from office is under consideration.
182. The Chairman and Deputy Chairman of the Legislative Council.
183. Vacation and resignation of, and removal from, the offices of Chairman and Deputy Chairman.
184. Power of the Deputy Chairman or other person to perform the duties of the office of, or to act as, Chairman.
185. The Chairman or the Deputy Chairman not to preside while a resolution for his removal from office is under consideration.
186. Salaries and allowances of the Speaker and Deputy Speaker and the Chairman and Deputy Chairman.
187. Secretariat of State Legislature.

*Conduct of Business*

188. Oath or affirmation by members.
189. Voting in Houses, power of Houses to act notwithstanding vacancies and quorum.

*Disqualifications of Members*

190. Vacation of seats.

**ARTICLES**

191. Disqualifications for membership.
192. Decision on questions as to disqualifications of members.
193. Penalty for sitting and voting before making oath or affirmation under article 188 or when not qualified or when disqualified.  
*Powers, privileges and immunities of State Legislatures and their Members*  
194. Powers, privileges, etc., of the Houses of Legislatures and of the members and committees thereof.
195. Salaries and allowances of members.  
*Legislative Procedure*  
196. Provisions as to introduction and passing of Bills.  
197. Restriction on powers of Legislative Council as to Bills other than Money Bills.  
198. Special procedure in respect of Money Bills.  
199. Definition of "Money Bills".  
200. Assent to Bills.  
201. Bills reserved for consideration.  
*Procedure in Financial Matters*  
202. Annual financial statement.  
203. Procedure in Legislature with respect to estimates.  
204. Appropriation Bills.  
205. Supplementary, additional or excess grants.  
206. Votes on account, votes of credit and exceptional grants.  
207. Special provisions as to financial Bills.  
*Procedure Generally*  
208. Rules of procedure.  
209. Regulation by law of procedure in the Legislature of the State in relation to financial business.

**ARTICLES**

- 210. Language to be used in the Legislature.
- 211. Restriction on discussion in the Legislature.
- 212. Courts not to inquire into proceedings of the Legislature.
- CHAPTER IV.—LEGISLATIVE POWER OF THE GOVERNOR
- 213. Power of Governor to promulgate Ordinances during recess of Legislature.
- CHAPTER V.—THE HIGH COURTS IN THE STATES
- 214. High Courts for States.
- 215. High Courts to be courts of record.
- 216. Constitution of High Courts.
- 217. Appointment and conditions of the office of a Judge of a High Court.
- 218. Application of certain provisions relating to Supreme Court to High Courts.
- 219. Oath or affirmation by Judges of High Courts.
- 220. Restriction on practice after being a permanent Judge.
- 221. Salaries, etc., of Judges.
- 222. Transfer of a Judge from one High Court to another.
- 223. Appointment of acting Chief Justice.
- 224. Appointment of additional and acting Judges.
- 224A. Appointment of retired Judges at sittings of High Courts.
- 225. Jurisdiction of existing High Courts.
- 226. Power of High Courts to issue certain writs.
- [226A. Constitutional validity of Central laws not to be considered in proceedings under article 226.—*Omitted.*]
- 227. Power of superintendence over all courts by the High Court.
- 228. Transfer of certain cases to High Court.
- [228A. Special provisions as to disposal of questions relating to constitutional validity of State laws.—*Omitted.*]

**ARTICLES**

- 229. Officers and servants and the expenses of High Courts.
- 230. Extension of jurisdiction of High Courts to Union territories.
- 231. Establishment of a common High Court for two or more States.
- [232. Articles 230, 231 and 232 substituted by articles 230 and 231].  
CHAPTER VI.—SUBORDINATE COURTS
- 233. Appointment of district judges.
- 233A. Validation of appointments of, and judgments, etc., delivered by, certain district judges.
- 234. Recruitment of persons other than district judges to the judicial service.
- 235. Control over subordinate courts.
- 236. Interpretation.
- 237. Application of the provisions of this Chapter to certain class or classes of magistrates.

**[PART VII.—Omitted]**

THE STATES IN PART B OF THE FIRST SCHEDULE

[238. *Omitted.*]

**PART VIII**

THE UNION TERRITORIES

- 239. Administration of Union territories.
- 239A. Creation of local Legislatures or Council of Ministers or both for certain Union territories.
- 239AA. Special provisions with respect to Delhi.
- 239AB. Provision in case of failure of constitutional machinery.
- 239B. Power of administrator to promulgate Ordinances during recess of Legislature.
- 240. Power of President to make regulations for certain Union territories.
- 241. High Courts for Union territories.
- [242. Coorg.—*Omitted.*]

**PART IX**

THE PANCHAYATS

- 243. Definitions.

**ARTICLES**

- 243A. Gram Sabha.
- 243B. Constitution of Panchayats.
- 243C. Composition of Panchayats.
- 243D. Reservation of seats.
- 243E. Duration of Panchayats, etc.
- 243F. Disqualifications for membership.
- 243G. Powers, authority and responsibilities of Panchayats.
- 243H. Powers to impose taxes by, and Funds of, the Panchayats.
- 243-I. Constitution of Finance Commission to review financial position.
- 243J. Audit of accounts of Panchayats.
- 243K. Elections to the Panchayats.
- 243L. Application to Union territories.
- 243M. Part not to apply to certain areas.
- 243N. Continuance of existing laws and Panchayats.
- 243-O. Bar to interference by courts in electoral matters.

**PART IXA**

**THE MUNICIPALITIES**

- 243P. Definitions.
- 243Q. Constitution of Municipalities.
- 243R. Composition of Municipalities.
- 243S. Constitution and composition of Wards Committees, etc.
- 243T. Reservation of seats.
- 243U. Duration of Municipalities, etc.
- 243V. Disqualifications for membership.
- 243W. Powers, authority and responsibilities of Municipalities, etc.
- 243X. Power to impose taxes by, and Funds of, the Municipalities.
- 243Y. Finance Commission.

**ARTICLES**

- 243Z. Audit of accounts of Municipalities.
- 243ZA. Elections to the Municipalities.
- 243ZB. Application to Union territories.
- 243ZC. Part not to apply to certain areas.
- 243ZD. Committee for district planning.
- 243ZE. Committee for Metropolitan planning.
- 243ZF. Continuance of existing laws and Municipalities.
- 243ZG. Bar to interference by courts in electoral matters.

