***Shri Basanta Kumar Das** (West Bengal : General) **:** I have an amendment No. 29.

Mr. Vice-President : I thought they were new articles. Dr. Ambedkar, would you prefer that to be moved before you speak ?

The Honourable Dr. B. R. Ambedkar : Yes.

Mr. Vice-President : Mr. Das, you may move No. 29.

* * * * *

†The Honourable Dr. B. R. Ambedkar : Mr. President Sir, I think there is a certain amount of admixture made by my friends who have spoken on this entry 57A. So far as I have been able to gather, their contention is that this entry 57A should be allowed only if mere was some grant made by the Central Government to the Provinces. It seems to me quite unnecessary to mix up the two matters. The question of grants from the centre to the Provinces has been dealt with in, two separate articles— 255 and 262. Article 255 provides for grants to be made by the centre to the Provinces for assistance—

> "Such sums, as Parliament may by law provide, shall he charged on the Consolidated Fund of India in each year as grants-in-aid of the Consolidated Fund of such States as Parliament may determine to be in need of assistance ..."

Therefore, the provision for supporting the States by way of financial help is already there in article 255.1 should also like to draw the attention of the Members of the House to another important article, which is article 262, which is much wider in scope. It says—

> "The Union or a State may make any grants for any public purpose, notwithstanding that the purpose is not one with respect to which Parliament or the Legislature of the State, as the case may be, may make laws."

As the House will see, it has a much wider scope. It says that although a subject may not be within List I, none-the-less, Parliament would be free to make a grant. Therefore, this question having been dealt with separately, I think there is no necessity to mix it up with entry 57A.

Entry 57A merely deals with the maintenance of certain standards in certain classes of institutions, namely, institutions imparting higher education, scientific and technical institutions, institutions for research, etc. You may ask, "Why this entry ?" I shall show why it is necessary. Take for instance the B.A. Degree examination which is conducted by the different Universities in India. Now, most Provinces and the Centre, when advertising for candidates, merely say that the candidate should be a graduate of a university. Now, suppose the Madras University says that a candidate at the

*CAD, Vol. IX. 31st August 1949, p. 793.

†*Ibid*., p. 796.

B. A. Examination, if he obtained 15 per cent of the total marks shall be deemed to have passed that examination; and suppose the Bihar University says that a candidate who has obtained 20 per cent of marks shall be deemed to have passed the B.A. Degree examination; and some other university fixes some other standard, then it would be quite a chaotic condition, and the expression that is usually used, that the candidate should be a graduate, I think, would be meaningless. Similarly, there are certain research institutes, on the results of which so many activities of the Central and Provincial Governments depend. Obviously you cannot permit the results of these technical and scientific institutes to deteriorate from the normal standard and yet allow them to be recognised either for the central purposes, for all-India purposes or the purposes of the State.

Consequently, apart from the question of financial aid, it is absolutely essential, both in the interest of the centre as well as in the interests of the Provinces that the standards ought to be maintained on an all-India basis. That is the purpose of this entry and in my judgment it is a very important and salutary provision, in view of the fact that there are many provinces who are in a hurry to establish research institutes or establish universities or lightly to lower their standards in order to give the impression to the world at large that they are producing much better results than they did before.

Dr. P. S. Deshmukh : Is it the government's intention to fix the percentages and marks for passes ?

The Honourable Dr. B. R. Ambedkar : They may do so. It is up to government to maintain the standard by any means which they think proper. I can not say what a government may do.

[Amendment moved by Shri B. K. Das were withdrawn. Dr. Ambedkar's motion was adopted, Entry 57-A was added to the union List.]

ENTRY 58

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

"That for entry 58 of List I, the following entry be substituted : —

'58. Union Public Services. All-India Services : Union Public Service Commission.' "

* * * * *

†The Honourable Dr. B. R. Ambedkar : With regard to the amendment of my Friend Dr. Punjabrao Deshmukh requiring the deletion of All-India services, it is not possible to accept that for the simple reason that

*CAD, Vol. IX, 31st August 1949. p. 797.

†*Ibid.,* pp. 798-799.

heretofore the All-India services and the regulation thereof did not figure in the Government of India Act because that was a matter which was kept exclusively in the hands of the Secretary of State. The Secretary of Stale having disappeared, it is necessary to provide for the regulation of the all-India services, somewhere by some agency, in the Constitution and the most appropriate agency therefore is the Centre. List I deals with matters which are within the purview of the Centre. The natural place for All-India services is therefore in list I. That is one argument.

