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USE OF PESHWAS' HOME

Committee Begins Inquiry

From Our Own Correspondent

POONA, May 24: The Committee appointed by the Bombay Government to advise on the utilisation of the Shaniwarwada for the location of cultural and industrial institutions there has begun to record evidence, Nearly 40 prominent citizens have

appeared before that Committee of eight members with Mr. P. M. Land Remembrancer of Legal Affairs, Bombay Government. The specific reference to the Com-

nittee is about the use of the Shaniwarwada—the home of the Peshwas for a century-to house either the Regional Library or the Lord Reay Industrial Museum without harming its historical

Poona University The draft of the lease transferring the Government House Estate at Kirkee to the University, as finally agreed upon by the representatives of the Government of Bombay and the Executive Council of the University of Poona, was approved of by the Execu-

tive Council of the University at its

House Estate in the near future.

Establishment Of Supreme Court Of India

CONSTITUENT ASSEMBLY ADOPTS ARTICLE OF PROCEDURE NEW DELHI, May 24.

THE Constituent Assembly of India after a three-and-half hour discussion today adopted Article 103 laying down the procedure for the establishment and constitution of the Supreme Court.

dent, Dr. Rajendra Prasad, retheir speeches as 28 out of 58 fit and replacing him with an untrainamendments tabled were moved a person. It was difficult to say when a person was not working to the paper, having been the first alland discussed.

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MADHYA BHARAT

OFFICERS INJURED

Jeep Overturns

From Our Own Correspondent

INDORE, May 24: Mr. B. A. Shar-

ma, Deputy Inspector-General of

Police, Madhya Bharat Criminal In-

vestigation Department, sustained severe injuries near Jaora on Sunday

night, when the jeep he was driving

overturned on the Mhow-Neemuch

Road. Mr. Sharma was on his way

to Mandsaur to make inquiries regard-

ing the recent communal disturbances

there. He was brought to Indore on

Monday and admitted to the Mahara-

jah Tukojirao Hospital for treatment.

An X-ray examination revealed that

Mr. Manushankar Tiwari, Superin-

tendent of Police, C.I.D., who accom-

panied Mr. Sharma, sustained minor

five of his ribs had been fractured.

Friday!

The Article as adopted by the House provides for the setting up of a Supreme Court of India consisting age limit for an intellectual or for a of a Chief Justice of India and seven writer. He doubted whether the Asother Judges until Parliament prescribes a large number.

The judges of the Supreme Court

shall be appointed by the President

in consultation with the Chief Justice of India. The clause originally provided for appointments to the Federal Judicature to be made from among judges and advocates of the High Court but the House at the instance of Dr. B. R. Ambedkar, Law Minister.

ment to include eminent jurists among the persons eligible. A judge of the Supreme Court shall not be removed except by an order of the President passed after an address presented to him by each House of Parliament supported by a majority of the total membership of that house and by a two-thirds majority of members, present and

The House adopted the original provision that a judge of the Supreme Court shall hold office until he attains the age of 65 years. Among Nehru, who pointed out that many of beyond it but still they functioned. the leaders were nearing 60 or more above 60. Dr. Ambedkar said that even 65 could not be regarded as the "zero hour" in man's ability to render service while Mr. Satish Chandra (U. P) declared "this House composed as it is of elderly gentlemen, has been unfair to young men".

CHIEF JUSTICE OF INDIA

Move To Change Title

Mr. Tajamul Hussain (Bihar) moved an amendment which sought to change the name "Chief Justice of India" as it existed in the Draft Constitution to Hussain said that the distinction between the Chief Justice of the high courts and the Chief Justice of India should be made clear.

