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Called-on-date on Counterfoil,	Revised dates when the counterfoils should be preserved.
12th December, 1948	1st and 2nd December, 1948
14th "	3rd " 4th "
15th "	5th " 7th "
16th "	8th " 9th "
17th "	10th " 11th "
18th "	12th " 14th "
19th "	15th " 16th "
20th "	17th " 18th "
21st "	19th " 21st "
22nd "	22nd " 23rd "
24th "	24th " onwards "

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**"Charter Of Liberty" Passed
In Constituent Assembly**
VITAL ARTICLE IN FUNDAMENTAL
RIGHTS CHAPTER

NEW DELHI, December 2.

THE Constituent Assembly today adopted what many members described as "the crux of the Constitution" and "the charter of liberty" for the people of India.

After a two-day discussion, it passed the Article in the fundamental rights chapter giving every citizen the right to: (1.) freedom of speech and expression, (2.) assemble peaceably and without arms, (3.) form associations or unions; (4.) move freely throughout the territory of India, (5.) reside and settle in any part of the territory of India, (6.) acquire, hold and dispose of property, and (7.) practice any profession or carry on any occupation, trade or business.

Sardar Bhupendra Singh said that the right to form association and freedom of speech were the most important rights in the article, because they enabled the minority communities to express their views. It was unfortunate, however, that the rights had been limited to such an extent that they had become almost ineffective. The article was a sad climax to a prolonged agitation for fundamental rights. He suggested that the article should not provide such wide restrictions on the freedoms sought to be given.

Seth Govind Das did not think that the restrictions imposed on the rights were too great. Keeping in view the situation prevailing in India, and abroad, one felt that it was necessary for the Government to be armed with the power to restrict these freedoms sometimes in the interest of the country. He expressed pleasure at the fact that the word "sedition" was sought to be removed from the proviso relating to the right to freedom of speech.

"INADEQUATE RIGHTS" Mr. Syed Karimuddin said that Article 13 was the very life of the Constitution without which it would merely be dead-letter. The rights contemplated were inalienable and the point involved was whether these rights might be regulated by the Governments of the future and submitted to the vagaries of the Legislature.

Mr. Karimuddin supported the amendment of Mr. Mohan Das Mehta that the personal laws of communities should not be interfered with. The Muslims regarded their personal law as part of their religion. If they really wanted to protect the minorities, they must accept this position. A secular State did not mean a State without a religion.

Mr. Jai Prakash Singh wanted clarification with regard to an amendment moved by Dr. Ambedkar seeking to substitute "Scheduled Tribes" for "Aboriginal Tribes" in one of the clauses.

Referring to the right to assemble "without arms," Mr. Jai Prakash Singh said that the word "arms" was mischievously being applied to the bows and arrows which the Adivasis carried as a usual practice. "We live in jungle where it is impossible to move about unarmed and I am sure that a few members of this House from Bihar would not be able to reach home if they were not escorted by armed men," he concluded.

Mr. Ranchod Singh Chaudhary supported the principles enunciated in the article but said that nothing in it should prevent a State from making laws to declare a minimum economic holding of land inalienable.

"RIGHTS OF ARMS" Mr. Maulana Hadrat Mohamud said that the Arms Act should be repealed. The British Government had, in the past, rendered the whole population effeminate by banning the right to bear arms.

Mr. Brajeshwar Prasad supported the Article with all the reservations provided for. These safeguards were necessary in national interests, he added.

Mr. Hanumanthiah supported the article and said that the laws of a country were always shaped according to the conditions prevailing in it. After the British rule they would naturally wish to have unfettered rights, but the wake of independence there had also come certain anti-social elements that had endangered their freedom and it was necessary to give the Government powers to put down these elements.

"CHARTER OF LIBERTIES" Mr. Shubhanilal Sakseena characterised the article as a charter of liberties. Analysing the various provisions attached to the Article, he refuted the arguments that they sought to nullify citizens rights.