**PART IXB**

**THE CO-OPERATIVE SOCIETIES**

- 243ZH. Definitions.
- 243Z-I. Incorporation of co-operative societies.
- 243ZJ. Number and term of members of board and its office bearers.
- 243ZK. Election of members of board.
- 243ZL. Supersession and suspension of board and interim management.
- 243ZM. Audit of accounts of co-operative societies.
- 243ZN. Convening of general body meetings.
- 243Z-O. Right of a member to get information.
- 243ZP. Returns.
- 243ZQ. Offences and penalties.
- 243ZR. Application to multi-State co-operative societies.
- 243ZS. Application to Union territories.
- 243ZT. Continuance of existing laws.

**PART X**

**THE SCHEDULED AND TRIBAL AREAS**

- 244. Administration of Scheduled Areas and Tribal Areas.
- 244A. Formation of an autonomous State comprising certain tribal areas in Assam and creation of local Legislature or Council of Ministers or both therefor.

## ARTICLES

**PART XI****RELATIONS BETWEEN THE UNION AND THE  
STATES****CHAPTER I.—LEGISLATIVE RELATIONS***Distribution of Legislative Powers*

- 245. Extent of laws made by Parliament and by the Legislatures of States.
- 246. Subject-matter of laws made by Parliament and by the Legislatures of States.
- 246A. Special provision with respect to goods and services tax.
- 247. Power of Parliament to provide for the establishment of certain additional courts.
- 248. Residuary powers of legislation.
- 249. Power of Parliament to legislate with respect to a matter in the State List in the national interest.
- 250. Power of Parliament to legislate with respect to any matter in the State List if a Proclamation of Emergency is in operation.
- 251. Inconsistency between laws made by Parliament under articles 249 and 250 and laws made by the Legislatures of States.
- 252. Power of Parliament to legislate for two or more States by consent and adoption of such legislation by any other State.
- 253. Legislation for giving effect to international agreements.
- 254. Inconsistency between laws made by Parliament and laws made by the Legislatures of States.
- 255. Requirements as to recommendations and previous sanctions to be regarded as matters of procedure only.

**CHAPTER II.—ADMINISTRATIVE RELATIONS***General*

- 256. Obligation of States and the Union.
- 257. Control of the Union over States in certain cases.
- [257A. Assistance to States by deployment of armed forces or other forces of the Union.—*Omitted.*]
- 258. Power of the Union to confer powers, etc., on States in certain cases.

**ARTICLES**

- 258A. Power of the States to entrust functions to the Union.
- [259. Armed Forces in States in Part B of the First Schedule.—  
*Omitted.*]
260. Jurisdiction of the Union in relation to territories outside India.
261. Public acts, records and judicial proceedings.  
  
*Disputes relating to Waters*
262. Adjudication of disputes relating to waters of inter-State rivers or river valleys.  
  
*Co-ordination between States*
263. Provisions with respect to an inter-State Council.
- PART XII**
- FINANCE, PROPERTY, CONTRACTS AND SUITS
- CHAPTER I.—FINANCE
- General*
264. Interpretation.
265. Taxes not to be imposed save by authority of law.
266. Consolidated Funds and public accounts of India and of the States.
267. Contingency Fund.  
  
*Distribution of Revenues between the Union and the States*
268. Duties levied by the Union but collected and appropriated by the States.
- [268A. Service tax levied by Union and collected by the Union and the States.—*Omitted.*]
269. Taxes levied and collected by the Union but assigned to the States.
- 269A. Levy and collection of goods and services tax in course of inter-State trade or commerce.
270. Taxes levied and distributed between the Union and the States.
271. Surcharge on certain duties and taxes for purposes of the Union.
- [272. Taxes which are levied and collected by the Union and may be distributed between the Union and the States.—*Omitted.*]
273. Grants in lieu of export duty on jute and jute products.
274. Prior recommendation of President required to Bills affecting taxation in which States are interested.

**ARTICLES**

- 275. Grants from the Union to certain States.
- 276. Taxes on professions, trades, callings and employments.
- 277. Savings.
- [278. Agreement with States in Part B of the First Schedule with regard to certain financial matters.—*Omitted.*]
- 279. Calculation of “net proceeds”, etc.
- 279A. Goods and Services Tax Council.
- 280. Finance Commission.
- 281. Recommendations of the Finance Commission.

*Miscellaneous Financial Provisions*

- 282. Expenditure defrayable by the Union or a State out of its revenues.
- 283. Custody, etc., of Consolidated Funds, Contingency Funds and moneys credited to the public accounts.
- 284. Custody of suitors’ deposits and other moneys received by public servants and courts.
- 285. Exemption of property of the Union from State taxation.
- 286. Restrictions as to imposition of tax on the sale or purchase of goods.
- 287. Exemption from taxes on electricity.
- 288. Exemption from taxation by States in respect of water or electricity in certain cases.
- 289. Exemption of property and income of a State from Union taxation.
- 290. Adjustment in respect of certain expenses and pensions.
- 290A. Annual payment to certain Devaswom Funds.
- [291. Privy purse sums of Rulers.—*Omitted.*]

**CHAPTER II.—BORROWING**

- 292. Borrowing by the Government of India.
- 293. Borrowing by States.

**ARTICLES****CHAPTER III.— PROPERTY, CONTRACTS, RIGHTS, LIABILITIES,  
OBLIGATIONS AND SUITS**

- 294. Succession to property, assets, rights, liabilities and obligations in certain cases.
- 295. Succession to property, assets, rights, liabilities and obligations in other cases.
- 296. Property accruing by escheat or lapse or as *bona vacantia*.
- 297. Things of value within territorial waters or continental shelf and resources of the exclusive economic zone to vest in the Union.
- 298. Power to carry on trade, etc.
- 299. Contracts.
- 300. Suits and proceedings.

**CHAPTER IV.—RIGHT TO PROPERTY**

- 300A. Persons not to be deprived of property save by authority of law.

**PART XIII****TRADE, COMMERCE AND INTERCOURSE  
WITHIN THE TERRITORY OF INDIA**

- 301. Freedom of trade, commerce and intercourse.
- 302. Power of Parliament to impose restrictions on trade, commerce and intercourse.
- 303. Restrictions on the legislative powers of the Union and of the States with regard to trade and commerce.
- 304. Restrictions on trade, commerce and intercourse among States.
- 305. Saving of existing laws and laws providing for State monopolies.
- [306. Power of certain States in Part B of the First Schedule to impose restrictions on trade and commerce.—*Omitted*]
- 307. Appointment of authority for carrying out the purposes of articles 301 to 304.

**PART XIV****SERVICES UNDER THE UNION AND THE STATES****CHAPTER I.—SERVICES**

- 308. Interpretation.

