

Gokhale denies move to expropriate private property

"The Times of India" News Service

NEW DELHI, July 28. THE Law and Justice Minister, Mr. H. R. Gokhale, today denied that the Government was seeking to expropriate private property through the two Constitution amendment Bills.

Basic rights cannot be changed: Anthony

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scrutiny of the courts) could, through an "irresponsible majority", tinker with the Constitution as had happened in Hitler's Germany.

Mr. Gokhale went on to quote what Mr. Motilal Nehru had said in 1928 — that certain rights were inherent and fundamental and could not be curtailed or withdrawn. Mr. Jawaharlal Nehru had also said that the fundamental rights should not be looked upon as obstacles because of a temporary difficulty; they should be regarded as something permanent and as the very foundation of Indian society.

A member: "You have quoted Motilal Nehru and Jawaharlal Nehru. Why not quote Mrs. Indira Gandhi also?"

Mr. Deo said the Constituent powers of Parliament could be exercised only through a referendum.

Mr. Frank Anthony made it clear that his opposition, at the introduction stage, was to the 25th Amendment Bill. He said Parliament could not "arrogate" to itself the power to alter the fundamental rights even by amending Article 368. What was sought to be done at present might palpably be to effect Articles 14 and 19, in effect, to "arrogate" to itself the power to alter the fundamental rights even by amending Article 368. What was sought to be done at present might palpably be to effect Articles 14 and 19, in effect, to "arrogate" to itself the power to alter the fundamental rights even by amending Article 368.

Blanket powers

The word, "fundamental", in relation to fundamental rights had been used advisedly, Mr. Anthony went on. It was done to underline the fundamental character of the rights. The Supreme Court, he said, had placed the Supreme Court as a sort of sentinel to guard against "power-hungry and lawless politicians." The Chief Justice in the Golaknath case judgment had observed that even though an amendment of the Constitution, Parliament could not "arrogate" to itself powers which were sought to be acquired through the 25th amendment. All that the Government had to do under the present legislation was to satisfy the courts that property was being acquired for a public purpose. After that, it would be pure simple expropriation. Mr. Anthony said that the Government would give "complete licence" to any legislature in the country—not merely Parliament—to expropriate private property. Blanket powers of expropriation would be given to all legislatures. Article 31-C (draft) was vague, bogus and expropriatory. It sought to extinguish the rights of minorities. He thought the Prime Minister had not understood the full implications of the present amendment.

The Supreme Court, Mr. Anthony said, laid down that the directive principles did not supersede the fundamental rights for instance of... (here he uttered a phrase which was expunged by the Speaker later). There was a furore, and amidst the din, the Minister for Shipping and Parliamentary Affairs, Mr. Raj Bahadur, was heard to say: "We have listened to him with patience, and he has misused our indulgence. He is insulting the people of India."

Mr. Anthony was not deterred by the deafening shouts from the treasury benches. Amidst the din he said: "Article 31-C will affect the most cherished fundamental rights of the minorities." The Law Minister's motions for introduction were later carried by voice vote.

President barred from dissent

NEW DELHI, July 28. THE following is the statement of objects and reasons of the Constitution (24th Amendment) Bill, 1971, introduced in the Lok Sabha today:

The Supreme Court in the well-known Golaknath case (1967, 2 S.C.R. 762) reversed, by a narrow majority, its own earlier decisions upholding the power of Parliament to amend all parts of the Constitution, including Part III relating to fundamental rights.

The result of the judgment is that Parliament is considered to have no power to take away or curtail any of the fundamental rights guaranteed by Part III of the Constitution. It is, therefore, necessary to provide expressly that Parliament has power to amend any provision of the Constitution so as to include the provisions of Part III within the scope of the amending power.

The Bill seeks to amend Article 368 suitably for the purpose and makes it clear that Article 368 provides for amendment of the Constitution as well as the procedure therefor. The Bill further provides that when a Constitution amendment Bill passed by both Houses of Parliament is presented to the President for his assent, he should give his assent thereto. The Bill also seeks to amend Article 13 of the Constitution to make it inapplicable to any amendment of the Constitution under Article 368.

Text of Bill

The following is the text of the Bill:

1. The Constitution (24th Amendment) Bill, 1971, further to amend the Constitution of India:

Be it enacted by Parliament in the 22nd year of the Republic of India as follows:

1. In Article 13 of the Constitution, after clause (3), the following clause shall be inserted, namely:—

(4) Nothing in this Article shall apply to any amendment of this Constitution made under Article 368.

2. In Article 368 of the Constitution, after clause (2), the following clause shall be inserted, namely:—

(3) The marginal heading to that article, the following marginal heading shall be substituted, namely:—

"Power of Parliament to amend the Constitution and procedure therefor."

(1) Notwithstanding anything in

Imposed solution likely on Telengana

"The Times of India" News Service

NEW DELHI, July 28. THE postures adopted by the rival sides in the Telengana dispute suggest that a solution may have to be imposed by the Central leadership of the Congress (N).

