

ADDENDA AND CORRIGENDA.

[N. B.—In order to place this book in the hands of the public immediately after the enactment of the Government of India Act 1935, the manuscript was sent to the press when the India Bill was half-way through Parliament. The amendments made to the Bill, since, are specified below. Part III of this book read with these amendments, gives a correct and complete picture of the New Constitution, under the Government of India Act 1935 as it finally emerged from Parliament. Typographical errors in the book are also rectified.]

PAGE	LINE	PARTICULARS OF AMENDMENT
xxxiii	29	<i>for 'acts' read 'Acts'.</i>
xlvi	24	<i>for 'domocratic' read 'democratic'.</i>
li	21	<i>add.</i> Parliament went one step further. It has set up an Upper Chamber for Assam also.
lxi	28	<i>add.</i> In view of the vehement opposition to indirect elections, Government accepted an amendment in the House of Lords constituting the Council of State by direct election. The concession is, however, barren as the voters will number only about 100000 and the franchise is pitched high.
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lxvi	5	<i>for 50 read 49.</i>
lxxi	16-17	<i>delete.</i>
lxxv	7	(3) A Federated State may contract out of the clauses relating to water rights which provide that water disputes are to be decided by a Commission.
lxxxviii	18	<i>for 'on' read 'in'</i>
161	5	<i>add.</i> If a State in its Instrument of Accession made limitations in the legislative field, these limitations would apply, consequentially, in the administrative field.
163	30	<i>add.</i> The Select Committee has rejected the petition as opposed to Constitutional Conventions.
203	20	<i>add.</i> Service safeguards include the securing of the rights and the safeguarding of the interests of dependents of persons who are or had been members of the public services.
252	18	
209	29	<i>for 'distributing' read 'disturbing'.</i>
220	8	<i>delete 'confirmation of'</i>
222	28	<i>add.</i> In cases of emergency the Governor-General can enact a Governor-General's Act, forthwith.
222	last line	<i>for 'urther' read 'further'.</i>
223	28	<i>add.</i> iv. discussions in respect of tribal areas.
228	36	<i>Substitute 6 for 5.</i>
229	4	<i>add.</i> Under an amendment made in the House of Lords the Council of State will be constituted by direct election. The electorate will number about 100,000 and will vote in communal constituencies. The allocation of seats is as

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		follows : General seats 75 : Mahomedans 49 : Sikhs 4 Scheduled classes 6. Europeans 7 : Indian Christians 2 Anglo-Indians 1 : Women 6. The franchise is pitched high
229	7	<i>add.</i> Six seats have been reserved for women in the Council of State, one each from Madras, Bombay, Bengal, United Provinces, Punjab and Bihar.
229	10	<i>add.</i> The Governor-General will be directed in his Instrument of Instructions to give special attention to the representation of labour in the Federal legislature.
229		<i>delete</i> lines 14 to 29.
237	last line	<i>delete</i> 'e'.
267	23	<i>add.</i> and Assam.
267	25	<i>Substitute</i> 'six' for 'five'.
268	28	ditto.
268	last line	ditto.
272	13	<i>add.</i> The Governor will be directed, in his Instrument of Instructions, to give special attention to the representa- tion of women in the legislature.
273	8	<i>Substitute</i> six for five.
273	11-12	<i>add.</i> Assam not more than 22 and not less than 21.
273	21	<i>add</i> 'and Assam'.
273	33	<i>add.</i> The franchise schedules were incorporated into the Act, by an amendment, during the passage of the India Bill through Parliament.
274	2	<i>Substitute</i> four for three.
274	18	<i>for</i> ' Appendix V to the White Paper.' <i>read</i> 'the schedule appended to the Act'.
274	28	<i>add.</i> (d) Service in the Indian Police Force. (e) Being pensioned widows or mothers of former members of His Majesty's Forces.
275	23-24	<i>for</i> ' will, without doubt, be incorporated in the rules to be framed.' <i>read</i> ' have been incorporated in a schedule to the Act.'
276	7	<i>add.</i> After the first elections, the application require- ment will be generally dispensed with.
280	27	<i>add.</i> The grant should not be less than the average during the 10 years ending 31-3-1933.
281	5	<i>add.</i> The Governor-General's concurrence is necessary for promulgating a Governor's ordinance, except in an emergency when time is insufficient to obtain his con- currence.
285	20	<i>Substitute</i> for ' subjects of His Majesty within any part of India ' the words ' British subjects domiciled in India '.
285	22	<i>add.</i> iii. to all shipping and air-craft registered in British India or a Federated State.