**ARTICLES**

- 309. Recruitment and conditions of service of persons serving the Union or a State.
- 310. Tenure of office of persons serving the Union or a State.
- 311. Dismissal, removal or reduction in rank of persons employed in civil capacities under the Union or a State.
- 312. All-India services.
- 312A. Power of Parliament to vary or revoke conditions of service of officers of certain services.
- 313. Transitional provisions.
- [314. Provision for protection of existing officers of certain services.—*Omitted.*]

**CHAPTER II.—PUBLIC SERVICE COMMISSIONS**

- 315. Public Service Commissions for the Union and for the States.
- 316. Appointment and term of office of members.
- 317. Removal and suspension of a member of a Public Service Commission.
- 318. Power to make regulations as to conditions of service of members and staff of the Commission.
- 319. Prohibition as to the holding of offices by members of Commission on ceasing to be such members.
- 320. Functions of Public Service Commissions.
- 321. Power to extend functions of Public Service Commissions.
- 322. Expenses of Public Service Commissions.
- 323. Reports of Public Service Commissions.

**PART XIVA  
TRIBUNALS**

- 323A. Administrative tribunals.
- 323B. Tribunals for other matters.

## ARTICLES

**PART XV**  
ELECTIONS

- 324. Superintendence, direction and control of elections to be vested in an Election Commission.
- 325. No person to be ineligible for inclusion in, or to claim to be included in a special, electoral roll on grounds of religion, race, caste or sex.
- 326. Elections to the House of the People and to the Legislative Assemblies of States to be on the basis of adult suffrage.
- 327. Power of Parliament to make provision with respect to elections to Legislatures.
- 328. Power of Legislature of a State to make provision with respect to elections to such Legislature.
- 329. Bar to interference by courts in electoral matters.
- [329A. Special provision as to elections to Parliament in the case of Prime Minister and Speaker.—*Omitted.*]

**PART XVI**  
SPECIAL PROVISIONS RELATING TO CERTAIN CLASSES

- 330. Reservation of seats for Scheduled Castes and Scheduled Tribes in the House of the People.
- 330A. Reservation of seats for women in the House of the People.
- 331. Representation of the Anglo-Indian community in the House of the People.
- 332. Reservation of seats for Scheduled Castes and Scheduled Tribes in the Legislative Assemblies of the States.
- 332A. Reservation of seats for women in the Legislative Assemblies of the States.
- 333. Representation of the Anglo-Indian community in the Legislative Assemblies of the States.
- 334. Reservation of seats and special representation to cease after certain period.
- 334A. Reservation of seats for women take effect.
- 335. Claims of Scheduled Castes and Scheduled Tribes to services and posts.

**ARTICLES**

- 336. Special provision for Anglo-Indian community in certain services.
- 337. Special provision with respect to educational grants for the benefit of Anglo-Indian Community.
- 338. National Commission for Scheduled Castes.
- 338A. National Commission for Scheduled Tribes.
- 338B. National Commission for Backward Classes.
- 339. Control of the Union over the administration of Scheduled Areas and the welfare of Scheduled Tribes.
- 340. Appointment of a Commission to investigate the conditions of backward classes.
- 341. Scheduled Castes.
- 342. Scheduled Tribes.
- 342A. Socially and educationally backward classes.

**PART XVII**

**OFFICIAL LANGUAGE**

**CHAPTER I.—LANGUAGE OF THE UNION**

- 343. Official language of the Union.
- 344. Commission and Committee of Parliament on official language.

**CHAPTER II.—REGIONAL LANGUAGES**

- 345. Official language or languages of a State.
- 346. Official language for communication between one State and another or between a State and the Union.
- 347. Special provision relating to language spoken by a section of the population of a State.

**CHAPTER III.—LANGUAGE OF THE SUPREME COURT,  
HIGH COURTS, ETC.**

- 348. Language to be used in the Supreme Court and in the High Courts and for Acts, Bills, etc.
- 349. Special procedure for enactment of certain laws relating to language.

ARTICLES

CHAPTER IV.—SPECIAL DIRECTIVES

- 350. Language to be used in representations for redress of grievances.
- 350A. Facilities for instruction in mother-tongue at primary stage.
- 350B. Special Officer for linguistic minorities.
- 351. Directive for development of the Hindi language.

PART XVIII  
EMERGENCY PROVISIONS

- 352. Proclamation of Emergency.
- 353. Effect of Proclamation of Emergency.
- 354. Application of provisions relating to distribution of revenues while a Proclamation of Emergency is in operation.
- 355. Duty of the Union to protect States against external aggression and internal disturbance.
- 356. Provisions in case of failure of constitutional machinery in States.
- 357. Exercise of legislative powers under Proclamation issued under article 356.
- 358. Suspension of provisions of article 19 during emergencies.
- 359. Suspension of the enforcement of the rights conferred by Part III during emergencies.
- [359A. Application of this Part to the State of Punjab.—*Omitted.*]
- 360. Provisions as to financial emergency.

PART XIX  
MISCELLANEOUS

- 361. Protection of President and Governors and Rajpramukhs.
- 361A. Protection of publication of proceedings of Parliament and State Legislatures.
- 361B. Disqualification for appointment on remunerative political post.
- [362. Rights and privileges of Rulers of Indian States.—*Omitted.*]
- 363. Bar to interference by courts in disputes arising out of certain treaties, agreements, etc.
- 363A. Recognition granted to Rulers of Indian States to cease and privy purses to be abolished.

**ARTICLES**

- 364. Special provisions as to major ports and aerodromes.
- 365. Effect of failure to comply with, or to give effect to, directions given by the Union.
- 366. Definitions.
- 367. Interpretation.

**PART XX**

**AMENDMENT OF THE CONSTITUTION**

- 368. Power of Parliament to amend the Constitution and procedure therefor.

**PART XXI**

**TEMPORARY, TRANSITIONAL AND  
SPECIAL PROVISIONS**

- 369. Temporary power to Parliament to make laws with respect to certain matters in the State List as if they were matters in the Concurrent List.
- 370. Temporary provisions with respect to the State of Jammu and Kashmir.
- 371. Special provision with respect to the States of Maharashtra and Gujarat.
- 371A. Special provision with respect to the State of Nagaland.
- 371B. Special provision with respect to the State of Assam.
- 371C. Special provision with respect to the State of Manipur.
- 371D. Special provisions with respect to the State of Andhra Pradesh or the State of Telangana.
- 371E. Establishment of Central University in Andhra Pradesh.
- 371F. Special provisions with respect to the State of Sikkim.
- 371G. Special provision with respect to the State of Mizoram.
- 371H. Special provision with respect to the State of Arunachal Pradesh.
- 371-I. Special provision with respect to the State of Goa.
- 371J. Special provisions with respect to the State of Karnataka.
- 372. Continuance in force of existing laws and their adaptation.
- 372A. Power of the President to adapt laws.

