

ALENDAR FOR DECEMBER

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PHASES OF THE MOON

Monday December 9 Full Moon
 Monday December 9 Perigee

WEATHER IN SOUTH INDIA

Weather Report for Madras Presidency, in Mysore:

Summary of observations recorded at 1.00 hours (I.S.T.) on December 7:
 Yesterday's Bay of Bengal low tide depression centred at 6.00 hours to-day, about 250 miles east of Madras. It is likely to weaken further. Widespread and locally moderate rain has occurred in Andhra Pradesh, Madras (Nungambakkam) reporting 3.5", Kodaikanal 2.5", Vellore 2.2" and Tirunelveli (Mettur) 2.0". Widespread rain is reported from the rest of the region. Forecast for to-day: Partly cloudy with rain in the evening. Forecast for to-morrow: Partly cloudy with rain in the evening. Forecast for the next three days: Light to moderate rain with a few showers in the afternoon.

METTUR WATER LEVEL

Reservoir full on the 6th Dec, 1946.

THE HINDU

SUNDAY, DECEMBER 8, 1946.

FAILED

It is not surprising that the London talks should have failed. One wonders why they should have been held at all. If it was all along the intention of the British Government merely to tell the Congress that it agreed with the Muslim League in its interpretation of the Grouping Clauses it need not have put itself and the Indian leaders to all this trouble. The statement issued by the Government says that the object of the conversations was "to obtain the participation and co-operation of all parties in the Constituent Assembly." And later on it remarks, "There has never been any prospect of success for the Constituent Assembly except on the basis of agreed procedure." But the Government should have realised that agreement on procedure, helpful as it might be, should not be sought at the cost of sacrificing fundamental features of the Plan which have won for it general consent. The Government says that it agrees with the League in holding that the voting in the Sections should be by a simple majority of individual votes and not by Provinces as the Congress contends it should be. But, as we have pointed out more than once, this procedure might be utilised to defeat other provisions of the Plan equally vital, notably that which would allow Provinces to opt out of the Group in which they might be placed. The British Government seems to concede the possibility of such developments when it says:

"It is, however, clear that other questions of interpretation of the Statement of May 16 are raised. If His Majesty's Government hope that if the Council of the Muslim League are able to agree to participate in the Constituent Assembly, they will also agree, as have the Congress, to accept the decision of the Council of the Muslim League as to the procedure to be followed in the Constituent Assembly, and in the Sections may be decided by the Council of the Muslim League."

The words we have italicised are crucial. Agreement on procedure, important as it is, should not be sought without reference to the question whether it subserves the Plan or not. It is pivotal to the Plan that the Provinces should be able to frame their Constitution and shape their future solely in accordance with the wishes of the people. Therefore, should an attempt be made, say, in Section C to manipulate the Constitution for Assam in such a way as to reduce the majority community in the Province to the position of a legislative minority, it would be obviously open to Assam or to anybody else on behalf of that Province to demand that the matter should be referred to the Federal Court. But what happens if the Muslim League should demand? All that the British Government can bring itself to say is that it hopes that the League will agree, as the Congress has agreed, to refer all such matters to the Court and to abide by its interpretation.

In marked contrast to this excessive deference to the susceptibilities of the League is the magisterial pronouncement the Government has chosen to make on the question of Grouping. After giving out its interpretation, the Government says, "This part of the Statement, as so interpreted, must therefore be considered

an essential part of the Scheme of May 16 for enabling the Indian people to formulate a Constitution which His Majesty's Government would be prepared to submit to Parliament. It should, therefore, be accepted by all parties in the Constituent Assembly." After thus emphatically prejudging the issue why should the Government have thought it necessary to tell the Constituent Assembly that if it still must have the Federal Court's views on the matter, it may refer it to that Tribunal but it should do so "at a very early date?" Even if, in the face of the Government's categorical declaration of the intention of the Cabinet Mission, the Court should, construing the document strictly without reference to *ex cathedra* pronouncements, hold that the Congress interpretation is the right interpretation the League may refuse to accept it. And then we shall be exactly where we were. The Government asks the Congress to concede the point about Grouping forthwith "in order that a way may be found for the Muslim League to reconsider their attitude." But if at every stage the Muslim League were to take up a stand which others might find it impossible to accept, would the Government advise them to go on making concession after concession as a price for the League's continued co-operation? The Government does not say so in so many words. But it comes very near to suggesting this when it observes: "Should the constitution come to be framed by a Constituent Assembly in which a large section of the Indian population had not been represented. His Majesty's Government could not, of course, contemplate—as the Congress have stated they would not contemplate—forcing such a constitution upon any unwilling parts of the country."

