WEATHER IN SOUTH INDIA MADRAS, Dec. 9. Daily Weather Report for Madras Pre-

Daily Weather Report for Madras Pleadency and Mysore:
The depression in the Bay has moved northeastwards and lay this morning about 300 miles south of Vizagapatam and is likely to move north-east or north. Rainfall has occurred at most stations in Tamiland, Kerala, South Kanara, Coorg and Mysore with a few falls in South Andhradesa. The chief amounts are Mangaiore 1.4 inches, Madras (Meenambakkam) and Nelore 1.2 inches each. lore 1.2 inches each. Night temperatures temperatures continued to be above

Night temperatures continued to be above normal forecast valid until the evening of December 10: Widespread and locally heavy rain in the extreme north Andhra districts. Fairly widespread rain in Malabar, South Kanara, Coorg and Mysore. Showers at a number of stations in Cochin, Travancore and in the rest of Andhradesa and at some stations in Tamilnad and Rayalasseema. Local forecast: Mainly fair, Weather news for farmers: Moderate to heavy rain in Vizag, East Godavari and West Godavari, Light to moderate rain in South Kanara, Coorg, Maiabar, Kistna, Nilgiris, Coimbatore Districts and in Cochin, Travancore and Mysore States, Light showers here and there in Trichinopoly, Anantapur,

Travancore and Mysore States, Light Showers here and there in Trichinopoly, Anantapur, Cuddapah, Guntur, Beliary, and Kurnool Districts. Strong winds in Vizag, East and West Godavari and Nellore Districts. Low night temperatures in Niigiris.

Outlook for the next three days: Improvement of weather generally. METTUR WATER LEVEL

Reservoir full on the 8th Dec. 1946.



TUESDAY, DECEMBER 10, 1946.

THE ASSEMBLY MEETS

THE meeting of India's first Constituent Assembly at New Delhi on ration. Monday was a historic occasion. It was the culmination of that popular awakening to a sense of national solidarity and high destiny which began nearly a century ago and which has sustained a struggle for political freedom unique in many respects. The struggle is by ne means over. The popular representatives who have assembled to shape India's constitutional future are fully conscious of this fact and may, therefore, be expected to approach their extraordinarily difficult and delicate task with the high seriousness and the circumspection that are pre-eminently called for. On Mandatory the eve of the meeting of the Assembly the British Government has thrown a veritable bombshell and the United Nations." the manner of its intervention, even more than the substance of what it has said, is bound enormously to complicate the issues which the Assembly will have to face. But the very fact that, in spite of all the difficulties and the positive attempts made to prevent the Assembly's beginning to function, it has begun its task at the appointed hour may be months are over. The prospects of the regarded as a victory for the princi- ment have, therefore, decided to restore ple of self-determination for the the cut in rice ration which was imposed in August last With effect from Decem-Indian people. In his opening ad- in August 13st. With enece 11st and people in his opening ad- ber 15, the rice content of the ration

and the League, it is important to main unchanged. remember, accepted that decision. That issue must therefore be regarded as having been decided once for all by common consent. But the League has since strenuously sought pretexts to back out of sought pretexts to back out of this and the British Government's statement issued last weekend, though in form a clarification of its original Plan, amounts actually to a radical alteration of it, in deference to the League's wishes. which might have the effect of nullifying the Cabinet Mission's policy and opening a back door to the League's pet idea of two Constituent Assemblies. Britain's intervention at this stage and in this manner is inconsistent with the basic character of the Constituent Assembly that the British Government itself envisaged in May last. Mr. Nehru, while agreeing that the Assembly "will work within a certain framework laid down," has rightly emphasised that "it will be a selfdirecting and self-determining body which will not tolerate outside interference." The British Government has said that it will not be a party to the imposing on "unwilling parts of the country" of any issued to such vehicles. Such vehicles may, however, be fitted with gas plants. Constitution which may be framed by an Assembly "in which a large section of the Indian population had not been represented." It will be time enough for the British Government to consider what it should do ries Committee for Non-Gazetted Govern if and when such a contingency actually arises. But Britain could riday, will be considered in full at the

CALENDAR FOR DECEMBER the elucidatory statement of last week, in non-co-operating in the Assembly ab initio or at any later stage on the ground that its viewpoint was not accepted, irrespective of the merits of its contention.

