

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 2652**

TO BE ANSWERED ON THE 14TH DECEMBER, 2021/ AGRAHAYANA 23, 1943 (SAKA)

ARTICLES/SCHEDULES INSERTED IN INDIAN CONSTITUTION

2652. SHRI MANISH TEWARI:

Will the Minister of HOME AFFAIRS may please refer reply given to Unstarred Question No. 341 dated on '19 November, 2019' and state:

(a) the number of Articles/Schedules inserted in the Constitution through constitutional orders by the President exercising authority under various Articles of the Indian Constitution;

(b) the details of all such constitutional provisions and schedules along with the various mechanisms through which they were inserted into the Constitution; and

(c) the stand of the Government on the validity of these constitutional insertions that have not followed the amending process outlined in Article 368 of the Indian Constitution?

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI NITYANAND RAI)**

(a): Six articles were inserted in the Constitution through various Constitution Orders.

(b): The Constitution (Removal of Difficulties) Order No. II and the Constitution (Removal of Difficulties) Order No. III notified on the 26th January, 1950 had inserted articles 329A, 172A, 238A, 333A and 390A, respectively and the Constitution (Application to Jammu and Kashmir) Order, 1954 notified on the 14th

May, 1954 had inserted article 35A in the Appendix to the Constitution under article 370 of the Constitution (Temporary provisions with respect to the State of Jammu and Kashmir). This has since been superseded by the Constitution Order No. 272 dated 5th August, 2019.

(c): All these Constitutional Orders were issued by the President of India exercising his authority under different articles of the Constitution of India.
