
Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

SCHEDULES.

FIRST SCHEDULE

Sections 5, 18, 308.

COMPOSITION OF THE FEDERAL LEGISLATURE.

PART I

REPRESENTATIVES OF BRITISH INDIA.

General Qualification for Membership.

- 1 A person shall not be qualified to be chosen as a representative of British India to fill a seat in the Federal Legislature unless he—
- (a) is a British subject, or the Ruler or a subject of an Indian State which has acceded to the Federation; and
 - (b) is, in the case of a seat in the Council of State, not less than thirty years of age and, in the case of a seat in the Federal Assembly, not less than twenty-five years of age; and
 - (c) possesses such, if any, of the other qualifications specified in, or prescribed under, this Part of this Schedule as may be appropriate in his case:

Provided that the Ruler or a subject of an Indian State which has not acceded to the Federation—

- (i) shall not be disqualified under sub-paragraph (a) of this paragraph to fill a seat allocated to a Province if he would be eligible to be elected to the Legislative Assembly of that Province; and
 - (ii) in such cases as may be prescribed, shall not be disqualified under the said sub-paragraph (a) to fill a seat allocated to a Chief Commissioner's Province.
- 2 Upon the expiration of the term for which he is chosen to serve as a member of the Federal Legislature, a person, if otherwise duly qualified, shall be eligible to be chosen to serve for a further term.

The Council of State.

- 3 Of the one hundred and fifty-six seats in the Council of State to be filled by representatives of British India one hundred and fifty seats shall be allocated to the Governors' Provinces, the Chief Commissioners' Provinces and the Anglo-Indian, European and Indian Christian communities in the manner shown in division (i) of the relevant Table of Seats appended to this Part of this Schedule, and six seats shall be filled by persons chosen by the Governor-General in his discretion.
- 4 To each Governor's Province, Chief Commissioner's Province and community specified in the first column of division (i) of the Table there shall be allotted the number of seats specified in the second column opposite to that Province or community, and of the seats so allotted to a Governor's Province or a Chief

*Status: This is the original version (as it was originally enacted). This
 item of legislation is currently only available in its original format.*

Commissioner's Province, the number specified in the third column shall be general seats, the number specified in the fourth column shall be seats for representatives of the scheduled castes, the number specified in the fifth column shall be Sikh seats, the number specified in the sixth column shall be Muhammadan seats, and the number specified in the seventh column shall be seats reserved for women.

- 5 A Governor's Province or a Chief Commissioner's Province, exclusive of any portion thereof which His Majesty in Council may deem unsuitable for inclusion in any constituency or in any constituency of any particular class, shall be divided into territorial constituencies—

- (a) for the election of persons to fill the general seats, if any;
- (b) for the election of persons to fill the Sikh seats, if any; and
- (c) for the election of persons to fill the Muhammadan seats, if any,

or, if as respects any class of constituency it is so prescribed, may form one territorial constituency.

To each territorial constituency of any class one or more seats of that class shall be assigned.

- 6 (1) No person shall be entitled to vote at an election to fill a Sikh seat or a Muhammadan seat in the Council of State unless he is a Sikh or a Muhammadan, as the case may be.
- (2) No person who is, or is entitled to be, included in the electoral roll for a territorial constituency in any Province for the election of persons to fill a Sikh seat or a Muhammadan seat in the Council of State shall be entitled to vote at an election to fill a general seat therein allotted to that Province.
- (3) No Anglo-Indian, European or Indian Christian shall be entitled to vote at an election to fill a general seat in the Council of State.
- (4) Subject as aforesaid, the qualifications entitling persons to vote in territorial constituencies at elections of members of the Council of State shall be such as may be prescribed.

- 7 Nothing in the two last preceding paragraphs shall apply in relation to British Baluchistan, and a person to fill the seat in the Council of State allotted to that Province shall be chosen in such manner as may be prescribed.

- 8 In any Province to which a seat to be filled by a representative of the scheduled castes is allotted, a person to fill that seat shall be chosen by the members of those castes who hold seats in the Chamber or, as the case may be, either Chamber of the Legislature of that Province.

- 9 In any Province to which a seat reserved for women is allotted, a woman to fill that seat shall be chosen by the persons, whether men or women, who hold seats in the Chamber or, as the case may be, the Chambers of the Legislature of that Province.

- 10 Persons to fill the seats allotted to the Anglo-Indian, European and Indian Christian communities shall be chosen by the members of Electoral Colleges consisting of such Anglo-Indians, Europeans and Indian Christians, as the case may be, as are members of the Legislative Council of any Governor's Province or of the Legislative Assembly of any Governor's Province.

