A. I. R. STATION

**DIRECTOR** 

# Qualifications For And Rights Of Indian Citizenship

Mr. Alladi Krichnaswami Ayyar

Mr. Alladi Krishnaswami said that the object of these Articles was

exercised by citizens. The provisions

NO COMMUNAL DISTINCTION

Dealing with Article 5 "A" which

was intended to provide for the case

of mass migration from Pakistan to

tween one community and another.

Certain safeguards had been provid-

under Article 5 "A" that were

intended to ascertain the "bona

to remain in India. If the registra-

tion authorities were not satisfied

dia their permanent home, they

**HINDU-MUSLIM** 

RELATIONS

Aim Of Article Praised

Mr. Brajeshwar Prasad paid a

tribute to the Drafting Committee

for evolving a satisfactory solution

to the problem and thanked them

particularly for Article 5 B, which

he said, was aimed at the establish-

ment of good relations between Hindus and Muslims. It would invite

all Muslims who had left this coun-

try to come back and settle here

excepting those who were "agents

provocateur," spies and fifth colu-

Maulana Hifzur Rehman pleaded for unrestricted facilities for the

Muslims returning to India either on

temporary or permanent permits to

register as citizens of India. He

said that the provisions as they

stood would operate against Meos

and others who had been forced to

go out but had returned to India of

Mr. N. Gopalaswamy Ayyangar, answering some of the criticisms, said that the general class of people

who migrated from Pakistan to In-

dia, particularly in or about the time of the partition, were people

who had their permanent homes in

Pakistan, but were squeezed out. With reference to that class of peo-

ple, the Draft Article 5A provided

CITIZENSHIP RESTRICTED

to India and resettle there.

who would be designated for the

purpose and those authorities would

take the full history of each of

these persons into consideration be-

fore they granted recognition of

On the question of property, Mr.

Ayyangar wished to make it clear

that those who migrated from India

between citizen hip and property.

INFLUX OF MUSLIMS

INTO ASSAM

Mr. Ayyangar's Reply

number of Muslims from East Ben-

gal to Assam, Mr. Ayyangar said

Sardar Hukam Singh said: "We

their property. This is very good.

But according to Mr. Ayyangar's

logic, we people who have come

from Pakistan and have left our pro-

perties there also retain our titles to

those properties. Can he suggest to

us some courts or tribunals before

tinguish their title to property in

the two Governments for the extin-

guishment of titles in both countries.

Till then the title of each person

continues with him.

substantially."

As regards the influx of a large

their own accord.

zens of India.

citizenship.

would not be registered.

vide for all contingencies.

### CONSTITUENT ASSEMBLY ADOPTS SIX ARTICLES

NEW DELHI, August 12. A FTER a two-day discussion, the Constituent Assembly today adopted six Articles defining Indian citizenship and detailing the various qualifications designed to cover all cases.

Many front-benchers parti- | Constitution and the enactment of cipated in the general debate legislation on citizenship by Farlia today which was initiated by Prime Minister, Pandit Nehru, outlined the principles underlying

at the date of commencement of the Constitution, rights of citizenship of persons migrated to India from Pak- not to place before the House anyistan, and of re-migrants from Pak- thing like a nationality code. No istan to India under permanent per- | Constitution in the world attempted mits granted to them by India, the | to incorporate nationality law in the rights of people of Indian origin re- Constitution. It was, however, found siding outside India, the continuance | necessary that a provision should be of the right of citizenship and, above made for citizenship in view of the all, the power of Parliament to re- elections and certain rights to be gulate citizenship laws.

The main criticisms centred in were tentative and were subject to the provision granting right of citi-zenship to those persons who after might enact to suit the conditions having migrated to Pakistan from of the country. In the very nature India have returned to India under of things it was not possible to propermits for permanent re-entry and settlement. Some speakers suggested that it would operate unjustly against Hindus and Sikhs and would complicate the administration of evacuee properties.

Vigorous defence of the provisions India, he pointed out that the Article of the Articles was made by Pandit did not make any distinction be-Nehru, Mr. Alladi Krishnaswami Ayyar, Pandit Kunzru, Mr. N. Gopalaswami Ayyengar and Dr. Ambed-

Mr. Alladi Krishnaswami Ayyar emphasised the tentative character fides" of the migrants who wanted of the proposals and urged the need to honour the word of the Government by granting citizenship to re- that they did not want to make Inmigrants from Pakistan.

