



Ambedkar Times Weekly

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Remembering Dr. B. R. Ambedkar on the Constitution Day of India: November 26

Prem K. Chumber
Editor-In-Chief:
Ambedkar Times / Desh Doaba



Babasaheb Dr Bhimrao Ramji Ambedkar (14 April 1891 – 6 December 1956) was a great humanist, liberator of downtrodden, world reputed economist, acclaimed jurist, statesman in true spirits, conscientious politician and scholar par excellence. He initiated many social reform measures and founded three political parties towards his life-long struggle to annihilate caste from the soil of India. He was of the firm view that caste is the biggest hurdle on the way of India to become a nation. Shortly before his Mahaparinirvan, he laid the foundation of the Buddhist movement in India to show a new way to the millions of socially excluded and discriminated people of India to get rid of the centuries' old curse of caste and untouchability. His scholarship and brilliant approach to take mankind to new heights brought him into various offices of responsibility both during the British rule and Independent India. He was the first law minister of independent India.

As a Chairman of the drafting committee of the Constitution of Independent India, he prepared the draft of the Constitution of Independent India, which was adopted by the Constituent Assembly on November 26, 1949. Since then, November 26 is known as Constitution Day (Samvidhāna Divas). It is also known as "National Law Day", and is celebrated in India on 26 November every year to commemorate the adoption of the Constitution of India. Dr B. R. Ambedkar was a prolific writer who founded three well received journals during his campaign against untouchability. He earned doctorates in economic and many more academic degrees from the reputed universities of the US and UK. He has been adjudged one of the few most intelligent peoples in the world so far. In 1990, the Bharat Ratna, India's highest civilian award, was posthumously conferred upon him.

"Ambedkar Times" and "Desh Doaba" forums fondly and most respectfully remember Bodhisattva Bharat Ratan Babasaheb Dr B.R. Ambedkar on this very day of his being posthumously conferred the highest civilian award of India.

Celebrating the historic Constitution Day 26th November 1949



Read article from page 6 to 16

FLORAL TRIBUTE TO BIJI BISHAN KAUR CHUMBER

My floral tribute to Biji Bishan Kaur Chumber (W/o Late Sh. Punjab Rai Chumber, mother of Late C. L. Chumber, Tarsem Lal Chumber, Resham Kaur Mehmi, Balwinder Devi Badhan, Naranjan Kaur Ladhar and Prem Kumar Chumber, Editor-in-Chief, "Ambedkar Times" & "Desh Doaba" Weeklies, Sacramento, CA), on her first anniversary.

Biji left for her eternal abode on November 29, 2021. After the early passing of her husband, Biji took the whole responsibility of raising her children singlehandedly. Her hard work fructified; all her children became well-educated, got respectable jobs and two of them Late C. L. Chumber and Prem Kumar Chumber devoted themselves to the missionary cause of community development in their own humble way.

I have had the honor of meeting Biji during my visits at their residence in Jalandhar (Punjab) India a couple of times and received her blessings. I fondly remember Biji today on her first death anniversary and pay my floral tribute to her!

Ronki Ram,
Shaheed Bhagat Singh Chair
Professor of Political Science,
Panjab University, Chandigarh (India)



Late Smt. Bishan Kaur Chumber

BIJI BISHAN KAUR REMEMBERED ON HER FIRST ANNIVERSARY

Dear Mr. Prem Kumar Chumber,

It is hard to believe that a year has gone by since your worthy and respected mother Biji Bishan Kaur Chumber left for her heavenly abode on November 29th, 2021.

I knew very well about the difficult phase of her life when she lost her illustrious husband in the prime of his youth, leaving her alone to bear the responsibilities of raising a large family.

As history stands in evidence, she proved herself as a symbol of courage, determination and a spirit of devotion in performing the onerous responsibilities of a mother as well as of a father both at the same time. Her strong and lofty vision and ideals to educate her children in the face of all the hurdles and challenges stood by her in reaping the fruits of her patience and hard work.

Two of her sons late Mr. C. L. Chumber and Mr. Prem Kumar Chumber, Editor-in-Chief: "Ambedkar Times" and "Desh

Doaba" became well known journalists with their sublime contributions in the service of the community at large. I convey my humble and heartfelt respects in remembrance of such a noble soul who is deeply missed by her family, relatives and admirers who happened to know her.

May Almighty God keep the departed soul blessed in her eternal home; she departed for, a year ago, leaving a trail of her sweet memories to be cherished for years to come.

"THE HAND THAT ROCKS THE CRADLE RULES THE WORLD"
Abraham Lincoln said:
"All that I am or hope to be I owe to my angel mother."

O.P. Balley
Founder Member, Shri Guru Ravidass Sabha Pittsburg (CA)

Constitution Day of India, November 26

Constitution Day of India is observed on November 26, the day the Constitution of India was finally 'adopted, enacted and given to ourselves in 1949. Much water has flown in the Yamuna ever since the new constitution became operational, 73 years ago, on January 26, 1950; the day is observed and celebrated as the Republic Day of India, an important mile stone in the chequered journey of free India. It is a matter of gratification to note that ever since India has come a long way and has 'arrived' definitely but it has still to go a long way to 'reach' to redeem the pledge of 'Tryst with Destiny' which 'We the people of India' took on the mid-night dawn of August 15, 1947. I take this opportunity to greet my fellow citizens of India on the Constitution Day and wish them all success and prosperity in the years to come.