The Rules regulating the conduct of elections by the European Electoral College shall be such as to secure that on any occasion where more than one seat falls to be filled by the College no two of the seats to be then filled shall be filled by persons who are normally resident in the same Province.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- 11 A person shall not be qualified to hold a seat in the Council of State unless—
- (a) in the case of a seat allotted to a Governor's Province or a Chief Commissioner's Province, he is qualified to vote in a territorial constituency in the Province at an election of a member of the Council of State, or, in the case of a seat allotted to British Baluchistan, possesses such qualifications as may be prescribed;
 - (b) in the case of a seat allotted to the Anglo-Indian, the European or the Indian Christian community, he possesses such qualifications as may be prescribed.
- 12 Subject to the provisions of the four next succeeding paragraphs, the term of office of a member of the Council of State shall be nine years :
- Provided that a person chosen to fill a casual vacancy shall be chosen to serve only for the remainder of his predecessor's term of office.
- 13 Upon the first constitution of the Council of State persons shall be chosen to fill all the seats allotted to Governors' Provinces, Chief Commissioners' Provinces and communities, but, for the purpose of securing that in every third year one-third of the holders of such seats shall retire, one-third of the persons first chosen shall be chosen to serve for three years only, one-third shall be chosen to serve for six years only and one-third shall be chosen to serve for nine years, and thereafter in every third year persons shall be chosen to fill for nine years the seats then becoming vacant in consequence of the provisions of this paragraph.
- 14 In the case of a Province specified in column one in division (ii) of the Table of Seats, the numbers specified as respects seats of different classes in columns two to six, in columns seven to eleven and in columns twelve to sixteen respectively shall be the numbers of the seats of the different classes to be filled upon the first constitution of the Council by members chosen to serve for three years only, by members chosen to serve for six years only, and by members chosen to serve for nine years.
- 15 The person chosen upon the first constitution of the Council to fill the Anglo-Indian seat shall be chosen to serve for nine years; of the seven persons then chosen to fill the European seats, three shall be chosen to serve for three years only, one shall be chosen to serve for six years only and three shall be chosen to serve for nine years; and, of the two persons then chosen to fill the Indian Christian seats, one shall be chosen to serve for three years only and one shall be chosen to serve for nine years.
- 16 Upon the first constitution of the Council of State two of the persons to be chosen by the Governor-General shall be chosen to serve for three years only, two shall be chosen to serve for six years only and two shall be chosen to serve for nine years.

The Federal Assembly.

- 17 The allocation of seats in the Federal Assembly, other than seats allotted to Indian States, shall be as shown in the relevant Table of Seats appended to this Part of this Schedule.
- 18 To each Governor's Province and Chief Commissioner's Province specified in the first column of the Table there shall be allotted the number of seats specified in the second column opposite to that Province, and of those seats—
- (i) the number specified in the third column shall be general seats, of which the number specified in the fourth column shall be reserved for members of the scheduled castes;

*Status: This is the original version (as it was originally enacted). This
 item of legislation is currently only available in its original format.*

- (ii) the numbers specified in the next eight columns shall be the numbers of seats to be filled respectively by persons chosen to represent (a) the Sikh community; (b) the Muhammadan community; (c) the Anglo-Indian community; (d) the European community; (e) the Indian Christian community; (f) the interests of commerce and industry; (g) landholders; and (h) the interests of labour; and
- (iii) the number specified in the thirteenth column shall be the number of seats reserved to women.

There shall also be in the Federal Assembly four seats not allotted to any Province, of which three shall be seats to be filled by representatives of commerce and industry and one shall be a seat to be filled by a representative of labour.

- 19 Subject to the provisions of the next succeeding paragraph, persons to fill the seats in the Federal Assembly allotted to a Governor's Province as general seats, Sikh seats or Muhammadan seats shall be chosen by electorates consisting of such of the members of the Legislative Assembly of the Province as hold therein general seats, Sikh seats or Muhammadan seats respectively, voting in the case of a general election in accordance with the principle of proportional representation by means of the single transferable vote :

Provided that in the North West Frontier Province the holders of Sikh seats, and in any Province in which seats are reserved for representatives of backward areas or backward tribes the holders of those seats, shall, for the purposes of this paragraph, be deemed to hold general seats.

- 20 The provisions of this paragraph shall have effect with respect to the general seats reserved in any Governors' Province for members of the scheduled castes :—

For the purposes of a general election of members of the Federal Assembly,—

- (a) there shall be a primary electorate consisting of all persons who were successful candidates at the primary elections held, in accordance with the provisions of the Fifth Schedule to this Act, on the occasion of the last general election of members of the Legislative Assembly of the Province for the purpose of selecting candidates for seats reserved for members of the scheduled castes;
- (b) the members of the primary electorate so constituted shall be entitled to take part in a primary election held for the purpose of electing four candidates for each seat so reserved; and
- (c) no person who is not so elected as a candidate shall be qualified to be chosen to fill such a seat.

Rules made under this Part of this Schedule shall make provision as to the manner in which a casual vacancy occurring in a seat to which this paragraph applies is to be filled.

- 21 For the purpose of choosing persons to fill the women's seats in the Federal Assembly there shall be for British India an electoral college consisting of such women as are members of the Legislative Assembly of any Governors' Province, and the person to fill a woman's seat allotted to any particular Province shall be chosen by the members of the college.