The League should come into the Assembly and work for the acceptance of its point of view. Where there are real ambiguities in the Plan of May 16 it should be content to accept the elucidation of a disinterested and competent tribunal like the Federal Court. In matters of substance it should depend, as befits a big political party, on the reasonableness in the Assembly, and in particular Assembly can build on firm foundawhen he points out that "the real ation." He admits that "if internally it cannot succeed it cannot go far;' and he goes on to make the notable declaration, "We recognise that and therefore we intend to make it suc-British Government and the League should take note. The former should see that its interference at present its part should realise that its objection to being coerced may be raised with equal justice and discountry or the people which finds settlement can be arrived at only if all parties are bent upon following the line of constructive co-ope-

FUTURE OF S.-W. **AFRICA**

U. N. TRUSTEESHIP PROPOSED

INDIAN RESOLUTION CARRIED

NEW YORK, Dec. 8. The Trusteeship Committee of inited Nations to-day passed by United votes to 15 with four abstentions the dian resolution on South-West Africa "the Mandated territory of South west Africa shall be placed under the International Trusteeship system and the Power concerned shall be requested in accordance with article 79 of the Charter to prepare and submit forthwith the Trusteeship Agreement to

RESTORATION OF CUT IN RICE RATION

ARRANGEMENTS FOR DISTRIBUTION

MADRAS, Dec. 9.
Procurement of rice in the Province has been fairly satisfactory and the lean season are also favourable. The Govern-

Indian people. In his opening address, Mr. Sacchidananda Sinha, who has been appropriately chosen as first President in view of his age, many-sided experience and long devotion to the country's cause, made the interesting point that the principle that a free people should frame their own constitution has been accepted not only by Britain but by every party in India not excluding the Muslim League.

It is true that the League at one time stood out against the idea of a single Constitutions for the two evolve the Constitutions for the two Indias of its conception. But the Cabinet Mission in its Statement of May 16 declared itself against the idea of two Constituent Assemblies and the League, it is important to remember.

The composition of supplementary ration

fors, will continue to get 10 oz. of rice per adult per day.

Meals hotels which are now compelled to take 10 per cent of their total requirements in maize and 5 per cent of their total requirements in barley flour should continue to be compelled to take the sald proportions in maize and barley flour.

The orders are to be given effect to from December 15 without fall.

SURPLUS ARMY MOTOR VEHICLES

GOVT.'S WARNING TO

PURCHASERS

MADRAS, Dec. 9.
A Government Press Note states;
Many surplus army motor vehicles are
now being offered for sale by auction to the public. It is understood that many of these vehicles are being bought with the intention of placing them on the road as buses or lorries after recondition-

The Government desire to bring to the otice of the public that as the Provincial quota of motor spirit is extremely limited, it is not possible to guarantee the issue of petrol coupons for daily operation to any vehicle which may be hought in this way.

So long as the existing petrol supply

position continues, petrol will not be

SALARIES OF N.-G.OS.

MADRAS, Dec. 9. The revised scales of pay and allow-ances recommended by the Cabinet Sala-

CONSTITUENT **ASSEMBLY**

SESSION OPENS AT **NEW DELHI**

DR. SINHA'S **ADDRESS**

GREETINGS FROM U. S. SECRETARY OF STATE

NEW DELHI, Dec. 9. "A constitution reared for immortality" was held up as the ideal before the Conor its case to commend it to stituent Assembly this morning by Dr. the Assembly. The other Parties Sacchidananda Sinha, temporary Chairman, in his inaugural address to India's the Congress, recognise that the Assembly can build on firm foundawhich it had been claimed embodied this tions only by promoting internal which it had been that constitution was ideal, and said that that constitution was cohesion. Mr. Nehru makes this clear one which should be carefully studied when he points out that "the real by the Indian Constituent Assembly, not necessarily for wholesale adoption but thing that might limit its self-determining power is no external authority but internal factors of the situvar but internal factors of the s well as a series of compromises" and, speaking from fifty years' experience of public life, he said that "reasonable agreements and judicious compromises are nowhere more called for than in framing a constitution for a country like India".

ceed internally." That is a sincere avowal of purpose of which both the British Government and the League by though not under that particular name, was found in a statement of Mahatma Gandhi in 1922. The idea of a Constituent Assembly as the only direct means for the framing of a Constitution or in future can only provoke popular resentment. And the League for in India, Dr. Sinha said, came to be entertained and accepted by the two major political parties in 1940, with this difference that while the Congress desired one Constituent Assembly for India as a whole, the Muslim League wanted two Constituent Assemblies, in accordance concerting effect by every unit of the with its demand for two separate, States in the country.

Dr. Sinha invoked divine blessings tha the League's plans for the future "your proceedings may be marked not unacceptable. An early and lasting only by good sense, public spirit and genuine patriotism, but also by wisdom toleration, justice and fairness to all; and above all with a vision which may resabove all with a vision which may restore India to her pristine glory and give her a place of honour and equality among the great nations of the world", for he added, "where there is no vision,

the people perish."

