

CONSTITUENT ASSEMBLY OF INDIA

Thursday, the 13th October, 1949

The Constituent Assembly of India met in the Constitution Hall, New Delhi, at Ten of the Clock, Mr. President (The Honourable Dr: Rajendra Prasad) in the Chair.

DRAFT CONSTITUTION—(Contd.)

Part VI-A—(Contd.)

Mr. President : I think it would be better to take the other articles which are sought to be amended in connection with the States and take all the amendments, and then have the general discussion. I do not think it is necessary for Dr. Ambedkar to read the whole thing.

The Honourable Dr. B. R. Ambedkar (Bombay : General) : Sir, I move.

“That article 224 be omitted.”

“That article 225 be omitted.”

“That after article 235, the following now article be inserted, namely:—

‘235 A. (1) Notwithstanding anything contained in this Constitution, a State for the time being specified in Part III of the First Schedule having any armed force immediately before the commencement of this Constitution may, until Parliament by law otherwise provides, continue to maintain the said force after such commencement subject to such general or special orders as the President may from time to time issue in this behalf.

Armed forces in
States in Part III of
the First Schedule.

(2) Any such armed force as is referred to in clause (1) of this article shall form part of the forces of the Union.’ ”

“That for article 236, the following article be substituted, namely:—

236. The Government of India may by agreement with the Government of any territory not being part of the territory of India undertake any executive, legislative or judicial functions vested in the Government of such territory, but every such ‘agreement shall be subject to and governed by, any law relating to the exercise of foreign jurisdiction for the time being in force,’ ”

Power of the Union to
undertake executive,
legislative or judicial
functions in relation to any
territory not being part of the
territory of India.

“That article 237 be omitted.”

“That after article 274 D, the following new articles be inserted, namely:—

‘274 DD. Notwithstanding anything contained in the foregoing provisions of this Part the President may enter into an agreement with a State for the time being specified in Part III of the First Schedule with respect to the levy and collection of any tax or duty leviable by the State on Goods imported into the State from other States or on goods exported from the State to other States, and any agreement entered into under this article shall continue in force for such period not exceeding ten years from the commencement of this Constitution as may be specified in the agreement :

Power of certain State in Part
III of the First Schedule to
impose restrictions on trade
and commerce by the levy of
certain taxes and duties on
goods imported into or
exported from such State.