

KHUHRO TRIAL
Defence Arguments
Concluded

KARACHI, December 3: The defence arguments in the inquiry being conducted into the 22 cases of alleged maladministration, misconduct and corruption against Mr. Khuhro, ex-Premier of Sind, concluded before the Sind Special Court of Inquiry here yesterday evening.

It is expected that the Sind Special Court of Inquiry will hold its last open session on Friday when the special counsel for the Sind Government will reply to the defence arguments.—A.P.I.

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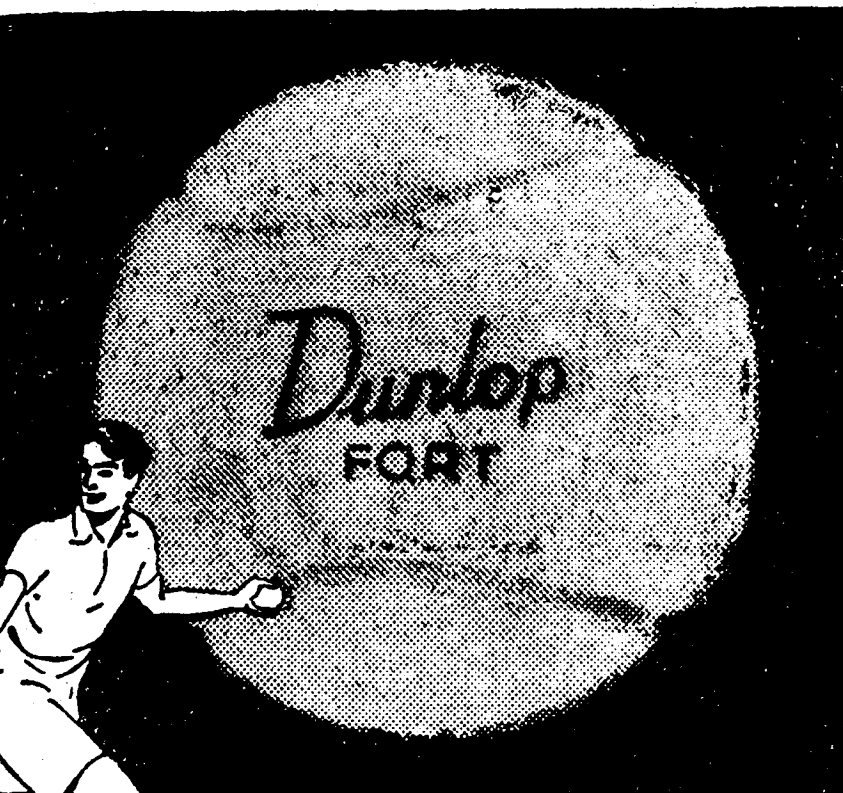
Announcement

Our consultant will visit Sholapur, Poona and Ahmednagar and may be consulted regarding all cases of Infantile Liver and Spleen Complaints.

Date	Place	Address	Time
7th Dec. 48	Sholapur	C/o Dr. D. R. Gilda, D.A.S.F. Chatti Galli.	9 to 11 a.m. 4 to 6 p.m.
8th Dec. 48	Poona	Mrs. N. Mahadeo & Co. Chemists, Near City Post Office.	—do—
8th Dec. 48	Ahmednagar	Mrs. J. Ramachandra & Bros. Chemists, New Cloth Market.	4 to 6 p.m.

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"SLAVE" TRAFFIC AND CHILD LABOUR BANNED

Constituent Assembly Adopts Further Rights

NEW DELHI, December 3.

ARTICLES in the draft constitution prohibiting traffic in human beings, forced labour and child labour were passed by the Constituent Assembly this morning when it resumed consideration of the fundamental rights.

The House also passed another article ensuring freedom of trade and commerce and intercourse throughout the territory of India.

Discussion on an earlier clause relating to protection of life and personal liberty of the individual was postponed to enable the members informally to discuss the matter amongst themselves.