Rules regulating the conduct of elections by the women's electoral college shall be such as to secure that, of the nine women's seats allotted to Provinces, at least two are held by Muhammadans and at least one by an Indian Christian.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- 22 For the purpose of choosing persons to fill the Anglo-Indian, European and Indian Christian seats in the Federal Assembly, there shall be for British India three electoral colleges consisting respectively of such persons as hold an Anglo-Indian, a European or an Indian Christian seat in the Legislative Assembly of any Governors' Province, and the person to fill an Anglo-Indian, European or Indian Christian seat allotted to any particular Province shall be chosen by the members of the appropriate electoral college.

In choosing at a general election the persons to fill the Indian Christian seats allotted to the Province of Madras, the Indian Christian electoral college shall vote in accordance with the principle of proportional representation by means of the single transferable vote.

- 23 Persons to fill the seats in the Federal Assembly which are to be filled by representatives of commerce and industry, landholders and representatives of labour shall be chosen—

- (a) in the case of a seat allotted to a Province which is to be filled by a representative of commerce and industry, by such chambers of commerce and similar associations voting in such manner as may be prescribed;
- (b) in the case of a seat allotted to a Province which is to be filled by a landholder, by such persons voting in such territorial constituencies and in such manner as may be prescribed;
- (c) in the case of a seat allotted to a Province which is to be filled by a representative of labour, by such organisations, or in such constituencies, and in accordance with such manner of voting as may be prescribed;
- (d) in the case of one of the non-provincial seats which are to be filled by representatives of commerce and industry, by such Associated Chambers of Commerce, in the case of another such seat by such Federated Chambers of Commerce and in the case of the third such seat by such commercial bodies in Northern India, voting in each case in such manner as may be prescribed; and
- (e) in the case of the non-provincial seat which is to be filled by a representative of labour, by such organisations voting in such manner as may be prescribed.

- 24 Persons to fill the seats in the Federal Assembly allotted to Chief Commissioners' Provinces as general seats or Muhammadan seats shall be chosen—

- (a) in the case of Coorg, by the members of the Legislative Council; and
- (b) in other cases in such manner as may be prescribed.

- 25 A person shall not be qualified to hold a seat in the Federal Assembly, unless—

- (i) in the case of a general seat, a Sikh seat, a Muhammadan seat, an Anglo-Indian seat, a European seat, an Indian Christian seat or a woman's seat allotted to a Governor's Province or the Province of Coorg, he is qualified to hold a seat of the same class in the Legislative Assembly, or, in the case of Coorg, the Legislative Council, of that Province;
- (ii) in the case of any other seat, he possesses such qualifications as may be prescribed.

General.

- 26 (1) In the foregoing provisions of this Schedule the following expressions have the meanings hereby assigned to them, that is to say:—

*Status: This is the original version (as it was originally enacted). This
 item of legislation is currently only available in its original format.*

" a European " means a person whose father or any of whose other male progenitors in the male line is or was of European descent and who is not a native of India;

" an Anglo-Indian " means a person whose father or any of whose other male progenitors in the male line is or was of European descent but who is a native of India;

" an Indian Christian " means a person who professes any form of the Christian religion and is not a European or an Anglo-Indian;

" the scheduled castes " means such castes, races or tribes or parts of or groups within castes, races or tribes, being castes, races, tribes, parts or groups which appear to His Majesty in Council to correspond to the classes of persons formerly known as " the depressed classes", as His Majesty in Council may specify; and

" prescribed " means prescribed by His Majesty in Council or, so far as regards any matter which under this Act the Federal Legislature or the Governor-General are competent to regulate, prescribed by an Act of that Legislature or by a rule made under the next succeeding paragraph.

- (2) In this paragraph the expression " native of India " has the same meaning as it had for the purposes of section six of the Government of India Act, 1870, and accordingly it includes any person born and domiciled within the dominions of His Majesty in India or Burma of parents habitually resident in India or Burma and not established there for temporary purposes only.

27 In so far as provision with respect to any matter is not made by this Act or by His Majesty in Council or, after the constitution of the Federal Legislature, by Act of that Legislature (where the matter is one with respect to which that Legislature is competent to make laws), the Governor-General, exercising his individual judgment, may make rules for carrying into effect the foregoing provisions of this part of this Schedule and for securing the due constitution of the Council of State and the Federal Assembly and, in particular, but without prejudice to the generality of the foregoing words, with respect to—

- (i) the notification of vacancies, including casual vacancies and the proceedings to be taken for filling vacancies;
- (ii) the nomination of candidates;
- (iii) the conduct of elections, including the application to elections of the principle of proportional representation by means of the single transferable vote, and the rules to regulate elections where certain of the seats to be filled are to be filled by persons to be chosen to serve for different terms, or are reserved for members of the scheduled castes;
- (iv) the expenses of candidates at elections;
- (v) corrupt practices and other offences at or in connection with elections;
- (vi) the decision of doubts and disputes arising out of or in connection with the choice of persons to fill seats in the Council of State or the Federal Assembly; and
- (vii) the manner in which rules are to be carried into effect.