The second argument is this that there are already two sorts of All-India services at present in existence. There are the remnants of the old I.C.S. still continuing lo serve the Government of India. Secondly, there have been in stituted during the course of the last two years what are called the All-India Administrative Service and the All-India Police Service. Whether the Centre continue lo recruit civil servants on the basis of the All-India administrative Service or the All-India Police Service is a matter which has to be determined in the course of a subsequent article with which we will be concerned. But there is no doubt about it that these services have been brought into existence with the consent of the Provinces. Secondly, they being there, it is necessary to make provision for their regulation. And I submit that the Union List is the proper list where this provision can be made.

With regard to my Friend Mr. Kamath's suggestion that the Joint Commission should be mentioned in this entry, my submission is that on a deeper consideration that would create complications. The Joint Commission, so far as its constitution, the appointment of its members and their removal are concerned—and only in these three respects—is an All-India subject, and provision for these three matters is already made in article 284. In all other respects it is really a State Public Service Commission: say, for instance, for the purpose of excluding certain services or consulting them in certain matters, it will still be a State Public Service Commission. And it is not desirable to oust the jurisdiction of the Slates in these matters as would be the consequence if the Joint Commission was also mentioned in entry 58. It is for that purpose that I object to Mr. Kamath's proposal.

Shri H. V. Kamath : May I know if this will go lo the Concurrent List ?

The Honourable Dr. B. R. Ambedkar : No.

Shri H. V. Kamath : Where will it go ?

The Honourable Dr. B. R. Ambedkar : It can be the Centre only in certain respects : for instance, if the States jointly say that a Joint Public

Service Commission should be constituted, then as a result of the resolution the Centre gets jurisdiction and not otherwise. In all fundamental matters, it is distributively, if I may say so, a State Public Service Commission.

Dr. P. S. Deshmukh : I beg leave to withdraw my amendment.

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

Mr. President : I shall put Mr. Kamath's amendment to vote.

[It was withdrawn. Dr. Ambedkar 's amendment was carried. Entry 58, as amended, was added to the Union List.]

ENTRY 58-A

***The Honourable Dr. B. R. Ambedkar :** I move :

"That after entry 58 of List I, the following entry be inserted :

'58-A. Union pensions, that is to say, pensions payable by the Government of India or cut of the Consolidated Fund of India'."

This entry did not exist in the draft. We felt it necessary to have such an entry as a measure of caution.

* * * * *

The Honourable Dr. B. R. Ambedkar : I do not think that the amendment suggested by my Friend Dr. Deshmukh is any improvement or has any substantial difference from the amendment as I have moved. The difference that is sought to be made is this that there may be certain pensions which may be payable out of the Consolidated Fund of India, which means out of the proceeds of taxes. It may be perfectly possible for the Government of India to institute pensions which are of a contributory character in which case the burden may not be on the Consolidated Fund but on the person who has already contributed to a Fund. That is the distinction. And that is why the entry has been worded in the way I have worded it.

Dr. P. S. Deshmukh : I would like to withdraw my amendment.

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

[The motion of Dr. Ambedkar was adopted and Entry 58A wax added to the Union List.]

ENTRY 60

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

"That for entry 60 of List I, the following entry be substituted :—

'60 Ancient and Historical Monuments and records declared by Parliament by law to be of national importance'."

*CAD, Vol. IX, 31st August 1949, pp. 799-801.

†*Ibid.,* p. 800.

The rest of the entry as it originally stood, namely, "archaeological sites and remains" is proposed to be transferred to the Concurrent List.

Shri H. V. Kamath : ... I think Dr. Ambedkar has advanced no cogent reasons for changing the language of article 39 which is sought to be embodied now in this entry. I therefore move amendment No. 206 and commend it to the House for its acceptance.

Mr. President : Would you like to say anything on amendment No. 206 ?

The Honourable Dr. B. R. Ambedkar : No Sir, it is quite unnecessary to say anything on this subject.

Mr. President : Then I will put the amendment moved by Mr. Kamath to vole

[The amendment was negatived. The motion of Dr. Ambedkar was adopted and Entry 60, as amended, was added to the Union List]

Prof. Shibban Lal Saksena : Sir, may I be permitted to move my amendments ? -

Mr. President : You were not here when I called them out. I am sorry it is too late now.