This statement is worth examining. We will leave alone for the moment what the Congress has said it will or will not do. It seems that if the Muslim League—to put it concretely—should non-co-operate in the Constituent Assembly, Britain will not be a party to imposing the Constitution framed by that body upon "parts of the country" which do not want it. How are these "parts of the country" to be ascertained? The Muslim League does not have an overwhelming majority in any "part of the country". The areas which will be represented in each of the Sections of the Constituent Assembly are not natural homogeneous wholes. They are mere artificial groupings intended to give the League an advantage which it cannot claim by virtue of its following in these areas. Compared to these Sections each of the Provinces is undeniably a distinct political entity conscious of its own status. If the British Government's declaration we have just quoted has any meaning, it can only be that the Constitution framed by the Constituent Assembly should be acceptable to each of the existing Provinces. If the Government grants this, how can it consistently oppose the Congress's contention that in the proceedings of the Assembly itself the voting in the various Sections should be by Provinces? If the British Government is not thinking of going back on its historic decision to relinquish control, leaving it to the Indian parties and interests to settle their future among themselves as best they can, it should see that the policy, disclosed in its latest statement, of keeping all the strings in its own hands and pulling them in an arbitrary way, must reduce the Constituent Assembly to a farce and defeat its declared objective.

RUSSIA'S ENTRY INTO SILVER MARKET

The four Indian leaders' presence here focused attention on the communal issues in the establishment of Indian independence, but the financial implications were also being kept in mind, radios Harold Guard, United Press of America Staff Correspondent.

This week there was much shrewd comment on the vast quantities of silver being released from Russia via London. British traders believed that Britain's decision to introduce Curo Nickel coinage would result in increased exports at favourable prices, but with Russia entering the market, silver which was quoted at 70s. per ounce in the week before last, is now at about 55s.

On the currency banking establishment's decision to participate in the scramble to avoid losses, too much silver may be released to make the acquisition of dollars worthwhile and a silver price slump would be inevitable.

REORGANISATION OF GOVT. SERVICES

The Cabinet Committee on reorganisation and retrenchment of Government Services considered to-day a note prepared by the Secretary to the Committee indicating the general lines on which the reorganisation might proceed. The Committee adjourned to meet again on the 15th instant.

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CONSTITUENT ASSEMBLY

ARRANGEMENTS FOR INAUGURATION

CONGRESS MEMBERS TO CONFER

NEW DELHI, Dec. 6.

Congress members and Congress nominees of the Constituent Assembly will meet to-morrow evening at "Constitution House", which is the main residence for the members. It is intended to be an informal social gathering at which members from different provinces will have an opportunity of meeting and making acquaintance with each other's acquaintances. Acharya Kripalani, Congress President, is likely to give a brief address on the work on which they will enter on Monday.

The Constituent Assembly Chamber—originally the library hall of the Central Legislative—is now ready for the members. The hall is divided into semi-circular rows facing the Presidential dais. The desks are placed on sloping green-carpeted terraces. Each desk can be electrically warmed when the occupants desire. The chamber is lighted by a constellation of domed lamps hanging from the 70-foot ceiling and from brackets on the water pipes representing times and visitors have seats in galleries some 30 feet above the floor of the chamber.

The life-size paintings of past Viceroy have been removed from the frames in which they had formerly been fixed on the panelled walls.

It is gathered that a number of members of the Constituent Assembly have mislaid their identification papers, which they are required to present on the opening day. The Assembly Secretariat has to make an appropriate change in procedure to help these members.

The Congress Executive Committee on the Constituent Assembly has decided to dine to-day after four hours' deliberations.

Sardar Patel, Dr. Rajendra Prasad, Acharya Kripalani, Sir N. Gopalaswamy Iyengar, Mr. K. M. Munshi, Mr. K. Santanam and Mr. Krishna Kripalani attended.

