
 THE GAZETTE OF INDIA EXTRAORDINARY, FEB. 26, 1948 342

in the district of Manbhum, belonging to any of the following tribes:—

- | | |
|------------|----|
| 1. Bauri. | |
| 2. Bhogta. | |
| 3. Bhuiya. | 5 |
| 4. Bhumij. | |
| 5. Ghasi. | |
| 6. Pan. | |
| 7. Rajwar. | |
| 8. Turi. | 10 |

III. A resident in the Dhanbad sub-division or in any of the following police stations in the Manbhum District, that is to say, Purulia, Hura, Pancha, Raghunathpur, Santuri, Nituria, Para, Chas, Chandankiari and Kashipur, belonging to the Bhumij tribe.

15

Part VII

THE CENTRAL PROVINCES

- | | |
|--------------------|----|
| 1. Gond. | |
| 2. Kavar. | |
| 3. Maria. | 20 |
| 4. Muria. | |
| 5. Halba. | |
| 6. Pardhan. | |
| 7. Oraon. | |
| 8. Binjhar. | 25 |
| 9. Andh. | |
| 10. Bharia-Bhumia. | |
| 11. Koli. | |
| 12. Bhatta. | |
| 13. Baiga. | 30 |
| 14. Kolam. | |
| 15. Bhil. | |
| 16. Bhuinhar. | |
| 17. Dhanwar. | |
| 18. Bhaina. | 35 |
| 19. Parja. | |
| 20. Kamar. | |

343 THE GAZETTE OF INDIA EXTRAORDINARY, FEB. 26, 1948

21.	Bhunja.	
22.	Nagarchi.	
23.	Ojha.	
24.	Korku.	5
25.	Kol.	
26.	Nagasia.	
27.	Sawara.	
28.	Korwa.	
29.	Majhwar.	10
30.	Kharia.	
31.	Saunta.	
32.	Kondh.	
33.	Nihal.	
34.	Birhul (or Birhor).	15
35.	Rautia.	
36.	Pando.	

Part VIII
ASSAM.

The following tribes and communities:—

1.	Kachari.	20
2.	Boro or Boro-Kachari.	
3.	Rabha.	
4.	Miri.	
5.	Lalung.	
6.	Mikir.	25
7.	Garos.	
8.	Hajonfi.	
9.	Deori.	
10.	Abor.	
11.	Mishmi.	30
12.	Dafla.	
13.	Singpho.	
14.	Khampti.	
15.	Any Naga or Kuki tribe.	
16.	Any other tribe or community notified by the Govern- ment of Assam.	

Part IX**ORISSA.**

I. A resident of the State of Orissa belonging to any of the following tribes:—

1. Bagata.	5
2. Banjari.	
3. Chenchu.	
4. Gadaba.	
5. Gond.	
6. Jatapu.	10
7. Khond (Kond).	
8. Konda-Dora.	
9. Koya.	
10. Paroja.	
11. Saora (Savar).	15
12. Oraon.	
13. Santal.	
14. Kharia.	
15. Munda.	
16. Banjara.	20
17. Binjhia.	
18. Kisan.	
19. Koli.	
20. Kora.	

II. A resident of any of the following areas, that is to say, 25
the Koraput and Khondmals Districts and the Ganjam
Agency belonging to either of the following tribes:—

1. Dom or Dombo.

2. Pan or Pano.

III. A resident of the Sambalpur District belonging to any 30
of the following tribes:—

1. Bauri.	
2. Bhuiya	
3. Bhumij.	
4. Ghasi.	35
5. Turi.	
6. Pan or Pano.	

APPENDIX

Separate notes submitted to the Constituent Assembly by Shri Alladi Krishnaswami Ayyar, Member, Drafting Committee

While I may point out that there is no difference in principle between my colleagues and myself either in regard to the distribution of legislative power between the Parliament and the Units or in regard to the Union Parliament assuming power over a subject in the Provincial (State) List when it assumes or becomes of national importance, I should like to submit the following separate note for the consideration of the Constituent Assembly in regard to the articles bearing on the above matters, i.e., Articles 217, 223(1) and 226.