Some 205 representatives, including nine women, from all the provinces were present. They sat in parallel rows fac-ing the presidential dais in the brilliantlighted, domed library of the Council Chamber. Scated in separate provincial blocs, they were a variegated gathering, dressed in the many different garbs of the provinces they came from. Muslim

League members were absent.

Those occupying the front row included Pandit Nehru, Maulana Azad, Sardar Patel, Acharya Kripalani, Dr. Rajendra Prasad, Mrs. Naidu, Mr. Harekrishna Mehtab, Pandit Pant, Dr. Ambedkar, Mr. Sarat Bose, Mr. C. Rajagopalachari and Mr. Asaf Ali. Mr. Sarat Bose and Dr. Ambedkar sat in the same bench. Mrs. Kripalani had a seat immediately behind er husband.

Messages wishing success for the deliberations received from the Covern-ments of U.S.A., China and Australia were read by the Chairman.

After the signing of the members the

Constituent Assembly adjourned till 11 a.m. to-morrow. The election of the permanent President may be taken up on the second day. It is gathered that the general Con-gress view is in favour of a Congressman as President and that Dr. Rajendra Prasad's name has been suggested.

DR. SINHA'S SPEECH

Dr. Sacchidananda Sinha, addressing he members of the Assembly, said: Hon'ble Members of the First Consti-

tuent Assembly,—

I am deeply beholden to you for your having agreed to accept me as the first President of your Constituent Assembly, which will enable me to assist you in transacting the preliminary business of the Assembly—such as the election of a permanent President, and thereafter the framing of the rules of business, the appointment of various Committees, and settling the question of giving publicity to, or keeping confidential, your proceed-ings-which will ultimately lead you to crown your labours by formulating a suitable and stable constitution for an Independent India. In expressing my sense of appreciation of your great kindness. I cannot conceal from myself that I feel—comparing small things with great—that I am, on the present occa-sion—in the position in which Lord Palmerston found himself when Queen Vicoria offered him the highest Order Chivalry, namely the Knighthood of the Garter. In accepting the Queen's offer, Lord Palmerston wrote to a triend as follows: "I have gratefully accepted Her Majesty's gracious offer as, thank God, there is no question of any damned merit about the honour conferred on I say I find myself more or less in the same position, for you have agreed to accept me as your President on the sole ground that I am, in age, the seniorever the ground, however, on which you have chosen to have me as your first President, I am nonetheless profoundly grateful to you. I have had, in my fairly long life, several honours conferred on me in recognition of my services as a humble worker in public interest, but I assure you that I regard your mark of favour as a signal honour, which I shall cherish throughout the rest of my life. THE SWISS MODEL

On this historic and memorable occasion, you will not grudge, I am sure, if I venture to address to you some observations on certain aspects of what is called a Constituent Assembly. This political method of devising a constitution for a country has not been known to our fellow-subjects in Britain, for the simple reason, that under the British Constitution, there is no such thing as a constituent law, it being a cherished privilege of the British Parliament, as the sole sovereign authority, to make and unmake all laws, including the constitu-tional law of the country. As such, we have to look to countries other than Britain to be able to form a correct estimate of the position of a Constituent Assembly. In Europe, the oldest Republic, that of Switzerland, has not had a Con-stituent Law, in the ordinary sense of that term, for it came into existence, on a much smaller scale than it now exists, due to historic causes and accidents, several centuries back. Nevertheless, the present constitutional system of Switzerland has several notable and instructive features, which have strongly been recommended by qualified authorities to Indian constitution-makers, and I have no doubt that this great Assembly will study carefully the Swiss constitution and try to utilise it to the best advantage in the interest of preparing a suitable constitution for a free India.

The only other State in Europe, to the constitution of which we could turn with some advantage, is that of France, the first Constituent Assembly of which (called "The French National Assembly") was convoked in 1789, after the not possibly mean that the League would be justified, under cover of it is officially stated.

Friday, will be considered in full at the overthrowing the French monarchy. But the French Republican system of Government had been changed since it is officially stated.

more or less, in the melting pot. Though therefore, you may not be able to derive as much advantage from a study of the French system of constituent law as that of the Swiss, that is no reason why you should not seek to derive what advantask before you, by a study of it.