Mr. H. J. Khandekar said that for the purpose of freedom of speech and expression, thousands of people had gone to jail thinking that after the freedom of the country had been won the freedom for which they struggled, would be given to the people without any restriction. The freedom of speech and expression now given under the Article was limited by the clause attached to it. He pointed out that in the provinces where popular ministries were functioning, restrictive measures like the Public Safety Act, and Goonda Acts were in operation and in some big cities even five people could not assemble together. He asked what would happen to these Acts. It would have been a proper course for the framers to wait till the Constituent Assembly met and then to consider a corresponding restrictive clauses.

Mr. Amiy Kumar Das said that the Article dealt with what rights the Indian people had under the Constitution, but he felt that the rights which had been given had been to a great extent abrogated by the subsequent clauses.

Mr. T. T. Krishnamachari stated that both in the enumeration of the freedoms and in the manner in which the Drafting Committee and Dr. Ambedkar had struck the golden mean for the country, he congratulated them. There could be no absolute right without some abridgement. Such abridgement, he added, was necessary to ensure that the State which they were bringing into being would continue to grow unhampered.

Lala Deshbandhu Gupta congratulated the Drafting Committee for presenting such a complete and perfect Article. Mr. Ananthasayam Ayyangar considered the article as the best of the kind. He said that the article was the fundamental rights common to all free citizens of the world. He said that certain amendments which had been accepted by the framers would remove some of the objections raised.

Speaking about the demand of the right to practice personal laws, Mr. Ayyangar said that the matter was discussed when the House considered directive principle relating to the uniform code of Civil Law throughout the country. It was stated that the majority community might introduce their own personal laws flagrantly violating the personal laws of the minorities. There was no ground for apprehension at all on the subject. If a provision was made that personal laws should not be interfered with, then even members of the own community would not be allowed to effect reforms.

Further, a majority community could not pass any personal law affecting the minorities without the consent of the latter.

Referring to the demand for the right to bear arms, Mr. Ayyangar said that in the civilised world nobody ought to be allowed to bear arms either for offence or defence and all force must

be concentrated in the State. About the ban of incitement of communal passions, far as it referred to freedom of speech, Mr. Ayyangar said that there was no need for such provision as under the Penal Code, adequate powers had been given to the authorities.

Dr. Ambedkar replying to the debate said that the general attack on the Article centred on the sub-clause but the Article, with amendments introduced thereafter, would emerge in a form which would be generally satisfactory.

As regards the question of bearing arms, the position taken by the Drafting Committee was quite clear.

The proviso was to regulate by prescribing the conditions and those conditions could not be such as completely to abrogate the right of the citizens to bear arms. The regulations by which the Government would be empowered to have the right to bear arms if they wanted them.

Dr. Ambedkar pointed out that it could not be a question of policy to allow indiscriminate right to bear arms. If Mr. Kamath's proposition was accepted, he said, it would be open to thousands and thousands of people, described as criminal tribes, to bear arms. It would be a question of policy of people who were habitual criminals, to buy and bear arms. No country could allow this kind of indiscriminate right.

Referring to the speeches of Muslim members regarding personal law, Dr. Ambedkar said that this matter was very fully and sufficiently discussed and debated when they discussed one of the directive principles, which enjoined the State to bring about a uniform Civil Code. If a saving clause was introduced in the constitution as suggested by them, it would disable all Legislatures in India from enacting any social measures whatsoever. It was impossible for anybody to conceive that personal laws should be excluded from the jurisdiction of the State. All that the State was claiming in this matter was the power to legislate. There was no obligation upon the State to do away with the personal laws.

"POSITION OF 'ADIVASIS'" Referring to the question asked by Mr. Jai Prakash Singh, Dr. Ambedkar explained the position of the adivasis. There were two categories of areas laid down—the scheduled areas and the tribal areas. The tribal areas were areas which related only to the Province of Assam while the scheduled areas were to be found in other provinces. They were merely different names for what used to be called "tribes" and "tribes" were excluded areas under the Government of India Act. Scheduled tribes lived both in the scheduled areas and in the tribal areas.