TABLE OF SEATS.

REPRESENTATIVES OF BRITISH INDIA.

The Council of State.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

(i) Allocation of seats.

1. Province or Community.	2. Total seats.	3. General seats.	4. Seats for Scheduled Castes.	5. Sikh seats.	6. Muhammadan seats.	7. Women's seats.
Madras	20	14	1	—	4	1
Bombay	16	10	1	—	4	1
Bengal	20	8	1	—	10	1
United Provinces	20	11	1	—	7	1
Punjab	16	3	—	4	8	1
Bihar	16	10	1	—	4	—
Central Provinces and Berar	8	6	1	—	1	—
Assam	5	3	—	—	2	—
North West Frontier Province	5	1	—	—	4	—
Orissa	5	4	—	—	1	—
Sind	5	2	—	—	3	—
British Baluchistan	1	—	—	—	1	—
Delhi	1	1	—	—	—	—
Ajmer- Merwara	1	1	—	—	—	—
Coorg	1	1	—	—	—	—
Anglo- Indians	1	—	—	—	—	—
Europeans	7	—	—	—	—	—
Indian Christians	2	—	—	—	—	—
Totals	150	75	6	4	49	6

*Status: This is the original version (as it was originally enacted). This
item of legislation is currently only available in its original format.*

(ii) Distribution of seats for purposes of triennial elections.

1.	Number of seats to be filled originally for three years only.					Number of seats to be filled originally for six years only.					Number of seats to be filled originally for nine years.				
	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.
Province	General Seats.	Seats for Scheduled castes.	Muslim Seats.	Muslim Seats.	Muslim Seats.	General Seats.	Seats for Scheduled castes.	Muslim Seats.	Muslim Seats.	Muslim Seats.	General Seats.	Seats for Scheduled castes.	Muslim Seats.	Muslim Seats.	Women's Seats.
Madras	—	—	—	—	—	7	—	—	2	1	7	1	—	2	—
Bombay	—	—	2	1	—	—	—	—	—	—	5	1	—	2	—
Bengal	1	—	5	—	—	—	—	—	—	—	4	—	—	5	1
United Provinces	1	—	3	1	6	—	—	4	—	—	—	—	—	—	—
Punjab	—	2	—	—	1	—	2	—	1	—	—	—	—	—	—
Bihar	—	—	—	—	5	1	—	2	—	5	—	—	2	1	—
Central Provinces and Berar	—	—	—	—	6	1	—	1	—	—	—	—	—	—	—
Assam	—	—	—	—	3	—	—	2	—	—	—	—	—	—	—
North West Frontier Province	—	—	—	—	—	—	—	—	—	—	1	—	—	4	—
Orissa	1	—	1	—	—	—	—	—	—	—	—	—	—	—	—
Sind	2	—	3	—	—	—	—	—	—	—	—	—	—	—	—
British Baluchistan	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—
Delhi	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—
Aimer- Merwara	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—
Coorg	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—
Totals	22	2	2	18	2	28	12 1	2	15	2	25	2	—	16	2

TABLE OF SEATS.

THE FEDERAL ASSEMBLY.

Representatives of British India.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.
Province.	Total Seats.	General Seats:— Total of general Seats.	General seats reserved for Scheduled castes.	Sikhs Seats.	Muhammadans Seats.	Anglo- Indian Seats.	European Seats.	Indian Christian Seats.	Seats for representatives of commerce and industry.	Landholder Seats. representatives	Seats for representatives of labour.	Women's Seats.
Madras	37	19	4	—	8	1	1	2	2	1	1	2
Bombay	30	13	2	—	6	1	1	1	3	1	2	2
Bengal	37	10	3	—	17	1	1	1	3	1	2	1
United Provinces	37	19	3	—	12	1	1	1	—	1	1	1
Punjab	30	6	1	6	14	—	1	1	—	1	—	1
Bihar	30	16	2	—	9	—	1	1	—	1	1	1
Central Provinces and Berar	15	9	2	—	3	—	—	—	—	1	1	1
Assam	10	4	1	—	3	—	1	1	—	—	1	—
North West Frontier Province.	5	1	—	—	4	—	—	—	—	—	—	—
Orissa	5	4	1	—	1	—	—	—	—	—	—	—
Sind	5	1	—	—	3	—	1	—	—	—	—	—
British Baluchistan	1	—	—	—	1	—	—	—	—	—	—	—
Delhi	2	1	—	—	1	—	—	—	—	—	—	—
Ajmer- Merwara	1	1	—	—	—	—	—	—	—	—	—	—
Coorg	1	1	—	—	—	—	—	—	—	—	—	—
Non- Provincial Seats	4	—	—	—	—	—	—	—	3	—	1	—
Totals	250	105	19	6	82	4	8	8	11	7	10	9

*Status: This is the original version (as it was originally enacted). This
 item of legislation is currently only available in its original format.*

PART II

REPRESENTATIVES OF INDIAN STATES.