constitution visualized India as a democratic, secular and socialist country. But we could not do much in transforming of our political democracy into a social and economic democracy. Our secular credentials are increasing threatened giving way to communal polarization. Over the years, rich is getting richer and poor is getting poorer, undermining the ideal of socialism. Fraternity was thoughtfully added to the known and lofty ideals of 'Equality, Liberty and Justice' but sadly again, in the recent years chasm in the various sections of the society has widened. Minorities are feeling threatened. It seems, social and religious animosity, in the society at large, is increasing. It was a short narration on the basic fundamentals of the constitution as stipulated in the very preamble of the constitution. As regards yet another

head, of late, in the polity of the country which must be arrested forthwith. The constitutional and statutory positions like President, Governor, Election Commission, Comptroller General of Audit and Accounts, National Commission for SCs among others are increasingly losing their sheen and standing in facing the machinations of the ruling dispensations. It is a matter of concern and worry. The other day, commenting on the Election Commission, the Supreme Court of India termed it as 'alarming trend' and said, "This is how the silences of the constitution can be exploited. There is no law, no check. Everyone has used it to their interest... Pick up some one and give him a highly truncated tenure. He is obligated; does your bidding... We are not saying so but it looks like that." It has been further reported that there

other is 'Sheel'. Gyan without Sheel is very dangerous. It must be accompanied by Sheel by which we mean;

character, moral courage, ability to be independent of any kind of temptation, truthful to ones ideals." Our constitution is a living document; I say so because – In the early years of the Republic of India, it could throw answers to the often raised 'bogies' – Who after Nehru? It does not need further elaboration, Our PM passed away abroad and transfer of power back home happened smoothly. In



Ramesh Chander
Ambassador - I.F.S. (Retired)
91-99885-10940



"We describe our Constitution as a "living document", ready to adapt and respond to changing times. We also call our Constitution a "transformative Constitution", one that attempts to radically transform our society and the country as a whole to fulfill its vision of a vibrant, modern polity. But how different is the vision of the framers of our Constitution from those in charge of implementing its ideals since the country gained Independence? Is the vision still a dream or a reality? And how do the citizens and the Constitution transform each other?" It is an extract from an invitational letter for a Webinar hosted by the Print on November 24 on the theme "Constitutional Vision: From Framers to Executors" to observe the Constitution Day. I tend to agree with the Print that our constitution is a living document and it is a transformative constitution so laboriously made by our forefathers, the makers of this beautiful document; particularly the chief architect of it, Babasaheb B.R. Ambedkar. The three questions raised by the Print are totally relevant which need answers to put the matter in its perspective.

I would humbly try to address the issues not as an expert but as a concerned citizen. First, the constitutional vision: from framers to executors – frankly, prima facie it seems, we have negated the vision of the framers and have failed the constitution. It is my off the cuff observation, if I see the things in totality. It seems in the past 73 years, we have increasingly lost the way. The framers of the



prop of 'transformative constitution', I think, here also we have nothing much to feel proud. We could not transform our political democracy into social and economic one, as said earlier. The slogan of 'Sab Ka Sath, Sab Ka Vikas and Sab Ka Vishwas' is yet to be realized. The society is yet to be transformed from 'graded inequality' to a 'casteless society' to establish an equitable order, the very essence of democracy. Democracy will survive and prosper, if the institutions established under the constitutional framework, in the process, are strengthened. But again, it is felt, it has not happened and has lead us towards 'Grammar of Anarchy' and 'Hero worship giving way to dictatorship' as warned by Babasaheb Ambedkar in his last speech in the Constituent Assembly on November 25, 1949. The 'majoritarian' point of view and the 'personality cult' are the very negation of democracy. Unfortunately, these tendencies are raising their

is a definite 'standoff' between the Government and the Judiciary on the issue. It is a matter of worry that 'political and constitutional morality' is missing in implementing the constitution in its 'letter and spirit', most of the times by willful design by the vested interests.

All said and done, it is a matter of gratification to note that we are still on track only because of the constitution, in spite of many failures and setbacks, in the process. I would tend to agree that our constitution is a 'living document' and if, we the people of India ensure that the governments are made of 'Gyansheel' people, the constitution may be saved and defended. Kindly excuse me for repeatedly quoting Babasaheb in explaining the matter as I find him as relevant today as he was before. What is 'Gyan' and 'Sheel' according to the icon? He said, "If I may use the words of Buddha he said that man requires two things; one is 'Gyan' and the

the aftermath of 'emergency', declared rightly or wrongly, the strongest PM was unseated by the people and brought in the new dispensation without any difficulty. Two of the leaders, PM Indira Gandhi and Former PM Rajiv Gandhi were eliminated suddenly in violence; nothing happened and smooth switch over took place with due process and procedure. Unwanted and undesirable situations arose, in the wake of violent communal riots, militancy and such other untoward happenings; our constitution stood the test of times as a 'living document'. PM Narendra Modi has rightly said, "India's Constitution is not merely a book but is an idea and commitment, and also a symbol of the nation's confidence in its independence. Dwelling on the living nature of the Constitution, he said India has by nature been a free-thinking country, and inertia is not part of our basic nature. "From the formation of the Constituent Assembly to its debates, from the adoption of the Constitution to its present stage, we have consistently seen a dynamic and progressive Constitution. We have argued, raised questions, debated and made changes."

Finally, if we carefully study and pay heed to the foresighted views and warnings of the father of Indian Constitution, Dr. B.R. Ambedkar, we can easily make the living document a 'transformative constitution' as visualized by our forefathers. He said referring to the newly won independence, "Will history repeat

(Contd on next page)

THE AD DHARM

Prem K. Chumber
Editor-In-Chief:

Ambedkar Times / Desh Doaba

The Ad Dharm movement, the glorious Dalit movement that not only envisaged an egalitarian social set-up but also struggled hard for the same, was founded formerly on June 11-12, 1926 in village Muggowal near Mahilpur (Hoshiarpur) under the dynamic leadership of Babu Mangu Ram Muggowalia, a famous Gadhrite. Sarva-shriBasant Rai, Thakur Dass and Shudranand were the equally powerful other lieutenants of the Ad Dharm movement. However, when it comes to the brass stack, it was

Babu Mangu Ram Muggowalia who emerged as the leading star of the movement.

Ad Dharm is a name of the indigenous religion of the Dalits of the region who are the natives of this land (India). The invading Aryans subjugated them and established their rule over the natives. They see to it that the culture and religion of the natives had to be wiped out fully so that they could not stage a revolt. Mangu Ram Muggowalia thought it appropriate to relocate the lost native religion in order to re-establish sovereign Dalit Raj once again. He named his movement deliberately after the name of the religion of the natives: Ad Dharm.