FRENCH AND AMERICAN EXAMPLES As a matter of fact, the French constitution-makers, who met in 1739, at the first Constituent Assembly of their country, were themselves largely influenced by the work done but a couple of years earlier, in 1787, by the historic constitutional convention held at Philadelphia by the American constitution-makers for their country. Having thrown off their allegiance to the British King in Parlia ment, they met and drew up what had been regarded, and justly so, as the soun-dest, and most practical and workable dest, and most practical and workable republican constitution in existence. It is this great constitution, which had been naturally taken as the model for all subsequent constitutions not only of France, but also of the self-governing Dominions of the British Commonwealth. like Canada, Australia, and South Africa and I have no doubt that you will also, in the nature of things, pay in the course of your work, greater attention to the provisions of the American Constitution

I have referred above to the self-governing constitutions of the great Dominions of the British Commonwealth being based on to a large extent, if not actually derived from the American constitutional system. The first to benefit by the American to a large extent, if not actually derived from the American constitutional system. The first to benefit by the American system was Canada, the historic convention of which country, for drawing up a self-governing constitution, met in 1864, at Quebec. This convention drew up the Canadian constitution, which was subsequently embodied in what is still on the Statute Book as the British North American Act, passed by the British Parliament in 1867. You may be interested to hear that the Quebec convention consisted of only 32 delegates from all the provinces of Canada, and that convention of 33 representatives issued as many as 74 resolutions, which were afterwards duly incorporated in toto in the British North American Act, under the provisions of which the first self-governing Dominion of the British Commonwealth of Canada, came into existence in wealth of Canada, came into existence in 1867. The British Parliament accepted the Canadian convention's scheme in its enmendment. I hope and pray that your la-ours may be crowned with a similar suc-

bours may be crowned with a similar success.

The American constitutional system was more or less adopted in the schemes prepared for framing the constitutions of Australia and South Africa, which shows that the results achieved by the American convention, held at Philadelphia in 1787, had been accepted by the world as a model for framing independent federal constitutions for various countries. It is for these reasons that I have felt justified in inviting your attention to the American system of constituent and constitutional law as one which should be carefully studied by you—not necessarily for wholesale adoption but for the judicious adaptation of its provisions to the necessarily for wholesale adoption but for the judicious adaptation of its provisions to the necessarily for wholesale adoption but for the judicious adaptation of its provisions to the necessarily for wholesale adoption but for the judicious adaptation of its provisions to the necessarily for wholesale adoption but for the judicious adaptation of its provisions as may be necessary or essential owing to the peculiar conditions of our social, economic and political life. I have done so as according to Munro—a standard authority on the subject—the American constitution is based on "a series of agreements as well as a savies of compromiser." I may upture the subject—the American constitution is based on "a series of agreements as well as a series of compromises." I may venture to add, as a result of my long experience of public life for now nearly half a century, that reasonable agreements and judicious compromises are nowhere more called for than in framing a constitution for a country like India

than in framing a constitution for a country like India.

In commending to you for your careful onsideration and acceptance, with reasonable agreements and judicious compromises, the fundamental principles of the American system, I cannot do better than quote the striking observations on the subject of the greatest British authority, namely Viscount Bryce, who in his monumental work, called the American Commonwealth, writes as follows: "Its central, or national Government is not a mere league, for it does not wholly depend on the component communities which we call the States. It is in itself a Commonwealth, sevel as a union of Commonwealth, sevel as a union of Commonwealth, because it claims directly the obedience of every citizen, and acts immediately upon him through its courts and executive officers. Still less are the minor communities, the States mere sub-divisions of the Union, mere creatures of the National Government, like the counties of England or the departments of France. They have over their citizens an authority which is their own and not delegated by the Central Government."

THE PEOPLE'S RESPONSIBILITY

It may possibly be that in some such scheme, skilfully adapted to our own requirements, a satisfactory solution may be found for a constitution for an Independent India, which may satisfy the reasonable expectations and legitimate aspirations of almost all the leading political parties in the country. Having quoted the greatest Brither or the skill of the second o

expectations and legitimate aspirations of almost all the leading political parties; in the country. Having quoted the greatest British authority on the great, inherent merits of the American Constitution, you will. I hope, bear with me a fairly long quotation from the greatest American jurist. Story. In concluding his celebrated book called "Commentaries on the Constitution of the United States" he made certain striking and inspiring observations which I present to you as worthy of your attention:—
"Let the American youth never forget, that they possess a noble inheritance, bought by the toils, and sufferings, and blood of their ancestors; and capable, if wisely improved, and faithfully guarded, of transmitting to their latest posterity all the substantial blessings of life, the peaceful enjoyment of liberty, property, religion, and independence. The structure has been erected by architects of consumnate skill and fidelity; its foundations are solid, its compartments are beautiful, as well as useful; its arrangements are full of wisdom and order; and its defences are impregnable from without, it has been reared for immortality, if the work of man may justly aspire to such a title. It may, nevertheless, perish in an hour by the folly, or corruption, or negligence of its only keopers, The People Roublics are created by the virtue, public spirit and intelligence of the citizens. They fall, when the wise are basished from the public councils, because they dare to be honest, and the profligate are rewarded, because they flatter the people, in order to betray them."