Distribution of Legislative Powers. —Articles 217 and 223(1)

2. The question as to the distribution of legislative power has been decided by the Constituent Assembly and it is settled that the residuary power should vest in the Centre. The only question, therefore, is how to frame the articles so as to carry out this idea. My colleagues have decided to follow the scheme in Section 100 of the Government of India Act and to have a separate article for the residuary power as also to have it as an item in the list of subjects allotted to the Union. The point of my plan is that inasmuch as it is agreed that the residuary power is to vest in the Centre (Union Parliament), the various enumerated items in the Union list are merely illustrative of the general residuary power vested in the Centre. The proper plan, therefore, is to define the powers of the States or Provincial Units in the first instance, then deal with the concurrent power and lastly deal with the power of the Centre or the Union Parliament while at the same time making out a comprehensive list of the powers vested in the Centre by way of illustration to the general power. The plan adopted in Section 100 of the Government of India Act was to some extent accounted for by the fact that there was no agreement then among political parties as regards the location of residuary power and it was left for the Governor-General to decide by which Legislature the residuary power was to be exercised in any particular place in cases not covered by any of the Lists. There is no such problem facing us now. A canvassing of the meaning and import of individual items in the Central List has become of much less importance now than under the provisions of the Government of India Act.

The repetition of “notwithstanding” in every clause of Section 100 has been the subject of prolonged and unnecessary arguments in courts.

No complication is likely to arise by reason of the States in Part III coming into the scheme of the Union as according to the draft Constitution the scheme of distribution is subject to agreement between the States and that is provided for by articles 224 and 225.

Further, in the articles as framed there is no provision to the effect that the power of legislation carries with it the power to make any provisions essential to the effective exercise of the legislative authority. Some such provisions occur in the Australian and American Constitutions, *vide* Section 51 of the Australian Constitution and Article I, Section 8, Sub-section 18 of the American Constitution.

I would, therefore, suggest for the consideration of the Constituent Assembly the following article as a substitute for Articles 217 and 223(1) in the draft.

(1) The Legislature of the States in Part I, Schedule I, shall have exclusive power to make laws for the State or for any part thereof in relation to matters falling within the classes of subjects specified in List I (corresponding to Provincial Legislative List).

“(2) The Legislature of any of the States in Part I, Schedule I, shall in addition to the powers under Clause (1) have power to make laws for the State or any part thereof in relation to matters falling within the classes of subjects specified in List II, provided, however, that the Union Parliament shall also have power to make laws in relation to the same matters within the entire area of the Union or any part thereof, and an Act of the legislature of the State shall have effect in and for the State as long as and as far only as it is not repugnant to any Act of the Union Parliament.

“(3) In addition to the powers conferred by the previous subsection, the Union Parliament may make laws for the peace, order and good government of the Union or any part thereof in relation to all matters not falling within the classes of subjects enumerated in List I and in particular and without prejudice to the generality of the foregoing, the Union Parliament shall have exclusive power to make laws in relation to all matters falling within the classes of subjects enumerated in List III.

“(4) (a) The Union Parliament shall have power to make laws for the peace, order and good government of the States in Part II, Schedule I.

347 THE GAZETTE OF INDIA EXTRAORDINARY, FEB. 26, 1948

(b) Subject to the general powers of Parliament under Sub-section (a), the Legislature of the States in Part II, Schedule I, shall have the power to make laws in relation to matters coming within the following classes of subjects:

Provided, however, that any law passed by that Unit shall have effect in and for that Unit so long and as far only as it is not repugnant to any law of the Union Parliament.

(This provision is necessary, if the recommendations of the *ad hoc* Committee on Chief Commissioners' Provinces in this regard are accepted.)

“(5) The power to legislate either of the Union Parliament or the Legislature of any State shall extend to all matters essential to the effective exercise of the legislative authority; vested in the particular legislature.

“(6) Where a law of a State is inconsistent with a law of the Union Parliament or to any existing law with respect to any of the matters enumerated in List I or (List II), the law of the Parliament or as the case may be the existing law shall prevail and the law of the State shall to the extent to repugnancy be void.”

(This follows the Australian and American provisions. Without embarking upon an examination of each section and each clause, a court may easily come to the conclusion that an Act taken as a whole is repugnant to another law).

If it is felt necessary, special provision may be inserted in regard to laws in respect of matters in the Concurrent List on the lines of Article 231(2) though I think such a provision may not be necessary in view of the overriding power of the Central Legislature.