Prof. Shibban Lal Saksena : They are very important amendments, Sir, and I think they are independent also.

The Honourable Dr. B. R. Ambedkar : You have no equity in your favour.

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ENTRY 61

***Mr. President :** Let me finish the List and then we shall see. Now, entry No. 61. There is an amendment in the Printed List, of which notice is given by Dr. Ambedkar. No. 3548.

The Honourable Dr. B. R. Ambedkar : Sir, I am not moving that.

Mr. President : Then there are two amendments in the name of Mr. Santhanam.

The Honourable Shri K. Santhanam : I am not moving them.

Mr. President : Then I put Entry No. 61 to vote.

(Entry 61 was added to the Union List.)

*CAD, Vol. IX, 31st August 1949, p. 802.

ENTRY 61-A

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

"That after entry 61 of List I, the following entry he inserted :—

'61-A. Establishment of standards of quality for goods to be exported across customs, frontier or transported from one Slate to another'."

We have already got entry 61 which deals with standard of weights and measures and it is felt that there ought to he a provision for establishment of standards of quality for goods.

* * * * *

†**The Honourable Dr. B. R. Ambedkar :** Sir, the point raised by my Friend Dr. Deshmukh might well be raised when we discuss the entries in List II. They are matters within the jurisdiction of the States. We are dealing here only with List I, which is intended to circumscribe the power of the centre so as not to interfere with the internal affairs of the States. Consequently the entry has been worded in a very cautious manner. As my Friend will see, the entry speaks of standards of goods to be transported from one State to another. In regard to these it is not intendd to give the centre power to interfere with the administration of the States. If he wants to raise this question he may do so when we discuss the State List. ?

Dr. P. S. Deshmukh : May I suggest that this entry might be held over and the Agricultural Ministry consulted before we finalise this List ?

The Honourable Dr. B. R. Ambedkar : When we come to List II, we can discuss the matter.

Mr. President : I will put the amendments to vote.

(The amendments of Dr. Deshmukh were negatived.)

Mr. President : I shall now put the new entry 61-A to vote.

(The motion of Dr. Ambedkar was put to vote.)

* * * * *

‡**Shri V. S. Sarwate :** I would like to know from Dr. Ambedkar what the meaning of the term 'exported across customs frontier' is ?

Mr. President : I am afraid the questions comes too late, after the voting has taken place.

The Honourable Dr. B. R. Ambedkar : I will explain it to the honourable Member if he will come to me afterwards.

Mr. President : The question has been put.

The motion was adopted. Entry 61-A was added to the Union List.

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*CAD, Vol. IX, 31st August 1949, p.802.

†*Ibid.,* p. 803.

‡*Ibid.,* p. 804.

ENTRY 63

***Mr. President :** ... We may now take up entry 63.

The Honourable Dr. B. R. Ambedkar : Mr. President, I am not moving amendment No. 3551 to the original entry. In regard to amendment 34 which I am moving I shall in doing so incorporate in it amendment No. 212 also. Sir, I move :

"That for entry 63 of List I, the following entry be substituted :—

'63. Regulation and development of oilfields and mineral oil resources; petroleum and petroleum products; other liquids and substances declared by Parliament by law to he dangerously inflammable'."

* * * * *

†**The Honourable Dr. B. R. Ambedkar :** I do not think that either of these two amendments is necessary. The purpose which my Friend's Professor Shibban Lai Saksena has in view, *viz,,* that entry 63 should also permit the centre to regulate prospecting for oil, etc., would be served by the words we have used "Regulation and development". With regard to the addition of the word "corrosive", I think it is not necessary to have any such power at all.

[With the lone amendment by Dr. Ambedkar, Entry 63 was added to the Union List.]

ENTRY 64

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

"That for entry 64 of List I, the following entry be substituted :—

'64. Industries, the control of which by the Union is declared by Parliament by law to be expendient in the Public interest'."

* * * * *

@**The Honourable Dr. B. R. Ambedkar :** Sir, the entry as it stands is perfectly all right and carries out the intention that the drafting Committee has in mind. My submission is that once the Centre obtained jurisdiction over any particular industry as provided for in this entry, that industry becomes subject to the jurisdiction of Parliament in all its aspects, not merely development but it may be in other aspects. Consequently, we have thought that the best thing is to put the industries first so as to give undoubted jurisdiction to Parliament to deal with it in any manner it likes, not necessarily development. Therefore, the entry is far wider than Mr. Kamath intends it to be.