The House, before adjourning till Monday, took up consideration of the fundamental rights dealing with freedom of conscience and of religion.

Being Friday, in response to a request from the Muslim members the House adjourned at 1 p.m.

The Constituent Assembly of India today continued consideration of the chapter on rights.

Before the House proceeded with the discussion of the draft constitution the Prime Minister, Pandit Nehru, placed on the table of the House a copy of the telegram received from the Foreign Minister of Ireland. A member of the House, he said, had wished to have the text of the Irish Bill, and he had, accordingly, sent a cable to the Irish Government for a copy. The Irish Foreign Minister had cabled a brief text while the fuller text was being sent by air mail. He was placing it before the House for the information of the members.

PRESIDENT FELICITATED

The Vice President, Mr. H. C. Mukherjee, informed the House that he had received a letter from the President of the Assembly, Dr. Rajendra Prasad, saying that he was improving in health and that he would be able to resume his duties soon. Mr. Mukherjee further said: "I have learnt from the papers that our President is 64 today, therefore seek permission of the House to convey to him our congratulations on his birthday."

The House gave unanimous approval to the suggestion.

After a brief debate, the House passed Article 16 relating to the freedom of trade and commerce throughout the territory of India. The article reads: "Subject to the provisions of Article 244 of this constitution and of any law made by Parliament, trade, commerce and intercourse throughout the territory of India shall be free."

Some doubt was expressed by Mr. C. Subramanyam as to the value of the article as a fundamental right inasmuch as it is not absolute. It had been made subject of Article 244.

DR. AMBEDKAR'S EXPLANATION

Dr. Ambedkar said that he appreciated Mr. Subramanyam's argument that Article 16 should not have found a place in the fundamental rights chapter. To some extent he agreed with him. Explaining why it was found necessary to include it in the fundamental rights, Dr. Ambedkar recalled that when the Constituent Assembly began its deliberations, it did so with many limitations. One of these limitations was that the Indian States had acceded only in respect of three subjects—defence, foreign affairs and communications. No other point would they permit the Union Parliament to extend its legislative or executive jurisdiction. The Drafting Committee was thus placed in a difficult position. On the one hand, it was realised that there would be no use in framing an all-India constitution if trade and commerce throughout the country was not free.

On the other hand, it was found that so far as the Indian States were concerned, they were not prepared to allow trade and commerce throughout India to be made subject to the authority of the Union Parliament. In the count of this latter consideration which weighed when the Assembly began its deliberations, the Drafting Committee had to find some place for uniformity in the matter of trade and commerce. After exercising considerable amount of ingenuity they had decided to include this provision in the fundamental rights chapter.

BAN ON FORCED LABOUR

The House then passed the article relating to the prohibition of traffic in human beings and enforced labour. It provided that "traffic in human beings and 'begar' and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law."

The article, however, would "not prevent the State from imposing compulsory service for public purposes. In imposing such service the State shall not make any discrimination on the ground only of race, religion, caste or class."

Mr. Kazi Syed Karimuddin sought, through an amendment, to substitute the article with another to the effect that "neither slavery nor involuntary servitude such as 'begar' except as a punishment for crime, should exist within the State."

DEVADASI SYSTEM

Mrs. Durgabai said that the "devadasi" system in its worst form existed in Madras province for a long time. The Madras Government had recently completely prohibited the system through comprehensive legislation. She hoped that other provinces, where such practices existed, would emulate.

The article with Prof. Shah's verbal amendment which added the word "only" was passed.

The House passed the next article which laid down that "no child below the age of 14 years shall be employed to work in any factory or mine or engaged in other hazardous employment."

The House rejected an amendment to the article moved by Mr. Damodar Swarup Seth seeking that women shall not be employed at night, in mines or in industries detrimental to health.

Prof. K. T. Shah moved for the insertion of a new article which read: "The State in India, being secular, shall have no concern with any religion, creed or profession of faith; and shall observe an attitude of absolute neutrality in all matters relating to the religion of any class of its citizens or other persons in the Union."