- 1 The allocation to Indian States of seats in the Federal Legislature shall be as shown in the Table appended to this Part of this Schedule, hereinafter referred to as the "Table of Seats," and persons to represent Indian States in that Legislature shall be chosen and appointed in accordance with the provisions hereinafter contained.
- 2 In the case of the Council of State, there shall be allotted to each State or, as the case may be, to each group of States specified in the first column of the Table of Seats, the number of seats specified in the second column of the said Table opposite to that State or to that group of States.
- 3 In the case of the Federal Assembly, there shall be allotted to each State or, as the case may be, to each group of States specified in the third column of the Table of Seats, the number of seats specified in the fourth column of the said Table opposite to that State or to that group of States.
- 4 A person shall not be qualified to be appointed under this Part of this Schedule to fill a seat in either Chamber of the Federal Legislature unless he—
 - (i) is a British subject or the Ruler or a subject of an Indian State which has acceded to the Federation; and
 - (ii) is, in the case of a seat in the Council of State, not less than thirty years of age and, in the case of a seat in the Federal Assembly, not less than twenty-five years of age:

Provided that—

 - (a) the Governor-General may in his discretion declare as respects any State, the Ruler of which at the date of the establishment of the Federation was by reason of his minority not exercising ruling powers, that sub-paragraph (i) of this paragraph shall not apply to any named subject, or to subjects generally, of that State until that State comes under the rule of a Ruler who is of an age to exercise ruling powers; and
 - (b) sub-paragraph (ii) of this paragraph shall not apply to a Ruler who is exercising ruling powers.
- 5 Upon the expiration of the term for which he is appointed to serve as a member of the Federal Legislature, a person, if otherwise duly qualified, shall be eligible to be appointed to serve for a further term.
- 6 Subject to the special provisions hereinafter contained with respect to the appointment of persons to represent certain States and groups of States comprised in Divisions XVI and XVII of the Table of Seats,—
 - (i) the Rulers of States constituting a group of States to which a seat in the Council of State is allotted shall in rotation appoint a person to fill that seat; and
 - (ii) the Rulers of the States constituting a group of States to which a seat in the Federal Assembly is allotted shall appoint jointly a person to fill that seat :

Provided that the Rulers of two or more States entitled to appoint in rotation a person to fill a seat in the Council of State allotted to a group of States may by agreement, and with the approval of the Governor-General in his discretion, appoint jointly a person to fill that seat.
- 7 The period for which a person shall be appointed to fill a seat shall be—

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (i) in the case of a person appointed to fill a seat in the Council of State—
 - (a) by the Ruler of a State entitled to separate representation, nine years;
 - (b) jointly by the Rulers of all the States in a group which have acceded to the Federation, three years;
 - (c) by the Ruler of a State appointing in rotation, one year subject, however, to the special provisions of the next succeeding paragraph with respect to certain States therein mentioned;
 - (d) jointly by Rulers of some only of the States in a group which have acceded to the Federation, a period equal to the aggregate of the periods for which each of them might in rotation have appointed a person to hold that seat or three years, whichever may be the shorter period;
 - (e) in any other manner, three years; and
- (ii) in the case of a person appointed to fill a seat in the Federal Assembly, until the dissolution of the Assembly :

Provided that—

- (i) a person appointed to fill a seat upon the occurrence of a casual vacancy shall be appointed to fill that seat for the remainder of the period for which his predecessor was appointed;
- (ii) in the case of first appointments to fill seats in the Council of State the Governor-General in his discretion shall make by order provision for securing that approximately one-third of the persons appointed by Rulers entitled to separate representation shall be appointed to fill seats for three years only, approximately one-third to fill seats for six years only and approximately one-third to fill seats for nine years.

8 The Ruler of a State mentioned in this paragraph when appointing in rotation a person to fill a seat in the Council of State shall, notwithstanding anything in the preceding paragraph, be entitled to appoint that person to fill the seat—

- (a) in the case of the Rulers of Panna and of Mayurbhanj, for two years; and
- (b) in the case of the Ruler of Pudukkottai, for three years.

9 Subject as hereinafter provided, the Rulers of two or more States forming a group to which one seat in either Chamber of the Federal Legislature is allotted shall, in choosing a person to be appointed by them jointly to fill that seat, each have one vote, and in the case of an equality of votes the choice shall be determined by lot or otherwise in such other manner as may be prescribed :

Provided that in choosing a person to be so appointed the Ruler of a State mentioned in sub-paragraph (a) of the preceding paragraph shall be entitled to two votes and the Ruler of the State mentioned in sub-paragraph (b) of that paragraph shall be entitled to three votes.

10 A seat in either Chamber allotted to a single State shall remain unfilled until the Ruler of that State has acceded to the Federation, and a seat in either Chamber which is the only seat therein allotted to a group of States shall remain unfilled until the Rulers of at least one-half of those States have so acceded but, subject as hereinafter provided, so long as one-tenth of the seats in either Chamber allotted either to single States or to groups of States remain unfilled by reason of the non-accession of a State or States, whether such non-accession be due to the minority of a Ruler or to any other cause, the persons appointed by the Rulers of States to fill seats in that Chamber may from time to time in the prescribed manner appoint

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

persons, not exceeding one-half of the number of seats so unfilled to be additional members of that Chamber :

Provided that the right to appoint such additional members shall not be exercised after the expiration of twenty years from the establishment of the Federation.