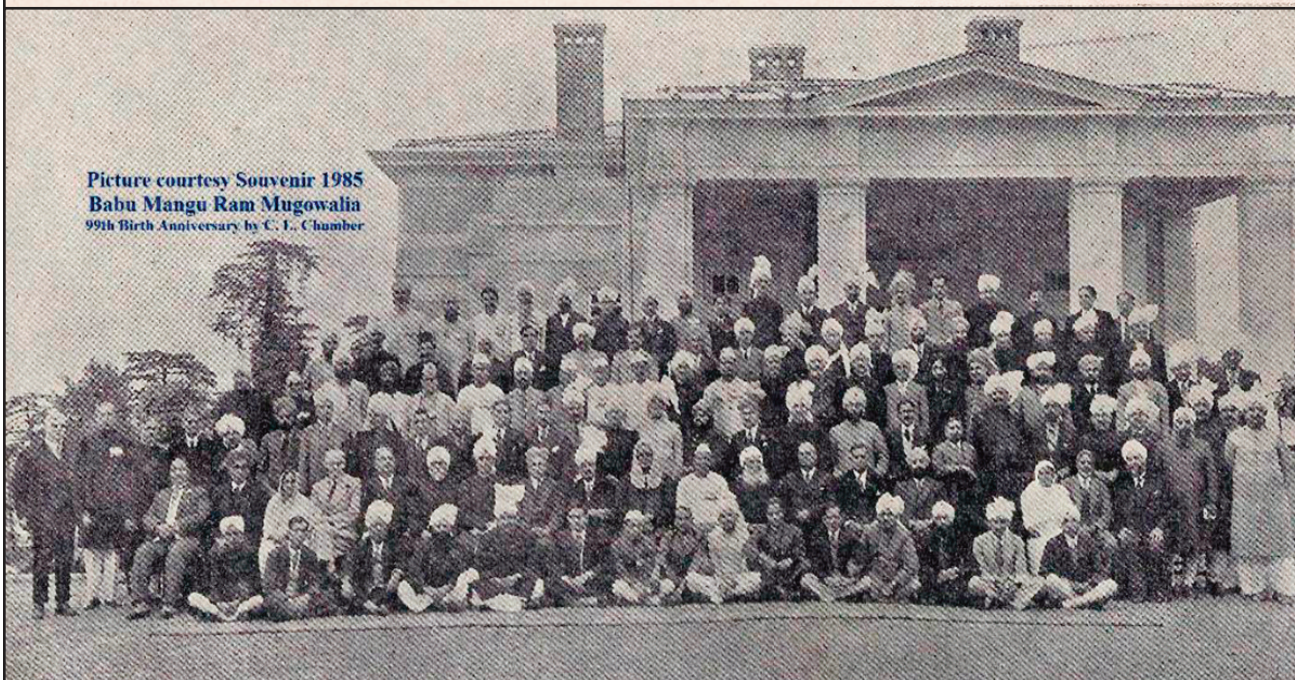
Thus Ad Dharm is both 'Religion' as well as 'Movement'.

Babu Mangu Ram Muggowalia made concerted efforts in the direction of laying solid ground for the revival of Ad Dharm in Punjab. He was of the opinion that if the ex-untouchables have to live a dignified life they had to revive their gurus, religious scriptures, festivals and religious places as well. He approached Sant Sarwan Dass Ji Maharaj at Dera Sachkhand Ballan for concretizing the Bani of Sahib Shri Guru Ravidass Ji Maharaj and the proliferation of his mission. The Ad Prakash, a holy Granth containing the Bani of Sahib Shri Guru Ravidass and other Dalit Gurus was

prepared. Babu Mangu Ram Muggowalia expressed his will among close circle that his last rites should be performed amidst the chanting of the holy Bani of Ad Parkash.

In the Ad Dharm Mandal approach, it is clearly mentioned that every Ad Dharmi should live his/her life according to the tenets of Ad Dharm and should not believe in any other religion. He said our Gurus are Guru Nam Dev Ji, Guru Ravidass Ji, Guru Kabir Ji, Guru Valmiki Ji and all other Dalits saints. Thus Ad Dharm movement has very early shown the vision for the establishment of a separate Dalit identity based on distinct Dalit native religion: Ad Dharm.

FIRST M.L.As. OF AD-DHARMA MANDAL in First Legislative Assembly of Punjab—1937 A.D.



Picture courtesy Souvenir 1985
 Babu Mangu Ram Muggowalia
 99th Birth Anniversary by C. L. Chumber

(From Left to Right)

1st Row Sitting : (Last Three)— Mr. Gopal Singh Khalsa, Seth Kishan Dass, Ch. Jugal Kishore.

6th Row Standing : Mr. Mula Singh (8th), Mr. Bhagat Hans Raj (9th), Master Harnam Dass (Last).

Mr. P. Mr. Matu Ram & Mr. Faquir Chand M.L.As. are not seen in this picture.

(Courtesy : Seth Kishan Dass)

TRIBUTES TO
 ONE OF THE EDUCATION
 PIONEERS IN INDIA - THE REVERED
MAHATMA JYOTIBA PHULE
 ON HIS DEATH ANNIVERSARY
 (11 APRIL 1827 - 28 NOVEMBER 1890)

Prem K. Chumber
Editor-In-Chief:
Ambedkar Times / Desh Doaba

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 itself? It is this thought which fills me with anxiety. This anxiety is deepened by the realization of the fact that in addition to our old enemies in the form of castes and creeds we are going to have many political parties with diverse and opposing political creeds.

Will Indians place the country above their creed or will they place

creed above country? I do not know. But this much is certain that if the parties place creed above country, our independence will be put in jeopardy a second time and probably be lost forever. This eventuality we must all resolutely guard against. We must be determined to defend our independence with the last drop of our blood."

While observing the Constitution Day on November 26, again I would

like to recall what Babasaheb said on the good or bad constitution; particularly with reference to the gap between the Framers and Executors. In his speech, Ambedkar cautioned that the working of a Constitution did not depend on the document itself. Ultimately, it depended on those tasked with implementing it.