**ARTICLES**

- 373. Power of President to make order in respect of persons under preventive detention in certain cases.
- 374. Provisions as to Judges of the Federal Court and proceedings pending in the Federal Court or before His Majesty in Council.
- 375. Courts, authorities and officers to continue to function subject to the provisions of the Constitution.
- 376. Provisions as to Judges of High Courts.
- 377. Provisions as to Comptroller and Auditor-General of India.
- 378. Provisions as to Public Service Commissions.
- 378A. Special provision as to duration of Andhra Pradesh Legislative Assembly.
- [379. Provisions as to provisional Parliament and the Speaker and Deputy Speaker thereof.—*Omitted.*]
- [380. Provision as to President.—*Omitted.*]
- [381. Council of Ministers of the President.—*Omitted.*]
- [382. Provisions as to provisional Legislatures for States in Part A of the First Schedule. —*Omitted.*]
- [383. Provision as to Governors of Provinces. —*Omitted.*]
- [384. Council of Ministers of the Governors.—*Omitted.*]
- [385. Provision as to provisional Legislatures in States in Part B of the First Schedule.—*Omitted.*]
- [386. Council of Ministers for States in Part B of the First Schedule.  
—*Omitted.*]
- [387. Special provision as to determination of population for the purposes of certain elections.—*Omitted.*]
- [388. Provisions as to the filling of casual vacancies in the provisional Parliament and provisional Legislatures of the States. —*Omitted.*]
- [389. Provision as to Bills pending in the Dominion Legislatures and in the Legislatures of Provinces and Indian States.—*Omitted.*]

**ARTICLES**

- [390. Money received or raised or expenditure incurred between the commencement of the Constitution and the 31st day of March, 1950. —*Omitted.*]
- [391. Power of the President to amend the First and Fourth Schedules in certain contingencies.—*Omitted.*]
- 392. Power of the President to remove difficulties.

**PART XXII**

SHORT TITLE, COMMENCEMENT,  
AUTHORITATIVE TEXT  
IN HINDI AND REPEALS

- 393. Short title.
- 394. Commencement.
- 394A. Authoritative text in the Hindi language.
- 395. Repeals.

**SCHEDULES**

**FIRST SCHEDULE**

- I. —The States.
- II. —The Union territories.

**SECOND SCHEDULE**

- PART A—Provisions as to the President and the Governors of States.
- PART B—[Omitted.]
- PART C—Provisions 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 and the Chairman and the Deputy Chairman of the Legislative Council of a State.
- PART D— Provisions as to the Judges of the Supreme Court and of the High Courts.
- PART E— Provisions as to the Comptroller and Auditor-General of India.

**THIRD SCHEDULE**— Forms of Oaths or Affirmations.

**ARTICLES**

**FOURTH SCHEDULE**—Allocation of seats in the Council of States.

**FIFTH SCHEDULE**—

Provisions as to the Administration and Control of Scheduled Areas and Scheduled Tribes

PART A—General.

PART B—Administration and Control of Scheduled Areas and Scheduled Tribes.

PART C— Scheduled Areas.

PART D—Amendment of the Schedule.

**SIXTH SCHEDEULE**—

Provisions as to the Administration of Tribal Areas in the States of Assam, Meghalaya, Tripura and Mizoram.

**SEVENTH SCHEDEULE**—

List I— Union List.

List II— State List.

List III— Concurrent List.

**EIGHTH SCHEDEULE**— Languages.

**NINTH SCHEDEULE**—Validation of certain Acts and Regulations.

**TENTH SCHEDEULE**— Provisions as to disqualification on ground of defection.

**ELEVENTH SCHEDEULE**—Powers, authority and responsibilities of Panchayats.

**TWELFTH SCHEDEULE**—Powers, authority and responsibilities of Municipalities, etc.

**APPENDICES**

**APPENDIX I.**—The Constitution (One Hundredth Amendment) Act, 2015.

**APPENDIX II.**—The Constitution (Application to Jammu and Kashmir) Order, 2019.

**APPENDIX III.**— Declaration under article 370(3) of the Constitution.

# **THE CONSTITUTION OF INDIA**

## **PREAMBLE**

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a <sup>1</sup>[SOVEREIGN SOCIALIST SECULAR 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 <sup>2</sup>[unity and integrity of the Nation];

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

- 
1. Subs. by the Constitution (Forty-second Amendment) Act, 1976, s.2, for "SOVEREIGN DEMOCRATIC REPUBLIC" (w.e.f. 3-1-1977).
  2. Subs. by s. 2, *ibid.*, for "Unity of the Nation" (w.e.f. 3-1-1977).

## PART I

### THE UNION AND ITS TERRITORY

**1. Name and territory of the Union.**—(1) India, that is Bharat, shall be a Union of States.

<sup>1</sup>[(2) The States and the territories thereof shall be as specified in the First Schedule.]

(3) The territory of India shall comprise—

(a) the territories of the States;

<sup>2</sup>[(b) the Union territories specified in the First Schedule; and]

(c) such other territories as may be acquired.

**2. Admission or establishment of new States.**—Parliament may by law admit into the Union, or establish, new States on such terms and conditions as it thinks fit.

<sup>3</sup>[**2A.** [*Sikkim to be associated with the Union.*].—Omitted by the Constitution (Thirty-sixth Amendment) Act, 1975, s. 5 (w.e.f. 26-4-1975).]

**3. Formation of new States and alteration of areas, boundaries or names of existing States.**—Parliament may by law—

(a) form a new State by separation of territory from any State or by uniting two or more States or parts of States or by uniting any territory to a part of any State;

(b) increase the area of any State;

(c) diminish the area of any State;

(d) alter the boundaries of any State;

(e) alter the name of any State:

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1. Subs. by the Constitution (Seventh Amendment) Act, 1956, s. 2, for cl. (2) (w.e.f. 1-11-1956).

2. Subs. by s. 2 *ibid.* for sub-clause (b) (w.e.f. 1-11-1956).

3. Ins. by the Constitution (Thirty-fifth Amendment) Act, 1974, s. 2 (w.e.f. 1-3-1975).

## THE CONSTITUTION OF INDIA

(Part I.—Union and its territory)

<sup>1</sup>[Provided that no Bill for the purpose shall be introduced in either House of Parliament except on the recommendation of the President and unless, where the proposal contained in the Bill affects the area, boundaries or name of any of the States <sup>2\*\*\*</sup>, the Bill has been referred by the President to the Legislature of that State for expressing its views thereon within such period as may be specified in the reference or within such further period as the President may allow and the period so specified or allowed has expired.]

<sup>3</sup>[*Explanation I.*—In this article, in clauses (a) to (e), “State” includes a Union territory, but in the proviso, “State” does not include a Union territory.]

