

Ensuring Liberty Of Citizens

DISCUSSION IN ASSEMBLY

From Our Special Correspondent

NEW DELHI. Dec. 6.

Differing views were expressed by two members of the Constitution Drafting Committee, Mr. K. M. Munshi and Mr. Alladi Krishnaswami Ayyar, in the Constituent Assembly today, during the general debate on Article 15 which seeks to ensure protection to life and personal liberty of citizens.

The arguments turned round what was described as "a legal nicety of major consequence." While Mr. Alladi pleaded for the retention of the clause without modification, Mr. Munshi supported an amendment to the effect that no person shall be deprived of his life or personal liberty "without due process of law." The original phrase which the amendment sought to substitute was "except according to procedure established by law."

MR. MUNSHI'S VIEW

Speaking at the end of a long chain of speakers who supported the amendment, Mr. Munshi said that the proposed change would put a salutary check on the arbitrary powers of the executive and enable the judiciary to protect citizens from the high-handed and capricious acts of Government.

COMPLICATIONS IN U. S.

Taking up the cudgels on behalf of the Chairman of the Drafting Committee and its other members, Mr. Alladi, in a speech remarkable for its forensic eloquence, declared that in the U. S., where the phrase "with due process of law" had been used in a similar context in the constitution, any number of complications had arisen.

"It is possible," Mr. Alladi added sarcastically, "that some ardent democrat may have more faith in a court of law than in the conscious will of the people as expressed through popular legislature."

General discussion on the clause had not yet concluded when the House rose for the day. Earlier the House passed articles 19 and 14 of the constitution with minor amendments.