He said, "...however good a Constitution may be, it is sure to turn

out bad because those who are called to work it, happen to be a bad lot. However bad a constitution may be, it may turn out to be good if those who are called to work it, happen to be a good lot."

Greetings on the
 Constitution Day of India.
 (Blog by Ambassador
 Ramesh Chander –
 www.diplomaticitbits.blogspot.com)

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Tributes to legendary artiste Daljeet Kaur

Beauty Icon and Celebrated Actress of Punjabi Cinema: Daljeet Kaur Khangura

Since the birth of Punjabi Cinema in Lahore many damsels entered the tinsel world and have captivated the film buffs with their charms and acting skills. Before the partition, Nur-Jehan, Manorama and Mumtaz Shanti were prominent heroines. After independence Meena Shorey, Geeta Bali, Shyama and Nishi Kohli took over the reins. In 1960s, the baton was passed on to the blue eyed Indira Billi and to some extent Meena Rai. In the mid-seventies, a Sohni Punjaban Mutiyar, with towering personality, Daljeet Kaur made her debut in the Punjabi movie "Daaj" (1976). The film became a blockbuster beating some of the contemporary Hindi biggies. The audience was awestricken by her dazzling beauty. Her

acting. She did an acting course from Film & Television Institute of India (FTII), Pune and became the queen of Punjabi Cinema.

Daljeet Kaur was a promising learner and she exhibited her acting talent by playing a significant role in the FTII short comic film "Bonga" (1976) based on the American gangster genre. FTII happened to be an ideal talent-hunting ground for the filmmakers. As the word spread in Bollywood, Daljeet was spotted and approached by many producers/directors. Out of hundreds of aspirants, Kamal Amrohi selected her as the heroine in his upcoming film "Aakhri Mughal". Showman Raj Kapoor offered her lead role in "Heena", while Sunil Dutt assured her a lead role in

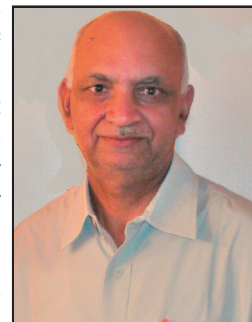
first venture "Daaj" (1976) created waves in Bollywood and as they say rest is the history.

Having missed to act opposite Dharmendra in the shelved Hindi movie "Akhiri Mughal", Daljeet Kaur got a chance to play the love-lady of Dharmendra (Banta) in her guest appearance as a school teacher Jeeto in "Giddha" (1978). This multi-starrer movie proved a box-office hit, propelling her career to the next level. This film was dubbed in Hindi as "Zakhmi Dil" (1980) and had only a fair run at the box office.

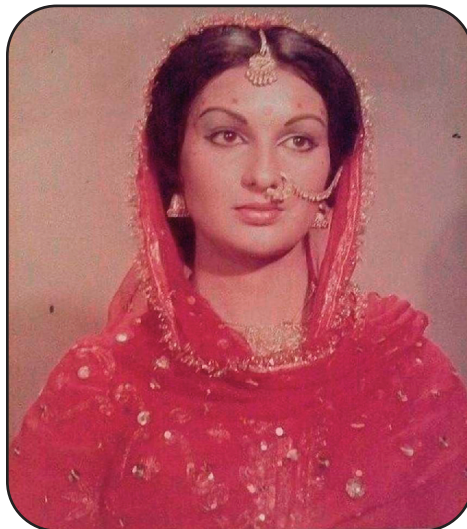
Unlike the dreamy promises made by Bollywood film-makers, she grabbed a significant role in the award winning Malayalam movie "Tharoo Oru Janmam Koodi" (1978),

the couple become victim of family hate and rivalry. Mary got killed while trying to save her honour and her daughter takes the revenge. Director K. Bapayya, captured her beautiful looks fantastically and also exploited her acting talent as a romantic, daring and sensitive heroine. The audience showered loads of praises for her Elysian beauty.

"Gorakh Dhanda" (1979),



Bhim Raj Garg
91 + 98765-45157



angelic looks and acting prowess caught the attention of Punjabi film makers, who made queues to sign her for their films. What a grand welcome to Daljeet Kaur, the emerging star of Punjabi Cinema!!!

An angel-like face, Lilly white complexion and a slim elliptical body defined her image of being a 'typical' Punjaban Mutiyar. Daljeet Kaur, a multifaceted artist, gave vibrant performances in her long career of four decades. She excelled in every role she played whether a dowry victim in "Daaj", double characterisation of a zingaro and a smart fashionable girl in "Saidan Jogan", an American cultured Mary in Telugu film "Agni Poolu", a jaunty Paali in "Putt Jattan De", a modern collegiate Kitty of "Mamla-Gadbad Hai", a cantankerous daughter-in-law of "Amrit" and the auro of a 'Theth Punjaban' in "Sohni Mahiwal". She had an excellent on-screen chemistry with Veerendra, the king of Punjabi cinema.

Daljeet Kaur was born on March 24, 1954 in Siliguri (West Bengal) to Sardar Mohindra Singh Khangura, a wealthy transporter. After completing her early education from St. Helen's Convent School in Darjeeling, she did her BA (Hons) degree from the prestigious Lady Shri Ram College, Delhi. A national champion of Kabbadi and Hockey, Daljeet aspired to pursue a career in the Indian Administrative Service, although her father wanted her to be a doctor. However, when the people around her spoke highly of her iconic beauty, she became interested in modelling and



his next production. However, she lost out couple of big projects due to the bondage/contract with producer B.S. Khanna.

After the success of "Teri Meri Ek Jindari" (1975), producer/director Indrajit Hasanpuri was searching a new face for his next film based on the social evil of dowry. He approached Daljeet Kaur while she was still in FTII. But she turned down his offer as she was eyeing for a big break in Hindi films. Inderjit Singh was known to her family and he cleverly got her consent to act in his bilingual production "Daaj" (Punjabi) and "Dahej" (Hindi), courtesy her grandfather. She was paid a signing amount of Rupees 5100 and her remuneration was much more than the hero. The phenomenal success of her

directed by N. Sankaran Nair. In this movie, she was paired with the celebrated actor Prem Nazir, who is a jail doctor. He falls in love with a young lady prisoner, convicted for a crime committed unintentionally. She learnt the nuances of acting while doing this role. She was roped in the trilingual action movie "Swarn Trishna" (Bengali), "Aakhiri Badla" (Hindi) and "Sabotage" (Japanese). As this action-oriented love-triangle got delayed, her role was drastically curtailed to few shots.