*Explanation II.*—The power conferred on Parliament by clause (a) includes the power to form a new State or Union territory by uniting a part of any State or Union territory to any other State or Union territory.]

**4. Laws made under articles 2 and 3 to provide for the amendment of the First and the Fourth Schedules and supplemental, incidental and consequential matters.—**(1) Any law referred to in article 2 or article 3 shall contain such provisions for the amendment of the First Schedule and the Fourth Schedule as may be necessary to give effect to the provisions of the law and may also contain such supplemental, incidental and consequential provisions (including provisions as to representation in Parliament and in the Legislature or Legislatures of the State or States affected by such law) as Parliament may deem necessary.

(2) No such law as aforesaid shall be deemed to be an amendment of this Constitution for the purposes of article 368.

- 
1. Subs. by the Constitution (Fifth Amendment) Act, 1955, s. 2, for the proviso (w.e.f. 24-12-1955).
  2. The words and letters "specified in Part A or Part B of the First Schedule" omitted by the Constitution (Seventh Amendment) Act, 1956, s. 29 and Sch. (w.e.f. 1-11-1956).
  3. Ins. by the Constitution (Eighteenth Amendment) Act, 1966, s. 2 (w.e.f. 27-8-1966).

## PART II

### CITIZENSHIP

**5. Citizenship at the commencement of the Constitution.**—At the commencement of this 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.

**6. Rights of citizenship of certain persons who have migrated to India from Pakistan.**—Notwithstanding anything in article 5, a person who has migrated to the territory of India from the territory now included in Pakistan shall be deemed to be a citizen of India at the commencement of this Constitution if—

- (a) he or either of his parents or any of his grand-parents was born in India as defined in the Government of India Act, 1935 (as originally enacted); and

- (b)(i) 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

- (ii) 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 therefor to such officer before 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.

**7. Rights of citizenship of certain migrants to Pakistan.**—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:

**THE CONSTITUTION OF INDIA**

(Part II.—Citizenship)

Provided that nothing in this article shall apply to a person who, after having so migrated to the territory now included in Pakistan, has returned to the territory of India under a permit for resettlement or permanent return issued by or under the authority of any law and 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, 1948.

**8. Rights of citizenship of certain persons of Indian origin residing outside India.**—Notwithstanding anything in article 5, any person who or either of whose parents or any of whose grand-parents was born in India as defined in the Government of India Act, 1935 (as originally enacted), and who is ordinarily residing 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 therefor to such diplomatic or consular representative, whether before or after the commencement of this Constitution, in the form and manner prescribed by the Government of the Dominion of India or the Government of India.

**9. Persons voluntarily acquiring citizenship of a foreign State not to be citizens.**—No person shall be a citizen of India by virtue of article 5, or be deemed to be a citizen of India by virtue of article 6 or article 8, if he has voluntarily acquired the citizenship of any foreign State.

**10. Continuance of the rights of citizenship.**—Every person who is or is deemed to be a citizen of India under any of the foregoing provisions of this Part shall, subject to the provisions of any law that may be made by Parliament, continue to be such citizen.

**11. Parliament to regulate the right of citizenship by law.**—Nothing in the foregoing provisions of this Part shall derogate from 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. Definition.**—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. Laws inconsistent with or in derogation of the fundamental rights.**—(1) 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.

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

(3) In this article, unless the context otherwise requires,—

(a) “law” includes any Ordinance, order, bye-law, rule, regulation, notification, custom or usage having in the territory of India the force of law;

(b) “laws in force” includes laws 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 any such law or any part thereof may not be then in operation either at all or in particular areas.

<sup>1</sup>[(4) Nothing in this article shall apply to any amendment of this Constitution made under article 368.]

*Right to Equality*

**14. Equality before law.**—The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.

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

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

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1. Ins. by the Constitution (Twenty-fourth Amendment) Act, 1971, s. 2 (w.e.f. 5-11-1971).

## THE CONSTITUTION OF INDIA

### (Part III.—Fundamental Rights)

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

(b) the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of the general public.

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

<sup>1</sup>[(4) Nothing in this article or in clause (2) of article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes.]

<sup>2</sup>[(5) Nothing in this article or in sub-clause (g) of clause (1) of article 19 shall prevent the State from making any special provision, by law, for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes or the Scheduled Tribes in so far as such special provisions relate to their admission to educational institutions including private educational institutions, whether aided or unaided by the State, other than the minority educational institutions referred to in clause (1) of article 30.]

<sup>3</sup>[(6) Nothing in this article or sub-clause (g) of clause (1) of article 19 or clause (2) of article 29 shall prevent the State from making,—

(a) any special provision for the advancement of any economically weaker sections of citizens other than the classes mentioned in clauses (4) and (5); and

(b) any special provision for the advancement of any economically weaker sections of citizens other than the classes mentioned in clauses (4) and (5) in so far as such special provisions relate to their admission to educational institutions including private educational institutions, whether aided or unaided by the State, other than the minority educational institutions referred to in clause (1) of article 30, which in the case of reservation would be in addition to the existing reservations and subject to a maximum of ten per cent. of the total seats in each category.

1. Added by the Constitution (First Amendment) Act, 1951, s. 2 (w.e.f. 18-6-1951).

2. Ins. by the Constitution (Ninety-third Amendment) Act, 2005, s. 2 (w.e.f. 20-1-2006).

3. Ins. by the Constitution (One Hundred and Third Amendment) Act, 2019, s. 2 (w.e.f. 14-1-2019).

## THE CONSTITUTION OF INDIA

### (Part III.—Fundamental Rights)

*Explanation.*—For the purposes of this article and article 16, "economically weaker sections" shall be such as may be notified by the State from time to time on the basis of family income and other indicators of economic disadvantage.]

**16. Equality of opportunity in matters of public employment.**—(1) There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.

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

(3) Nothing in this article shall prevent Parliament from making any law prescribing, in regard to a class or classes of employment or appointment to an office<sup>1</sup>[under the Government of, or any local or other authority within, a State or Union territory, any requirement as to residence within that State or Union territory] prior to such employment or appointment.

(4) Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State.

<sup>2</sup>[(4A) Nothing in this article shall prevent the State from making any provision for reservation<sup>3</sup>[in matters of promotion, with consequential seniority, to any class] or classes of posts in the services under the State in favour of the Scheduled Castes and the Scheduled Tribes which, in the opinion of the State, are not adequately represented in the services under the State.]

<sup>4</sup>[(4B) Nothing in this article shall prevent the State from considering any unfilled vacancies of a year which are reserved for being filled up in that year in accordance with any provision for reservation made under clause (4) or clause (4A) as a separate class of vacancies to be filled up in any succeeding year or years and such class of vacancies shall not be considered together with the vacancies of the year in which they are being filled up for determining the ceiling of fifty per cent. reservation on total number of vacancies of that year.]