Articles 226 and 228

3. I accept the principle underlying article 226 that if any subject in the Provincial List assumes national importance or becomes one of national interest in the language of the article, it ought to be possible for the Union to encroach (if one may use that expression) upon the Provincial field and take to itself the power to legislate on any subject in the Provincial List. But the very basis of the assumption of that power is that the subject can no longer be regarded as one merely of importance for the particular State but has assumed national dimensions.

THE GAZETTE OF INDIA EXTRAORDINARY, FEB. 26, 1948 348

If these premises be correct, there is no justification for a State to continue to retain the power. The object of the assumption of the power by the Union is not by some simple or easy method without having recourse to a change in the Constitution to convert what is Provincial or State power into a concurrent power. This principle is not kept in view in Article 228 which provides that the province will continue to have the legislative power in the particular subject. The conversion of what is a Provincial power into a concurrent power would offer a premium for interference by the Centre and may strike ultimately at the federal structure of the Constitution itself. I would, therefore, suggest the substitution of the following words :—

“on the ground that any matter enumerated in the State List has assumed national importance” for the words:

“or expedient in the national interest.....resolution” and add the words :

“that Parliament should make laws with respect to such matter”;
before the words “it shall be lawful for the Parliament etc.”

In article 228 for the words “Nothing in articles 226 and 227” substitute “Nothing in article 227”.

ALLADI KRISHNASWAMI.

Article 218 is unnecessary, as it deals with the Supreme Court which is an item in List I.

Article 221 deals with a High Court. There is no point in specially providing for the jurisdiction as the jurisdiction of all Courts including the High Court is covered by items relating to the jurisdiction in the 3 Lists. As the articles dealing with the distribution of legislative power specially refer to the Lists, a separate article dealing with the Supreme High Court is superfluous and unnecessary.

ALLADI KRISHNASWAMI.

By Order,
H. V. R. IENGAR,
Secretary.



Dr. AMBEDKAR being sworn-in as the First Law Minister of Free India by the President Dr. RAJENDRA PRASAD

PART II

SECTION FOUR

Clausewise Discussion

15th November 1948 to 8th January 1949

Note

The discussion on the Articles of the Draft Constitution Commenced on 15th November 1948.

The amendments adopted by the House were those which Dr. Ambedkar had accepted. These amendments are incorporated here

Some of the amendments were not accepted by Dr. Ambedkar initially, but no detailed explanations were furnished. Some of these amendments are mentioned. But later, during the discussion on each Article, Dr. Ambedkar explained elaborately why he accepted particular amendments and why the others were not accepted. The amendments thus rejected were large enough. Their inclusion would have made the volume bulky and they are not for this reason included. The amendments adopted by the Assembly are given in detail. These accepted amendments along with Dr. Ambedkar's explanation, 'may help the reader to understand the import of the Article.

This volume is mainly concerned with Dr. Ambedkar's work which incorporates everything he said in the Assembly and which finds place in the Debates. Comments and criticism by the Hon'ble Members are included where they are relevant to elucidate and appreciate the views of Dr. Ambedkar and which are related to the specific context and situation.—Editor.

ARTICLE 1

***The Honourable Dr. B. R. Ambedkar** (Bombay : General) : Mr. Vice-President, Sir, I regret that I cannot accept the amendment of Prof. K. T. Shah.† My objections, stated briefly, are two. In the first place the Constitution, as I stated in my opening speech in support of the motion I made before the House, is merely a mechanism for the purpose of regulating the work of the various organs of the State. It is not a mechanism whereby particular members of particular parties are installed in office. What should be the policy of the State, how the Society should be organised in its social and economic side are matters which must be decided by the people themselves according to time and circumstances. It cannot be laid down in the Constitution itself, because that is destroying democracy altogether. If you stale in the Constitution that the social organisation of the State shall take a particular form, you are, in my judgment, taking away the liberty of the people to decide what should be the social organisation in which they wish to live. It is perfectly possible today, for the majority people to hold that the Socialist organisation of society is better than the Capitalist organisation of society. But it would be perfectly possible for thinking people to devise some other form of social organisation which might be better than the socialist organisation of today or of tomorrow. I do not see therefore why the Constitution should tie down the people to live in a particular form and not leave it to the people themselves to decide it for themselves. This is one reason why the amendment should be opposed.

