

THE REST OF THE NEWS

The Government of India have extended the date for the receipt of applications for U. N. Social Welfare fellowships for 1949 from December 10 to 17.

The last date for submitting any objections or suggestions on the draft of the Bombay Wage Board Rules, published in the Bombay Government Gazette Extraordinary dated November 13, 1948, has been extended to December 20, 1948.

Swami Sahajananda Saraswati, Kisan leader, has resigned from the A.I.C.C. and also from the primary membership of the Congress, says a message from Patna.

Mr. Debnath Das of the I.N.A. Mr. Nikhil Das, Mr. Bimalananda Mookherjee and Mr. Kamal Krishna Hazra, who had been arrested in connection with the murder of Sub-Inspector Ram Chandra Sarkar, officer-in-charge of Hastings Thana, at a labour meeting in the Calcutta Maidan on September 9, by snatching away his own service revolver, were discharged on Wednesday by Mr. N. Chakrabarti, Chief Presidency Magistrate, Calcutta, on the police report to the effect that there was no evidence against them for their trial.

A machine part, believed to be the second largest unit of cargo ever to be transported to Calcutta by air was unloaded at Dum Dum airport recently. It was the main driving shaft of an aluminium rolling mill, weighing over a ton. The cost of air freight was approximately seven times the actual value of the shaft.

The Madras Agricultural Department has found a special use for D.D.T. as a destroyer of the pest known as Jassid Bug, which has been causing havoc to paddy crops in some of the southern districts.

The Madras Government on Tuesday ordered the release of 28 persons detained or arrested in connection with the Hyderabad situation.

A nine-page opinion recently issued by Mr. J. Waties Waring, Federal Judge, gave Negroes the right of full-fledged membership in the South Carolina Democratic Party.

The best toothpaste for children

because of its **FOAM**

Kolynos springs into action from the first brush-stroke. Children enjoy using it and the busy foam does its work thoroughly, effortlessly, speedily. It slips right into their teeth, cleaning and whitening, and then, with a rinse from the toothglass, it disappears. Kolynos leaves such a fresh, healthy taste behind it. It's fun to use the toothpaste that foams!

KOLYNOS
DENTAL CREAM
MADE IN U.S.A.

SOLE DISTRIBUTORS:
Geoffrey Manners & Co., Ltd.
Bombay, Calcutta, Madras & Lahore

Kie-10-612

ENERGY plus STAMINA

The energy and buoyancy of spirit so noticeable in Sportsmen is a sure indication of sound health, resulting from a harmonious functioning of the vital organs. One of the most important of these organs is the liver, acting through the bile it secretes to assist in the assimilation of food, thus enriching the blood and creating energy. If the liver is sluggish and does not function properly the ideal remedy, highly recommended by the medical profession, is Stearns' Bi-Colates.

BI-COLATES
STEARNS

SUNLIGHT SOAP

WASHES CLOTHES WHITE WITHOUT BEATING!
8, 100-111

AT LAST HIS CLOTHES LOOK REALLY CLEAN AND WHITE

thanks to **Sunlight!**

SUNLIGHT SOAP

WASHES CLOTHES WHITE WITHOUT BEATING!
8, 100-111

Remedies For Enforcement Of Fundamental Rights

CONSTITUENT ASSEMBLY ACCEPTS IMPORTANT ARTICLE

NEW DELHI, December 9. THE Constituent Assembly today adopted an Article which Dr. Ambedkar described as the "heart and soul" of the whole Draft Constitution. Without this Article, Dr. Ambedkar added, the whole Constitution would become a nullity.

The Article deals with the remedies provided in the constitution for the enforcement of the fundamental rights to be conferred on citizens.

As it was adopted by the House, the Article reads: "The right to move the Supreme Court by appropriate proceedings for the enforcement of the rights conferred by this (Fundamental Rights) part is guaranteed. The Supreme Court shall have power to issue directions or orders or writs, including writs in the nature of *habeas corpus*, *mandamus*, *prohibition*, *quo warrant* and *certiorari*, whichever may be appropriate, for the enforcement of any of the rights conferred by this part. Without prejudice to the powers conferred on the Supreme Court by Clause 2 of this Article, Parliament may by law empower any other court to exercise within the local limits of its jurisdiction all or any of the powers exercisable by the Supreme Court" under that Clause. The rights guaranteed by this Article shall not be suspended except as otherwise provided for by this Constitution."

The House also passed two other Articles relating to Parliament's powers to modify the Fundamental Rights in respect of the armed forces of the country and to legislate for the purpose of giving effect to the Fundamental Rights.

RIGHT TO PROPERTY
At the suggestion of Mr. T. T. Krishnamachari, the House agreed to postpone consideration of the Article relating to the right to property and protection from compulsory acquisition of property.

The House then took up the Article laying down constitutional remedies for the enforcement of Fundamental Rights. Kazi Syed Karimuddin moved that consideration of the Article be postponed till after the disposal of Part XI of the Draft Constitution. The provisions in this Article were connected with those maintained in Articles 275 to 280 and its acceptance would mean that they had agreed to the other Articles, too, he said. Dr. Ambedkar, however, opposed the motion, and said that if later they accepted Articles 275 to 280 with any alterations, they could always make consequential changes in the Article at present before the House. The motion was defeated.

