

is to be a President, elected by a Federal College consisting of members of both Federal Houses of Parliament and the members of legislatures of all the units, Lower Houses only being included where the legislature is bicameral. There is thus a difference between the election of the Union President and that of provincial Governors, the Governors being elected by the direct vote of the people of the province on the basis of adult suffrage. In presenting the report, Pandit Jawaharlal Nehru said the Union Constitution Committee considered that a presidential election by adult franchise—after the manner adopted in the United States—was not desirable. With that conclusion we agree; it does not, for example, seem to us wise in the present state of India's literacy for a provincial Governor to be elected by adult suffrage. Great care, as we said before, will have to be exercised by the political parties in order to see that those nominated for election as Governors are men likely to maintain the prestige and dignity of the office.

## CONSTITUTION FOR INDIA

One of the advantages accruing to the Indian Union under the partition scheme is the increased authority which it gives to the Union Government. Under the Cabinet Mission's plan the provinces were to be constituted into three Sections, whose representatives were to be empowered to settle provincial constitutions for the provinces included in each Section. The Sections also had power to form themselves into Groups, the idea being that the country would eventually be divided into two Groups, one comprising the mainly Hindu part of India and the other the two Sections composed of the mainly Muslim provinces, Section B consisting of the Punjab, the North-West Frontier Province and Sind, and Section C including Bengal and Assam. Provinces were given the right to opt out of their Sections and to decide which Group they should join. The two Groups or sub-federations were to have their own executives and legislatures. Above the Groups was to be a Union Government, embracing both British India and the States, and dealing with foreign affairs, defence and communications, with powers to raise the finances required for these subjects. Owing to partition, this rather cumbrous constitutional machinery has been abandoned. The Indian Union will now have a Central Government and provincial Governments as at present. What form of constitution is to be applied to East and West Pakistan will be for the Pakistan Constituent Assembly to decide.

The plan for the Indian Union Constitution, which was presented to the Constituent Assembly by the Union Constitution Committee on Monday, provides for a federal executive, with legislative powers distributed between the federation and the units. There is to be a Federal Parliament consisting of an Upper and a Lower House to be known respectively as the Council of State and the House of the People. The difference in election procedure is that, in order to limit the numbers in the Upper House, no unit—that is, no province or State—is to have more than twenty members. While the Council of State is to be a permanent body of about 200 members, one-third of whom will retire every second year after the American fashion, the House of the People will normally be constituted for four years and its membership will be between 300 and 400. In the Lower House the territories in the Federation will be represented on the basis of direct election by one representative for roughly every million of the population. Following the precedent of the British Parliament, both Houses are to have equal powers of legislation except in the case of money bills; any deadlocks are to be resolved by joint meetings of the two Houses. Provision is made for the accession to the Union Government of Indian States; there is also provision whereby Indian States not included in the federation can cede jurisdiction for certain special purposes by treaty or agreement. Indian States can therefore either be members of the Union or they can cede to it subjects such as defence, communications and external affairs.

The Head of the Federation