#### REFORMS FOR GIBRALTAR

Plan For Legislature LONDON, November 24: The British colony of Gibraltar, at present administered by a Governor aided by an Liberty said today that, according to Executive Council, is to have a legisla- senior Army officers, Siam's defence ture as soon as the necessary constitutional instrument can be prepared, it assault on Siam from China, accompanwas announced today. The Colonial Secretary Mr. Arthur sabotage by insurgents within Siam. Creech Jones, told Parliament that the legislature would consist of the paper added, now regarded the situa-Governor as President, three ex-officio tion on the Siam-Malaya frontier as

completely under control, but they members, three honorary members and five unofficial elected members. The constitution would contain provision for legislation commonly used in colonial constitutions, including reserving power to the Governor to pass discovered a secret airstrip under into law any measure or expedient construction by Chinese Communist which, in his opinion, is in the interest sympathisers in the Khonkaen. Disof public order, good Government or trict of north-east Siam:-Reuter.

At present the power of legislation is vested in the Governor, who is also General Officer Commanding the local garrison.-Reuter.

#### Appeal To Mahe Citizens CALICUT. November 25: "It is for the Congress. the French Administration in Mahe to

#### Jaipur Congress Session

from the north and north-west.

JAIPUR, November 22: Acnarya Jugal Kishore, General Secretary of the ing a press conference expressed appreciation of the plans for Gandhi Nagar, the site of the Jaipur session of

SIAM'S DEFENCE

PLANS

Fear Of Communists

Siamese Nationalist English paper

authorities anticipated a Communist

ied by a campaign of terrorism and

The Siamese military authorities, the

were alarmed by a Communist threat

ed that the security authorities had

Several Siamese, papers today report-

HONGKONG, November 24: The

The General Secretary said that an quit the settlement and not for the erroneous impression had been created people," says Mr. Kelappan, President by press estimates that the Congress of the Kersia Provincial Congress, in session this year would cost about Rs. a statement today, appealing to the re- 50 to 60 lakhs. The figure, he said, infugees still camping in adjoining Bri- cluded an expenditure of about 30 lakhs tish territories to return to their homes on items of a more or less permanent

New Delhi: After a night's halt at

# SEPARATION OF JUDICIARY FROM EXECUTIVE IN SERVICES

# Assembly Introduces New Article In Directives

NEW DELHI, November 25.

THE Constituent Assembly today introduced a new article in the directive principles of the State policy directing the State to take steps to separate the judiciary from the executive in the public services of both Provincial and States Governments.

The original proposal to this | rally, Government would like to place effect suggested by Dr. Ambed- before the House, whenever it was social rights to possible, a number of matters which class of the world kar contained a time-limit of they had considered and there were All-India Congress Committee, address- three years to effect this reform, others on which Government might the House. Moving an amendment to his own House. There might be yet others proposal, Dr. Ambedkar today said which Government might not have should strive for the establishment of that the time-limit might now be placed before the House. Owing to arbitration as a means for the settledeleted so that this reform might be the stress of circumstances and owing ment of international disputes. He effected more

e x p editiously. He argued that if that timelimit wer.e, there, it might be that certain Provincial Govcrnments might take no steps to about 🖫 that reform immediately. It might also be that the timelimit was too short for cer-

tain other pro-Dr. Ambedkar vinces. The time-limit was

was well established, but in Inc'an by doing so they would bring lown States it might not be possible to the basic things to the level of seconbring about the desired result within dary things. The Prime Minister felt

the three-year period. would serve the purpose if it merely of legislation but not constitution. contained a mandatory division imposing an obligation both on Provincial and States Governments so that, where it was possible, it could be done immediately, and when it was not possible, procrastination would not be tolerated, the principle having been accepted.

