

Constitutions For States RAU COMMITTEE'S "MODEL"

Pattern Of Provincial Administration Adopted

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THE eight-member Committee appointed under the chairmanship of Sir B. N. Rau to prepare a "model constitution" for States and Unions of States has completed its work.

The model for the most part, follows the provisions of the draft constitution of India relating to provinces.

In its report submitted to the States Ministry, the Committee is understood to have recommended that, if its proposals are generally accepted by the various Constituent Assemblies set up by the States, the best way of giving effect to them would be to insert a special part in the Indian Constitution.

This part will provide that the provisions of the constitution relating to the provinces shall apply to the Indian States, subject to certain specified variations to be set out in a separate schedule.

The adoption of the provisions have been suggested by the Rau Committee in consultation with the States Finances Inquiry Committee which is tackling the allied problem of fiscal integration of States with the Indian Union.

The States Ministry is expected to circulate the "model" constitution to the Constituent Assemblies and legislatures of States and States Unions in the near future.

In preparing the draft, the Rau Committee has proceeded on the assumption that the States will accede to the Union of India by suitable instruments in respect of all subjects in the "Federal" and "concurrent" lists.

RULERS' POSITION

Article one of the model constitution declares that the Ruler shall be the head of the State, deriving his position from the will of the people. But just as it is proposed that the Governor of a province should be appointed by the President of the Indian Union, so too the Ruler has been defined "as the person for the time being recognised by the President as the Ruler of the State."

In the opinion of the Committee no provision for the impeachment of the Ruler for the violation of the constitution would be necessary. In the event of misbehaviour, the President could be trusted to withdraw his original recognition and to recognise a suitable successor.

Article 9 of the model constitution has been drafted in two alternative forms: first for the States which desire to have bicameral legislatures and the second for those which desire to have single chambers. The composition of the State Legislative Councils is left to be determined by the Indian Parliament, the object being to ensure uniformity in this regard throughout India.

RULER'S SALARY

Closely following the provisions in regard to the provinces, the salary and allowances of Rulers would be charges on the revenues of the States and need not be voted upon each year, but, since the emoluments of Rajpramukhs of Unions of States have been fixed by covenants which are guaranteed by the Central Government, the power of fixing the amounts of their salary and allowances is given to the President. In exercising this power, the Committee hope, that the President will doubtless consider the terms of the covenant in the case of Unions of States, and in the case of separate States, he will be guided by the views of the Union Government and the State Legislature.

The model constitution also provides for the contingency in which the work of constitution-making in certain States may have to be entrusted to ordinary legislatures instead of a Constituent Assembly specially set up for the purpose.