

THE CONSTITUTION (THIRTY-FOURTH AMENDMENT) ACT, 1974

India

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Act 34 of 1974

- Published in Gazette of India on 29 April 1974
- Commenced on 7 September 1974
- [This is the version of this document from 29 April 1974.]
- [Note: The original publication document is not available and this content could not be verified.]

Statement of Objects and Reasons appended to the Constitution (Thirty-fourth Amendment) Bill, 1974 which was enacted as the Constitution (Thirty-fourth Amendment) Act, 1974
STATEMENT OF OBJECTS AND REASONS
The Chief Ministers' Conference held on the 23rd July, 1972, had made important suggestions with regard to reduction in the level of ceiling on land holdings, application of ceiling on the basis of land held by a family and the withdrawing of exemptions. The suggestions of the Chief Ministers' Conference were accepted by the Government of India and necessary guidelines were issued to the State Governments for the revision of ceiling laws.

2. It is proposed to amend the Ninth Schedule to the Constitution to include therein the revised ceiling laws which have so far been enacted in broad conformity with the aforesaid guidelines so that they may have the protection under article 31B of the Constitution and any uncertainty or doubt that may arise in regard to the validity of those laws is removed. In addition, two Acts dealing with the abolition of intermediary tenures are also proposed to be included in the Ninth Schedule, namely, the Bihar Land Reforms (Amendment) Act, 1972 and the Gudalur Janmam Estates (Abolition and Conversion into Ryotwari) Act, 1969, so that they may also have the same protection.

3. The Bill seeks to achieve this object.

An Act further to amend the Constitution of India. BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:-

1. Short title.-

This Act may be called the Constitution (Thirty-fourth Amendment)) Act, 1974.

2. Amendment of Ninth Schedule.-

In the Ninth Schedule to the Constitution, after entry 66 and before the Explanation, the following entries shall be inserted, namely:-

67. The Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 (Andhra Pradesh Act 1 of 1973).

68. The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) (Amendment) Act, 1972 (Bihar Act I of 1973).

69. The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) (Amendment) Act, 1973 (Bihar Act IX of 1973).

70. The Bihar Land Reforms (Amendment) Act, 1972 (Bihar Act V of 1972).

71. The Gujarat Agricultural Lands Ceiling (Amendment) Act, 1972 (Gujarat Act 2 of 1974).

72. The Haryana Ceiling on Land Holdings Act, 1972 (Haryana Act 26 of 1972).

73. The Himachal Pradesh Ceiling on Land Holdings Act, 1972 (Himachal Pradesh Act 19 of 1973).

74. The Kerala Land Reforms (Amendment) Act, 1972 (Kerala Act 17 of 1972).

75. The Madhya Pradesh Ceiling on Agricultural Holdings (Amendment) Act, 1972 (Madhya Pradesh Act 12 of 1974),

76. The Madhya Pradesh Ceiling on Agricultural Holdings (Second Amendment) Act, 1972 (Madhya Pradesh Act 13 of 1974).

77. The Mysore Land Reforms (Amendment) Act, 1973 (Karnataka Act 1 of 1974).

- 78. The Punjab Land Reforms Act, 1972 (Punjab Act 10 of 1973).**
- 79. The Rajasthan Imposition of Ceiling on Agricultural Holdings Act, 1973 (Rajasthan Act 11 of 1973).**
- 80. The Gudalur Janmam Estates (Abolition and Conversion into Ryotwari) Act, 1969 (Tamil Nadu Act 24 of 1969).**
- 81. The West Bengal Land Reforms (Amendment) Act, 1972 (West Bengal Act XII of 1972).**
- 82. The West Bengal Estates Acquisition (Amendment) Act, 1964 (West Bengal Act XXII of 1964).**
- 83. The West Bengal Estates Acquisition (Second Amendment) Act, 1973 (West Bengal Act XXXIII of 1973).**
- 84. The Bombay Tenancy and Agricultural Lands (Gujarat Amendment) Act, 1972 (Gujarat Act 5 of 1973).**
- 85. The Orissa Land Reforms (Amendment) Act, 1974 (Orissa Act 9 of 1974).**
- 86. The Tripura Land Revenue and Land Reforms (Second Amendment) Act, 1974 (Tripura Act 7 of 1974).".**

[The Constitution (Thirty-Fourth Amendment) Act, 1974, remains an important milestone in the evolution of Indian democracy. The amendment brought about significant changes to the constitutional framework of the country, particularly with respect to the powers of the Parliament to amend the Constitution and the rights of the citizens. These proposals were about the removal of exemptions, the reduction of the maximum on land holdings, and the application of a ceiling based on the amount of land owned by a family. The Amendment added 20 more state laws (New entries 67 to 86) dealing with land reforms and ceilings to the Ninth Schedule in order to make it clear that these laws cannot be challenged on the grounds that they conflict with any sections of Part III of the Constitution's Fundamental Rights clause. Also Refer]