A person appointed under this paragraph as an additional member of either Chamber shall be appointed to fill his seat for a period of one year only.

- 11 Persons to fill the seats in the Federal Assembly allotted to any group of States mentioned in Division XVI of the Table of Seats as entitled to appoint persons to fill three such seats shall be appointed in the prescribed manner by the Rulers of such of the States in the group as have acceded to the Federation :

Provided that—

- (a) until the Rulers of two of those States have so acceded, all the three seats shall remain unfilled; and
- (b) until the Rulers of four of those States have so acceded, two of the three seats shall remain unfilled; and
- (c) until the Rulers of six of those States have so acceded, one of the three seats shall remain unfilled.

Seats in the Federal Assembly remaining unfilled by reason of the provisions of this paragraph shall be treated as seats remaining unfilled for the purposes of the last preceding paragraph.

- 12 The provisions of this paragraph shall apply with respect to the two seats in the Council of State and the five seats in the Federal Assembly allotted to the States comprised in Division XVII of the Table of Seats :—

- (a) the States in question are such States, being States which on the first day of January, nineteen hundred and thirty-five, were included in the Western India States Agency, the Gujarat States Agency, the Deccan States Agency, the Eastern States Agency, the Central India Agency or the Rajputana Agency, or were in political relations with the Government of the Punjab or the Government of Assam, as may be enumerated in rules made by the Governor-General in his discretion;
- (b) the Governor-General shall, in the rules so made by him, divide the said States into five groups, and of the five seats in the Federal Assembly allotted to those States one shall be deemed to be allotted to each of the groups;
- (c) a seat in the Federal Assembly allotted to one of the said groups shall remain unfilled until the Rulers of at least one-half of the States in the group have acceded to the Federation, but, save as aforesaid, a person to fill such a seat shall be appointed in the prescribed manner by the Rulers of such of the States in the group as have acceded to the Federation;
- (d) persons to fill the two seats in the Council of State allotted to the States comprised in the said Division shall be appointed in the prescribed manner by the persons appointed under the preceding sub-paragraph to fill seats in the Federal Assembly :

Provided that, so long as three of the five seats in the Federal Assembly remain unfilled, one of the two seats in the Council of State shall also remain unfilled;

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (e) seats in the Federal Assembly or Council of State remaining unfilled by reason of the provisions of this paragraph shall be treated as seats remaining unfilled for the purposes of the last but one preceding paragraph.

13 His Majesty in Council may by order vary the Table of Seats by transferring any State from one group of States specified in column one or column three of that Table to another group of States specified in the same column, if he deems it expedient so to do—

- (a) with a view to reducing the number of seats which by reason of the non-accession of a State or States would otherwise remain unfilled; or
- (b) with a view to associating in separate groups States whose rulers do, and States whose rulers do not, desire to make appointments jointly instead of in rotation,

and is satisfied that such variation will not adversely affect the rights and interest of any State :

Provided that a State mentioned in paragraph eight of this Part of this Schedule shall not be transferred to another group unless the Ruler of the State has agreed to relinquish the privileges enjoyed by him under the said paragraph and under paragraph nine.

Where an order varying the Table of Seats is made under this paragraph, references (whether express or implied) in the foregoing provisions of this Part of this Schedule to the Table shall be construed as references to the Table as so varied.

14 In so far as provision in that behalf is not made by His Majesty in Council, the Governor-General may in his discretion make rules for carrying into effect the provisions of this Part of this Schedule and in particular, but without prejudice to the generality of the foregoing words, with respect to—

- (a) the times at which and the manner in which appointments are to be made, the order in which Rulers entitled to make appointments in rotation are to make them and the date from which appointments are to take effect;
- (b) the filling of casual vacancies in seats;
- (c) the decision of doubts or disputes arising out of or in connection with any appointment; and
- (d) the manner in which the rules are to be carried into effect.

In this Part of this Schedule the expression " prescribed " means prescribed by His Majesty in Council or by rules made under this paragraph.

15 For the purposes of subsection (2) of section five of this Act—

- (i) if the Rulers of at least one-half of the States included in any group to which one seat in the Council of State is allotted accede to the Federation, the Rulers so acceding shall be reckoned as being entitled together to choose one member of the Council of State;
- (ii) if, of the Rulers of States included in the groups to be formed out of the States comprised in Division XVII of the Table of Seats, sufficient accede to the Federation to entitle them to appoint one member or two members of the Federal Assembly, the Rulers so acceding shall be reckoned as being entitled together to choose one member of the Council of State and, if sufficient accede to entitle them to appoint three or more members of the Federal Assembly, the Rulers so acceding shall be reckoned as being entitled together to choose two members of the Council of State; and

*Status: This is the original version (as it was originally enacted). This
 item of legislation is currently only available in its original format.*

- (iii) the population of a State shall be taken to be the population attributed thereto in column five of the Table of Seats or, if it is one of the States comprised in the said Division XVII of the Table, such figure as the Governor-General may in his discretion determine, and the total population of the States shall be taken to be the total population thereof as stated at the end of the Table.