[Two amendments were rejected Dr. Ambedkar's above motion was adopted, Entry 64, as amended was added to the Union List.]

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*CAD, Vol. IX, 31st August 1949, pp. 804.

†*Ibid.,* p. 805.

‡ *Ibid.,* p. 806.

@ *Ibid,* p. 807.

ENTRY 64-A

***The Honourable Dr. B. R. Ambedkar :** Sir, with regard to the amendment to have a new entry 64A. I may say that this matter was placed before the Premiers' Conference and the Premiers' Conference did not agree to the proposal.

With regard to the question of distribution of food, we have provided in article 206, that for a period of live years, the Centre may have control over the distribution of food.

With regard to the second amendment, namely, the introduction of the new entry 64B...

Mr. President : That has not been moved.

The Honourable Dr. B. R. Ambedkar : Sir, I cannot accept the amendment moved.

Mr. President : I shall put the amendment to vote. The question is :

"That after entry 64 of List I, the following new entry be added :—

'64-A, Co-ordination of the development of agriculture including animal husbandry, forestry and fisheries and the supply and distribution of food.' "

(The amendment was negatived.)

* * * * *

†**The Honourble Dr. B. R. Ambedkar :** With regard to the first part of the amendment, there is the proposal of the Drafting Committee to put this matter in the Concurrent List, and if my Friend Prof. Saksena were to examine the Concurrent List, he will find that there is an entry corresponding to entry 64B, *(a)* in entry 35A of the concurrent List.

With regard to *(b)* it is a matter of controversy and the Drafting Committee has not yet come to any conclusion on the question. The Drafting Committee feels that *(a)* is a perfectly logical consequence of the power which we have already given to Parliament to declare certain industries of national importance. If Parliament has the power to declare certain industries to be of national importance, then Parliament should also have the power to regulate the goods and the products of such industries. But *(b)* is about goods of industries other than those declared by Parliament to be of national importance. As I said, that is a matter of some controversy and the Drafting Committee has not come to any conclusion. I suggest Prof. Saksena may allow the matter to stand over till we reach entry 35 in the Concurrent List.

Prof. Shibban Lal Saksena : I have no objection to waiting.

Mr. President : Then it is held over.

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*CAD, Vol. IX, 31st August 1949, pp. 809-810.

†*Ibid.,* p. 811.

ENTRY 65

* * * * *

The Honourable Dr. B. R. Ambedkar : With regard to Mr. Kamath's amendment, it seems to me to be quite unnecessary because the word "oilfields" is used in general terms. Wherever it occurs, the Centre shall have jurisdiction. If an oilfield can occur below water...#

Mr. President : He says "and submarine regions".

Shri H. V. Kamath : I say "mines, oilfields and submarine regions."

The Honourable Dr. B. R. Ambedkar : What my friend has in mind is diving operations.

Shri H. V. Kamath : No, the Pearl industry.

The Honourable Dr. B. R. Ambedkar : All I can say is that I shall consider that matter.

Mr. President : Then I will first put the amendment moved by Prof. Saksena. The question is :

> "That in entry 65 of List I. after the word 'Regulation' the words 'and welfare' be inserted."

The amendment was negatived.

Shri H. V. Kamath : In view of Dr. Ambedkar's assurance, I do not press my amendment now. It may be considered by the Drafting Committee.

[The motion was adopted. Entry 65 was added to the Union List]

ENTRY 66

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

> "That in entry 66 of List I, the words 'and oilfields' be deleted."

It has already been transferred to entry 63.

* * * * *

‡**Shri Jagat Narain Lal** (Bihar : General)**:** Mr. President,... I simply wanted to oppose the amendment—I am sorry—moved by Mr. Brajeshwar Prasad.... I support the amendment moved by Dr. Ambedkar and oppose the amendments moved to them.

Shri Brajeshwar Prasad : Dr. Ambedkar's amendment deletes the word "oilfields".

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*CAD, Vol. IX, 31st August 1949, p. 813.

†*Ibid.*, p. 813

‡*Ibid.,* p. 816.

#The dots indicate interruption

Shri Jagat Narain Lal : The words "the oilfields" have to be deleted as those words have come earlier.