His motion, Prof. Shah said, was not of a controversial nature. A secular State should have nothing to do with the religions and faiths professed by its members.

The motion was not accepted.

FREEDOM OF CONSCIENCE

The House took up consideration of the Article relating to the freedom of conscience and profession, practice and propagation of religion. It read: "Subject to the public order, morality and health and to other provisions of this part, all persons are equally entitled to freedom of conscience and the right freely to profess, practise and propagate religion. The wearing and carrying of 'kirpans' shall be deemed to be included in the profession of the Sikh religion. The Article shall not affect the operation of any existing law which provides for making any law regulating or restricting and economic, financial, political or other secular activity which may be associated with religious practice and for social welfare and reform or for throwing open Hindu religious institutions of a public character to any class or section of Hindus."

Mr. Tajamul Hussain moved an amendment to the effect that all persons were entitled to freedom to practise or profess religion privately. He also moved an amendment saying: "No person shall have any visible sign or mark or name and no person shall wear any dress whereby his religion may be recognised." He wanted to have one kind of names, one kind of dress and one kind of religion.

Mr. K. T. Shah moved an amendment seeking to add a proviso to the Article that no propaganda in favour of any one religion be allowed in any school or college or educational institutions, hospitals or asylum which was calculated to result in change of faith by the individuals therein.

Mr. Lokanath Misra called the Article the blackest chapter and said that they had declared India a secular State and as such it should have nothing to do with religions, or propagation of them.

The House adjourned till Monday.—A.P.I.

VISITORS TO PAKISTAN

Facilities For Return

An Indian national visiting Pakistan temporarily will be able to bring back from there not only his wife (or her husband) and dependent children, but also parents and female near relatives, who may have been dependent upon him or her even before they left for Pakistan, according to the latest advice received from the Government of India.

To facilitate his own return and that of the members of his family, he should obtain, before leaving for Pakistan, two certificates from the Deputy Commissioner or the Collector of the District concerned, one stating that he is an Indian national and is going to Pakistan temporarily and the other testifying that the persons he wishes to bring back with him are Indian nationals, are not and have not been evacuees from India and that there is no objection to their return.

The certificate should mention the names, ages, relationship and identification marks of the persons who are to return.

Concession To Refugees

Non-Muslim refugees from the States, which have acceded to Pakistan, desiring to settle in the Province have been exempted from the domicile requirements prescribed for the purpose of admission to services under the Government of Bombay, says a notification issued by the Director of Publicity, Bombay. The rules and orders prescribing age limits for the different appointments, will also not be made applicable to such of these refugees who were in continuous service under the Government of the States up to and including 15, 1947 or thereafter and they will generally be taken up in corresponding services under the Government of Bombay.

Corroboration Of Badge's Statements

ARGUMENTS IN GODSE TRIAL

RED FORT (Delhi), December 3.

MR. C. K. Daphtary, Chief Prosecuting Council, continued his arguments at the resumed hearing of the Gandhi murder case in the Special Court at Red Fort today. Mr. Daphtary read out salient points from the evidence of certain witnesses and submitted to the Court those witnesses materially corroborated Approver Badge.

Mr. Daphtary first took up the evidence of Miss Shanta Modak, a cinema actress, and pointed out that according to her, she dropped Apte and Godse in Shivaji Park on January 14. She had further stated that she made out from their conversation that they were going to 'Savarkar Sadan'.

Mr. Daphtary then pointed out that the absence of cross-examination of Miss Shanta Modak by Apte and Godse indicated that they did not dispute their being dropped by Miss Shanta Modak at Shivaji Park. Apte and Godse had suggested that they had gone to see some other person. Both Apte and Godse did not challenge this part of the evidence of Miss Shanta Modak that she had dropped them in the Shivaji Park on January 14. Hence it was established that both Apte and Godse did visit 'Savarkar Sadan' on the afternoon of January 14.