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1. Subs. by the Constitution (Seventh Amendment) Act, 1956, s. 29 and Sch., for "under any State specified in the First Schedule or any local or other authority within its territory, any requirement as to residence within that State" (w.e.f. 1-11-1956).
  2. Ins. by the Constitution (Seventy-seventh Amendment) Act, 1995, s. 2 (w.e.f. 17-6-1995).
  3. Subs. by the Constitution (Eighty-fifth Amendment) Act, 2001, s. 2, for certain words (retrospectively) (w.e.f. 17-6-1995).
  4. Ins. by the Constitution (Eighty-first Amendment) Act, 2000, s. 2 (w.e.f. 9-6-2000).

## THE CONSTITUTION OF INDIA

### (Part III.—Fundamental Rights)

(5) 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.

<sup>1</sup>[(6) Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any economically weaker sections of citizens other than the classes mentioned in clause (4), in addition to the existing reservation and subject to a maximum of ten per cent. of the posts in each category.]

**17. Abolition of Untouchability.**—“Untouchability” is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of “Untouchability” shall be an offence punishable in accordance with law.

**18. Abolition of titles.**—(1) No title, not being a military or academic distinction, shall be conferred by the State.

(2) No citizen of India shall accept any title from any foreign State.

(3) No person who is not a citizen of India shall, while he holds any office of profit or trust under the State, accept without the consent of the President any title from any foreign State.

(4) 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*

**19. Protection of certain rights regarding freedom of speech, etc.—**

(1) All citizens shall have the right—

- (a) to freedom of speech and expression;
- (b) to assemble peaceably and without arms;
- (c) to form associations or unions <sup>2</sup>[or co-operative societies];
- (d) to move freely throughout the territory of India;

1. Ins. by the Constitution (One Hundred and Third Amendment) Act, 2019, s. 3 (w.e.f. 14-1-2019).

2. Ins. by the Constitution (Ninety-seventh Amendment) Act, 2011, s. 2 (w.e.f. 8-2-2012).

**THE CONSTITUTION OF INDIA**

## (Part III.—Fundamental Rights)

(e) to reside and settle in any part of the territory of India; <sup>1</sup>[and]

<sup>2</sup>[(f)\* \* \* \* \*]

(g) to practise any profession, or to carry on any occupation, trade or business.

<sup>3</sup>[(2) Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interests of <sup>4</sup>[the sovereignty and integrity of India], the security of the State, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence.]

(3) Nothing in sub-clause (b) of the said clause shall affect the operation of any existing law in so far as it imposes, or prevent the State from making any law imposing, in the interests of <sup>4</sup>[the sovereignty and integrity of India or] public order, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(4) Nothing in sub-clause (c) of the said clause shall affect the operation of any existing law in so far as it imposes, or prevent the State from making any law imposing, in the interests of <sup>4</sup>[the sovereignty and integrity of India or] public order or morality, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

(5) Nothing in <sup>5</sup>[sub-clauses (d) and (e)] of the said clause shall affect the operation of any existing law in so far as it imposes, or prevent the State from making any law imposing, reasonable restrictions on the exercise of any of the rights conferred by the said sub-clauses either in the interests of the general public or for the protection of the interests of any Scheduled Tribe.

1. Ins. by the Constitution (Forty-fourth Amendment) Act, 1978, s. 2 (w.e.f. 20-6-1979).

2. Sub-clause (f) omitted by s.2, *ibid.* (w.e.f. 20-6-1979).

3. Subs. by the Constitution (First Amendment) Act, 1951, s. 3, for cl. (2) (with retrospective effect).

4. Ins. by the Constitution (Sixteenth Amendment) Act, 1963, s. 2 (w.e.f. 5-10-1963).

5. Subs. by the Constitution (Forty-fourth Amendment) Act, 1978, s. 2, for "sub-clauses (d), (e) and (f)" (w.e.f. 20-6-1979).

**THE CONSTITUTION OF INDIA**

## (Part III.—Fundamental Rights)

(6) Nothing in sub-clause (g) of the said clause shall affect the operation of any existing law in so far as it imposes, or prevent the State from making any law imposing, in the interests of the general public, reasonable restrictions on the exercise of the right conferred by the said sub-clause, and, in particular,  
<sup>1</sup>[nothing in the said sub-clause shall affect the operation of any existing law in so far as it relates to, or prevent the State from making any law relating to,—

(i) the professional or technical qualifications necessary for practising any profession or carrying on any occupation, trade or business; or

(ii) the carrying on by the State, or by a corporation owned or controlled by the State, of any trade, business, industry or service, whether to the exclusion, complete or partial, of citizens or otherwise.]

**20. Protection in respect of conviction for offences.**—(1) No person shall be convicted of any offence except for violation of a law in force at the time of the commission of the Act charged as an offence, nor be subjected to a penalty greater than that which might have been inflicted under the law in force at the time of the commission of the offence.

(2) No person shall be prosecuted and punished for the same offence more than once.

(3) No person accused of any offence shall be compelled to be a witness against himself.

**21. Protection of life and personal liberty.**—No person shall be deprived of his life or personal liberty except according to procedure established by law.

**<sup>2</sup>[21A. Right to education.]**—The State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine.]

**22. Protection against arrest and detention in certain cases.**—(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.

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1. Subs. by the Constitution (First Amendment) Act, 1951, s. 3, for certain words (w.e.f. 18-6-1951).

2 Ins. by the Constitution (Eighty-sixth Amendment) Act, 2002, s. 2 (w.e.f. 1-4-2010).

**THE CONSTITUTION OF INDIA**

## (Part III.—Fundamental Rights)

(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; or

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

<sup>\*</sup>(4) No law providing for preventive detention shall authorise the detention of a person for a longer period than three months unless—

(a) an Advisory Board consisting of persons who are, or have been, or are qualified to be appointed as, Judges 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:

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<sup>\*</sup> Cl. (4) shall stand substituted by the Constitution (Forty-fourth Amendment) Act, 1978, s. 3 (date yet to be notified) as—

"(4) No law providing for preventive detention shall authorise the detention of a person for a longer period than two months unless an Advisory Board constituted in accordance with the recommendations of the Chief Justice of the appropriate High Court has reported before the expiration of the said period of two months that there is in its opinion sufficient cause for such detention:

Provided that an Advisory Board shall consist of a Chairman and not less than two other members, and the Chairman shall be a serving Judge of the appropriate High Court and the other members shall be serving or retired Judges of any High Court :

Provided further that nothing in this clause shall authorise the detention of any person beyond the maximum period prescribed by any law made by Parliament under sub-clause (a) of clause (7).