Two years later, she appeared as a bold 'avatar' flaunting bikinis in another classic Telugu movie "Agni Poolu" (1982). She enacted the powerful role of an American girl Mary, who marries Sivaprasad, the son of a big zamindar. On their return to India,

was one of her first-signed movies, in which she was in the second lead. The film had an average run. Boota Singh Shad taking a leaf from Hindi block-busters "Ram Aur Shyam" and "Seeta Aur Geeta", produced the first real double-role Punjabi movie "Saidan Jogan" (1979). Daljeet Kaur enacted the dual roles of a tribal belle (Saidan) and a bobby-dazzler (Anju) in this block-buster. She excelled in both the portrayals and became darling of the film buffs. Daljeet Kaur was now christened as 'Hema Malini' of Punjabi cinema.

In 1983, Daljeet Kaur had a bumper crop with the consecutive release of five super-hit Punjabi movies and two Hindi films. In "Laajo" (1983), a truck driver Jeeta (Veerinder) falls in love with Preeto (Daljeet Kaur), the fragrant and beautiful mustard flower. She looks attractive with long flowing strands of hair. The stiff necked Daljeet Kaur defies the evil designs of village Chaudhary Jarnaila (Yogesh Chhabra), who falls for her unblemished beauty. In the action oriented family drama "Batwara" (1983), collegiate Daljeet Kaur (Preet) woos the simpleton Veerinder.

Taking a cue from her bikini clad bold appearances in the Telugu blockbuster "Agni Poolu" (1982), the famous director Jagjit, exploited her rustic beauty in the multi-starrer "Putt Jattan De" (1983) and brought out the real actress in Daljeet Kaur. Although the movie was full of action and violence, yet the character played by Daljeet of a jaunty Paali was

(Contd. on next page)

Beauty Icon and Celebrated Actress of Punjabi Cinema: Daljeet Kaur Khangura

(Continue from page 4)

representative of her towering personality of a 'Theth Punjaban'. The film, a trendsetter in Punjabi cinema, proved to be the biggest blockbuster of the year 1983. Now, her name started appearing on top of the scrolling cast/credits.

Gurdas Maan became heart-throb of the younger generation with his chart-buster 'Dil Da Mamlai Hai' and five producers from Chandigarh joined their hands to produce a romantic musical "Maamla Garbar Hai" (1983). The daughter of an industrialist, Bobby bibbed pant and T Shirt bearing smart college girl Pinky (Daljeet Kaur) falls in love with a poor boy (Gurdas Maan) of the same college. This rom-com became a jubilee hit at the box office. 'Mallika-e-Husn', 'Sanauri mirch' and 'Giddarbahe di Mooli', Daljeet Kaur with two interlaced strands emerged as the true fashion idol of the Punjabi women-folk. In "Roop Shaukeenan Da" (1983), she played the role of an arrogant snobbish college girl Preeti, who knows how to deal with the rogues. Dilraj Kaur magnificently

played the legendary character of 'Sohni' in "Sohni Mahiwal" (1984), winning thunderous applause from the audience. In "Ishq Nimana" (1984), Jeeta (Satish Kaul) is greatly enamoured by the beautiful Nimmo (Daljeet Kaur), little knowing about their age-old family rivalry. After many turns and twists, their love triumphs. After doing numerous roles of a heroine opposite Veerendra, she appeared as his sister-in-law Rano in "Nimmo" (1984). In the first Cinemascope Punjabi movie "Vairi Jatt" (1985), Dilraj Kaur plays the role of the loving daughter (Nimmo) of Chaudhry Yashpal. When her father comes to know about her love affair with Jagga (Veerendra), he becomes furious and the love birds are separated. Jagga turns a notorious dacoit, as Nimmo commits suicide.

In the 1990s, she gave memorable performances in many hit Punjabi films like Saali Aadhi Gharwali, Yaar Gareeba Daa, Jag Chanan Hoya, Kee Banu Duniyan Daa, Tunka Pyar Da, Shareeka, Anakh Jattan Di, Jatt Da Gandasa, Taakre Jattan De, Udikaan Saun

Diyan, Jagga Daku, Jatt Punjab Da, Mera Punjab and Panchayat etc. She also did a Canadian TV movie "Dheeyan Dhann Begana". She had performed opposite all her contemporary stars like Dheeraj Kumar, Veerendra, Satish Kaul, Baldev Khosa, Guggu Gill, Yograj Singh and many more.

Most of her promised Hindi films were either shelved or not completed. Sunil Dutt got her role of a nightclub chanteuse Komal in "Yaari Dushmani" (1980). Prior to this, Producer/Director Avtar Bhogal cast her in "Videsh" (1977), a film highlighting the menace of drug-peddling. She displayed her dancing skills while performing at London's tourist attractions. Her appearances in run-of-the-mill Hindi films like DhanDaulat, Ek Aur Ek Gyarah, Eent Ka Jawab Patthar, Jeena Nahi Doonga, Faasle, Amrit, Kabristan, Kharidaretc. was not much of significance.

Daljeet Kaur was married to a divorcee Harminder Singh (Gaj) Deol, a big estate owner and a filmmaker. Gaj Deol, a defiant husband, made her married life a hell. He was

a dipsomaniac and lost his life in a road accident. After the death of her husband, Daljeet took a hiatus from films. However, she made a comeback with "Mahaul Theek Hai" (1998), enacting role of Vicky's (Sameep Kang) Bhabhi. Switching to character roles in her second innings, Daljeet Kaur mainly appeared as hero/heroine's mother in films like NRI diaspora "Jee Aayan Nu", "Heer Ranjha: A True Love Story", "Sajna Ve Sajna", "Singh Vs Kaur", "Dil Pardesi Ho Gaya" and "Desi Munde" etc. She made a small appearance in Balvir Atwal's movie "Haq: The Right", which was released on 24 December, 2021. Her another venture "22 Chamkila Forever" was scheduled for release worldwide in 2022. During her illustrious career, Daljeet Kaur had appeared in more than 50 films of different languages namely: Punjabi, Hindi, Bangla, Telugu, Malayalam and Haryanvi.