The second reason is that the amendment is purely superfluous. My Honourable Friend, Prof. Shah, does not seem to have taken into account the fact that apart from the Fundamental Rights, which we have embodied in the Constitution, we have also introduced other sections which deal with directive principles of State policy. If my Honourable friend were to read the Articles contained in Part IV, he will find that both the Legislature as well as the Executive have been placed by this Constitution under certain definite obligations as to the form of their policy. Now, to read only Article 31, which deals with this matter : It says ;

“The State shall, in particular, direct its policy towards securing—

- (i) that the citizens, men and women equally, have the right to an adequate means of livelihood ;

*CAD. (Official Report). Vol. VIII, 15th November 1948, pp. 401-02.

†Amendment of Prof. K. T. Shah is placed offer Dr. Ambedkar's speech.

- (ii) that the ownership and control of the material resources of the community are so distributed as best to subserve the common good ;
- (iii) that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment;
- (iv) that there is equal pay for equal work for both men and women :.....”

There are some other items more or less in the same strain. What I would like to ask Professor Shah is this : If these directive principles to which I have drawn attention are not socialistic in their direction and in their content, I fail to understand what more socialism can be.

Therefore my submission is that these socialist principles are already embodied in our Constitution and it is unnecessary to accept this amendment.

* * * * *

[The amendment of Prof. K. T. Shah as under was put to vote.]

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

“That in clause (1) of Article 1 after the words ‘shall be a’ the words ‘Secular, Federal, Socialist’ be inserted.”

The motion was negatived.

Mr. Vice-President: I want to make one thing clear. After the reply has been given by Dr. Ambedkar, I shall not permit any further discussion. I have made a mistake once. I am not going to repeat it. (*Laughter*).

Mahboob Ali Baig Sahib Bahadur (Madras : Muslim) : Mr. Vice-President, Sir, I move :

“That in clause (1) of article 1, for the word ‘States’ the word ‘provinces’ be substituted.”

You, Sir. will remember that when Dr. Ambedkar moved the motion for the consideration of this Draft Constitution, when he was dealing with the form of Government, he stated that.....

Mr. Vice-President : We do not want a discussion of this nature. I appeal to the Honourable Member to speak only if he has something new to say.

* * * * *

***Mahboob Ali Baig Sahib Bahadur :** If Dr. Ambedkar says that the word “Union” was used not with any great significance, there is no reason why we should not use the correct word “Federation”, but if on the other hand the word “Union” was used with a purpose so that in course of time this federal form of government may be converted into a unitary form of government, then it is for this House now to

*CAD, Vol. VII, 15th November 1948, p. 403.

†CAD, (Official Report). Vol. VIII, 15th November 1948, p. 404.

use the correct word so that it may be difficult in future for any power-seeking party that may come into power easily to convert this into a unitary form of government. So, it is for the House to use the correct word “Federation” instead of the word “Union”. This is my justification, Sir, for moving this amendment. If you mean that the government must be a federal government and not a unitary government and if you want to prevent in future any power-seeking party to convert it into a unitary form of government and become fascist and totalitarian, then it is up to us now to use the correct word, which is “Federation”. Therefore, Sir, I move that the word “Federation” may be substituted for the word “Union”.

The Honourable Dr. B. R. Ambedkar : I do not accept the amendment.

The amendment was negatived.

* * * * *

The Honourable Shri Ghanshyam Singh Gupta (C.P. & Berar : General) : Sir, I move:

“That in Article 1 for the word ‘State’ wherever it occurs, the word ‘Pradesh’ be substituted and consequential changes he made throughout the Draft Constitution.”

* * * * *

†**The Honourable Dr. B. R. Ambedkar :** I oppose the amendment.
Mr. Vice-President : The question is :

“That in article 1 for the word “State” wherever it occurs, the word “Pradesh” be substituted and consequential changes be made throughout the Draft Constitution.”

I think the Noes have it.

Shri H. V. Kamath : I ask a division.

Mr. Vice-President: It seems to me that the “Noes” have it. It is not necessary for me to call for a division. I have the power not to grant this request. I would request Honourable Members to consider the position. It seems to be quite obvious that the “Noes” have it.

The Honourable Shri Ghanshyam Singh Gupta : I accept the position that the “Noes” have it.