A. I. R.'S PLANS

The inaugural meeting of the Constituent Assembly begins at 11 a.m. on Monday, December 9, 1946. From 9.30 p.m. the same day, All-India Radio, Delhi, will broadcast a composite sound picture of the proceedings during the day. This documentary programme will include recordings of an eye-witness description of the proceedings leading up to the election of the President and the members of the Council of the Constituent Assembly. It will cover all the highlights and include available vivid sound effects.

RULES TO GOVERN ATTENDANCE

BOMBAY, Dec. 6.

It is understood that one of the matters regarding the Constituent Assembly which will be discussed in the Constituent Assembly will be the attendance of members. Members who are continuously absent over a stipulated minimum number of days may have to forfeit their membership of the Assembly. The rules may provide for their seats being vacated and fresh elections being ordered to fill the vacancies.—F.O.C.

DR. AMBEDKAR TO ATTEND "UNDER PROTEST"

POONA, Dec. 6.

Dr. B. R. Ambedkar will attend the Constituent Assembly under protest according to Mr. E. R. Rajagopala, General Secretary of the All-India Scheduled Castes Federation.

Mr. Rajagopala stated that the Federation had already expressed its strong disapproval of the Cabinet Mission's proposals through resolutions and a "satyagraha" movement in different provinces of India. Dr. Ambedkar had been requested by some leaders to attend the Constituent Assembly "to fight for the rights of the Scheduled Class minority."

Dr. Ambedkar is expected to fly to New Delhi on Sunday, December 8.

FRONTIER MEMBERS LEAVE FOR DELHI

PESHAWAR, Dec. 6.

Khan Abdul Ghaffar Khan and Mr. Mehrun Nishtar, Finance Minister, NW.F.P., left Delhi to-day to attend the Constituent Assembly.

Khan Abdul Ghaffar Khan, who had gone to Bannu returned to Peshawar last night. He had been away for a week and Congress workers and ascertained their views.

SIR S. RADHAKRISHNAN BACK IN INDIA

KARACHI, Dec. 6.

Sir Sarvepalli Radhakrishnan, head of the Indian Delegation to UNESCO, who returned to India, was interviewed by the Press. He stated that he hoped Indian leaders would rise to the occasion and work out a free and democratic order in India where the differences of caste, outcaste, Hindu and Muslim would lose their meaning.

"Everywhere remarks were made about the Indian problem of independence," said Sir Radhakrishnan. "Right thinking men are concerned with the progress of India which are hampering India's progress towards independence."

"Though the Labour Government has announced a policy of freedom for India there are die-hard politicians in Great Britain who are determined to exploit our differences to their masters," said Sir Radhakrishnan. "They try to put the heart-beat of an awakening people in the hands of a few politicians in New Delhi to-morrow to attend the meeting of the Constituent Assembly in the absence of the Indian leaders."

Delegation.—A.P.I.

FLYING BACKWARD IN PLANES

NEW YORK, (By Cable)

Passengers flying back to U.S. transport plane flying new safety theories and testing passenger reaction.

The plane was a standard C-54 with all seats reversed, facing the tail. It was the first passenger plane in the United States to have all seats so arranged.

The reason for the change was comfort and crash research findings which showed that in rough landings passengers were safer when the deceleration shock was distributed over the back and absorbed by the back of the seat.

After the "backward" flight passengers were enthusiastic about the new comfort and the better view.—Reuters.

MR. KRISHNA MENON

LONDON, Dec. 6.

Mr. V. K. Krishna Menon, Pandit Nehru's Personal Representative, to-day returned to New York to-day to rejoin the Indian Delegation to the United Nations meeting, which he left when Pandit Nehru came to Britain for constitutional talks.

Mr. J. J. Singh, the India League leader in the United States, who left New York a few days ago for the talks, intends to return immediately.

GROUPING PLAN

BRITISH CABINET ON VOTING CLAUSE

LONDON TALKS CONCLUDE

NEHRU LEAVES FOR INDIA

LONDON, Dec. 6.