As to why the term "aborigines," Dr. Ambedkar explained that the term "scheduled tribes" had a fixed meaning because all the communities had been enumerated in the schedule, whereas the term "Adivasis" was vague and general and had no legal connotation.

The Assembly passed Article 13, with the three amendments moved by Dr. Ambedkar, one by Pandit Thakuradas Bhargava and one by Mr. Munshi. The main changes made as a result of these amendments are the omission of the word "sedition" in the clause empowering the State to make laws relating to libel, slander, or defamation of the State, and the inclusion of other clauses which have the effect of making the exercise of fundamental rights subject only to "reasonable" restrictions that might be imposed by the State in public interest.

The House then took up consideration of the Article providing that "no person shall be convicted of any offence except for violation of a law in force at the time of the commission of the act charged as an offence, nor be subjected to a penalty greater than that which might have been inflicted under the law at the time of the commission of the offence," that "no person shall be punished for the same offence more than once," and that "no person shall be punished for an offence more than once." It was possible, he said, for a person, for example, to be tried and convicted by a magistrate who was not competent to try under the Code of Criminal Procedure. On the discovery of that mistake the person could be tried again by a competent authority. But if the person was tried and convicted by a magistrate who was not competent to try under the Code of Criminal Procedure, he would not be tried and convicted for the second time. The House must correct this procedure, he said.

Consideration of the Article had not concluded when the House rose till 10 a.m. tomorrow.—A.P.I.

**POLICE GUARD POST
TRUST OFFICE**

Bombay Dockers' Protest

Almost all of Bombay's dock labourers on the first shift stayed away from work on Thursday afternoon and held a peaceful demonstration in front of the administrative offices of the Bombay Port Trust to register their protest against what was described by the Port Trust in regard to the re-employment of *toluola* workers thrown out of employment after the abolition of the *toluola* system of recruiting labour.

The suspension of activities did not, however, stop much of the present work in the docks as was expected to be low in view of the Alexandra Dock being closed for shipping to enable removal of the second section of the inner lock—work or repairs.

Police pickets guarded the entrance to the premises, as the men squatted on the adjoining footpaths. The demonstration was to have lasted till the expiry of the recess hour, but was continued until the Port Trust office was closed for the day, the workers insisting that they would disperse only after the Chairman of the Port Trust had given their representatives a hearing.

When the workers left in the evening, it was stated that they would return the following morning to continue the demonstration, which would be given up only if the Port Trust office was closed for the day, the workers insisting that they would disperse only after the Chairman of the Port Trust had given their representatives a hearing.

The Chairman of the Port Trust, Mr. V. S. Bhilde, categorically denied that any assurance had been given to the workers that they would be given re-employment as any worker who said most of those who had been rendered jobless after the abolition of the *toluola* system, were already on the pay-roll. It was not true, he added, that recruitment of new men had started.

K. R. Subramaniam, a clerk in a city engineering firm, was arrested by the police on Wednesday on a charge of misappropriation of the firm's monies. Subramaniam was placed before Mr. Oscar Brown, Chief Presidency Magistrate, at the Esplanade Court on Thursday, was ordered to be released on bail.

**IMMEDIATE RELIEF TO CYCLONE
VICTIMS**
Bombay Measures

The Government of Bombay have taken speedy measures for giving relief to sufferers from the cyclone. Collectors of the districts affected by the disaster have been authorised to spend up to Rs. 50,000 in their respective areas for affording immediate relief to those rendered destitute. For more permanent help and rehabilitation Government propose to give loans on the same basis as is done in the case of refugees, viz., free of interest for the first three years and at 3 per cent. from the fourth year onwards. Local officials have been asked to investigate and submit reports on the claims for permanent relief within one month.

It was pointed out by an official spokesman that expeditious relief depended greatly on the action taken by the local officers and the co-operation they received from the public. So far as Government was concerned they had issued instructions to district and taluka officers to collect the fullest information about the cyclone damage within the shortest possible time and to the monetary help to those in urgent need, without waiting for previous sanction. For this purpose they have been told to treat the situation as an emergency.