#### RIGHTS OF CITIZENSHIP Pandit Kunzru felt that there

could be no justification to refuse citizenship rights to Muslims who left India under compulsion but had now returned. Mr. N. Gopalaswamy

also underlined the argument and pointed out that honour and dignity of the Government was involved in

Dr. Ambedkar thought it would be "a breach of faith" if they now said that the people who had returned from Pakistan for the purpose of permanent residence on the word of Government rightly or wrongly, should not have the right of citi-

Most of the amendments were withdrawn and the rest rejected. Mr. Mahboob Ali Beg moving three amendments congratulated the Drafting Committee on its proposed citizenship Article but said that it was not complete. He wanted some provision to be made for cases that might arise during the period between the commencement of the

#### R RATION QUANTUM

The foodgrains ration quantum and the maximum proportions prescribed for different ereals in Bombay City and the Bombay Suburban District rationed areas for the 33rd Rationing Week commencing from Sunday, August 14, 1949 to Saturday, August 20, 1949 will remain the same as during the current week.



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#### NORWICH UNION LIFE INSURANCE SOCIETY 16. BANK STREET, BOMBAY

ing, said that the matter had been sufficiently discussed for nine hours and he would personally like to put the matter to vote. But as a desire had been expressed by some members that there should be further d scussion, he would put it to the

ried by 59 votes to 35. Dr. B. R. Ambedkar, replying to the debate, said, "Dr. Deshmukh stated that by our Draft Articles we have made our citizenship a very cheap one, I should have thought if he was aware of the rules which govern the law of citizenship, he would have realised that our citizenship, is no cheaper than in the laws

The motion for closure was car-

of other countries." and was rounded off by Dr. Ambedkar with a 25-minute after Pandit Nehru had spoken on the general policy that should govern the approach to the problem of the moved by Pandit That amendments moved by Pandit Tha-

kurdas Bhargava. Dr. P. R. Deshmukh. Prof. Shibbanlal Saksena, Mr. Naziruddin Ahmed, and Mr. Jaspat Roy Kapur withdrew their amendments. After having rejected the rest of the amendments, the House adopted the six Articles en bloc amidst

Dr. Rajendra Prasad, after, ascertaining the wishes of the House. adjourned the Assembly till 3 n.m. on August 18.—P.T.I.

#### MERGER OF STATES WITH BIHAR

Orissa Members' Protest NEW DELHI, August 12: The Constituent Assembly members representing the province of Orissa and Orissa States, in a resolution exed in regard to migrants falling ment and resentment over the in-Bihar in utter disregard of the agelong cultural, educational, social and economic associations of the two States with Orissa.'

The resolution said: "the subjects of these two States had demanded from 1940 onwards integration of the States with Orissa and this demand was accepted by both the States' rulers and the Government of India when in the presence of the both the parties entered into an agreement at Cuttack on December

"This agreement was a solemn be changed without the consent of all the parties concerned."

The members, therefore, urged for an early transfer of these two States to Orissa in accordance with the terms of agreement or recons-

Mr. R. Srinivasan, Assistant Station Director, All India Radio, Nagpur, who has been appointed Station Director, A. I. R. Bombay.

#### Thackersey 'Varsity' For Women

BILL TO BE MOVED FOR RECOGNITION

Faculties of Science, (including Domestic Science) Nursing, Fine Arts and Education will shortly be pressed their "profound disappoint- created in the Shree Nathibai Damodar Thackersey Indian Women's tegration of the two Orissa States University. A Bill giving statutory of Seraikala and Kharswan with recognition and existence to the University will be moved at the Poona til the New Year and the State Consession of the Bombay Legislative gress will not be pressing for it, in-Assembly in September. Gress will not be pressing for it, in-formed sources told the U.P.I. today. Assembly in September.

At present the University maintains only the Faculty of Arts, but, in view of the growing demand for education in subjects useful to women, the Bombay Government have was stated. They feel the urgency decided to create separate faculties of completing first organisational for those subjects. Even the Arts Deputy Prime Minister of India Faculty is to be expanded to include Social Science and Commerce.

Indian Women's University Bill, which has been drafted on the lines of the Poona and Karnatak piece of document which could not Universities Bills, provides for the constitution of a Senate and a Syndicate and an elected honorary Vice-

The present Bill contains many of the recommendations made by the committee. The draft Bill was sent titution of the tribunal to ascertain to the University authorities and in the wishes of the people and effect the light of suggestions made by a final solution of this questioin.— them certain changes have been made in the original Bill.

# MISUSE OF TERMS SUCH AS "SECULAR STATE"

### Pandit Nehru's Warning In Constituent Assembly

NEW DELHI, August 12.

that if their migration from Pakistan to India took place before July 1948, provided they had resided in THE Prime Minister. Pandit Jawaharlal Nehru, today protest-India continuously from the time they migrated to India, they would ed in the Constituent Assembly against the use of such expressions as "appeasement of Muslims" or "appeasement of automatically be regarded as citi-Pakistan" by some of the speakers in describing the Government of India's attitude on the question of citizenship.

