

[The Honourable Dr. B. R. Ambedkar]

Provided that the President may at any time after the expiration of five years from such commencement terminate or modify any such agreement if after consideration of the report of the Finance Commission constituted under article 260 of this Constitution he thinks it necessary to do so.

‘274 DDD. Nothing in articles 274 A and 274 C of this Constitution shall affect the provisions of any existing law except in so far as the President may by order otherwise provide.’ ”
Effect of article 274A and 274C on existing laws.

“That after article 302. the following new article be inserted, namely :—

‘302A. In the exercise of the power of Parliament or of the Legislature of a State to make laws or in the exercise of the executive power of the Union or of a State, due regard shall be had to the guarantee or assurance given under any such covenant or agreement as is referred to in article 267A* of this Constitution with respect to the personal rights, privileges and dignities of the Ruler of an Indian State.’ ”

“That after article 306, the following new articles be inserted :

‘306B. Notwithstanding anything contained in this Constitution, during a period of ten years from the commencement thereof, or during such longer or shorter period as Parliament may by law provide in respect of any State. the Government of every State for the time being specified in Part III of the First Schedule shall be under the general control of, and comply with such particular directions, if any, as may from time to time be given by the President, and any failure to comply with such directions shall be deemed to be a failure to carry out the Government of the State in accordance with the provisions of this Constitution:

‘Provided that the President may by order direct that the provisions of this article shall not apply to any State specified in the order.’ ”

“That for clause (1) of article 258, the following clause be substituted :-

‘(1) Notwithstanding anything contained in this Chapter, the Government of India may, subject to the provisions of clause (2) of this article, enter into an agreement with the Government of a State for the time being specified in Part III of the First Schedule with respect to-

- (a) the levy and collection of any tax or duty leviable by the Government of India in such State and for the distribution of the proceeds thereof otherwise than in accordance with the provisions of this Chapter;
- (b) the grant of any financial assistance by the Government of India to such State in consequence of the loss of any revenue which that State used to derive from any tax or duty leviable under this constitution by the Government of India or from any other sources;
- (c) the contribution by such State in respect of any payment made by the Government of India under clause (1) of article 267A of this Constitution,

and when an agreement is so entered into, the provisions of this Chapter shall in relation to such State have effect subject to the terms of such agreement.’ ”

“That in Chapter I of Part IX, after article 267, the following new article shall be inserted, namely :—

‘267A. (1) Where under any covenant or agreement entered into by the Ruler of any Indian State before the commencement of this Constitution, the payment of any sums, free of tax, has been guaranteed or assured by the Government of the Dominion of India to any Ruler of such State as Privy Purse—

- (a) such sums shall be charged on, and paid out of, the Consolidated Fund of India; and
- (b) the sums so paid to any Ruler shall be exempt from all taxes on income.

(2) Where the territories of any such Indian State as aforesaid are comprised within a State specified in Part I or Part III of the First Schedule there shall be charged on, and paid out of, the Consolidated Fund of that State such contribution, if any, in respect of the payments made by the Government of India

*To be circulated later.

Mr. President : The question is:

“That in amendment No. 217 of List VII (Second Week), in item (13) of the proposed article 211 A. the words ‘after consultation with the Rajpramukh’ be deleted from article 197”.

The amendment was negatived.

Shri R. K. Sidhwa : I beg to withdraw my amendment No. 246.

The amendment was by leave of the Assembly, withdrawn.

Mr. President : The question is:

“That in amendment No. 220 of List VII (Second Week), in clause (2) of the proposed new article 235A, the words ‘and the Union shall bear the expenses thereof’ be added at the end.”

The amendment was negatived.

Mr. President : The question is:

“That article 237 be deleted.”

The motion was adopted.

Article 237 was deleted from the Constitution.

Mr. President : The question is:

“That in amendment No. 223 of List VII (Second Week), in the proviso to the proposed new article 274 DDD, for the words ‘President may by order’ the words Parliament may by law’ be substituted.”

The amendment was negatived.

Shri T. T. Krishnamachari : Article 274 DD may be held over, Sir, to a subsequent day.

Mr. President : I shall put now article 302A to vote. The question is:

“That after article 302, the following new article be inserted, namely :

<p>‘302A. In the exercise of the power of Parliament or of the Legislature of a State to make laws or in the exercise of the executive power of the Union or of a State, due regard shall be had to the guarantee or assurance given under any such covenant or agreement as is referred to in article 267A of this Constitution with respect to the personal rights, privileges and dignities of the Ruler of an Indian State’.”</p>	<p>Rights and privileges of Rulers of Indian States.</p>
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The motion was adopted.

Article 302A was added to the Constitution.

Mr. President : I shall now put the amendments to article 306-B. Part (ii) of No. 251 is disallowed as being out of order.

The question is:

“That in amendment No. 225 of List VII (Second Week), in the proposed now article 306 B,—

the words “during a period of ten years from the commencement thereof, or during such longer or shorter period as Parliament may by law provide in respect of any State”, be deleted.

The amendment was negatived.

Shri R. K. Sidhwa : I would like to withdraw my amendment No. 252.

The amendment was by leave of the Assembly, withdrawn.