The Honourable Pandit Jawaharlal Nehru : May I suggest that instead of making our requests, we could raise our hands. That would give a fair indication how the matter stands.

Mr. Vice-President: Does the Honourable Shri G. S. Gupta admit that the “Noes” have it ?

The Honourable Shri Ghanshyam Singh Gupta : I accept the position that the “Noes” have it.

The amendment was negatived.

*CAD, (Official Report). Vol. VII. 15th November 1948, p. 406.

†*Ibid.*, p. 412.

Shri H. V. Kamath : Sir, I beg to move :

“That in clause (1) of Article 1, for the word ‘Slates’ the word ‘Provinces’ he substituted.”

(Discussion follows)

* * * * *

***The Honourable Dr. B. R. Ambedkar :** Sir, I do not accept the amendment.

(At this stage Shri Himmat Singh K. Maheshwari rose to speak.)

Mr. Vice-President : The Honourable Dr. Ambedkar has already replied to the debate and I am sorry I cannot allow any further debate on the motion.

Pandit Hirday Nath Kunzru (United Provinces : General) : Sir, it after every motion is moved by a member and you ask Dr. Ambedkar whether he agrees to it and after allowing him to express his views you debar other members from speaking on the subject, it will be very hard on the House.

Mr. Vice-President : I am afraid Pandit Hirday Nath Kunzru has not realised exactly my position. I am always prepared to give every possible facility to every member here, which I need not demonstrate further than by reference to what I have done in the last few days. But just now we are pressed for time. After Mr. Kamath moved his amendment I waited for some time to see if anybody would stand up and nobody stood up and when specially I found that Mr. Kamath had repeated the arguments which had been formerly stated by him, I thought that I would not be going against the wishes of the House by asking Dr. Ambedkar the question whether he wished to reply. If I failed to understand the attitude of the House I am very sorry.

Pandit Hirday Nath Kunzru : You are perfectly within your right in not allowing discussion of a clause which you regard as trivial and on which you think there has been sufficient discussion. You have the power to stop discussion and ask the Member in charge to reply. If in exercise of this power you asked Dr. Ambedkar to reply, there can be no objection to what you have done.

Mr. Vice-President: Then I will put the amendment to vote.

The motion of Mr. Kamath was negatived.

* * * * *

†**Shri Mahavir Tyagi :** Sir, I am not very keen to have all the words mentioned in my amendment inserted. I do not also want to make a

*CAD, (Official Report), Vol. VII. 15th November 1948, p. 413.

†*Ibid.*, p. 413.

speech and waste the time of the House. However, I want to make one point clear and with that end in view, I shall formally move this amendment :

“That in clause (1) of article 1. for the word ‘States’ the words ‘Republican States and the sovereignty of the Union shall reside in the whole body of the people’ he substituted.”

* * * * *

***Mr. Vice-President:** I shall now put tills amendment to vote.

Shri Mahavir Tyagi : Mr. Vice-President, Sir, in view of what the learned draftsman has said, namely, that the sovereignty remains vested, in spite of this draft, in the people, I do not wish to press my amendment. I hope, Sir, Dr. Ambedkar agrees that this draft means that it vests with the people, and his explanation may well go down into the records for future reference.

The Honourable Dr. B. R. Ambedkar : Beyond doubt it vests with the people. I might also tell my friend that I shall not have the least objection if this matter was raised again when we are discussing the Preamble.

Shri Mahavir Tyagi : Then I beg leave of the House to withdraw my amendment.

The amendment was, by leave of the Assembly, withdrawn..

Prof. K. T. Shah : Mr. Vice-President, Sir, I beg to move :

“That in clause (1) of Article 1, after the word ‘States’ the words ‘equal *inter se*’ he added.”

(Prof, shah explained the amendment and the discussion followed.)

†**The Honourable Dr. B. R. Ambedkar :** Sir, I oppose the amendment.

Mr. Vice-President : I put the amendment to vote.

The amendment was negatived.

Mr. Naziruddin Ahmad : Sir, I beg to move :

“That at the end of clause (1) of Article 1. the following he inserted : ‘and shall he known as the United States of India’. “

Sir, this is a non-controversial amendment.....

.....The other amendment is an alternative to this. I move:

“That at the end of clause (1) of Article I. the following he inserted :

‘and shall be known as the Union of India’.”