The following statement was issued by the British Government to-night on the conversations with the Indian leaders:

"The conversations held by His Majesty's Government with Pandit Jawaharlal Nehru, Mr. M. A. Jinnah, Mr. Liaquat Ali Khan and Sardar Baldev Singh came to an end this evening as Pandit Nehru and Sardar Baldev Singh are returning to India to-morrow morning."

"The object of the conversations has been to obtain the participation and co-operation of all parties in the Constituent Assembly. It is not expected that any final agreement will be arrived at, since the Indian representatives must consult their colleagues before any final decision is reached."

GROUPING CLAUSES OF CABINET PLAN

"The main difficulty that has arisen in the framing of the grouping clauses of Paragraph 19, (5) and (6) of the Cabinet Mission's statement of May 16, relating to meetings in Sections, which runs as follows:

"19 (5) These Sections shall proceed to settle Provincial constitutions for the Provinces included in each section and shall also decide whether any Group constitution shall be set up for those Provinces, and if so, what should be the subjects of the Group constitution. Provinces should have the power to opt out of the Groups in accordance with the provisions of sub-clause (6) below:

"Paragraph 19 (6): As soon as the new constitutional arrangements have come into operation, it shall be open to any Province to elect to come out of any Group in which it has been placed. Such a decision shall be taken by the Legislature of the Province after a General Election under the new Constitution."

BRITISH GOVT.'S INTERPRETATION

"The Cabinet Mission have through-out maintained the view that the decisions of the sections should, in the absence of an agreement to the contrary, be taken by a simple majority vote of the representatives in the Sections. This view has been accepted by the Muslim League, but the Congress have put forward a different view. They have asserted that the true meaning of the provisions, read as a whole, is that the Province have the right to decide both as to Grouping and as to their own constitution."

"His Majesty's Government have had legal advice which confirms that the Statement of May 16 means what the Cabinet Mission have always stated was their intention. This part of the Statement, as so interpreted, must, therefore, be considered an essential part of the Scheme of May 16 for enabling the Indian people to formulate a Constitution which His Majesty's Government would be prepared to submit to Parliament. It should, therefore, be accepted by all parties in the Constituent Assembly."

"It is, however, clear that other questions of interpretation of the statement of May 16 are raised. If His Majesty's Government hope that if the Council of the Muslim League are able to agree to participate in the Constituent Assembly, they will also agree, as have the Congress, to accept the decision of the Council of the Muslim League as to the procedure to be followed in the Constituent Assembly, and in the Sections may be decided by the Council of the Muslim League."

REFERENCE TO FEDERAL COURT PROVIDED FOR

"On the matter immediately in dispute, His Majesty's Government urge the Congress to accept the view of the Cabinet Mission in order that a way may be found for the Muslim League to reconsider their attitude."

"The Cabinet Mission's intention of this reaffirmation of the intention of the Cabinet Mission, the Constituent Assembly should be referred to a decision of the Federal Court as a reference should be made at a very early date. It will then be reasonable that the meetings of the Sections of the Constituent Assembly should be postponed until the decision of the Federal Court is known."

"There has never been any prospect of success for the Constituent Assembly except on the basis of agreed procedure. The Cabinet Mission's intention of this reaffirmation of the intention of the Cabinet Mission, the Constituent Assembly should be referred to a decision of the Federal Court as a reference should be made at a very early date. It will then be reasonable that the meetings of the Sections of the Constituent Assembly should be postponed until the decision of the Federal Court is known."

LEADERS TO CONSULT COLLEAGUES

LONDON, Dec. 6.

The eagerly-awaited last-minute Round Table Conference between the Congress, Muslim League and Sikh leaders and the British Government at No. 10, Downing Street to-night failed to achieve immediate results.

The Round Table parleys nevertheless, are believed by political quarters to have served a useful purpose and may have proved to have laid the groundwork for some future progress, cables Fraser Wighton, Reuters Political Correspondent.

The Conference lasted 70 minutes. During that time the British Prime Minister, Mr. Clement Attlee, his Ministers, the Viceroy, Field Marshal Lord Wavell, the Congress leader, Pandit Jawaharlal Nehru, the Muslim League President, Mr. Jinnah, his colleague, Mr. Liaquat Ali Khan, and the Sikh leader, Sardar Baldev Singh, held a general discussion.