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MINISTRY OF LAW
(Legislative Department)

New Delhi, the 29th December, 1962/Pausa 8, 1884 (Saka)

The following Acts of Parliament received the assent of the President on the 28th December, 1962, and are hereby published for general information:—

THE CONSTITUTION (THIRTEENTH AMENDMENT)
ACT, 1962

[28th December, 1962]

An Act further to amend the Constitution of India

BE it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Thirteenth Amendment) Act, 1962. Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In PART XXI of the Constitution—

(a) for the heading, the following heading shall be substituted, namely:—

“TEMPORARY, TRANSITIONAL AND SPECIAL PROVISIONS”;

(b) after article 371, the following article shall be inserted, namely:—

“371A. (1) Notwithstanding anything in this Constitution,—

(a) no Act of Parliament in respect of—

(i) religious or social practices of the Nagas,

Amendment of Part XXI.

Special provision with respect to the State of Nagaland.

word 'sixty', the words 'forty-six' had been substituted;

(ii) in the said clause, the reference to direct election from territorial constituencies in the State shall include election by the members of the regional council established under this article;

(iii) in clauses (2) and (3), references to territorial constituencies shall mean references to territorial constituencies in the Kohima and Mokokchung districts.

(3) If any difficulty arises in giving effect to any of the foregoing provisions of this article, the President may by order do anything (including any adaptation or modification of any other article) which appears to him to be necessary for the purpose of removing that difficulty:

Provided that no such order shall be made after the expiration of three years from the date of the formation of the State of Nagaland.

Explanation.—In this article, the Kohima, Mokokchung and Tuensang districts shall have the same meanings as in the State of Nagaland Act, 1962.”

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THE CONSTITUTION (FOURTEENTH AMENDMENT) ACT, 1962

[28th December, 1962]

An Act further to amend the Constitution of India

BE it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Fourteenth Amendment) Act, 1962. Short title.

2. In article 81 of the Constitution, in sub-clause (b) of clause (1), Amendment of article 81.
for the words "twenty members", the words "twenty-five members" shall be substituted.

3. In the First Schedule to the Constitution, under the heading "II. THE UNION TERRITORIES", after entry 8, the following entry shall be inserted, namely:— Amendment of the First Schedule.

"9. Pondicherry: The territories which immediately before the sixteenth day of August, 1962, were comprised in the French Establishments

in India known as Pondicherry, Karikal, Mahe and Yanam.”.

Insertion of new article 239A.

Creation of local Legislatures or Council of Ministers or both for certain Union territories.

4. After article 239 of the Constitution, the following article shall be inserted, namely:—

“239A. (1) Parliament may by law create for any of the Union territories of Himachal Pradesh, Manipur, Tripura, Goa, Daman and Diu, and Pondicherry—

(a) a body, whether elected or partly nominated and partly elected, to function as a Legislature for the Union territory, or

(b) a Council of Ministers,

or both with such constitution, powers and functions, in each case, as may be specified in the law.

(2) Any such law as is referred to in clause (1) shall not be deemed to be an amendment of this Constitution for the purposes of article 368 notwithstanding that it contains any provision which amends or has the effect of amending this Constitution.”

Amendment of article 240.

5. In article 240 of the Constitution, in clause (1),—

(a) after entry (d), the following entry shall be inserted, namely:—

“(e) Pondicherry.”;

(b) the following proviso shall be inserted at the end, namely:—

“Provided that when any body is created under article 239A to function as a Legislature for the Union territory of Goa, Daman and Diu or Pondicherry, the President shall not make any regulation for the peace, progress and good government of that Union territory with effect from the date appointed for the first meeting of the Legislature.”

Amendment of the Fourth Schedule.

6. In the Fourth Schedule to the Constitution, in the Table,—

(a) after entry 20, the entry

“21. Pondicherry... 1” shall be inserted;

(b) for the figures “225”, the figures “226” shall be substituted.

Retrospective operation of certain provisions.

7. Section 3 and clause (a) of section 5 shall be deemed to have come into force on the 16th day of August, 1962.

S. P. SEN-VARMA,

Jt. Secy. to the Govt. of India.