Ambedkar's amendment. Pandit Kunzru thought that the Gov- of the time-limit. It was true that some ernment of India did not deire that members of the Government did feel this reform should be accomplished strongly about it and would like the as speedily as possible. The matter House fully to consider, particularly the having come before the House, it was viewpoints put forward by Dr. matter of regret to him that Dr. Ambedkar should seek to modify the proposition in such a way as to leave it to the discretion of local Governments as to the time within which the reform, which they had been demanding for half a century, should be carried **o**ut.

By the deletion of the time-limit originally proposed, the impression reated was that the State was not seous about the reform. They seemed to tell the units that they could take own time in order to bring about the separation of the two functions. This deletion was bound to create, both in official and non-official circles, a feeling that the reform was not important and it was not necessary to give precedence to it over others and that it was merely an ideal to be kept in view for the future.

#### DIGNITY OF THE CONSTITUTION

Randit Nehru's View

reply to certain points raised by Pandit Kunzru as he had referred to the House came from the Govern-

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have placed their views before the to the fact that they were dealing did not move the amendment but observwith matters of extreme importance ed that there could be no better subboth in the domestic and international

Making a general observation, the Prime Minister said that he felt that not perhaps being maintained suffi- porated in the article. clently if they entered into details. A constitution was something which should last for a long time and which was built on a strong foundation, but might vary from time to time. It should not, be rigid. Nevertheless, it was not a transitory one. It might be necessary to make a transitory provision but so far as the basic nature of the constitution was concerned, it must deal with the fundamental aspects in political social and economic spheres and must not go into the details which were matters of legislareasonable in certain provinces tion. They would find, insuch an event where the administrative machinery basic and fundamental things mixed that members were spending a great Therefore, in view of both these deal of time on secondary matters. considerations, he said, the article which though important, were subjects

#### "IMPUTING MOTIVES" Reply To Pandit Kunzru

Replying to Pandit Kunzru's observa-

Pandit Nehru said: "I may say, so far as Government are concerned, they are entirely in favour of the separation of judiciary and executive functions. 1 may add that the sooner it is brought about the better. I am told that so far as the Provincial Governments are

"If any one asks me: 'suggest period of three years', my first reaction would be that this period is too long. Why should we wait too long? It might be brought about sooner, if not all over India, at least in a large part of India. At the same time India at the present moment; especially during the transitional period, is a mixed country, politically, economically and in many

times disadvantegous". Directive policy, though not enforce- to ensure them. able in courts of law, should have a Pandit Nehru said he wanted to limit might not be quite expedient. Speaking particularly on the time-

the Government of India in this cen- that such limitation would on the one municipalities and even village panchanection. It should not be taken, he hand delay progress in a large part of yats and, in fact, every authority which said, that any matter put forward in the country. In some parts, on the had been created by law and which ment of India although Government it out and would create enormous conwere intensely interested in it. Natu- fusion. Dr. Ambedkar's amendment, instead of lessening its significance or ples or would fail to carry them out. cerned, its strong opinion in favour or second was to keep on repeating every the change had been expressed by making it one of the basic principles of State policy. It might be brought about as early as possible so far as provinces were concerned and so far as States were concerned, they should not be

#### bound by time-limits. "PRACTICAL PROPOSITION"

Bakshi Tek Chand stated that the demand for the separation of the than even the Congress. The separation of the judiciary from the executive was feasible and was a practical proposition from the financial point of view as had been established recently by a special committee appointed for the purpose in

With the advent of democracy and federation, he said the need for the separation had become all the greater. Formerly, it was only the District Magistrate and a few members of the bureaucratic Government who could interfere with the judiciary. But today, he was sorry to say, even Ministers in some of the provinces and members of political parties were interfering with

the free administration of justice. Referring to Pandit Kunzru's amendment, Bakshi Tek Chand said he himself was in favour of having a time-limit at first. But on further thought, he ad come to the conclusion that it was not necessary and that it might defeat the very purpose they all had in mind.

The House accepted Dr. Ambedkar's amendment introducing a new article stating that the State shall take steps to separate the judiciary from the executive in the public services.

Mr. Mohammad Tahir moved for addition of another article stating that the State shall protect, safeguard and preserve the place of worship such as Gurdwaras, churches, temples and mosques including graveyards and burning ghats.

