

"DRAFT CONSTITUTION OF INDIA DISAPPOINTING"

Socialist Party's View

From Our Staff Correspondent

MAHABLESHWAR, October 27:

The draft constitution of India has been held by the National Executive of the Socialist Party of India to be "a disappointing document" and one that will need radical changes to suit the democratic needs of India.

The Party at its meeting here today decided to move through the Socialist member in the Constituent Assembly 60 amendments to the Draft Constitution which the Socialists regard as containing features which might lead to executive despotism, and in certain circumstances even to dictatorship.

While the constitution recognises the principle of adult franchise, federalism and the Parliamentary form of responsible Government, the Socialists say that legislative authority is vitiated by bicameralism, that provincial autonomy is threatened by emergency powers vested in the federal authority and the system of responsible Government is crippled by the Governor's discretionary authority.

The Socialists demand that in the preamble of the constitution the establishment of a democratic Socialist order should be recognised, and stable provision made as regards the nation-

alisation of important industries and the organisation of agriculture, industry and credit on a co-operative basis.

Civil liberties guaranteed by the constitution, it is held, are undermined by subsequent provisions permitting the legislature to impose restrictions in the interests of the general public. To protect these liberties from legislative high-handedness it is necessary to draft the clause in such a way as to guarantee the citizens full freedom subject to public order and morality with regard to "speech, expression, press, assembly, association and movement." It is also necessary to guarantee to workers that all agreements between employers and employees which attempt to limit freedom of association or seek to hinder its exercise shall be illegal.

The Socialists do not favour the special powers granted to the President to assume himself any or all the powers of the Provincial Government in certain emergent circumstances. It is pointed out that somewhat similar provisions in the German constitution were abused by Hitler for the purpose of suspending the Government of Bavaria and establishing his dictatorship.

The provisions dealing with Indian States are criticised on the ground that they do not assure the people a democratic system of Government, and that the federal authority with respect to the Indian States is not as extensive as it is with respect to the Provinces.

As regards India's association with the British Commonwealth, the Socialists want this to be terminated with the commencement of the new constitution and urge that a provision with regard to it should be made in the constitution itself.