PAGE	LINE	PARTICULARS OF AMENDMENT
293	16	<i>add.</i> (6) subjects persons not resident in British India and companies not wholly controlled or managed in British India to greater taxation than residents in British India. (7) abolishes or restricts the protection afforded to the servants of the Crown in India by section 197, Cr. P. C. or sections 80 to 82 C.P.C.
294	30	<i>add.</i> (3) abolishes or restricts the protection afforded to the servants of the Crown in India by section 197, Cr. P. C. or sections 80 to 82 C.P.C.
298	bottom	<i>add.</i> Holders of debentures, debenture stock and bonds as well as shipping companies running ships between the United Kingdom and India are also given similar protection.
301	29	<i>add.</i> Ships include Air-craft.
340	20	<i>add.</i> In constitutional cases appeals to the Privy Council against decisions of the Federal Court will lie as a matter of right.
341	bottom	<i>add.</i> Persons will not be qualified for the Chief-justiceship of the Federal Court unless they have been, for fifteen years, barristers, advocates or pleaders.
342	18	<i>add.</i> On the other hand it would be oppressive if a litigant with a claim against the Federation was bound to go to Delhi to prosecute his claim. Therefore the ordinary Courts have jurisdiction to entertain such claims.
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350	13	<i>delete</i> the whole of sub-paragraph (vi).
355	27	<i>Substitute</i> for the words 'appointed by the Railway Authority subject to confirmation by the Governor-General in the exercise of his individual judgment' the words 'appointed by the Governor-General in the exercise of his individual judgment after consultation with the Railway Authority'.
373	20	<i>add.</i> The Secretary of State has the power to compensate members of the Services against the depreciation of the sterling value of the Rupee.
375	20	<i>add.</i> The rules relating to the appointments of District Judges would apply to appointments of Chief Presidency Magistrates and Judges of Small Cause Courts.
376	11	<i>add.</i> It is not the Government's intention that examiners should be eligible for being appointed members of the Public Services Commissions. At least half the number of members should have held office under the crown for 10 years.
378	23	<i>add.</i> The Proclamation requires Parliamentary approval at the end of every six months and shall, in no case, exceed three years. It is impossible to govern India under the breakdown clause. In such a contingency the Act would have to be amended. If any such amendment alters the conditions subject to which the States federated, the Instruments of Accession would thereby be rendered void, and the States would have the option of getting out of the Federation.

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383	29	Bills of an expropriatory character which the Governor-General and Governor do not feel justified in disallowing on grounds of equity, should be reserved for the signification of His Majesty's pleasure.
383	29	<i>add.</i> 379 (a). Sex is no disqualification for holding a public office unless the appropriate authority declares that certain specified offices are unsuitable for women. The question as to whether sex shall not be a disqualification for practising any profession, and as to whether any restriction should be imposed, is left for decision by the Indian legislatures.
383	29	379 (b). The Ruler or subject of a Federated State is eligible to hold civil office under the crown in India in connection with the affairs of the Federation. The subject of a non-Federated State, the native of a specified tribal area, or the native of any territory adjacent to India are eligible to hold any office specified in a declaration made by the Governor-General.
388	33	<i>add.</i> The Communal Award could be altered only with the consent of the community concerned. The views of the representatives, in the Legislatures, of any minority likely to be so affected, will also be taken.
391	9	<i>add.</i> In the latter, only in cases involving Federal rights. He has also the right to speak in the Federal Legislature as the spokesman of the Governor-General.
393	28	<i>Substitute</i> 132 for 130.
395	bottom	<i>add.</i> The status quo ante will be preserved for a specified period to be fixed by Order in Council.
397	9	<i>add.</i> The Burman share of the profits of the Bank will be a charge on the revenues of the Federation.
412		<i>add.</i> Partabgarh has been given slightly increased representation in the Council of State.
417	bottom	<i>add.</i> Assam. Not less than 21) (not less than 3 Not more than 22) 10 6 2 (not more than 4
419	23	Item 21 has been transferred to the concurrent list.
420	17	<i>add.</i> 'Safety in oil-fields.'
421	23	<i>add.</i> i. Regulation of labour and safety in mines. ii. Regulation of mines, oil-fields, and mineral developments to the extent whereto the Federal control declared by a Federal law is expedient in the public interest. iii. Regulation of the working of mines but not including mineral development.
425	12	Item 19 has been transferred from part I to part II.
425	bottom	'Unemployment insurance' has been added to part II.