* * * * *

.....My other amendment is this. I move:

“That at the end of clause (1) of Article 1. the following he inserted :

‘and shall he known as the Indian Union’.”

*CAD. (Official Report), Vol. VII. 15th November 1948. p. 418.

†*Ibid.*, p. 421.

Sir, I submit these are three alternatives. I would prefer the first but it all depends on the House as to what it thinks about them.

[After Mr. Kamath's criticism on the Amendment, Dr. Ambedkar rose to reply,]

* * * * *

***The Honourable Dr. B. R. Ambedkar:** Sir, I oppose all these amendments. With regard to the first amendment that India should be known as the United States of India, the argument set out by my friend Mr. Kamath is a perfectly valid argument and I accept it wholeheartedly. I have given my own views as to why I used the word 'Union' and did not use the word 'Federation'.

With regard to the other amendment that India should be known as the Union of India, I also say that this is unnecessary, because we have all along meant that this country should be known as India, without giving any indication as to what are the relations of the component parts of the Indian Union in the very title of the name of the country. India has been known as India throughout history and throughout all these past years. As a member of the U.N.O. the name of the country is India and all agreements are signed as such and personally I think the name of the country should not in any sense give any indication as to what are the subordinate divisions it is composed of. I therefore oppose the amendments and maintain that the Draft as it is presented to the House is the best so far as these amendments are concerned.

Mr. Vice-President: I shall now put the amendments one by one to the vote.

Mr. Naziruddin Ahmad: Sir, I beg leave to withdraw the amendments. The amendments were, by leave of the Assembly, withdrawn.

Mr. Vice-President: Amendment No. 113.

Mr. Naziruddin Ahmad : I am not moving 113.

But I am moving 114. Sir, I beg to move:

"That in clause (2) of Article 1, the word 'The' occurring at the beginning be deleted."

* * * * *

†**The Honourable Dr. B. R. Ambedkar :** Sir, I raise a point of order. My point of order is that this is not an amendment. Unless it changes the substance of the original proposition, it is not an amendment. I am trying to find out the reference in May's Parliamentary Practice. But I would like to raise this point at this moment. If my

*CAD, (Official Report). Vol. VII, 15th November 1948. p. 422.

† *Ibid.*, pp. 422-24.

friend will forgive me, I think he is in the habit of moving all sorts of amendments, asking for a comma here, no commas there and so on and I think we must put a stop to this sort of thing in the very beginning.

Mr. Naziruddin Ahmad : On the very threshold of independence, if I am to be stopped like this, I shall bow down and submit to the decision of the Chair.

Mr. Vice-President: What is your reply to the point of order?

Mr. Naziruddin Ahmad : My reply to the point of order raised is this, I want to remove the word “The” from the article and therefore it is an amendment. This is certainly a drafting amendment. It may be opposed on the ground that it is insignificant, illogical or purposeless or useless and so forth. But Dr. Ambedkar is not right in asserting that it is not an amendment at all. It cannot be ruled out on the technical ground that it is not an amendment.

And with regard to my Honourable Friend’s remarks as to my habit of moving amendments like punctuations and other changes, I am happy to inform him and the House that I have ceased to follow that habit so far as this amendment is concerned, (*Laughter*).

Mr. Vice-President: You say it is a drafting amendment. Can’t we leave it to the Drafting Committee and its Chairman for seeing to it at the third reading ? I am sure they will accept these amendments if there is any substance in them.

Mr. Naziruddin Ahmad: In that case, it would be leaving the matter to the Drafting Committee, instead of leaving it to the judgment of the House. The spokesman of the Drafting Committee has already given out his mind. Therefore, if I were to agree to leave it to the Drafting Committee, it would be as good as withdrawing it. Therefore, I have to submit, again, that the word “The” is not part of the name.

Mr. Vice-President : I am waiting to hear Dr. Ambedkar on this point.

The Honourable Dr. H. R. Ambedkar : Sir, I do not know why the Honourable Member objects to the word ‘the’. ‘The’ is a definite article, and it is quite necessary, because we are referring to the States in the Schedule. We are not referring to States in general, but to certain specific States which are mentioned in the Schedule. Therefore the definite article ‘the’ is necessary. It refers to the definite States included in the Schedule.