The Article laid down that every individual would have the right to move the Supreme Court by appropriate proceedings for enforcement of the rights conferred by this Part. Mr. Naziruddin Ahmed moved an amendment to the effect that a person might be allowed to move not merely the Supreme Court, but any court for the enforcement of the Fundamental Rights.

SUPREME COURT'S POWERS
Mr. V. S. Sarvate moved for the insertion of an explanation that "the Supreme Court, in deciding matters arising out of this Article, shall have power to go into questions of fact." Mr. H. V. Kamath moved for the substitution of Clause 2 of the Article by a clause which read: "The Supreme Court shall have power to issue such directions or orders as it may consider necessary or appropriate for the enforcement of any of the provisions of this part."

Mr. Tajamul Hussain moved for the deletion of Clause 4 of the Article which laid down that the right guaranteed by this Article shall not be suspended except as otherwise provided for by this Constitution. Kazi Syed Karimuddin moved an amendment to the effect that the rights shall not be suspended except "in case of reason or invasion and when the emergency is proclaimed under Part XI of this Constitution." Initiating the general debate on what she called the Fundamental Rights guaranteed by the powers of the Supreme Court to secure the remedy, Mrs. Durgabai said that the various rights given to the people under the Charter would be meaningless unless the right for an expeditious and effective remedy was provided for. Another point which she wished to emphasise was that the right of the Supreme Court to issue writs and orders was not in any way a bar to high courts issuing similar writs.

INALIENABLE RIGHTS OF CITIZENS

Safeguards In Article
The Rev. Fr. J. D'Souza, expressed gratification at the passing of this Article which, he said, could justly be regarded as one of far-reaching importance.

Explaining the full implications of the Article, the Rev. Fr. said that the future legislature and the executive would be placed under the power of the supreme executive in regard to the enforcement of certain laws and principles by removing them from the control of Parliament. The implication of it was that certain rights of individuals were inalienable and could not be questioned by the legislature and that individuals must be protected even from the coercive action of the people.

Mr. Ananthasamy Ayyangar said that the Supreme Court was the supreme guardian of the rights of the people under democracy. Executive, legislature, and the judiciary must, therefore, be empowered to see that the fundamental rights of the citizens were not encroached upon.

Mr. P. K. Sahib, while characterising the Article as an important provision, said they should see that the rights conferred were not watered down in any way by subsequent clauses.

Prof. Shibbanlal Saksena said that without this Article, the rights conferred on the people by the Chapter would be useless as this had made the rights real.

Prof. N. G. Ranga said that the Article provided the greatest guarantee that the Supreme Court would be the biggest champion of the liberty of the people.

He said that people who wished to have rights fully safeguarded must be prepared to discharge their duties to society as a whole. There were many individuals who were not prepared to discharge their duties to the State and society, but wanted to exploit these liberties. He warned them that these rights could be exercised only within the ambit of democracy, and whenever there was danger to the concept of democracy, it must be the duty of the State and the President of the republic to set aside these fundamental rights.

Mr. Rohini Kumar Chaudhry welcomed the provision authorising the Supreme Court to delegate some of its powers to other courts, as otherwise, people from distant parts of the country, such as Assam and Coorg, would experience undue difficulties. The thought that Clause 4 of the Article authorising the President to

NEW DELHI, December 9.

THE Constituent Assembly today adopted an Article which Dr. Ambedkar described as the "heart and soul" of the whole Draft Constitution. Without this Article, Dr. Ambedkar added, the whole Constitution would become a nullity.

The Article deals with the remedies provided in the constitution for the enforcement of the fundamental rights to be conferred on citizens. As it was adopted by the House, the Article reads: "The right to move the Supreme Court by appropriate proceedings for the enforcement of the rights conferred by this (Fundamental Rights) part is guaranteed. The Supreme Court shall have power to issue directions or orders or writs, including writs in the nature of *habeas corpus*, *mandamus*, *prohibition*, *quo warrant* and *certiorari*, whichever may be appropriate, for the enforcement of any of the rights conferred by this part. Without prejudice to the powers conferred on the Supreme Court by Clause 2 of this Article, Parliament may by law empower any other court to exercise within the local limits of its jurisdiction all or any of the powers exercisable by the Supreme Court" under that Clause. The rights guaranteed by this Article shall not be suspended except as otherwise provided for by this Constitution."

"HABEAS CORPUS" RIGHT

The Law Minister said the writs to which reference was made in the Article were not in any sense new. Writs of *habeas corpus*, *mandamus*, *certiorari* and others all existed in the present law. But there was one difference between the situation as it existed today with regard to these writs, and the situation that would arise after the passing of the Constitution. At present these writs were at the mercy of the legislatures. The *habeas corpus* provision contained in the Criminal Procedure Code could be amended by the legislature. But, hereafter it would not be possible for any legislature to take away the right guaranteed in this Article. The Constitution itself would have to be amended before these rights could be taken away. In his opinion this was one of the greatest safeguards that could be provided for the safety and security of the individual.