Table of Seats

TABLE OF SEATS.

THE COUNCIL OF STATE AND THE FEDERAL ASSEMBLY.

Representatives of Indian States.

1. States and Groups of States.	2. Number of seats in Council of State.	3. States and Groups of States.	4. Number of seats in the Federal Assembly.	5. Population.
DIVISION I.				
Hyderabad	5	Hyderabad	16	14,436,148
DIVISION II.				
Mysore	3	Mysore	7	6,557,302
DIVISION III.				
Kashmir	3	Kashmir	4	3,646,243
DIVISION IV.				
Gwalior	3	Gwalior	4	3,523,070
DIVISION V.				
Baroda	3	Baroda	3	2,443,007
DIVISION VI.				
Kalat	2	Kalat	1	342,101
DIVISION VII.				
Sikkim	1	Sikkim	—	109,808
DIVISION VIII.				
1. Rampur	1	1. Rampur	1	465,225
2. Benares	1	2. Benares	1	391,272
DIVISION IX.				
1. Travancore	2	1. Travancore	5	5,095,973
2. Cochin	2	2. Cochin	1	1,205,016
3. Pudukkottai		3. Pudukkottai		400,694
Banganapaile	} 1	Banganapaile	} 1	39,218
Sandur		Sandur		13,583

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

1. States and Groups of States.	2. Number of seats in Council of State.	3. States and Groups of States.	4. Number of seats in the Federal Assembly.	5. Population.
DIVISION X.				
1. Udaipur	2	1. Udaipur	2	1,566,910
2. Jaipur	2	2. Jaipur	3	2,631,775
3. Jodhpur	2	3. Jodhpur	2	2,125,982
4. Bikaner	2	4. Bikaner	1	936,218
5. Alwar	1	5. Alwar	1	749,751
6. Kotah	1	6. Kotah	1	685,804
7. Bharatpur	1	7. Bharatpur	1	486,954
8. Tonk	1	8. Tonk	1	317,360
9. Dholpur	1	9. Dholpur	}1	254,986
10. Karauli	1	Karauli		140,525
11. Bundi	1	10. Bundi	}1	216,722
12. Sirohi	1	Sirohi		216,528
13. Dungarpur	1	11. Dungarpur	}1	227,544
14. Banswara	1	Banswara		260,670
15. Partabgarh	}1	12. Partabgarh	}1	76,539
Jhalawar		Jhalawar		107,890
16. Jaisalmer	}1	13. Jaisalmer	}1	76,255
Kishengarh		Kishengarh		85,744
DIVISION XI.				
1. Indore	2	1. Indore	2	1,325,089
2. Bhopal	2	2. Bhopal	1	729,955
3. Rewa	2	3. Rewa	2	1,587,445
4. Datia	1	4. Datia	1	158,834
5. Orehha	1	Orehha	314,661	
6. Dhar	1	5. Dhar		243,430
Dewas (Senior)	}1	7. Dewas (Senior)	}1	83,321
Dewas (Junior)		Dewas (Junior)		70,513
8. Jaora	}1	6. Jaora	}1	100,166
Ratlam		Ratlam		107,321

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

1. States and Groups of States.	2. Number of seats in Council of State.	3. States and Groups of States.	4. Number of seats in the Federal Assembly.	5. Population.
9. Panna		7. Panna		212,130
Samthar	} 1	Samthar	} 1	33,307
Ajaigarh		Ajaigarh		85,895
10. Bijawar		8. Bijawar		115,852
Charkliari	} 1	Charkhari	} 1	120,351
Chhatarpur		Chhatarpur		161,267
11. Baoni		9. Baoni		19,132
Nagod	} 1	Nagod	} 1	74,589
Maihar		Maihar		68,991
Baraundha		Baraundha		16,071
12. Barwani		10. Barwani		141,110
Ali Raj pur	} 1	Ali Raj pur	} 1	101,963
Shahpura		Shahpura		54,233
13. Jhabua		11. Jhabua		145,522
Sailana	} 1	Sailana	} 1	35,223
Sitamau		Sitamau		28,422
14. Rajgarh		12. Rajgarh		134,891
Narsingarh	} 1	Narsingarh	} 1	113,873
Khilehipur		Khilehipur		45,583
DIVISION XII.				
1. Cutch	1	1. Cutch	1	514,307
2. Idar	1	2. Idar	1	262,660
3. Nawanagar	1	3. Nawanagar	1	409,192
4. Bhavnagar	1	4. Bhavnagar	1	500,274
5. Junagadh	1	5. Junagadh	1	545,152
6. Rajpipla	} 1	6. Rajpipla	} 1	206,114
Palanpur		Palanpur		264,179
7. Dhrangadhra	} 1	7. Dhrangadhra	} 1	88,961
Gondal		Gondal		205,846
8. Porbandar	} 1	8. Porbandar	} 1	115,673
Morvi		Morvi		113,023