Facing the tragedies in life alone, this beautiful actress sank deep into depression. In her last days, she suffered from Dementia. Daljeet Kaur bid farewell to this mortal world on November 17, 2022.



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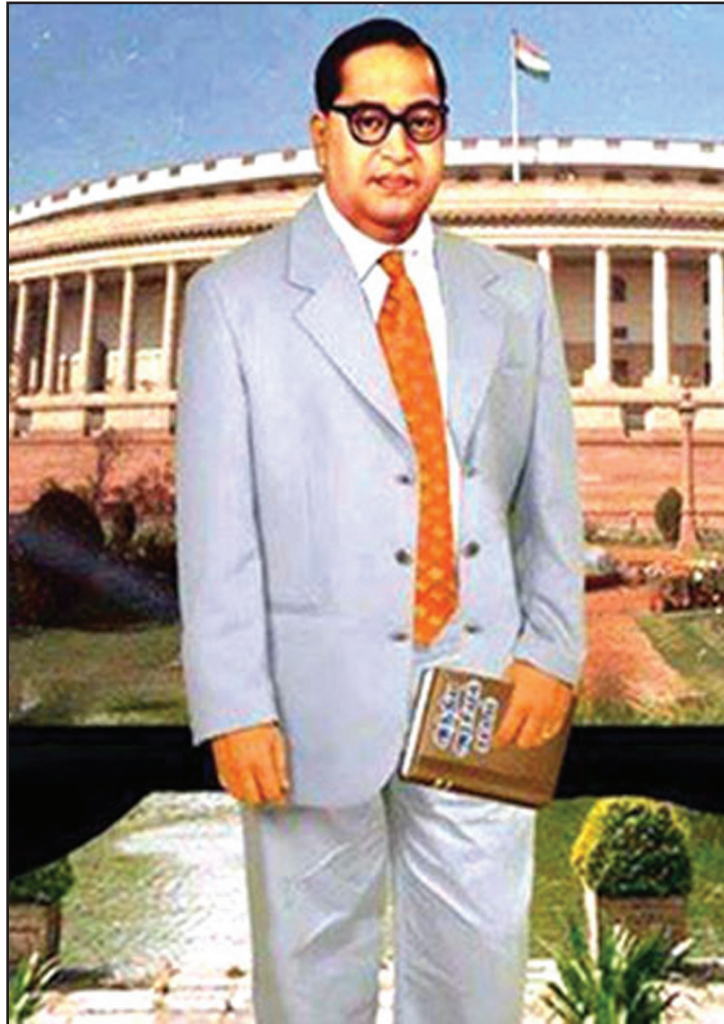
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Celebrating the historic Constitution Day - 26th November 1949

26th November 1949 is a red letter day in the history of largest democracy of the world that appeared on the earth as a young independent India after the end of absolute monarchical foreign yoke of ages. It was on this day that the world's largest Constitution was adopted, enacted and given by the people to themselves. The Constitution produced as a result of hard labor of almost three years of nearly three hundred members of the Constituent Assembly, particularly of the Chairman of Drafting Committee Dr. B.R. Ambedkar, who is considered to be the Chief Architect and revered as 'Father of the Constitution' came into effect on 26th January 1950 for historical reasons. It has stood the test of time and enabled the country to achieve appreciable all round development, and carve a niche for itself in the international community. Sounding warning against the evils such as inequality, injustice, antagonism and social stratification that lay across the path of preservation of the Constitution, Dr. Ambedkar said that ruling dispensations should not be tardy in recognizing them and weak in initiative to remove them. Unfortunately, one comes across voices against the Constitution and even clamor to replace it. It is time to know the history, hard labour of the framers and philosophy of the Constitution, and resolve to honor it in letter and spirit.

Prior to the arrival of the Europeans, this land was divided into large number of independent or semi-independent principalities or states governed by absolute monarchies. It was the British who are believed to have planted the seed of people's participation in the governance that grew ultimately as a big tree called the Constitution of the Indian Republic. The British Regulating Act of 1773 was the first landmark in the constitutional development of India. It made a beginning in the system of a written Constitution for British India. It was followed by the Judicature Act of 1781, Dunda's Bill (1783), Fox India Bill (1783) and Pitt's India Bill (1784) to remedy the defects of the Regulating Act. The Pitt's India Act helped the unification of India by making the Governor-General supreme over the Governors of the other Presidencies. The Pitt's Act was followed by Declaratory Act (1788), Charter Act of 1793, Act of 1813 and Charter Act of 1833. Charter Act of 1833 abolished the monopoly of the Company. It centralized the administration of the English Company in India. Governor-General in Bengal became the Governor-General of India. The laws passed by the Government of India were to be called Acts. Before 1833, they were known as regulations. The Act provided for the codification of laws in India. It was followed by the Charter Act of 1853 which marked the beginning of Parliamentary system in India. The outbreak of the Mutiny in India in 1857 and its suppression resulted in the Government of Great Britain's de-

cision to abolish the Company. Accordingly, the Government of India Act 1858 was passed by the British Parliament. The Act abolished the rule of the Company and vested in the British Queen all the territories and powers of the Company. The Government of India was to be carried on by the Viceroy on behalf of the Queen. The Board of Control and the Court of Directors were abolished and all the powers possessed by them were given to the Secretary of State for



India and his Indian Council. Appointments to the covenanted Civil Services were to be made by open competition in accordance with the rules. Equal rights and opportunities were guaranteed to the Indians along with other British subjects as per Queen's proclamation. The British Government ordered its servants in India not to interfere in the religious affairs of the Indians. The Queen's Proclamation opened a new era in the history of India and it is justly called the Magna Carta of India. (V.D. Mahajan, Modern Indian History, seventh edition, pp. 248-271).