The House passed Article 25 with the amendments moved by Dr. Ambedkar and Mr. Naziruddin. The House accepted without debate the Article relating to the modification of the Fundamental Rights in their application to the armed forces. The Article reads: "Parliament may by law determine to what extent any of the rights conferred by this part shall, in their application to the members of the armed forces or the persons charged with the maintenance of public order, be restricted or abrogated so as to ensure the proper discharge of their duties and the maintenance of discipline among them."

MADHYA BHARAT ASSEMBLY

Inquiry Into Charge Against Minister
From Our Staff Correspondent

GWALIOR, December 8: The Madhya Bharat Assembly today threw out a non-official resolution urging the resignation of one of the ministers as some doubt had arisen in the minds of the public in connection with the purchase of steel by him while he was a member of the Gwalior Cabinet. A Government spokesman announced in this connection that an inquiry would be instituted in this connection. Speakers from non-official benches insisted that pending the inquiry, the Minister should resign. The resolution was put to the vote and lost.

Another non-official resolution demanded that Guna, which is centrally situated, must be made the capital of Madhya Bharat, but it was withdrawn on Government's assurance that a committee of experts would go into the question.

Babu Ram Sahai was unanimously elected Speaker of the House. The Leader of the House and leaders of other parties in the Assembly assured him of their full co-operation.

Yesterday the Criminal Rules Adaptation Bill and the High Court Bill were referred to a Select Committee. The Assembly also passed the Government Regulations Bill.

FOREST OFFICERS

The Government of the Madhya Bharat have sanctioned the scheme for training of officers for the forest department prepared by Mr. Advani, Chief Conservator of Forests. The salient features of the scheme are: (1) to train three candidates every year at the Dehra Dun Forest College for superior forest work. This will continue for three years entailing a total expenditure of about Rs. 1,22,000.

(2) To train ten candidates every year at the same college at Dehra Dun for the 'Rangers' Diploma, and to continue this for three years at a total cost of about Rs. 2,18,000, and (3) to train 20 candidates every year in the Shivpuri Forest Training School for the posts of Deputy Rangers. This will also be for three years entailing a total expenditure of Rs. 98,000. Thus within three years this vast area of Madhya Bharat will have trained officers to man the forests which form one-fourth of the area of the Union.

"National reconstruction demands silent and constant endeavour on the part of the citizens rather than mere show," said the Rajpramukh of the Madhya Bharat Union laying the foundation stone of the Parvathi Gokhale Intermediate College on Tuesday. A Government-aided institution, started a number of years ago by selfless workers in the field of education, the Parvathi Gokhale College, is an example of service to the people.

The Rajpramukh said he was glad to see that the Gwalior Shiksha Samiti could gather such a group of educated workers in Gwalior who kept the idea of service above monetary considerations. Referring to the grant of land costing Rs. 25,000 to the institution on the birth of the Prince, he expressed the hope that rich people in Madhya Bharat would contribute freely towards the maintenance of the institution.

Pakistan Assembly

KARACHI, December 8: It is understood that a meeting of the Muslim League Party in the Pakistan Constituent Assembly will be held on December 14 to nominate a candidate for the presidential election to be held on the opening day of the Constituent Assembly on December 14. Mr. Tahmiduddin Khan, however, is stated to be one of the candidates.

The first meeting of the States Negotiating Committee of the Pakistan Constituent Assembly will be held in Karachi on December 14, it was learned today. The committee will consider the question of representation and participation in the Constituent Assembly of the States which have acceded to Pakistan, namely, Bahawalpur, Kalat, Chitral, Dir, Swat and Amb.—A.P.I.

Rubies red as red roses

SURAJMAL LALLUBHAI & CO.

Telephone: 22236

359 KALBADEVI ROAD BOMBAY 2

Pothohar Shoes

There is a legend that the embroidered shoes of Pothohar were so light that a chieftain once flew a pair by carrier pigeon to his lady-love, held captive in a rival's castle, as a signal that he was setting out to liberate her. Such a marvel of daintiness could have been produced only by incomparable craftsmanship and the most discerning choice of material. Lipton's famous Green Label tea is produced by expert selection of leaf and acquired skill in blending.

LIPTON'S GREEN LABEL TEA

LTX 146

Clean Bowled

You may be amused but he is not!

To secure your future happiness SAVE WHILE YOU EARN and invest in National Savings Certificates.

For particulars call at the nearest Post Office or write to the Provincial National Savings Officer, Hutment No. 1, Churchgate, Fort, Bombay-1, or to—

(1) The Assistant National Savings Officer, N. D., Bhadra, Ahmedabad.
(2) " " " " C. D., Commissioner C. D's compound, Poona.
(3) " " " " S. D., 1326, Ramlingkhind, Belgaum.

6. Bom. 3/11-(48).