Kolaba and Ratnagiri districts have suffered from the cyclone, but the damage is not as great as in Thana and the Bombay Suburban District.

Government have decided whether a special public effort should be made to collect funds for relief of the cyclone sufferers. The question may be decided on the return of the Prime Minister, Mr. B. G. Kher, from Delhi on Friday. In the meanwhile several donations have been received by Government from private individuals and firms towards relief operations.

No move has been made either by the Municipal Corporation or the Provincial Congress Committee to organise relief on a bigger scale with the help of the public. Possibly, they, too, are awaiting a lead from Government.

DAMAGE TO CROPS

Damage to all property in Bombay City and the province, including the kharif and rabi crops, in the various districts, caused by the cyclone is now estimated at over Rs. five crores. In the opinion of Mr. M. P. Patil, Minister for Agriculture, the damage will be between Rs. five and Rs. ten crores. Mr. Patil, however, could not say the exact damage caused to the crops as fuller details have not yet been received from the mofussil.

Besides the damage caused to the standing crops by high winds and rain, there has been a loss of wheat crop all over. Consequently, the food position which was considered satisfactory despite the famine conditions in Gujarat, has now deteriorated in the province. However, the Minister added, Bombay will be allotted a larger quota by the Centre to meet the deficit created by the cyclone and rain.

In a letter addressed to Major-General D. S. B. Area Commander, H.Q. Colaba, Mr. B. G. Kher, Premier of Bombay, has thanked him and his officers and men for the prompt help so readily given by them in repairing the damage caused by the storm to the essential services within a few hours of the disaster.

**RELIEF TO BOMBAY
FISHERMEN**
Committee Set Up

A committee comprising the Collector of Bombay as Chairman, and the Commissioner of Police and the Director of Fisheries as members, has been formed for affording immediate relief in cases of destitution caused by the recent cyclone.

The Chairman of the Committee has been given the right co-opt. He has already received Rs. 10,000 from the Government, for the relief work. The fishing industry is the worst hit by the cyclone, and it will take some years to recover from the destructive effects, according to a well-informed source.

Though no accurate estimate of the losses sustained by fishermen is possible, the damage is felt to amount to several lakhs of rupees. The fishermen, with their slender resources, will not be able to face such overwhelming loss. Estimates of losses are being collected by the officials of the Directorate of Fisheries from various fishermen's villages and the grant of monetary aid in the shape of subsidy and loan by Government is likely to depend on the report of the department.

Dr. S. B. Setna, who has returned from a tour of fishing villages in Bombay and the suburban districts found that fishing villages had escaped the ravages caused by the storm. It is understood, Communities of fishermen who were the worst affected were those of Chowpatty, Worli, Danda and Versova.

The "Princess of Canara," a private owned motor fishing launch, which previously belonged to the Royal Indian Navy, has been found broken up near Tank Bunder in Bombay. "Gajanan Pershad," another fishing craft, has been hauled up at Sassoon Dock.

So far 12 fishermen are reported to have lost their lives. Most of the casualties were at Gorai.

Bombay Milk Scheme

The Standing Committee of the Bombay Municipal Corporation sanctioned a grant of Rs. 5 lakhs for 1948-1950 for a subsidised milk scheme for pupils of the municipal primary schools. The original demand was for Rs. 3½ lakhs, but on an amendment moved by Mr. H. J. H. Taleyarkhan, the Committee increased the grant to Rs. 5 lakhs, in view of the increased number of pupils and the malnutrition prevalent among them.

An amendment to raise the amount to Rs. 10 lakhs, moved by Mr. Dinker Desai, was rejected by the Committee.

Cloth Stock Declaration

Dealers and other persons who are to declare stocks of cloth and yarn on November 30, should clearly indicate in their declarations whether the stocks pertain to fine, superfine, medium and coarse varieties, says the Director of Electricity, Bombay. The declaration forms should be suitably amended to indicate clearly the quantities falling in each of these four categories.

Local Engagements

NOTICES IN THIS COLUMN ARE INSERTED AT RS. 4-8 PER LINE.