The next important constitutional development was the Indian Council's Act 1861 which made a beginning in representative institutions and legislative devolution. The Indian Council's Act of 1892 enlarged the functions of the Legislative Councils. As a result of the pressure brought by the Indian National Congress, the Government agreed to allow elections to be held in India under the rules. Indian Councils Act 1909, known as Minto-Morley reforms was the next important constitutional development. The Act increased the size of the Legislative Councils. It provided special or separate electorates for the

communities, classes and interests such as Muslims, Chamber of commerce, Landlords, Zamindars, Traders Associations and Planting communities etc. The Act did not satisfy the Indians who wanted a responsible Government in the country. The discontentment and disappointment of the people resulted in revolutionary activities. Even the Viceroy Lord Harding was attacked and seriously wounded when a bomb was thrown at him and the Viceroy in Delhi in

1912. It was in an atmosphere of discontentment in India that the Great War started in 1914. The British Government made 'August Declaration 1917' declaring that the policy of the Government was to increase association of Indians in every branch of the administration and the gradual development of self-government institutions with a view to progressive realization of responsible Government in India as an integral part of the British Empire. The Congress and Muslim League submitted a joint Memorandum in December 1916 asking the British Govern-

ment to issue proclamation to the effect that it was the aim and intension of the British policy to confer self-government on India at an early date. Montagu, Secretary of States for India and Chelmsford, Governor-General of India, submitted a joint report in 1918. It was suggested that initial steps should be taken for the development of responsible government in the provinces. (V.D. Mahajan, Modern Indian History, seventh edition, pp. 274-296)

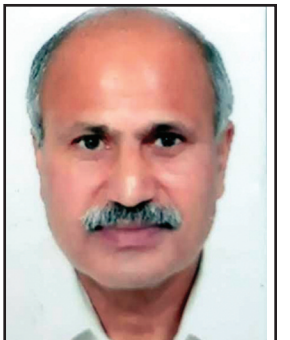
Entry of Dr. Ambedkar on the Indian political stage and his role in the Constitution making

The British Government set up Southborough Franchise Committee in 1918 to determine the electoral issue in India. The young Dr. B.R. Ambedkar, a PhD from Columbia University and a professor of political economy at Sydenham College of Commerce and Economics, Bombay was called upon to give evidence before the Committee. He submitted a detailed Memorandum in the form of Statement with a supplementary Statement containing his views and recommendations on Franchise, form of Government and the Constitution. He gave evidence before the Commission on 27th January 1919. His memorandum containing proposals

and suggestions on various aspects of franchise and the Constitution was attached as a supplementary in the Commission's Report. He said that the Government being the most important field for the exercise of the in-

dividual capacities, it was in the interest of the people that no person as such should be denied the opportunity of actively participating in the process of Government. It was not enough to be electors only. It was necessary to be law-makers; otherwise who could be law-makers would be masters of those who could only be electors. Therefore, either seats should be reserved in plural constituencies for those minorities that could not otherwise secure personal representation or communal electorates granted. The untouchables besides being very backward, were suffering under a great social tyranny. They must have their own men in the Council Hall to fight for the redress of their grievances. It was in the interest of all that Brahmin should not play such a preponderant part in politics as he had been doing hitherto. He had exerted a pernicious influence on the social life of the country and it was in the interest of all that his pernicious influence should be kept to a minimum in politics. As he was the most exclusive he was the most anti-social. He recommended dispensing with the uniformity in franchise because there was unequal distribution of wealth and education among the people. The untouchables were ignored in any political scheme on the score that they had no interests to protect. And yet their interests were the greatest. Not that they had large property to protect from confiscation but they had their very persona confiscated. Their interests were distinctively their own interests which could be represented by them alone. Hence they must be given representation to represent their grievances which were their interests, in such numbers as would constitute a force sufficient to claim their redress. Under the prevailing circumstances it was impossible for the untouchables to elect their own man in a general territorial electorate. To give them opening special provisions should have to be made for their adequate representation proportionate to their population. To deny them the opportunities of acquiring wealth and then to ask from them a property qualification was to add insult to injury. It would be better to pitch the franchise as low as to educate into political life as many untouchables as possible. Strongly pleading for the communal

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representation for the untouchables, he said the communal representation was a device to ward off the evil effects of the social divisions. Instead of perpetuating the social divisions it was one of the ways of dissolving them. A caste or a religion was a certain attitude. The moment several castes and groups begin to have contact and co-operation with one another the re-socialization of the fossilized attitude was bound to be the result. He said that British rule in India was meant to provide equal opportunities for all, and that in transferring a large share of the power to popular assemblies, arrangements should be made whereby the hardships and disabilities entailed by the social system should not be reproduced and perpetuated in political institutions. If the untouchable classes were recognized by Government by the grant of adequate seats, their status would be raised and their powers would be stimulated (BAWS, Vol.1, P.247, 249, 250, 253, 255-258, 261-270, 274-276).

Based on the Montagu Chelmsford Report and the reports of various other Committees including the Southborough Committee, the government of India Act 1919 was passed. The Act set up a bicameral legislature - Central Legislative Assembly and the Council of State comprising of some elected and some nominated members in place of the unicameral Imperial Council. Though the franchise for both the houses of the Central Legislature was much restricted, there was some improvement. The Act introduced dyarchy in the provinces. Under this system, the subjects to be dealt with by the Provincial Governments were divided into two parts: Transferred and Reserved subjects. The Reserved subjects were administered by the Governor with the help of the Executive Council and the Transferred subjects were dealt with by the Governor with the help of his ministers. The Act was considered to be the Constitution for the purpose of running the British Government machinery in India. There was a provision for decennial review of the function of the Act. (V.D. Mahajan, Modern Indian History, seventh edition, pp. 301-312 and BAWS, Vol. 1, pp. 247-273)

Simon Commission

An all British seven member Royal Commission under the chairmanship of Sir John Simon was appointed in November 1927 for the specific purpose of inquiring into the working of Government system under the Government of India Act 1919, and reporting as to whether and to what extent it was desirable to establish the principle of responsible Government, or to extend, modify, or restrict the degree of responsible Government then existing. The Commission came to India in 1928. Taking offence at the constitution of the Commission, the Congress and the liberals boycotted the Commission and carried out a great agitation and

hostile demonstrations on a nationwide scale against it and the police had to open fire at some places. Lord Birkenhead, Secretary of State for India while justifying the exclusion of Indians from the Commission, challenged the latter to produce an agreed Constitution. This challenge was accepted by the Indians and a Committee under the Chairmanship of Pandit Motilal Nehru was appointed as per decision taken in an All Parties Conference held in Bombay on 19th May, 1928. The Committee drafted the Constitution known as Nehru Report. It did not, however, find favor with the Indians.