*Explanation.*—In this clause, "appropriate High Court" means,—

(i) in the case of the detention of a person in pursuance of an order of detention made by the Government of India or an officer or authority subordinate to that Government, the High Court for the Union territory of Delhi;

(ii) in the case of the detention of a person in pursuance of an order of detention made by the Government of any State (other than a Union territory), the High Court for that State; and

(iii) in the case of the detention of a person in pursuance of an order of detention made by the administrator of a Union territory or an officer or authority subordinate to such administrator, such High Court as may be specified by or under any law made by Parliament in this behalf".

**THE CONSTITUTION OF INDIA**

## (Part III.—Fundamental Rights)

Provided that nothing in this sub-clause shall authorise the detention of any person beyond the maximum period prescribed by any law made by Parliament under sub-clause (b) 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).

(5) When any person is detained in pursuance of an order made under any law providing for preventive detention, the authority making the order shall, as soon as may be, communicate to such person the grounds on which the order has been made and shall afford him the earliest opportunity of making a representation against the order.

(6) Nothing in clause (5) shall require the authority making any such order as is referred to in that clause to disclose facts which such authority considers to be against the public interest to disclose.

(7) Parliament may by law prescribe—

\*(a) the circumstances under which, and the class or classes of cases in which, a person may be detained for a period longer than three months under any law providing for preventive detention without obtaining the opinion of an Advisory Board in accordance with the provisions of sub-clause (a) of clause (4);

\*\*(b) the maximum period for which any person may in any class or classes of cases be detained under any law providing for preventive detention; and

\*\*\*(c) the procedure to be followed by an Advisory Board in an inquiry under \*\*\*\*sub-clause (a) of clause (4).

\* Sub-clause (a) shall stand omitted by the Constitution (Forty-fourth Amendment) Act, 1978, s. 3(b)(i) (date to be notified).

\*\* Sub-clause (b) shall stand re-lettered as sub-clause (a) by s. 3(b)(ii), *ibid.* (date to be notified).

\*\*\* Sub-clause (c) shall stand re-lettered as sub-clause (b) by s. 3(b)(iii), *ibid.* (date to be notified).

\*\*\*\* Sub-clause (a) of clause (4) shall stand substituted as "clause (4)" by s. 3(b)(iii), *ibid.* (date to be notified).

**THE CONSTITUTION OF INDIA**

(Part III.—Fundamental Rights)

*Right against Exploitation***23. Prohibition of traffic in human beings and forced labour.**—(1)

Traffic in human beings and *begar* and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law.

(2) Nothing in this article shall prevent the State from imposing compulsory service for public purposes, and in imposing such service the State shall not make any discrimination on grounds only of religion, race, caste or class or any of them.

**24. Prohibition of employment of children in factories, etc.**—No child below the age of fourteen years shall be employed to work in any factory or mine or engaged in any other hazardous employment.

*Right to Freedom of Religion*

**25. Freedom of conscience and free profession, practice and propagation of religion.**—(1) Subject to public order, morality and health and to the other provisions of this Part, all persons are equally entitled to freedom of conscience and the right freely to profess, practice and propagate religion.

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

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

(b) providing for social welfare and reform or the throwing open of Hindu religious institutions of a public character to all classes and sections of Hindus.

*Explanation I.*—The wearing and carrying of *kirpans* shall be deemed to be included in the profession of the Sikh religion.

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

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

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

**THE CONSTITUTION OF INDIA**

## (Part III.—Fundamental Rights)

- (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. Freedom as to payment of taxes for promotion of any particular religion.**—No person shall be compelled to pay any taxes, the proceeds of which are specifically appropriated in payment of expenses for the promotion or maintenance of any particular religion or religious denomination.

**28. Freedom as to attendance at religious instruction or religious worship in certain educational institutions.**—(1) No religious instruction shall be provided in any educational institution wholly maintained out of State funds.

(2) Nothing in clause (1) 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.

(3) No person attending any educational institution recognised 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 institution or to attend any religious worship that may be conducted in such institution or in any premises attached thereto unless such person or, if such person is a minor, his guardian has given his consent thereto.

*Cultural and Educational Rights*

**29. Protection of interests of minorities.**—(1) Any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same.

(2) No citizen shall be denied admission into any educational institution maintained by the State or receiving aid out of State funds on grounds only of religion, race, caste, language or any of them.

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

## THE CONSTITUTION OF INDIA

### (Part III.—Fundamental Rights)

<sup>1</sup>[(1A) In making any law providing for the compulsory acquisition of any property of an educational institution established and administered by a minority, referred to in clause (1), the State shall ensure that the amount fixed by or determined under such law for the acquisition of such property is such as would not restrict or abrogate the right guaranteed under that clause.]

(2) 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.

2\* \* \* \*

**31. [Compulsory acquisition of property].—Omitted by the Constitution (Forty-fourth Amendment) Act, 1978, s. 6 (w.e.f. 20-6-1979).**

<sup>3</sup>[Saving of Certain Laws]

**<sup>4</sup>[31A. Saving of laws providing for acquisition of estates, etc.—**

<sup>5</sup>[(1) Notwithstanding anything contained in article 13, no law providing for—

(a) the acquisition by the State of any estate or of any rights therein or the extinguishment or modification of any such rights; or

(b) the taking over of the management of any property by the State for a limited period either in the public interest or in order to secure the proper management of the property; or

(c) the amalgamation of two or more corporations either in the public interest or in order to secure the proper management of any of the corporations; or

(d) the extinguishment or modification of any rights of managing agents, secretaries and treasurers, managing directors, directors or managers of corporations, or of any voting rights of shareholders thereof; or

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1. Ins. by the Constitution (Forty-fourth Amendment) Act, 1978, s. 4 (w.e.f. 20-6-1979).

2. Sub-heading "Right to Property" omitted by s. 5, *ibid.* (w.e.f. 20-6-1979).

3. Ins. by the Constitution (Forty-second Amendment) Act, 1976, s. 3 (w.e.f. 3-1-1977).

4. Ins. by the Constitution (First Amendment) Act, 1951, s. 4, (with retrospective effect).

5. Subs. by the Constitution (Fourth Amendment) Act, 1955, s. 3, for cl. (1) (with retrospective effect).

## THE CONSTITUTION OF INDIA

### (Part III.—Fundamental Rights)

(e) the extinguishment or modification of any rights accruing by virtue of any agreement, lease or licence for the purpose of searching for, or winning, any mineral or mineral oil, or the premature termination or cancellation of any such agreement, lease or licence,

shall be deemed to be void on the ground that it is inconsistent with, or takes away or abridges any of the rights conferred by<sup>1</sup>[article 14 or article 19]:

Provided that where such law is a law made by the Legislature of a State, the provisions of this article shall not apply thereto unless such law, having been reserved for the consideration of the President, has received his assent:]

<sup>2</sup>[Provided further that where any law makes any provision for the acquisition by the State of any estate and where any land comprised therein is held by a person under his personal cultivation, it shall not be lawful for the State to acquire any portion of such land as is within the ceiling limit applicable to him under any law for the time being in force or any building or structure standing thereon or appurtenant thereto, unless the law relating to the acquisition of such land, building or structure, provides for payment of compensation at a rate which shall not be less than the market value thereof.]