TODAY

Municipal Standing Committee, 2-40 p.m.
Soc. Man. Manufacturers' Association, second annual meeting, 50, Old Customs Road, 3 p.m.
Saturday 4th and Sunday 5th. Holy Name "Sale of Work" in the Port Convent Hall, Wodehouse Road.
F.R.I.A. 4th annual meeting, Municipal Standing Committee, 2-40 p.m.
PROGRESSIVE GROUP.—Miss Shrin Vajlilar on "The Dance in India", Saturday, Green's Hotel, 6-45 p.m.
STUDENTS' LITERARY & SCIENTIFIC SOCIETY'S GIRLS' HIGH SCHOOL.—Annual Sports, Wilson College Gymkhana Ground, Friday, 8 a.m.
B.P.C.C.—Urgent meeting, Congress House, Friday, 6 p.m.
BOMBAY MUNICIPALITY.—City Police Band Music, Joseph Baptista Garden, Sunday, 4-30 to 6-30 p.m.

**Compensation For
Riot Victims**
PROCEDURE FOR
CLAIMS

The Bombay Government have issued an order to the effect that claims for compensation respecting the loss of property in the disturbances that followed the assassination of Mahatma Gandhi will not be entertained by them. This was stated by Mr. Oscar H. Brown, Chief Presidency Magistrate and Claims Commissioner, when riot claim cases for 1948, came up for hearing before him at the Esplanade Police Court, Bombay, on Wednesday.

Mr. A. T. Janani, appearing for one of the petitioners, said that under Section 45 of the Bombay Police Act, a petitioner who suffered a loss was entitled to file his claim before the Chief Presidency Magistrate for assessment of the amount and that Government had no power to interfere in this regard. However, the procedure for recovering the amount was subject to the direction of Government.

The advocate pleaded that if there were any particular directions from Government the petitioner should be entitled to know them. The Chief Presidency Magistrate stated that he was not in a position to comply with this request and that the parties concerned could approach Government in the matter if they so chose.

Mr. J. S. Chinnivala, who also appeared in one of the petitions, submitted that he had the provisions of Section 45 for compensation to those who were victimised in riots were in the interest of the public and for the preservation of law and order.

He submitted that the fundamental principle was to penalise those who failed to prevent the occurrence of riots although they were in a position to do so. The "modus operandi" for punishment was that the victimised persons were given compensations which were to be recovered from the public in the shape of taxes.

The first part of Section 45, the advocate stated, gave exclusive jurisdiction to the Chief Presidency Magistrate to assess compensation in riot cases, and the second part related to recovery where the Provincial Government had the right to give directions to the Chief Presidency Magistrate.

The advocate also stated that on account of Section 45, the aggrieved parties were prevented from filing civil suits in the High Court. It was therefore essential in the interests of Government as well as the public, that compensation should be allowed. Otherwise there would be a number of suits filed against Government.

City News In Brief

The food grains ration quantum and the maximum proportion prescribed for the Chief Presidency Magistrate to assess compensation in riot cases, and the second part related to recovery where the Provincial Government had the right to give directions to the Chief Presidency Magistrate.

Printed postcards recently issued to a large number of persons in Bombay by a private party styled "The Manager, Goregan Milk Scheme, Agarwalnagar, Goregan, Bombay Suburban District, offering to supply milk in sealed returnable bottles at one rupee per seer, has nothing to do with the Government Milk Scheme," says the Public Relations Officer (Rationing), Bombay.

Two persons, believed to be members of a "notorious" gang responsible for the theft of railway property worth Rs. 10,000, were arrested at the Bombay C.I.D. after a hot chase along the railway track in the Victoria Terminus railway yard on Wednesday. The Chief Presidency Magistrate, before whom the suspects were placed, ordered them to be released on bail of Rs. 10,000 each.

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ATTENTION: Mr. H. K. Harrison will be in India on behalf of both companies from November 1st to March, and can be contacted at the Mercantile Bank of India Ltd., Bombay.

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