Mr. President : Would you like to say anything ?

The Honourable Dr. B. R. Ambedkar : No. Sir, I would not like to accept any amendment.

Mr. President : We will take the amendment by Mr. Brajeshwar Prasad.

Shri Brajeshwar Prasad : Sir, I beg to withdraw it.

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

[Mr. Kamath's amendment was withdrawn, Dr. Ambedkar's amendment was accepted. Entry 66, as amended was added to the Union List.]

ENTRY 67

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

"That for entry 67 of List I, the following entry be substituted :—

'67. Extension of the powers and jurisdiction of members of a police force belonging to any State to any area not within such State, but not so as to enable the police of one State to exercise powers and jurisdiction in any area not within that State without the consent of the Government of the State in which such area is situated; extension of the powers and jurisdiction of members of a police force belonging to any State to railway areas outside that State.'

Mr. President : There is an amendment by Sardar Hukam Singh for deletion. That need not be moved. Dr. Deshmukh has an amendment to this entry which I understand he is not moving, so I will put the motion to vote.

(The amendment was adopted.)

[Entry 67, as amended, was added to the Union List]

ENTRY 68

†**The Honourable Dr. B. R. Ambedkar :** I move :

"That for entry 68 of List I, the following entry be substituted :—

*Elections to Parliament and to Legislatures of States and of the President and Vice President; and Election Commission to superintendent, direct and control such elections.'

* * * * *

Mr. President : There is an amendment to this standing in the name of Mr. Santhanam. I think it does not arise in view of the decision we have taken with regard to some other articles.

*CAD, Vol. IX, 31st August 1949, p. 817.

†*Ibid.,* p. 818.

The Honourable Dr. B. R. Ambedkar : It is unnecessary to accept this amendment, because the Election Commission will include Regional Commissioners also.

[The amendment was negatived. Entry 68, as amended by Dr. Ambedkar's motion was adopted and added to the Union List]

ENTRY 69

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

"That for entry 69 of List I, the following entries be substituted :—

'69. The emoluments and allowances and rights in respect of leave of absence of the President and governors; the salaries and allowances of the Ministers of the Union and of the Chairman and Deputy Chairman of the Council of States and of the Speaker and Deputy Speaker of the House of the People; the salaries and allowances of the members of Parliament; the salaries, allowances and the conditions of service of the Comptroller and Auditor General of India.

69A. The privileges, immunities and powers of each House of Parliament and of the members and the committees of each House.' "

Mr. President : There is an amendment to this, No. 219 standing in the name of Mr. Kamath.

Shri H. V. Kamath : I do not want to move my amendment, but I would ask how Dr. Ambedkar has forgotten or lost sight of the Supreme Court Judges.

The Honourable Dr. B. R. Ambedkar : Their salaries etc., are provided for in the Schedule. We have said that their salaries shall be such as are specified in the Schedule.

Mr. President : Then amendment No. 220 by Dr. Deshmukh. Does it not go more appropriately to the State List ?

Dr. P. S. Deshmukh : No. Sir. I move :

"That in amendment No. 39 of List I (Sixth Week), after the proposed entry 69 of List I, the following new entry be added :—

69A. Priviliges, immunities and powers of the members of the State Legislatures and their Committees.' "

...I think it is very necessary that the priviliges should be uniform and that they should not differ from State to Stale.

Shri Brajeshwar Prasad : Hear, Hear.

The Honourable Dr. B. R. Ambedkar : It is only proper that each Legislature should have the authority to define its own privileges, immunities and powers, and it is for that reeason that we have provided that Parliament should have power to specify the privileges, immunities and powers of its own members, and the State Legislatures should have

*CAD. Vol. IX, 31st August 1949, pp. 819-820

similar power with regard to their own members. I do not think that the whole power should be concentrated in the Centre. I should have thought that if Parliament passes an Act defining the privileges, immunities and powers of its members, the State Legislatures will probebly follow suit and copy the thing *verbatin* with such minor amendments as they think desirable.

[Dr. Ambedkar's motion was adopted. Amendment by Dr. Deshmukh was rejected. Entry 69 and 69-A, as amended were added to the Union List]

ENTRY 70

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

"That at the end of entry 70 of List I, the words 'or Commissions appointed by Parliament' be added."

As it stands, the entry refers only to Committees.