In the case of such persons who migrated from Pakistan to India porting the Drafting Comafter the enactment of the Ordin-ance relating to the issue of permits mittee's Article on citizenship, the Article had restricted the acqui- also protested against the missition of citizenship to a small category which would come under the
description that they applied for and
in it to consult the dictionary and advised those who indulged

in it to consult the dictionary. obtained from the authorities of the Government of India permits en-abling them permanently to return dit Nehru, "will not go by a hair's In the case of these persons they from what they consider the right would not be automatically registered as citizens but they had to make applications to authorities way of dealing with the situation, justice to an individual or to a

The Articles on citizenship, said Pandit Nehru, had probably given rise to more thought and consideration during the last few months than almost any other matter contained in the Constitution.

The difficulties had arisen from two factors—one was, of course, the partition of the country and the other to Pakistan, even if they remained was the presence of a large number permanently in Pakistan, retained of Indians abroad. In the Article their right to the properties they had moved by Dr. Ambedkar, the choice left behind. The grant of these per- of acquiring Indian citizenship by mits for permanent return and re- Indians abroad was left very largely settlement involved their being to them. It was also left to the Inallowed to settle on their property dian Consuls-General or other reprebut, as had been pointed out by Mr. sentatives of the Government of In-Alladi Krishnaswami Ayyar, there dia. If they thought that a was really no necessary connection did not qualify for Indian citizenship, they could refuse to enter their names in the register.

He, however, felt that Or. Ambedkar's proposals had succeeded in a remarkable measure in producing something which dealt with 99.9 per cent. of the cases with justice and practical commonsense.

#### CHIEF OBJECTION

that the last conference between the He found that the chief objection Government of Assam and the Govtaken by some of the speakers was ernment of India came to the conwith regard to Mr. Gopalaswami clusion that they should apply other Ayyangar's amendment (This was methods than the permit system moved by Mr. Krishnamachari and that was worked out between West provided for rights of citizenship to Pakistan and 'ndia for preventing those returned to India from Pakisuch influx. This matter was being stan on permanent permits). Preinvestigated. "For my own part I sumably their presence here was think it will be possible to devise objected to because it was thought some kind of legislation which would that they might take possession of enable Assam to stem this tide very some of the property and thereby lessen the share of refugees or dishave been told that the Muslims who left their property here retain their titles and when they come back it is but simple justice to return them

"Our general rule in regard to the consequences of partition is that we accept practically without demur or inquiry that great wave of migra-India," Pandit Nehru declared. "We accept them as citizens. We allowed a full year for that, up to some whom we could go and place those time in July, 1948. It is possible, title deeds to get the justice that is of course, that in the course of that being accorded to people similarly year, many working persons, came over whom we might not accept as Mr. Ayyangar: "My position was citizens if we examined each one of that migration itself did not ex- them. But it is impossible to exfinal settlement takes place between we accept the whole lot "en bloc." "After July, 1948, we put in some

Pandit Nehru, who was sup- and may ultimately register or re-

"This rule applied, naturally, to ail communities," Pandit Nehru said. "You cannot have separate rules for Hindus, Muslims or Christians. That would be absurd and fantastic, but, in effect, you will see that when you allow for the first year's migration, obviously that huge migration was a migration of Hindus and Sikhs breadth to the right or to the left from Pakistan. Others hardly came into the picture at all.

> "Later under the permit system some non-Hindus and non-Sikhs came to India. How did they come in? There were three types of permitspurely temporary, a sort of continuing permit which entitled the holder to come here repeatedly, usually on business, and a permanent permit which entitled a person to come here for permanent settlement. In the case of all these permits a great deal of care had been taken in the past before issuing them. The permanent permits issued so far, in every case after inquiry by local officials and local Government, numbered two or three thousand.

"Normally speaking, these permanent permits were issued to two types of persons: one was when a family had been split up, when a part of the family had always remained here and a bit of it had gone away. The husband remained here. but had sent his wife and children away because of trouble or because he got frightened. Permits in such cases were issued after eramination of their case by the local Government and local officials.

#### NATIONALIST MUSLIMS

"The second type of persons to whom permits were issued were nationalist Muslims, that is people who had absolutely no desire to go away, but who were simply driven out by circumstances and having gone the other side, found that they had no place there at all because the other side considered them as opponents in many ways and made their lives thoroughly miserable for them."