Mr. Anantasayanam Ayyanger pointed out that the general laws of the state already provided for this. The amendment was lost.

### PEACE AND SECURITY

Dr. Ambedkar next moved a more simplified version of the article relating to promotion of international peace and security. He also accepted a few amendments to the clause which, in the final form in which it was adopted, read: 'The State shall endeavour to promote international peace and security: maintain just and honourable relations between nations; foster respect for international law and treaty relations in the dealings of organised' people with one another and encourage settlement of international disputes by arbitration". Mr. Sarwate sought to add a clause to the article stating that "the State shall endeavour to foster truthfulness. Madras Government were justice and a sense of duty among the

Mr. H. V. Kamath moved a verbal amendment to the article to stress the lirective nature of the principles em- bound to carry them out. They would bodied in it. These were incorporated in consider what was best in the interest the article. Mr. Kamath hoped that of the Province. The Central Com-India would play a vital part in the mittee had recommended that English world and bring about a change in international relations, so that at an early date, they would have a really one world government to which that various nations of the world would surrender part of their sovereignty and to which all nations would be willing to Prof. K. T. Shah sought substitution

maintain international peace and seevery means to promote amicable relations among nations. In particular, India shall endeavour to secure the fullest respect for international law and agreement between States and to dealings of organised peoples amongst the organisation in general.—A.P.I. themselves''.

Prof. Shah's amendment was lost when put to vote. Seth Damodar Swarup, by an amendment, sought to add a new clause to the article stating that the State should promote political and economic emancipation and cultural advancement or the oppressed and backward peoples and the international regulation of the legal status of workers with a view

The amendment was not accepted by Mr. B. M. Gupta had an amendment in his name suggesting that the State

stitute than arbitration for international

disputes.

Mr. Anantasayanam Ayyangar embodied Mr. Gupta's suggestion in an the dignity of the constitution was amendment which was finally incor-Dr. Subbaroyan moved a verbal amendment to the article which was accepted by Dr. Ambedkar, Dr. Subbaroyan sought to replace the word "sustain" in the original article by the word "foster". The word "sustain", he pointed out, implied the use of force. The House accepted Dr. Ambedkar's redrafted version of the article with the amendments of Mr. Ayyangar, Mr.

#### FUNDAMENTAL RIGHTS

Kamath and Dr. Subbaroyan.

Concluding discussion on the directive principles of State policy, the Constituent Assembly took up consideration of the chapter dealing with fundamental rights.

Dr. Ambedkar moved an amendment to article 7 dealing with the definition of the word "State", seeking the addition of a qualifying phrase to cover the territory under control of the Government of India. It was thought necessary that apart from the territory which formed part of India, there might be other territories which might not form part of India but nevertheless be under the control of the Government of India. He cited the instance of mandatory and trusteeship territories which might be tions, Pandit Nehru said that the for- placed by international organisations mer seemed to have gone off the tangent and felt that there should be no discri-Mr. R. K Sidhwa supported Dr. When he imputed sinister motive to mination between the people of those Government, in regard to the deletion territories and of Indian territories so ar ag fundamental rights ware

> amended article states that the word "State" shall include the Government and Parliament of India and the Government and the legislature of each of the States and all local or other authorities within the territory and under the control of the Government of

Mr. Mahboob Ali Beg felt that the definition of the word "State" used in the chapter was too vague and included undefined authorities under the conconcerned, they are actually taking trol of the Government of India. In certain clauses of the chapter, the State was empowered to make any law relating to libel, slander and imposing restrictions on the exercise of the rights conferred under the chapter.