To quote yet one more leading authority on the almost ideal Constitution of America James Beck (at one time Solicitor-General of the United States) says in his highly instructive book called "The Constitution of the United States says in his highly instructive book called "The Constitution of the American Constitution, paraphrasing the subject of the American Constitution, paraphrasing the subject of the constitution of the American Constitution of the

have come and gone; but it can be said of the American Constitution, paraphrasing the noble tribute of Dr. Johnson to the immortal fame of Shakespeare, that the stream of time which has washed away the dissoluble fabric of many other paper constitutions has left almost unturched its constitutions has left almost unfouched it adamantine strength. Excepting the first ten amendments, which were virtually a part of the original charter, only nine others have been adopted in more than one hundred and thirty years. What other form of Government has better stood the test of time?"

test of time?"

My prayer is that the Constitution that you are going to plan may similarly be reared for 'immortality', if the work of man may justly aspire to such a title, and it may be a structure of 'adamantine strength,' which will outlast and overcome

strength, which will all destructive forces. GENESIS OF THE INDIAN ASSEMBLY
Having invited your attention to some aspects of the question of constitution-making in Europe and America. I may now profitably turn to some aspects of the question in our own country. The first definite reference to a Constituent Assembly (though not under that particular name) I have found in a statement of Mahatma Gandhi, made so far back as 1922. He said, "Swaraj will not be a free gift of the British Parliament. It will be a declaration of India's full self-expression, expressed through an Act of Parliament. But it will be merely a courteous rattification of the declared wish of the people of India The ratification will be a treaty to which Britain will be a party. The British Parliament, when the settlement comes, will ratify the wishes of the people of India as expressed through the freely chosen representatives." The demand made by Mahatma Gandhi for a Constituent Assembly, composed of the "freely chosen representatives" of the people of India, was affirmed, from time to time, by various public bodies and political leaders, but it was not till May, 1934, that the Swaraj party, which was then formed at Ranchi, formulated a scheme in which the following resolution was included: "This Conference claims for India the right of self-determination, and the only method of applying that principle is to convene a Constituent Assembly, representative of all tections of the Indian people to frame an GENESIS OF THE INDIAN ASSEMBLY

(Continued on page 6)

INDIA'S SUCCESS IN U. N.

ASSEMBLY VOTES AGAINST SMUTS

S. AFRICAN INDIAN CAUSE UPHELD

ISSUE NOT TO BE REFERRED TO WORLD COURT

NEW YORK, Dec. 8. The joint French-Mexican resolution asking both the South African and Indian Governments to report to the next General Assembly of the United Nations what measures had been taken in the matter of treatment of Indians, in South Africa, received a two-thirds majority, with 32 for and 15 against and 7 abstentions.

The South African amendment ferring the Indian dispute to the International Court was defeated bу 31 votes to 21 with 2 abstentions.

"The French-Mexican resolution reads:
"The General Assembly 'having taken
note of the application made by the Government of India regarding the treatment of Indians in the Union of South
Africa and having considered the matter:
(1) States that because of that treatment The French-Mexican resolution reads: (1) States that because of that treatment friendly relations between two member States have been impaired and unless a satisfactory settlement is reached, these relations are likely to be further impaired; (2) Is of the opinion that the treatment of Indians in the Union should be in conformity with international obligations under the agreements concluded between the two Governments and the relevant provisions of the Charter; (3) Therefore, requests the two Governments to report at the next session of the General Accembly measures adopted to this rai Assembly measures adopted to this

PANAMA AND PHILIPPINES SUPPORT INDIA

The pienary session of the General Assembly continued the discussion on the Indian-South African dispute to-day.

Dr. Ricaro Alfaro (Panama) said that the Panamian Delegation believes strong-ly that human rights "are not within the domestic jurisdiction of any State." Panama therefore would support India.

The Philippines delegate, General Romulo, supporting India's case, declared, "India's complaint is a moral question of first importance. We believe the proposed amendment, General Smuts' amendment to refer the matter to the International Court, begs the moral question.
"The General Assembly cannot

charge its obligations according to the Charter to the people of the world by refusing to exercise its moral judgment. India's complaint strikes the very heart

and core of the United Nations."

General Romulo said that he was confident they would all rally to the cause "that we all hold dear."

He paid a tribute to the Indian delegation for "their fair-mindedness" in the way they have submitted the question to the United Nations and added: "It is our duty as human beings to rally to India's support."