Mr. President : I do not think that there is any other amendment to

[The motion was adopted. Entry 70, as amended, was added to the Union List]

ENTRY 70A

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

"That after entry 70 of List I, the following entry be inserted :— '70A. The sanctioning of cinematograph films for exhibition.' "

This entry was originally placed in the concurrent List. It is now proposed to put it in List I.

* * * * *

‡The Honourable Dr. B. R. Ambedkar : Mr. President, Sir, the object bringing this entry which was originally in the Concurrent List to the Union List is two-fold firstly to prescribe as far as possible a uniform standard for sanction of films; and secondly, to prevent an injury being done to any producer of a film whose film may not be sanctioned by any particular province by reason of some idiosyncracy or by reason of some standards which are of an extraordinary character and do not conform to general standards which ought to be prevalent in a matter of sanctioning of Cinematograph. Therefore, I think it is very necessary that this matter of sanctioning instead of being distributed between the Centre and provinces so that each

*CAD, Vol. IX, 31st August 1949, p. 820.

†*Ibid.,* p. 821.

‡*Ibid,* p. 824.

province may go on prescribing its own standard and the Centre be required to persuade each province to examine its standard and point out whether the standards are good or bad, it is much better to bring it over to the Union List. So far as the rest of that matter is concerned it is proposed to leave the entry 43 in List II as it is so that the provinces will retain all the control they have over theatres, dramatic performances and cinemas *minus* the question of sanctioning. I do not think that any injury will be caused to any particular interest by the proposal I have made. On the other hand, as I have stated there would be distinct advantages in concentrating the power of sanctioning in a single body like the Centre.

Shri Raj Bahadur : Only sanctioning ?

The Honourable Dr. B. R. Ambedkar : Once the Centre has sanctioned that the film is a good film and conforms to moral standards, I do not see any reason why there should be any further provision for the exhibition at all. The matter ends.

Mr. President : I put the amendment No.222 to vote.

Dr. P. S. Deshmukh : I would like to withdraw it. (The amendment was, by leave of the Assembly, withdrawn.)

Shri Raj Bahadur : I would like to withdraw my amendment No. 266.

[The amendment was, by leave of the assembly, withdrawn. Entry 70A was added to the Union List.]

ENTRY 73

***Mr. President :** Then comes entry 73. Dr. Ambedkar.

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

"That for entry 73 of List I, the following entry be substituted :—

'73. Inter-State trade and commerce.' "

The words that follow these words in entry 73 are unnecessary, because there is a proposal to drop entry 33 of List II.

Mr. President : There is an amendment to this, amendment No. 226 of Mr. Naziruddin Ahmad.

Mr. Naziruddin Ahmad : I am not moving it.

Mr. President : Then there is no amendment to this entry. I put the entry, as moved by Dr. Ambedkar, to the House.

[The amendment was adopted. Entry 73, as amended, was added to the Union List. Entries which are not mentioned here have no coments by Dr. Ambedkar in the debates. Most of these were adopted without any discussion.]

*CAD, Vol. IX, 31st August 1949, p. 825.

ENTRY 73-A

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***Mr. Naziruddin ahmad :** ...So if inter-planetary travel is to be included in the list as it must, this amendment will also have to be accepted. A journey from the Earth to the Moon and back is likely to be the earliest achievement. But Mr. Kamath's amendment will not make it possible. My amendment should be accepted to make the original amendment complete. I hope. Sir, if the amendment is to be rejected, it is rejected in a more satisfactory way by vote.

Mr. President : I do not suppose any further speech is necessary !

The Honourable Dr. B. R. Ambedkar : I do not quite understand whether the proposals of my Friend relate to matters which are unknowable or which relate to matters which are unknown. If they are unknown, then we have wasted our lime. But if they arc unknown and not unknowable, then we have enough powers to deal with them. Why bother with any entry at all ?

Mr. President: I will put Mr. Naziruddin Ahmad's amendment to the vote.

(The amendment was negatived.)