#### REPLY TO CRITICISMS

Dr. Ambedkar, replying to the criticism, explained that the objective of fundamental rights was two-fold nameways and any fixed rules applying to ly, that every citizen must be in a poevery area would be difficult and some- sition to claim those rights and that they must be binding upon every au-The Prime Minister, therefore, sug- thority which had got either the power gested that there should be flexibility. to make laws or discretionary powers

If the fundamental rights were to be powerful effect and details like time- real, they must be binding not, only upon the citizens, Provincial and State Governments but they must also be limit for the reform, Pandit Nehru said | binding upon district and local boards, other, it might be very difficult to carry had certain powers to make laws, rules or by-laws. If that proposition was accepted, he did not think that anyone who accepted the necessity of the funimportance, placed it on a high level damental principles could object to such before the country. He could not foresee a universal obligation being imposed that any Provincial or State Govern- on every authority created by law. To ment would forget the directive princt- make the intention clear, there were two ways, one was to use the word "State" as a composite phrase and the

cumbersome but stupid. Mr. Loknath Misra, through an amendment, suggested an addition of clause to the effect that the State shall not undertake any legislation or pass any law discriminatory to some community or communities or make it applicable to some particular community and not to others. The House had set out to establish a secular State and it judiciary from the executive was older was necessary, therefore, to make provision in the chapter debarring the State from making any discriminatory

time, all the authorities. The second

course seemed to him not only most

The House adjourned at this stage till tomorrow.-A.P.I.

### West Bengal Legislature

NEW DELHI, November 20: 10e Bengal Members of the Constituent Assembly decided today, after most exhaustive deliberations for the last two days, in favour of having an Upper House in West Bengal under the new constitution which is being discussed by the Constituent As-

sembly Fourteen members from West Bengal participated in these deliberations, Dr. S. P. Mookerjee presiding. It is gathered that the West Bengal Cabinet has also indicated its preference for an Upper House in that province.—U.P.I.

#### MADRAS ZAMINDARI ABOLITION BILL

Upper House Approval MADRAS, November 25: The Madras Legislative Council (Upper House) today passed into law the Zanmindari Abolition Bill as it had emerged from

the Assembly.

The members of the opposition did not take part in the discussions at the third reading stage of the bill as a protest against the attitude of Government in having rejected all the 60 amendments moved by them to the various provisions.

According to the Revenue Minister the measure will empower the Government to take over 2,810 zamindari estates and about 3,500 small estates commonly known as "inams" in the province no payment of compensation estimated at Rs. 17.15 crores. Government will reduce the rental in these estates spread over an area of about 14,000,000 acres including forest lands before acquiring them.

Replying to questions, the Education Minister said that the sidering the recommendations of the committee appointed by the Government of India to report on the medium instruction in colleges but were not as a medium of instruction in univer sities be replaced by Indian languages during the next five years.

Mr. M. P. Patil, Minister for Forests and Agriculture, Bombay, will leave Bombay for Poona on Friday, (November 26.) by the Deccan Queen and reof the article by another version which turn on Monday, (November 29.) by the said that India "shall be pledged to same train.

#### U.N.E.S.C.O Commission

CALCUTTA, Nov. 25: Mr. P. N. Banerjee, Vice-Chancellor, Calcutta Unigeneral meeting of the UNESCO, curity and shall, to that end, adopt which is now in session in Beirut, Lebanon, has been elected Vice-Chairman of the Administrative Commission of the UNESCO, according to a message

received in Calcutta today. The Commission is cutrusted with naintain justice, respect for treaty the recruitment of the UNESCO adminrights and obligations in regard to istrative officials and management of

#### Tamils In Travancore

MADRAS, November 25: Welcoming the assurance given by Mr. K. Kama-Congress Committee, that he would due in November, 1948.-A.P.I. not spare any pains to do justice to the cause of Tamils in Travancore, to ensuring a universal minimum, of Mr. S. Nathaniel, President. Travansocial rights to the entire working core Tamil Nad Congress in a state- written in the early 16th century, have ment today said he could persuade been his committee to postpone for some time the satyagraha proposed to be started on December 1.-A.P.I.