SOVIET SUPPORT

The Russian Vice-Foreign Minister, M Vyshinsky, speaking when the United Nations General Assembly resumed its debate on the South African-Indian issue, said that there had been a denial of the existence of discriminatory legislation in South Africa and referred to the laws of 1904 and 1908 limiting residential areas in which Indians could live—the formation of "actual ghettos" He also referred to the immigration legislation of 1913, marriage laws which forbade marriage of Europeans and Indians, legislation which denied franchise to Indian women at a time when White women were given a vote, and also to "law 18 of 1924 which prohibited any Indian from walking on side-

ways. South Africa-the accused-under the weight of the arguments presented now had no way out. The South African De-legation was, therefore, shifting the matter from a political level to a legal level. The British representative, Sir Hartley Shawcross, proved to be a good lawyer for South Africa, having shown unquestionable ability which might, however, have found a more suitable

application.

M. Vyshinsky said that he disagreed with General Smuts's interpretation of the Charter in the article dealing with

domestic jurisdiction M. Vyshinsky added: "It is quite obvious that the complaint of the Indian Delegation is of an international character within the principles of the United Nations and the General Assembly must definitely assent to that particular interpretation of the case. I feel it is founded on political grounds as well as on social grounds".

M. Vyshinsky referred to the Capetown Agreement of 1927 and added: "How can we possibly say that this is an internal question? How can we posargue that it is not an inter-

national question".

He agreed that the matter should referred to the International Court, but that court should be "at this particular moment here. It should be you in this General Assembly who should deal with the matter".

CHEERS FOR MRS. PANDIT

The Assembly gave the warmest demonstration yet seen to the popularity of Mrs. Vijaya Lakshmi Pandit. As she rose to go to the rostrum, Mrs. Pandit was heartily applauded. She smiled her acknowledgment.

Wearing a purple sari, she spoke from hastily scribbled notes and was interrupted in her speech by more applause when she accused the British Government of the speech by more applause when she accused the British Government of the speech by the speech sp ment of being responsible for the poli-tical differences in India.

Mrs. Pandit. Leader of the Indian Delegation to the United Nations, speak-

ing for the second time in 24 hours in the debate on the Indian-South African issue, said: "When I spoke yesterday, I expressed the hope that the British Com monwealth would at least remain neutral in this controversy, which vitally conerns one of its most important mem bers, but Sir Hartley Shawcross's speech has shaftered my hopes. He has spoken in a manner which I consider to be entirely partisan, however full of dialecti-cal skill it may be.

"I shall only deal with two points—Sir Hartley made the suggestion that any resolution passed by this Assembly by narrow majority is not obligatory therefore, he suggests that we should get decision of the International Court What is obligatory about the decision of the International Court? If a solemn resolution of this Assembly can be flouted, what certainty is there that a decision of the International Court, if it goes against the Union, will not also be flouted?

"Is this all the respect that members of this great organisation are going to show to resolutions passed by this Asif the decisions happen to go against them? "The second point is a reference by

Sir Hartley Shawcress to the unfortu-nate, but I hope temporary, differences which exist in India and which are nuch in evidence in the American Press to-day. I regret I must say that Sir Hartley has not shown good taste in referring to these differences which he knows have been brought about largely

(Continued on Page 6)

NEHRU BACK FROM LONDON

IMPRESSIONS OF VISIT RESERVES COMMENT ON

H. M. G.'S DECLARATION (FROM OUR CORRESPONDENT.)

NEW DELHI, Dec. 8. Pandit Nchru looked extremely fresh and cheerful when I saw him this afternoon after his return from London.

It seemed an incredibly swift journey from London to Delhi--leaving London airport at 8-30 yesterday morning (2 p.m. I.S.T.) and reaching New Delhi shortly before 4 this afternoon. This does not include the two hours' halt at Karachi, which was very welcome, Pandit Nehru said, because he could have bath, etc. I thought he had never looked brighter or more cheerful—very different from the over-worked person who boarded the Viceroy's plane last week for Karachi en route to London.

"How is your lumbago", I asked him.
"It has gone completely," he said—how
it happened he himself could not understand, in the damp piercing cold of London. He did not go anywhere in London, he had no time for anything twice to No. 10, Downing Street, twice to the India Office, once to the House of Commons and once to Lancaster House for the Government reception: "Yes', he added after a moment's re-flection, "I must not forget the recep-tion at India House by the High Commissioner and of course, the lunch at Buckingham Palace—nor the three visits to Epstein, the world-famous sculptor." Each visit lasted an hour, but Epstein was not satisfied; he wanted another six sittings at least. Sitting in his enormous study, littered with all sorts of things, was not exactly confortable, especially with the all-too-inade-quate arrangements for heating. But Fandit Nehru seems to have enjoyed it as an experience. Some told han that his Statue would adorn Epstein's studio-but not until he has had more opportunities for finishing it. Epstein wished Pandit Nehru to prolong his stay in

Pandit Nehru does not forget old friends even on the most important visits. Late one night after dinner, as visits. Late one night after dinner, as Sir Stafford Cripps and he were dis-cussing the Indian problem, Pandit Nehru casually remarked that Madame Morin, one of Pandit Nehru's French friends, was desperately anxious to reach London in time to see him. Sir Stafford suggested immediate contact with the Foreign Office. Telephones buzzed from London and Berne in Switzerland and in less than 24 hours Madame Morin was in London.