Secondly. I would like to submit this, that it would be wrong—and I speak about myself—for any Indian to presume such precise command over the English language as to insist in a dogmatic manner that a

comma is necessary here, a semi-colon is necessary there, or article 'a' is proper here and article 'the' would be proper there and so on. But if my friend chooses to arrogate to himself the authority of a perfect grammarian so far as English is concerned, I would like to draw his attention to the Australian Constitution from which we have borrowed these words and the definite article 'the' is used there. So I take shelter or refuge under the Australian Constitution which, I suppose, we may take it, was drafted by men who were good draftsmen and who knew the English language and whom we cannot hold guilty of having committed an error in the language.

Mr. Vice-President : I put the amendment to vote.

The amendment was negatived.

Mr. Vice-President : Amenement No. 119, Mr. Naziruddin Ahmad.

Mr. Naziruddin Ahmad : Sir, I beg to move :

"That in sub-clause (c) of clause (3) of Article 1, after the words 'as may' the word "hereafter" be inserted.

Sir, I have moved this amendment after, I believe, taking great risks of having to displease the Honourable Chairman of the Drafting Committee. But I have to submit most respectfully that things which occur to Members should be placed before the House and the opinion of the House should be taken. If I have offended any member by moving.....

Mr. Vice-President : There is no question to offending any one.

Mr. Naziruddin Ahmad : Sir, I beg to submit that the context indicates the word "hereafter" that is. States which may hereafter be acquired. So the word "hereafter" would be appropriate and I beg the House to consider insertion of this word.

The Honourable Dr. B. R. Ambedkar : I say it is quite unnecessary, and I oppose it.

Mr. Vice-President : I put the amendment to vote.

The amendment was negatived.

[The House was adjourned till 17th November 1948]

* * * * *

***Mr. Vice-President :** (Dr. H. C. Mookherjee) : We shall now go on with the amendments. Amendment No. 126—Prof. Shah.

Prof. K. T. Shah (Bihar : General) : Mr. Vice-President, Sir, I beg to move :

"That at the end of sub-clause (c) of clause (3) of article 1. the following be added :
'or as may agree to join or accede to or merge with the Union'."

[This was followed by speech of Prof. Shah.]

* * * * *

*CAD. (Official Report), Vol. VII, 17th November 1948. p. 425.

***The Honourable Dr. B. R. Ambedkar** (Bombay : General): Sir, I oppose the amendment.

The motion was negatived.

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Prof. K. T. Shah : Mr. Vice-President, Sir, this amendment which stands in my name is as follows :

“That the following proviso be added to article 1 :

‘Provided that within a period not exceeding ten years of the date when this Constitution comes into operation, the distinction or difference embodied in the several Schedules to this Constitution and in the various articles that follow shall be abolished, and the member States of the Union of India shall be organised on a uniform basis of groups of village Panchayats co-operatively organised *inter se*. and functioning as democratic ‘units within the Union’.”

[This was followed by discussion.]

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†The Honourable Dr. B. R. Ambedkar : I oppose the amendment.

Mr. Vice-President : I will now put the amendment to vote.

[The amendment (of Prof. Shah) was negatived.]

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‡Mr. Naziruddin Ahmad (West Bengal : Muslim) : Sir, I move :

“That at the beginning of the heading above article I, the word and Roman figure ‘CHAPTER I’, be inserted.”

[This was followed by Mr. Ahmed’s speech.]

#The Honourable Dr. B. R. Ambedkar : Sir, I oppose the amendment.

The motion was negatived.

\$The Honourable Pandit Govind Vallabh Pant (United Provinces : General): Sir, I move that we now pass on to Article 2 and postpone discussion on the remaining amendments to Article 1. So far we have not been able to reach unanimity on this important point. I am not without hope that if the discussion is postponed, it may be possible to find some solution that may be acceptable to all. So nothing will be lost....

[Mr. Pant’s suggestion was supported by Mr. R. K. Sidhwa.]

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@The Honourable Dr. B. R. Ambedkar : I support the suggestion made by Pandit Govind Ballabh Pant.

*CAD, (Official Report), Vol. VII, 15th November 1948, p. 426.

†*Ibid.*, p. 426.

‡*Ibid.*, p. 430.

#*Ibid.*, p. 430.

\$*Ibid.*, p. 431.

@*Ibid.*, p.431.