The talks which both sides are having with the Central leaders will enter the final stage by this week-end when the Chief Minister, Mr. Brahmananda Reddy, will be in the capital.

The Telengana Praja Samiti leader, Dr. Chenna Reddy, has also been advised to remain in Delhi to be available for discussions. The samiti leader is hopeful of a settlement based on a change in leadership, creation of a separate PCC and statutory powers for the regional body.

NO SEPARATE PCC

However, indications are that Mr. Brahmananda Reddy will not oblige either the samiti or the Central leadership by offering to quit office. His supporters who met the Prime Minister yesterday and other leaders today made this clear. They seem to be inclined to resist any such suggestion with firmness.

If, according to the current thinking here, Mr. Brahmananda Reddy goes on his own or as directed by the Central leadership, there are quite a few of his supporters from Telengana who are among the aspirants.

Among the names mentioned are those of the Deputy Chief Minister, Mr. J. V. Narasingh Rao, the Home Minister, Mr. Vengal Rao, and the chairman of the Telengana Regional Committee, Mr. Chokka Rao.

Hyderabad: Mr. Brahmananda Reddy, who celebrated his 63rd birthday today, declined to comment on the current parleys in the capital on Telengana.

Proposals for creating jobs under study

NEW DELHI, July 28. The Planning Commission is considering proposals from various Ministries for creating more jobs for educated unemployed for which a provision of Rs. 25 crores has been made in the Union Budget for 1971-72.

The Education Ministry, for instance, has proposed the creation of teaching jobs. Trained graduates could be taken in as inspectors and instructors in agricultural and industrial training institutes.—P.T.I.

Five-day week for IA staff in Calcutta

CALCUTTA, July 28. Indian Airlines today decided to introduce a five-day working week with Saturdays and Sundays as holidays in its Calcutta regional office from August.

An IA spokesman said the system would not be introduced in operational and other areas of work essential for airline maintenance.

The system has already been introduced in the airline's Delhi office.—U.N.I.

New US chief delegate for Paris talks

WASHINGTON, July 28. President Nixon today formally named Mr. William J. Porter as the new U.S. delegate at the Paris peace talks.

Mr. Porter, now the U.S. Ambassador to South Korea, replaced Mr. David Bruce whose resignation for health reasons was accepted today by the President.—Reuter.

Foldable shoe

KANPUR, July 28. A cheap light-weight shoe that can be folded away in one's pocket, has been designed by a young leather technologist here.

Mr. A. Hussain used synthetic rubber, chromum and nylon to make the washable shoe that would cost about Rs. 15.—P.T.I.

New cement plants to be sanctioned

NEW DELHI, July 28. The Government has decided to license additional cement projects "as an urgent basis" in order to meet the growing demand for cement.

A press note issued by the Ministry of Industrial Development today states that in sanctioning new cement plants preference will be given to projects in the northern and eastern zones which are deficit areas.

Applications complete in all respects should be submitted to the Ministry of Industrial Development by August 31.

Lung recipient causes concern

CAPE TOWN, July 28. Mr. Adrian Herbert, South Africa's first heart-lung transplant patient, underwent a traumatic operation today. A Groote Schuur hospital spokesman later described his condition as "a matter of some concern in view of his previous illness."—Reuter.

State to have textile directorate

By A Staff Reporter

THE Maharashtra Government has decided to establish a directorate of handloom, powerloom and co-operative textiles, with headquarters in Nagpur, within three months.

This was one of the decisions taken by the Cabinet at its eight-hour sitting in Bombay on Wednesday to improve cotton production and to reorganise the cotton textile industry.

The Chief Minister, Mr. V. P. Naik, told reporters that all the 20 recommendations of the Tidke Committee to help the handloom industry had been accepted in principle.

Mr. Naik said that the reorganisation of the industry was one of the 15 points in the garibi hatao programme of the Maharashtra Pradesh Congress Committee.

Guaranteed price

The Cabinet would consider the other recommendations of the MPCC on Thursday and at its meeting at Aurangabad next month.

The Government decided to increase per-hectare cotton production by giving a guaranteed price to growers and regularising production and quality.

The introduction of long-staple varieties, production of high-yield and finer varieties, prohibition of the cultivation of the impure, short-staple type, choosing suitable areas and dividing them into zones and growing



Kannada Chaluvaliga agitators, led by Mr. Vatal Nagaraj, offering satyagraha at Bangalore City railway station on Sunday as the Brindavan Express arrived from Madras. The satyagraha was in protest against the Tamil Nadu Government's stand on the Cauvery waters dispute.

Special courts to try Naxalites proposed

"The Times of India" News Service

CALCUTTA, July 28. THE setting up of special courts is one of the proposals being considered by the State Government for dealing with the special problem of Naxalites and extremists.

The courts will go into the cases of detainees held under the Prevention of Violent Activities Act, not strictly from a legalistic standpoint but against a wider canvas of other relevant socio-political considerations. The detainees will have a better opportunity of arguing their cases before these courts.