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

1. States and Groups of States.	2. Number of seats in Council of State.	3. States and Groups of States.	4. Number of seats in the Federal Assembly.	5. Population.
9. Riadhanpur		9. Riadhanpur		70,530
Wankaner	} 1	Wankaner	} 1	44,259
Palitana		Palitana		62,150
10. Cambay		10. Cambay		87,761
Dharampur	} 1	Dharampur	} 1	112,031
Balasinor		Balasinor		52,525
11. Baria		11. Baria		159,429
Chhota Udepur		Chhota Udepur		144,640
Sant	} 1	Sant	} 1	83,531
Lunawada		Lunawada		95,162
12. Bansda		12. Bansda		48,839
Sachin	} 1	Sachin	} 1	22,107
Jawhar		Jawhar		57,261
Danta		Danta		26,196
13. Dhrol		13. Dhrol		27,639
Limbdi	} 1	Limbdi	} 1	40,088
Wadhwan		Wadhwan		42,602
Rajkot		Rajkot		75,540
DIVISION XIII.				
1. Kolhapur	2	1. Kolhapur	1	957,137
2. Sangli	} 1	2. Sangli	} 1	258,442
Savantvadi		Savantvadi		230,589
3. Janjira		3. Janjira		110,379
Mudhol	} 1	Mudhol	} 1	62,832
Bhor		Bhor		141,546
4. Jamkhandi		4. Jamkhandi		114,270
Miraj (Senior)		Miraj (Senior)		93,938
Miraj (Junior)		Miraj (Junior)		40,684
Kurundwad (Senior).	} 1	Kurundwad (Senior).	} 1	44,204
Kurundwad (Junior).		Kurundwad (Junior).		39,583

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

1. States and Groups of States.	2. Number of seats in Council of State.	3. States and Groups of States.	4. Number of seats in the Federal Assembly.	5. Population.
5. Akalkot		5. Akalkot		92,605
Phaltan		Phaltan		58,761
Jath	} 1	Jath	} 1	91,099
Aundh		Aundh		76,507
Ramdurg		Ramdurg		35,454
DIVISION XIV.				
1. Patiala	2	1. Patiala	2	1,625,520
2. Bahawalpur	2	2. Bahawalpur	1	984,612
3. Khairpur	1	3. Khairpur	1	227,183
4. Kapurthala	1	4. Kapurthala	1	316,757
5. Jind	1	5. Jind	1	324,676
6. Nabha	1	6. Nabha	1	287,574
		7. Tehri-Garhwal	1	349,573
7. Mandi		8. Mandi		207,465
Bilaspur	} 1	Bilaspur	} 1	100,994
Suket		Suket		58,408
8. Tehri-Garhwai				
Sirmur	} 1	9. Sirniur	} 1	148,568
Chamba		Chamba		146,870
9. Faridkot		10. Faridkot		164,364
Malerkotla	} 1	Malerkotla	} 1	83,072
Loharu		Loharu		23,338
DIVISION XV.				
1. Cooch Behar	1	1. Cooch Behar	1	590,886
		2. Tripura	1	382,450
2. Tripura		3. Manipur	1	445,606
Manipur	} 1			
DIVISION XVI.				
1. Mayurbhanj		1. Mayurbhanj	1	889,603
Sonepur	} 1	2. Sonepur	1	237,920
2. Patna	} 1	3. Patna	1	566,924

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

1. States and Groups of States.	2. Number of seats in Council of State.	3. States and Groups of States.	4. Number of seats in the Federal Assembly.	5. Population.
Kalahandi		4 Kalahandi	1	513,716
3. Keonjhar		5. Keonjhar	1	460,609
Dhenkanal		6. Gangpur	1	356,674
Nayagarh	} 1	7. Bastar	1	524,721
Talcher		8. Surguja	1	501,939
Nilgiri				
4. Gangpur		9. Dhonkanal		284,326
Bamra		Nayagarh		142,406
Seraikela	} 1	Seraikela		143,525
Baud		Baud	} 3	135,248
Bonai		Talcher		69,702
5. Bastar		Bonai		80,186
Surguja	} 1	Nilgiri		68,594
Raigarh		Bamra		151,047
Nandgaon				
		10. Raigarh		277,569
6. Khairagarh		Khairagarh		157,400
Jashpur		Jashpur		193,698
Kanker	} 1	Kanker	} 3	136,101
Korea		Sarangarh		128,967
Sarangarh		Korea		90,886
		Nandgaon		182,380
DIVISION XVII.				
States not mentioned in any of the preceding Divisions, but described in paragraph 12 of this Part of this Schedule.	2	States not mentioned in any of the preceding Divisions, but described in paragraph 12 of this Part of this Schedule.	5	3,032,197
Total population of the States in this Table :				78,981,912