Dr. Ambedkar moved an amendment to change the wordings of Clause one. eye on that aspect, He wanted substitution of the words "and until Parliament by law presjudges" to be substituted for "and an age limit to men of real worth at such number of other judges not 60 was "meaningless and childish." being less than seven, as Parliament

may prescribes.' The Law Member said that this change in wording was necessary so that the Constitution of the Supreme Coure should not be held over until Parliament by law prescribed the number of judges of the Supreme

An amendment by Mr. Krishna Chandra Sharma (U.P.) sought to delete the words in Clause two providing for consultation by the Union President with the judges of the Supreme Court and of the high courts when he appointed judges. The President, he said, would always appoint judges only on the advice of Ministers and, therefore, the provision for consultation with judges was not needed. Prof. Shibbanlal Saxena (U.P.) by an amendment wanted confirmation of the appointment of judges by a two-thirds majority of the total members of the two Houses of Parliament sitting jointly. In support of his amendment, Prof. Saxena said that the judiciary should not be made "a creature of the executive".

VERBAL CHANGE After Mr. Santhanam had moved an amendment making a verbal change for clarity of Clause two of the Article. Prof. Shah followed with another amendment which wanted the tenure of judges of the Supreme Court to be for life, subject to good beliaviour. judges should be given pension if they resigned after ten years service. Mr. Jaspat Roy Kapoor (U.P.) brought forward an amendment for reducing the age limit of the Supreme Court judges to 60 and not 65, with a proviso that the President could extend the age of retirement of a judge vear to year till he was 65. Prof. K. T. Shah moved a new clause which said that a judge should be debarred from any executive office under

elected to Parliament or any State legislature. Mr. K. Santhanam by an amendment sought to permit ex-judges to hold an office of profit with the permission of & C. I. Railway and in accordance with the President. He said that a com-

the Government of India or under that

of any unit and, unless he has resign-

ed his office as judge, from being

Pandit Jawaharlal Nehru, supported view. The other view was how to get to Rs. 1,800.

More than once, the Presi- the best out of an individual for the

Each country spent a lot on trainquested members to cut short ing a person and it was no good discarding him when he was completely person was not working to the peak of his capacity. The peak might be different in various professions. miner, might not be able to work at Times of India but sports journalism 60 but it would be absurd to fix an sembly would fix an age limit for membership of the House or for Ministership, though the point might well | be worthy of consideration.

But the fact remained that when absolutely first class persons were needed for certain top grades, it would be a dangerous thing to fix an age limit. Einstein was certainly very much above sixty but he remained the greatest scientist of the age. This question also had come up before him, Pandit Nehru said, in connection with the appointment of some first class scientists. He pointed out that India was short enough in first class scientists and it would be a calamity for her not to utilise their services because of some rule fixed for some administrative service which had nothing to do with high class, inventive brain-

AMERICAN JUDGE AGED 92

In America the greatest judge continued to function till the age of 92 and on the Privy Council there were patriarchs with long, flowing beards who by their appearance might be anything up to a hundred. Pandit Nehru felt that the age limit

of 65 for Federal Court judges was by no means unfair. Many of the leaders, those who favoured 65 was Pandit he said, were dangerously near 60 or Mr. R. K. Sidhva said he was opposed to the Council of States being consulted about the appointments of judges, as suggested by Prof. Shah. Such a provision would result in canvassing for appointments of judges and considerations of ability and merit would be brushed aside.

Mr. Biswanath Das (Orissa) said that Prof. Shah's amendment, to 'the effect that judges should be chosen by election and not by selection, involved a "very dangerous principle." Mr. Rohini Kumar Chadhuri (Assam) said that it was rather the minimum age of a judge than the maximum age which should be fixed. It was very wrong in principle to com-

pel a man of advanced age to declare his age. Mr. Ananthasayanam Ayyangar "Supreme Chief Justice of India". Mr. (Madras) said that the Supreme Court was "the watchdog of democracy" and it must be above all interference from the executive. The provisions in the Constitution relating to the Supreme Court had been made with an

Mr. Naziruddin Ahmed (West Bengal) said that one could not put an cribes a larger number, of seven other age limit to men of intellect. To put

