

Mr. President : The question is:

“That article 270, as amended, stand part of the Constitution.”

The motion was adopted.

Article 270, as amended, was added to the Constitution.

Article 271

The Honourable Dr. B. R. Ambedkar : Sir, I move:

“That in article 271—

- (i) the words ‘for the purposes of the Government of that State’, in the two places where they occur, be omitted;
- (ii) the words ‘for the purposes of the Government of India’, in the two places where they occur, be omitted.”

Shri H. V. Kamath : Sir, I wish to raise what may be thought a minor point but I hope Dr. Ambedkar and his team of wise men will give some consideration to it when it comes to final drafting. The article with the present amendment refers to properties in the territory of India except the States for the time being specified in Part III of the First Schedule. The point I raised earlier applies to this article as well; that is why I suggest that they may be held over till we have debated the First Schedule. It is no use adopting these articles and then making changes in the Schedule later on. In the First Schedule we see what States are comprised in Part III of that Schedule. Many of the States, as I said before, have disappeared from the Indian horizon and are no longer integral entities within the territory of India. Baroda, Kolhapur and Mayurbhanj are no longer comprised in Part II of the First Schedule. Now if we pass the article today, as it is, about the various States mentioned in the Schedule without saying “subject to any modifications in the Schedule”, etc. What will happen to property that belongs to States like Baroda, Kolhapur and Mayurbhanj which are merged in the provinces? I therefore suggest that the article should be held over until the First Schedule together with the various amendments comes before us for consideration.

Prof. Shibban Lal Saksena : Sir, I do not agree with the point of view put forward by Mr. Kamath. We are passing these articles in the hope that in the Schedules we shall put only those things to which we want these articles to apply. These Schedules can be framed according to our choice and they will contain only those matters which we want to be subject to these articles we are passing. I therefore think that after we have accepted article 270 as an essential part of the Constitution, this article is also important. Formerly the country was divided into a number of States and now in this Constitution every portion will come into the new Government. Therefore I do not think this article should be held over merely because there is to be a change in the Schedule.

Mr. President : The question is:

“That in article 271—

- (i) the words ‘for the purposes of the Government of that State’, in the two places where they occur, be omitted;
- (ii) the words ‘for the purposes of the Government of India’, in the two places where they occur, be omitted.”

The amendment was adopted.

Mr. President : The question is:

“That article 271, as amended, stand part of the Constitution.”

The motion was adopted.

Article 271, as amended, was added to the Constitution.