

## CONSTITUENT ASSEMBLY OF INDIA

*Wednesday, the 1st June 1949*

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

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### DRAFT CONSTITUTION—*Contd.*

#### Article 137

**Mr. President** : We begin with article 137 today. There is an amendment to this of which notice has been given by Mr. Brajeshwar Prasad, but that is a negative one.

(Amendment No. 2111 was not moved.)

**Shri T. T. Krishnamachari** (Madras: General) : This article cannot be moved in view of the decision that has been made earlier.

**Shri Brajeshwar Prasad** (Bihar: General) : It must be put to the vote of the House.

**The Honourable Dr. B. R. Ambedkar** : (Bombay: General): It may be put to the vote.

**Mr. President** : None of the other amendments is going to be moved, I take it. Now, the question is:

“That article 137 stand part of the Constitution.”

The motion was negatived.

Article 137 was deleted from the Constitution.

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#### Article 138

**Shri T. T. Krishnamachari** : Sir, may I suggest that the alternative might be formulated, because the original article has no place in view of the change that has already been made?

**Shri Brajeshwar Prasad** : Sir, I move:

“That for article 138, the following be substituted :—

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

I move this amendment without making any comments. It does not need any.

(Amendment Nos. 2132, 2134 and No. 169 of List III were not moved.)

**Mr. Mohd. Tahir** (Bihar: Muslim) : Sir, I move:

“That in article 138, for the word ‘Chapter’ the word ‘Constitution’ be substituted.”

[Mr. Mohd. Tahir]

I think, Sir, that the word “Constitution” is more appropriate and comprehensive. If my friends accept it, it may be used instead of the word “Chapter”.

**Mr. President** : The question is:

“That for article 138, the following be substituted :—

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

The amendment was adopted.

**Mr. President** : The question is:

“That in article 138, for the word ‘Chapter’ the word ‘Constitution’ be substituted.’ ”

The amendment was negatived.

**Mr. President** : The question is:

“That article 138, stand part of the Constitution.”

The motion was adopted.

Article 138, as amended, was added to the Constitution.

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#### Articles 139 and 140

**Mr. President** : These will have to be dropped as being inconsistent with the decision already taken, but I am told that it is necessary to formally put them to the vote.

The question is:

“That article 139 stand part of the Constitution.”

The motion was negatived.

Article 139 was deleted from the Constitution.

**Mr. President** : The question is:

“That article 140 stand part of the Constitution.”

The motion was negatived.

Article 140 was deleted from the Constitution.

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#### Article 141

**Mr. President** : As regards this article, there are one or two amendments. There is amendment No. 2148 and to that there is an amendment No. 170 in List III by Pandit Thakur Das Bhargava.

(Amendment Nos. 2148, No. 170 in List III, and Nos. 2149 to 2152 were not moved.)

**Mr. President** : The question is:

“That article 141 stand part of the Constitution.”

The motion was adopted.

Article 141 was added to the Constitution.