Pandit Nehru would not say much about lunch at Buckingham Palace, nor anything about his political discussions with Mr. Attlee and the three Cabinet Ministers. Princess Elizabeth seemed to have made an impression on him by her wide reading and varied interests.

"You look extraordinarily fresh", I told him as he rose to plunge into work.
"I slept well for the greater part of the time", he explained. The plane was "I slept well for the greater part of the time", he explained. The plane was doing 255 miles per hour and it was amusing, he said, how the pilot went on advancing the time as he was arriving near Delhi. Exactly 24 hours actual flying between London and New Delhi is something to remember.

The Associated Press of America adds Neither Pandit Jawaharlal Nehru por Sardar Baldev Singh would comment the failure of the London talks, but a member of the party said Pandit Nehru told reporters at Karachi that he was not shown the last paragraph of the British Government's statement of Friday before was issued.

The paragraph stated that there had never been any prospect of success for the Constituent Assembly except upon the basis of agreed procedure and that His Majesty's Government could not contemplate forcing a Constitution upon unwilling parts of India if it were drafted by an Assembly in which large sections of the population were not represented

JINNAH MAY SUMMON LEAGUE COUNCIL

NEW DELHI, Dec. 7. It is very likely that immediately after returning from London, Mr. Jinnah may summon a meeting of the Mus-lim League Council to consider the implications of the British Government's latest statement and also decide whether the Council's decision regarding the long-term plan enunciated by the Cabinet Mission could be altered in the light of the new situation created by the London pourparlers.—U.P.I.

COMMONS DEBATE THIS WEEK

LONDON, Dec. 8.
Mr Herbert Morrison, Lord President
of the Council, will probably announce
that a debate on the Indian position will take place at the end of this week.

Business has been left blank on Thursday and Friday and the Opposition may now ask that these days should be devoted to India. The House will want to discuss at length a survey of last week's talks with the Indian leaders which the Prime Minister will give.

The Government may, however, prefer to set aside one day for consideration of another recent development, fusion of the British and American zones in Germany at the joint cost in the next three years of well over 250.000,000 sterling.

A RUMOUR DENIED

LONDON, Dec. 8. Rumours that Lord Wavell, Pandit Jawaharlal Nehru and Mr. Jinnah came into contact with a diphtheria case when changed planes at Malta on flight to London recently are completely unfounded according to an official statement by the Medical Officer at the London girport to-day, One of the crew of the plane was

ound to be suffering from tonsillitis. Reuter.

WILL RESULT IN TWO PARTIAL PAKISTANS" SIR C. P. RAMASWAMI AIYAR'S VIEW

Sir C. P. Ramaswami Alyar, commenting on the statement made by His Majesty's Government says: "I regard the statement as embodying the essence, if not the form, of Pakistan".

NEW DELHI, Dec. 8.

"The statement of December 6", he declares, "is one of fundamental importance not only as an interpretation and as an avowedly essential part and supplement of the Cabinet Mission's Statement of May 16.

THE WORKING COMMITTEE

LEADERS REPORT ON LONDON TALKS

GANDHIJI TO BE CONSULTED

NEW DELHI, Dec. 9. Within three hours of their air dash from London yesterday, Pandit Nehru and Sardar Baldev Singh attended a special meeting of the Congress Working Committee and gave a first-hand account of the talks culminating in H.M.G.'s latest statement. A general discussion is understood to have followed, in which some of the members gave their views on the outcome of the London talks.

There will be an informal meeting of

the Congress Working Committee at 2-30 p.m. to-day for further discussion on H. M. G.'s statement. According to informed quarters, the Congress High Command is not likely to take a decision on the latest development without consulting Mahatma Gandhi, who is at present in East Bengal.

The Committee at its meeting yester day morning considered the prelimi-nary agenda for the Constituent Assembly. The question as to how the Congress members of the Constituent Assembly should function in the Assemoly was also examined.

The Congress President, Acharya Kri-palani, told the Associated Press of India that the Committee had a general dis-cussion. No conclusion was reached.

Lobby talks stressed some of the issues for decision by the Congress. The main point arises from the contention that the latest statement constitutes an addition to and an amendment of the Statement of May 16. If so, the question is asked, what should be the Congress attitude to such a structural alteration of the scheme?