Pandit Nehru pointed out that the number of cases involved, considering everything, was insignificant placed persons who might otherwise and again permits were issued only take possession of it. Pandit Nehru after each case had been examined by the local authority. The property involved was infinitesimal and construction of misunderstanding about this stituted no danger to anybody. When a person returned to India with the permission of the Government, whether it was East Punjab or the U. P. or any other Government, certain tion which came from Pakistan to consequences naturally followed. Mr. Ayyangar's amendment merely clarified matters. It did not add anything. Those consequences could not be stopped by not accepting Mr.

Ayyangar's amendment. "You may, of course, challenge a particular case, go into it and say that the decision was wrong and should be upset. But on principle, amine hundreds of thousands of cases | we have only done something which India. That title continues until the like that, so we take the risk and every country has done, except perhaps a very few misguided and backward countries. Let us not refer to kind of inquiry, registration before it as if we have done something a Magistrate. Normally, if some very mighty. To argue against Mr ontinues with him.

Ontinu President Rajendra Prasad interventer, otherwise he may inquire more definitely for discrimination."—Pr

#### **Hyderabad Majlis** Dissolved

#### "NO COMMUNALISM IN POLITICS"

**SECUNDERABAD** August 12: We are now convinced that communalism and religion should have no place in politics," say seven former leaders of the Majlis-e-Ittehad ul Muslimeen, now in jail, announcing formal dissolution of the organisation, in the course of a joint state-

ment to the press today.

They further state: "We have been given to understand by those who are sincerely striving for peace and communal amity in the State that the fact the Majlis has not yet been dissolved is creating doubts and suspicions in different quarters, and is standing in the way of peace and unity. Since we believe that comnunal politics should be ended, we consider it necessary that the Majlis-e-Ittehad ul Muslimeen should be dissolved. The field of non-communal political activity is very vast and every Muslim can play constructive part in it." Concluding they urge upon the Muslims to forget the past and help,

in a spirit of co-operation and trust, side by side with their brethren of other communities, in the endeavours to create a secular republic in India, Mr. Mohomed Yunus Salem, a nonparty Muslim leader, who was largely responsible for contacting the Maj-lis leaders in jail with the permission of the Military Governor, and getting a statement for dissolution of the former communal organisation, in a statement appealed to the Military Government to release all detenus, who are not to be prosecuted on Aug-

#### Congress Leadership

ust 15.—U.P.I.

SECUNDERABAD, August 12: No change in the administrative set-up of Hyderabad State is expected un-A section of the State Congressmen, formerly known as "dissidents," are more keen on a change in the Congress leadership than regarding the administration of the State, it elections.

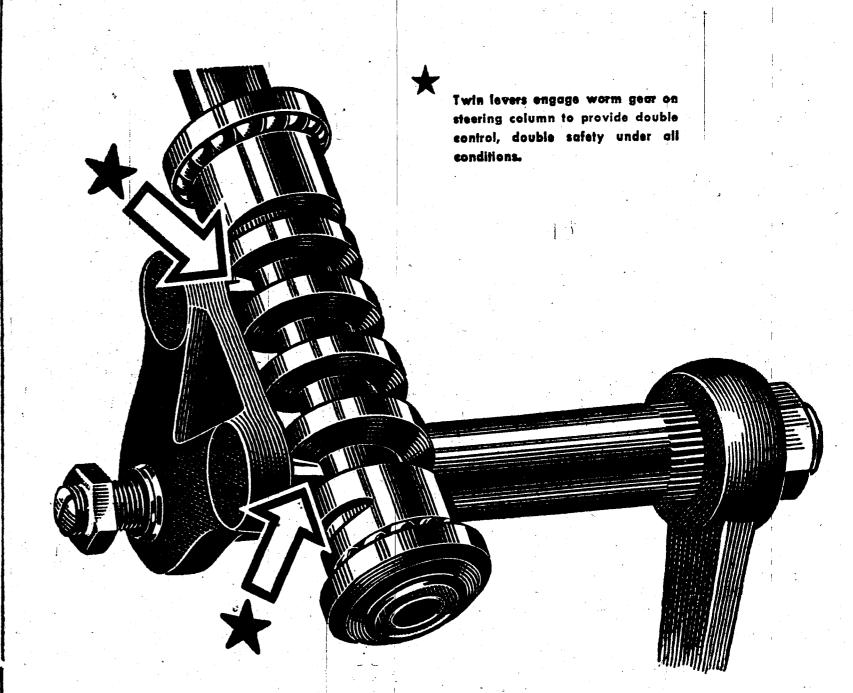
Mr. Carlos Roldao Henriques has been appointed President of Marmagoa Municipality.

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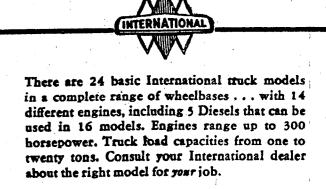
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of August 21st



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