(2) In this article,—

<sup>3</sup>[(a) the expression “estate” shall, in relation to any local area, have the same meaning as that expression or its local equivalent has in the existing law relating to land tenures in force in that area and shall also include—

(i) any *jagir*, *inam* or *muafī* or other similar grant and in the States of<sup>4</sup>[Tamil Nadu] and Kerala, any *janmam* right;

(ii) any land held under ryotwari settlement;

(iii) any land held or let for purposes of agriculture or for purposes ancillary thereto, including waste land, forest land, land for pasture or sites of buildings and other structures occupied by cultivators of land, agricultural labourers and village artisans;]

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1. Subs. by the Constitution (Forty-fourth Amendment) Act, 1978, s. 7, for "article 14, article 19 or article 31" (w.e.f. 20-6-1979).

2. Ins. by the Constitution (Seventeenth Amendment) Act, 1964, s. 2(i) (w.e.f. 20-6-1964).

3. Subs. by s.2(ii), *ibid.*, for sub-clause (a) (with retrospective effect).

4. Subs. by the Madras State (Alteration of Name) Act, 1968 (53 of 1968), s. 4, for "Madras" (w.e.f. 14-1-1969).

## THE CONSTITUTION OF INDIA

### (Part III.—Fundamental Rights)

(b) the expression “rights”, in relation to an estate, shall include any rights vesting in a proprietor, sub-proprietor, under-proprietor, tenure-holder, <sup>1</sup>[*raiyat, under-raiyat*] or other intermediary and any rights or privileges in respect of land revenue.]

**<sup>2</sup>[31B. Validation of certain Acts and Regulations.]**—Without prejudice to the generality of the provisions contained in article 31A, none of the Acts and Regulations specified in the Ninth Schedule nor any of the provisions thereof shall be deemed to be void, or ever to have become void, on the ground that such Act, Regulation or provision is inconsistent with, or takes away or abridges any of the rights conferred by, any provisions of this Part, and notwithstanding any judgment, decree or order of any court or Tribunal to the contrary, each of the said Acts and Regulations shall, subject to the power of any competent Legislature to repeal or amend it, continue in force.]

**<sup>3</sup>[31C. Saving of laws giving effect to certain directive principles.]**—Notwithstanding anything contained in article 13, no law giving effect to the policy of the State towards securing <sup>4</sup>[all or any of the principles laid down in Part IV] shall be deemed to be void on the ground that it is inconsistent with, or takes away or abridges any of the rights conferred by <sup>5</sup>[article 14 or article 19;] <sup>6</sup>[and no law containing a declaration that it is for giving effect to such policy shall be called in question in any court on the ground that it does not give effect to such policy]:

Provided that where such law is made by the Legislature of a State, the provisions of this article shall not apply thereto unless such law, having been reserved for the consideration of the President, has received his assent.]

**<sup>7</sup>31D. [Saving of laws in respect of anti-national activities].**—Omitted by the Constitution (Forty-third Amendment) Act, 1977, s. 2 (w.e.f. 13-4-1978).

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1. Ins. by the Constitution (Fourth Amendment) Act, 1955, s. 3 (with retrospective effect).
  2. Ins. by the Constitution (First Amendment) Act, 1951, s. 5 (w.e.f. 18-6-1951).
  3. Ins. by the Constitution (Twenty-fifth Amendment) Act, 1971, s. 3 (w.e.f. 20-4-1972).
  4. Subs. by the Constitution (Forty-second Amendment) Act, 1976, s. 4, for “the principles specified in clause (b) or clause (c) of article 39” (w.e.f. 3-1-1977). Section 4 has been declared invalid by the Supreme Court in *Minerva Mills Ltd. and Others Vs Union of India and Others*, AIR 1980 SC 1789.
  5. Subs. by the Constitution (Forty-fourth Amendment) Act, 1978, s. 8, for “article 14, article 19 or article 31” (w.e.f. 20-6-1979).
  6. The words in italics struck down by the Supreme Court in *Kesavananda Bharati vs. State of Kerala*, AIR 1973, SC 1461.
  7. Ins. by the Constitution (Forty-second Amendment) Act, 1976, s. 5 (w.e.f. 03-01-1977).

## THE CONSTITUTION OF INDIA

### (Part III.—Fundamental Rights)

#### *Right to Constitutional Remedies*

**32. Remedies for enforcement of rights conferred by this Part.**—(1) The right to move the Supreme Court by appropriate proceedings for the enforcement of the rights conferred by this Part is guaranteed.

(2) 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*, whichever may be appropriate, for the enforcement of any of the rights conferred by this Part.

(3) Without prejudice to the powers conferred on the Supreme Court by clauses (1) and (2), Parliament may by law empower any other court to exercise within the local limits of its jurisdiction all or any of the powers exercisable by the Supreme Court under clause (2).

(4) The right guaranteed by this article shall not be suspended except as otherwise provided for by this Constitution.

**<sup>1</sup>32A. [Constitutional validity of State laws not to be considered in proceedings under article 32].**—Omitted by the Constitution (Forty-third Amendment) Act, 1977, s. 3 (w.e.f. 13-4-1978).

**<sup>2</sup>33. Power of Parliament to modify the rights conferred by this Part in their application to Forces, etc.**—Parliament may, by law, determine to what extent any of the rights conferred by this Part shall, in their application to,—

(a) the members of the Armed Forces; or

(b) the members of the Forces charged with the maintenance of public order; or

(c) persons employed in any bureau or other organisation established by the State for purposes of intelligence or counter intelligence; or

(d) person employed in, or in connection with, the telecommunication systems set up for the purposes of any Force, bureau or organisation referred to in clauses (a) to (c),

be restricted or abrogated so as to ensure the proper discharge of their duties and the maintenance of discipline among them.]

1. Ins. by the Constitution (Forty-second Amendment) Act, 1976, s. 6 (w.e.f. 1-2-1977).

2. Subs. by the Constitution (Fiftieth Amendment) Act, 1984, s. 2, for art. 33 (w.e.f. 11-9-1984).