Mr. Daphtary then took up the evidence of Dixit Maharaj and said that, according to Badge, they visited Dixit Maharaj on January 14, 15 and 17 and at the meeting of January 15 certain explosives were taken out from the bag, left by them on the previous day and a demand was made by Godse and Apte for a revolver or two. Badge had also stated that Apte and Godse had told Dixit Maharaj that they were proceeding on an important mission. Mr. Daphtary referred to the relevant portion of the evidence of Dixit Maharaj and said that he had stated that Godse, Apte and Badge had come to see him on the morning of January 15 and asked his servant, Narain, to bring out the bag left by them the previous day. The bag was brought out and the explosives were taken out from it. Dixit Maharaj had also stated that there was a demand from Apte and Godse for a revolver. Hence this part of the evidence of Dixit Maharaj fully corroborated Badge.

Mr. Daphtary said that according to Dixit Maharaj's evidence, when Apte and Godse had seen him on January 15 he asked them how they had managed to come back so soon. Obviously, Mr. Daphtary said, Dixit Maharaj was conscious of the fact that they had gone from Bombay. Dixit Maharaj had been told seven or eight days previously that Godse and Apte were proceeding to Kashmir and that was why he asked them how they had come so soon.

CONFUSION ABOUT DATES

So far as Dixit Maharaj was concerned there was a confusion and want of proper recollection as to dates and sequence. Dixit Maharaj was not a principal actor and so his memory had failed regarding the exact dates of the meeting.

Badge was a principal actor, and therefore, he had a photographic memory. During cross-examination it was suggested that he was deposing a false statement because he was a Congressman and he had taken part in the "Quit India" movement. 1942 Dixit Maharaj had said that he was not a Congressman and had difference with the Congress. Many people, Mr. Daphtary said, who were not Congressmen had taken part in the "Quit India" movement.

Refuting the allegation made by some of the accused that Dixit Maharaj had given evidence under police pressure or in order to save himself, Mr. Daphtary said that Dixit Maharaj had given evidence in a manner in which he implicated himself throughout in regard to this offence. Dixit Maharaj had admitted that he had dealings in arms and ammunition and that he had procured arms and ammunition and had distributed them to Hindus. It was but natural that Dixit Maharaj, being the head of a religious sect, should have been asked to give evidence in regard to this offence. Furthermore, no such suggestion was made by the defence at the time of the cross-examination of Dixit Maharaj. Hence an allegation made by an accused in his statement that there was no reason for his giving evidence as he was not a Congressman, Mr. Daphtary asserted, why Dixit Maharaj's evidence should not be accepted. If the Court accepted his evidence then it simply corroborated Approver Badge's evidence.

Mr. Daphtary then dealt with the evidence of Itapa Kotian, taxi-driver of Bombay, and said that this witness had deposed that he had taken in his

'Varsity Education Prospects

TALKS IN DELHI

NEW DELHI, December 3: The first meeting of the Universities Commission, appointed recently by the Government of India to inquire into and report on the conditions and prospects of university education and research work in the universities, will be held under the chairmanship of Dr. S. Radhakrishnan in New Delhi on December 6.

The date for sending in replies to the questionnaire recently issued by the commission has been fixed further from December 8 to December 24.—A.P.I.

Visit To Bombay

The nine-man University Commission appointed by the Ministry of Education, Government of India, to investigate problems of higher education and suggest a plan of re-organisation will visit Bombay in the middle of January, 1949 it is learnt.

Dr. John J. Tigert, former American Commissioner of Education and now President of Florida University, who has accepted an invitation to serve on the Commission, arrived in Bombay two days ago from U.S.A. and left on Thursday afternoon for New Delhi to join the Commission.

Eight persons were killed and 20 hurt when two trains collided head-on between Grasburg and Lauterbourg (Eastern France), on Thursday. Four cars were overturned and tumbled down an embankment when the trains collided on a temporary one-way track put in use during the reconstruction of a bridge.

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