Subsidiary questions of detail are: Firstly, what should be the Congress reply to H.M.G.'s plea that the Congress should accept the view of the Cabinet Mission in order that a way may be opened for the Muslim League to reconsider their attitude? Secondly, should the Congress refer the question of grouping to the Federal Court, and pending that Court's decision postpone the division of the Constituent Assembly into sections?

On the second of these points, a legal authority yesterday doubted whether the Federal Court will entertain any eference with regard to the interpretation of a document of which the real intentions have been already declared by the authors themselves. Doubt was also expressed whether the Cabinet Mission's statement is a legal or statutory document which a Judicial Tribunal can be called upon to interpret. On the first point, a view put forward is that it is for the Muslim League to declare whe-ther in the light of the interpretation now given in their favour, they wish to ome into the Constituent Assembly, For, if the League attitude remains unchanged, and League members do not enter the Constituent Assembly, the need to refer the question of grouping or any similar question to the Federal Court would not arise at all.

These and other points await further debate before decisions are taken,

"CONGRESS NOT PERTURBED"

NEW DELHI, Dec. 8. A wait-and-see attitude seemed to prevail in New Delhi to-day following the British Government's statement on the Indian impasse, writes Walter Mason, Indian Associated Press of America staff corresoondent.

Although describing the British statement as a judgment in favour of the League, the Congress President, Acharya J. B. Kripalani, commented, "Congress is not perturbed." He expressed confidence that the Muslims would enter the Con-stituent Assembly by Spring.

MORE TEXTILE MILLS FOR U. P.

MINISTRY'S PLAN TO MEET CLOTH SHORTAGE

NEW DELHI, Dec. 8 How the Ministry of the United Pro-vinces—also a Congress Government is tackling the problem of cloth short-age may be of interest to Madras The supplies have gone down during the war, while the population has increased substantially—almost by a third, if not

The U. P. Ministry is, therefore, planning to assist a number of industrialists to establish new mills distributed, conveniently, throughout the Province for the purpose of producing lower counts of yarn. So far, Cawnpore has been almost the sole centre for textile industry but the Ministry plans to include about half a dozen mills from Meerut to Gorakpur, with 25,000 spindles and

500 looms. These exclude about 47,000 spindles which Sir Jwala Prasad Srivastava had obtained for his two textile mills while ne was a member of the Executive

Council.—F.O.C.

are portion of the territories adverted to in Sections B and C under the May 16 Scheme which are or may become unwilling.

which are or may become unwilling.

"In another part of the statement, it has been asserted that the Congress view is wrong in so far as it postulates the right of the provinces to decide both as to Grouping and as to their constitution. The British Government have adopted the contention that the decisions as to Sections B and C should be taken by a majority vote of the representatives of the Sections. This involves the position that the view of Bengal as to Section C will prevail as against that of Assam and the view of the Punjab in Section B will prevail as against that of the North-West Frontier Province and Sind.

REFERENCES TO FEDERAL COURT

"This exposition of the Statement of May 18 is regarded as essential and is, therefore conceived of as binding, Morcover the Federal Court has now, under the latest statement of the British Government, been given functions and powers extending much beyond the original proposals and potentially comprising all questions of interpretation of the Statement of May 16. This is a very great and notable concession, which may conceivably hamper the Constituent Assembly and its President.

bly and its President.

"It the Congress accepts the view now propounded and if Mr. Jinnah and the Muslim League base themselves upon the latest document issued by the British Government, the net result will be the creation of two partial Pakistans namely the Section B and Section C territories on the eastern and western sides of India and a Section A territory comprising the central block extending from the United Provinces to South India.

"Though this is not clearly stated in so many words, the position of the States in such a set-up is bound to be very anamolation when many words the insult have recessarily to find

clares, "is one of fundamental importance not only as an interpretation and as an avowedly essential part and supplement of the Cabinet Mission's Statement of May 16, but also outlining certain inescapable conclusions, whose significance cannot be lost sight of at this juncture.

"Firstly it has been made clear that His Majesty's Government will not submit to Parliament any constitution, which will not be on the lines suggested by them Secondly, no success is deemed possible for the constituent Assembly and therefore for the constitution unless the parties consent to an agreed procedure. There is therefore, no question of the minority following in this particular matter the lead of the majority as was at one time thought possible after Mr Attlee's speech.

"Thridly, it is very clearly stated that any constitution framed in the absence of any large section of the Indian population (presumably the Muslim League) would not bind what are termed to be "unwilling parts' of the country, Evidently, these unwilling parts' of the country, Evidently, these unwilling parts' of the country, is a matter for decision practically on the opening day of the tennis court".—A.P.Is