Godse Trial Defence

NEW DELHI, November 25: Mr. L. B. Bhopatkar, President of the Allversity and Indian delegate to the third India Hindu Mahasabha and defence counsel of Mr. V. D. Savarkar in the Maliatina Gandhi murder case, is leaving for Patna tomorrow to confer with Mr. P. R. Das in connection with the defence arguments in general. Mr. P R. Das, prother of the late Mr Chittaranjan Das, is expected to appear in the Red Fort Court and argue

#### U. P. Municipal Boards

the case for Mr. Savarkar.-U.P.I.

ALLAHABAD, November 25: The Governor of the United Provinces has extended up to May 15, 1949 the term of all municipal boards in the proraja Nadar, President Tamil Nad vince for which general elections were

> About 20 old Sanskrit manuscripts, including a copy of the Vishnu Purana et by Professor K. A. S. Iver, Head of the Department of Sanskrit. Lucknow University, for the University Library.

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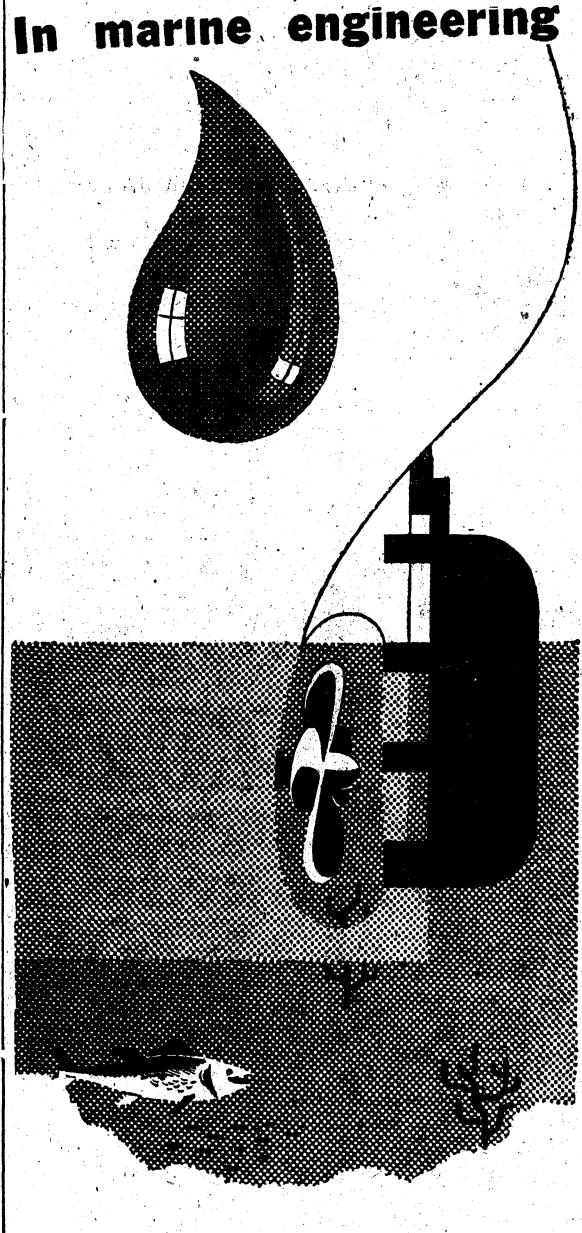
dread the approach of mealtimes knowing that after the meal the usual pains caused by indigestion, acidity and flatulence, will follow. HEWLETT'S MIX-TURE has been specially prepared to remedy this unpleasantness, and one teaspoonful taken in water regularly after every meal will quickly relieve the pain and eliminate the acidity. HEWLETT'S MIXTURE has a gentle action upon the stomach and, helping digestion, keeps the bowels in perfect working order.

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# nature. The statement also uneges that irresponsible elements from Mahe are Delhi the "Akhand Jyoti" (torch of trespessing into Union territory and liberty) procession resumed its journey calls upon the Madras Government to to Jaipur on Thursday. Before the detake suitable action in the matter .- | parture the "Jyoti" was taken to Rajghat.—A.P.I. .. but best of all is the



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