LIST I

ENTRY 74

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

> "That for entry 74 of List I, the following entry be substituted:—
>
> '74. The regulation and development of inter-Stale rivers and river-valleys to the extent to which such regulation or development under the control of the Union is declared by Parliament by law to be expedient in the public interest.' "

Shri Brajeshwar Prasad : (Bihar : General): Mr. President, may I with your permission, say one word before I move my amendment? Somehow, due to my fault perhaps, one word is missing from this amendment. I want the inclusion of the word "regulation". Sir, I beg to move:

That in amendment 3562 of the List of Amendments, for the proposed entry 74 of List I, the following be substituted :—

> "74. The regulation and development of inter-State rivers and inter-State waterways, including flood controol, irrigation, navigation and hydro-electric power and for other purposes, where such development under the control of the Union is declared by Parliament by law to be necessary or expedient in the public interest."

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*CAD. Vol. IX, 31st August 1949, p. 828.

†*Ibid.,* 1st September 1949, p. 830.

Sir, I have only the comment to offer, that this amendment of mine is more comprehensive than the amendment moved by Dr. Ambedkar.

* * * * *

The Honourable Dr. B. R. Ambedkar : Sir, all that I would like to say is that whatever Shri Brajeshwar Prasad wants is included in my amendment and it is therefore unnecessary to accept it.

[Shri Brajeshwar Prasad withdrawn the amendment, The amendment of Dr. Ambedkar was adopted. Article 74, as amended was added to the Constitution.]

ENTRY 75

[Amendment to Entry 75 moved by Naziruddin Ahmad was not accepted by Dr. Ambedkar. It was therefore negatived by the House. Entry 75, as amended, was added to the List.]

ENTRY 76

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

"That for entry 76 of List I, the following entry be substituted :—

'76. Manufacture, supply and distribution of salt by Union agencies; regulation and control of manufacture supply and distribution of salt by other agencies'."

[Entry 76 as amended was added to the Union List.]

Shri Mahavir Tyagi: (United Province : General): Sir, when you put the question to vote, Dr. Ambedkar says "Ayes" beyond the mike; with the result that the Ayes have an undue volume of their voice.

ENTRY 79

†The Honourable Dr. B. R. Ambedkar : Sir, with regard to entry 79, I have to make one observation. Some Members of the House are under the impression that if entry 79 remained in List I it would be opened also to the Centre to appropriate the proceeds of any taxes that may be levied on the Stock Exchanges and futures market and taxes other than stamp duties on transactions therein. I would like to make it clear that in putting Stock Exchanges and futures market in List I, there is no intention on the part of the Drafting Committee that the Centre should have any right to appropriate the proceed of any taxes that might be levied under this entry. Consequently, the Drafting Committee proposes, in order to remove all sorts of doubts, to amend article 250 which requires the proceeds of certain taxes to be distributed among the provinces. What we propose to do is,

*CAD, Vol. IX, 1st September 1949, p. 831.

†*Ibid.,* p. 832.

as a consequential provision, to add to article 250 which contains clauses *(a)* to *(d)* enumerating the taxes to be distributed, 'proceeds of any taxes on Stock Exchanges and futures market', so that they too will be subject to distribution among the provinces. That would, I am sure, remove all doubts that certain Members have that this entry if it remains in List I would give power to the Centre to appropriate the taxes. That is not the intention. The entry there is purely legislative. It would have no financial implications at all.

Pandit Hirday Nath Kunzru : (United Provinces : General): May I ask Dr. Ambedkar whether he intends also to bring in a modification of article 277 in this connection?

The Honourable Dr. B. R. Ambedkar : Well, I shall consider any consequential provision necessary to bring in to make the matter consistent.

[Entry 79 was added to the Union List.]

ENTRY 81

***Shri Brajeshwar Prasad :** Mr. President, Sir, I beg to move :

"That for amendment No. 3572 of the List of amendments, the following be substituted :—

"That for entry 81 of List I, the following be substituted :—

"81. Duties in respect of succession to property including agricultural land."

* * * * *

†The Honourable Dr. B. R. Ambedkar : I may mention, Sir, that this matter was considered at the conference with the Provincial Premiers. They were of option that, although the principle might be sound, they were at the present moment not prepared to make this radical change.

[The amendment of Mr. Brajeshwar Prasad was withdrawn and Entry 81 was added to the Union List.]

ENTRY 83

‡Mr. President : There are two amendments to this.

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

"That in entry 83 of List I, after the word 'railway' a comma and the word 'sea' be inserted."

The intention is to complete the entry by the addition of the word "sea" which was inadvertently omitted.

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*CAD, Vol. IX, 1st September 1949, p. 833.

†*Ibid.,* p. 835.

‡*Ibid.,* p. 836.