AMENDMENTS TO

ARTICLE Minister's Acceptance

Dr. Ambedkar, Law Minister, winding up the debate on the Article said that he was prepared to accept two amendments, namely one of a verbal nature moved by Mr. Santhanam and another by Mr. Kamath making jurists eligible for the post of judges of the

However, the Law Minister added that he thought that the word "distinguished" in Mr. Kamath's amendment was not a proper one and that the word "eminent" would be more suitable. He would recommend to the Drafting Committee to include the amendment with the insertion of the word it thought proper,

The second controversial issue in the Article related to the question of age. Various views had been expressed. Dr. Ambedkar agreed that 65 could not be regarded as "the zero hour" in a man's ability to render service. But under Article 107 it was open for the Chief Justice to call a retired judge to decide a case or a number of cases. Dr. P. K. Sen, former judge of the Patna High Court, moved an amendment for the incorporation of a new Article, 103 "A". The new Article wanted a judge of the Supreme Court to be prevented from accepting any Prof. Shah's amendment also said that office of emolument after retirement which point had been discussed in ammendments to Article 103. The new Article contained a proviso that it would not apply to any appointment made during a proclamation of emer-

Dealing with Dr. Sen's amendment. Dr. Ambedkar said, that there had been two cases in the country when a judge of the Federal Court had been sent on a diplomatic mission. On both these occasions there had been stringent criticism. He would, however, recommend to the Drafting Committee to

Dr. Rajendra Prasad said that the

amendment would be considered later by the House. After discussion of Dr. Sen's amendment, the House adjourned to meet at 8 a.m. tomorrow.—A.P.I.

rather difficult, said Pandit Nehru, to of, or payment of grant-in-aid to give any particular reason for a par- Backward Class hostels conducted by ticular age. The limits in the past had voluntary agencies in Bombay Probeen governed entirely by the Service vince has been raised from Rs. 1,200

FAREWELL



Mr. and Mrs. Thornback.

SPORTS EDITOR RETIRES

Mr. F. W. Thornback

The editorial staff of The Times of India and allied publications bade farewell to Mr. F. W. Thornback, Sports Editor of The Times of India, The Evening News of India and The Sunmeeting held on May 23. The University expects to occupy the Government day News of India, on Tuesday on his retirement after 26 years of service at a party held in The Times of India

> Mr. F. T. Coulton, General Manager of The Times of India, speaking on the occasion, said that Mr. Thornback had been responsible for founding several sports associations, including the Indian Olympic Association, the Bombay Billiards Association, the Western India Football Association, the Bombay Provincial Hockey Association, the Referees' Association, the Amateur Boxing Federation and the Cricket Club of

India. The Times of India Challenge Shield Cricket Tournament, which was one of the creations of Mr. Thornback, had in the course of 18 years grown into the largest tournaments of its kind in the world. He also paid a tribute to Mrs. Thornback and thanked her for all that she had done in making The Times of India Sports Club a "friendly

LOSS TO FIRM

Mr. Frank Moraes, Acting Editor of The Times of India, said that in the retirement of Mr. Thornback, The Times of India was losing a veteran member of the staff. He was himself any newspaper in India. Mr. Thorn back had not only influenced The in the country as it was today. Every journal in India had reason to be proud of Mr. Thornback's association in

Mr. N. J. Leontzini, who is succeeding Mr. Thornback, associated himself with the sentiments expressed by Mr. Coulton and Mr. Moraes. Mr. Thornback said that while it paired him to leave the premier paper of Asia, his advice to the staff was that they should always keep the in-

terests of the paper uppermost in their mind, ignoring the probable grievances they might have had. Journalism was a profession in which one never ceased to learn. He thanked the members of the staff for their co-operation and assistance in the discharge of his duties throughout his career in the paper. A silver salver was presented to Mr.

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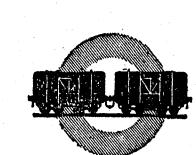


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