This, presumably, is one of the administrative measures the Government proposes to deal with the different shades of extremists on a discriminatory basis—to wean away misguided adolescents and rehabilitate them and adopt strict measures against hard-core cadres.

Side by side, a dialogue may be opened with certain sections of Naxalites but that will be done at the political level. The State administration will not come into the picture. This is considered to be a logical step in a comprehensive move to improve the law and order climate in the State, the first step of which has been the all-party meeting called by Mr. Siddhartha Shankar Ray, Union Minister for West Bengal Affairs. The Naxalites cannot be ignored as a factor in the political life of the State and have to be tackled at different levels.

The State administration is now faced with another problem. There are about 4,000 youths held under the P.V.A. Act who will have to be released after the completion of their one-year term in prison. This, obviously, cannot be done under the present circumstances.

The State Government proposes to send a draft Bill for the amendment of the Act so that the term of detention of the youths may be extended to two or three years. The Centre will be requested that the enactment of the legislation be completed during the present session of Parliament.

Priest, official among 8 killed in West Bengal

CALCUTTA, July 28. At least eight people including a block development officer and three Naxalites were killed in incidents of violence in West Bengal during the past 24 hours.

Mr. Sarbeswar Mohanta, 45, chief priest of the Maharaja of Burdwan, was shot and stabbed to death by some unidentified youths in Burdwan town.

Mr. Mohanta, a prominent figure in the town, was about to alight from his car outside a house in the Dohra Saheed area of the town where he had gone to attend a marriage reception.

The block development officer, Mr. R. K. Chakravarty, (40), was stabbed to death in his office at Guskara in Burdwan district.

Three Naxalites were shot dead in an encounter with the police at Noapara in 24-Parganas district. The Naxalites attacked the police who had gone there for a raid.—U.N.I.

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CPI drive to force Govt. to take over oil firms

"The Times of India" News Service

NEW DELHI, July 28. The Communist Party of India has unfolded plans for a country-wide campaign to exert pressure on the Government to nationalise foreign oil companies.

Announcing the move, the party central secretariat has charged the Government with "evading and prevaricating on the issue" of nationalisation, an accusation made by party-men in Parliament.

The Government itself has said that nationalisation is one of the alternatives under study. In the circumstances, the move to mount a public campaign is seen more as an effort to assert a posture critical of the Government particularly in view of the CPM criticism that the party is too much tied up with the new Congress.

Unilateral price hike

According to the secretariat, the provocation for the campaign is the latest decision of the oil companies to unilaterally increase the price of imported crude oil. This move, which is a political blackmail directed against the interests of this country, taking advantage of the difficulties through which we are passing at present.

The party sees in the latest decision a clear political motivation.

"No longer can such a strategic area as oil be left in the hands of the foreign oil monopolies at a time when the country is facing a serious situation as a result of the Sino-American collusion in support of the Yahya Khan regime and against the interests of the peoples of Bangla Desh and India."

The party has sought the support of all left and democratic parties to support the demand and force the Government to take quick action.

Minister refutes charge of being 'ticketless'

BHOPAL, July 28. A Madhya Pradesh Minister of State for Agriculture today denied that he was "apprehended" by railway inspection staff while travelling in a first-class compartment. Mr. Madhaval Dubey issued the denial in a statement here following a press conference statement in Indore yesterday by the convener of the Railway Ministry's central help committee, Mr. Ramanath Seth, about a surprise check carried out in the Delhi-Bombay Frontier Mail on Sunday.

Mr. Seth had said that Mr. Dubey in an affidavit had assumed responsibility for the ticketless travel by his relative but regretted that he did not have the money to pay the penalty of Rs. 60. He, however, agreed to pay it later.

Mr. Dubey said he was travelling with his personal assistant and a peon. The assistant was travelling in another compartment but the peon was in his first-class coupe and did not have a ticket.

Written statement

When asked about the peon's ticket, Mr. Dubey told the checker that, since the whole coupe was reserved for him, the question of a separate ticket for the peon did not arise. Mr. Dubey had, however, offered to pay the peon's fare.

A statement to this effect, said Mr. Dubey, was given in writing by his assistant after which the examiner told him he would discuss the matter with his bound of State Mr. Dubey know about its decision.

Mr. Dubey said he was taking up the matter with the Railway Minister. According to Mr. Seth the checking staff also found the chief electrical engineer of the Western Railway, Mr. A. Sarath, being accompanied by his peon with a third-class ticket in his air-conditioned coupe on the same train.

After persuasion Mr. Sarath paid the penalty of Rs. 116.

Mr. Seth claimed that the central help committee had helped the Railways recover about Rs. 1.50 lakhs from ticketless travellers in 1970.—P.T.I.

Delhi High Court, on Wednesday, rejected an oral application seeking to vacate its order staying the operation of a resolution passed by the Council of the Institute of Chartered Accountants on July 19 accepting the resignation of its President, Mr. M. C. Bhandari.

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