Notwithstanding the Indian opposition, the Simon Commission continued its work. To co-operate with the Simon Commission the Central Government appointed a Committee for all British India and every Legislative Council elected its Provincial Committee to work with the Simon Commission. Dr. Ambedkar along with other members was selected for the Bombay Provincial Committee by the Bombay Legislative Council on August 3, 1928. He was also then working as professor at the Government Law College Bombay. He was dubbed as a British stooge, a Judas, a ghoul and a traitor by his adversaries for cooperating with the Commission. The Committee carried out the assigned task and submitted its report dated May 7, 1929. Differing fundamentally with the Committee, Dr. Ambedkar did not sign the report and submitted a separate exhaustive Report to the Commission on May 17, 1929. The bulk of his report exceeded that of his colleagues as it contained detailed answers with reasons and arguments to the questions raised for proper understanding of the report. His report covered all the constitutional issues such as re-distribution area of the Province, Provincial Executive and its working, the position and powers of the Governor, Provincial Legislature and its powers, Franchise, Electorates, distribution of seats, qualifications for the members of the Legislative Council, Second Chamber, Provincial Governments in relation to the Crown, Provincial autonomy and Public Services. In addition to the separate report, he submitted a Statement concerning the state of education of the Depressed Classes in the Bombay Presidency, and Statement concerning safeguards for the protection of the interests of the Depressed Classes. He was examined by the Commission, Central Committee and Bombay Provincial Committee. Elucidating the point regarding electorate during his examination by the Commission, he said that the depressed classes claimed reserved seats if accompanied by adult suffrage. In the absence of adult suffrage they would ask for separate electorates. In an answer to the question, Dr. Ambedkar said that the depressed classes must be treated distinct independent minority, separate from the Hindu community. It needed far greater political

protection than any other minority in British India for the simple reason that it was educationally very backward, economically very poor, socially enslaved and suffered from certain grave political disabilities from which no other community suffered. The Commission appended his report with its own report.

Opposing the demand for separation of Karnataka from the Bombay Presidency, the patriot in Dr. Ambedkar declared: "The most vital need of the day is to create among the mass of the people the sense of common nationality, the feeling not that they are Indians first and Hindu, Mohammedans or Sindhis and Kanarees afterwards, but that they are Indians first and the Indians last." The report of the Simon Commission came out in May 1930. It was condemned by the Indians. The British Government itself had also partly forestalled it although some of its recommendations were ultimately embodied in the Act of 1935. (V.D. Mahajan, Modern Indian History, seventh edition, pp. 315-323, BAWS, Vol. 2, pp. 315-489 and Vol. 17, Pt. 1, pp. 66-70, Keer, pp. 114-118)

First Round Table Conference (12 Nov., 1930 - 19 January 1931)

As declared, the British Government convened a Round Table Conference consisting of the representatives of India, the British Government and the British Political Parties to frame a constitution for India with a view to satisfy the demands of the people of India. The Congress, decided to boycott the Conference as its demand was to convene the Constituent Assembly for drafting the Constitution. The Conference met on 12 November 1930. It consisted of eighty nine members, out of which sixteen were representatives of the three British parties, fifty three Indian members representing various interests except the non-co-operating Congress and twenty five of the Indian States. Dr. B. R. Ambedkar and Rai Bahadur Srinivasan represented the Depressed Classes. The work of the Conference was distributed among Minorities, Federal, Provincial Constitution, Defense, Franchise, Services etc. nine Sub-Committees and Dr. Ambedkar found himself a Member of all but the Federal Structure Committee. (He was inducted in the Federal Committee in the second Conference). The Prime Minister, Ramsay MacDonald, assumed himself the chairmanship of all important Minorities Committee. Dr. Ambedkar delivered his historic speech in the Conference on 20th November. In his bold and candid speech, he made it clear at the outset that he and his colleague had the honor to represent 43,000,000 people termed as the Depressed Classes or one fifth of the total population of British India, as large as the population of England or of France. Although they were included among the Hindus but they in no sense formed an integral part of that community. The en-

forced servility and bar to human intercourse due to their untouchability involved a positive denial of all equality of opportunity and of those most elementary of civic rights on which all human existence depended. While making the Constitution it should be noted that the Indian society which was formed with an ascending scale of reverence and a descending scale of contempt and was a gradation of castes, gave no scope for the growth of the sentiment of equality and fraternity, and the intelligentsia which came of the upper strata and conducted political movements had not shed its narrow particularism of castes. Depressed by the Government, suppressed by the Hindu and disregarded by the Muslim, they were left in a most intolerable position of utter helplessness to which there was no parallel. Their wrongs had remained as open sores and they had not been righted although 150 years of British rule had rolled away. Since the solution of their problems lay in their political empowerment, therefore, it was essentially a political problem and must be treated as such. Their political empowerment only could remove their grievance. He declared: "It is only a Government which is of the people, for the people and by the people that will make this possible. The consent of the people and not the accident of logic should be the touchstone of new Constitution." This was for the first time that someone talked of the people's Government. The frankness and fearlessness with which Dr. Ambedkar lucidly put the facts before the Conference immensely impressed the delegates and created a positive impression upon the British Premier. The speech was rated by the Press as one of the finest bits of oratory and the best in the whole proceedings of the Conference. His Highness the Maharaja of Baroda, Sayaji Rao Gaekwad, who was present in the Conference as one of the delegates, was extremely pleased with his speech. With tears in his eyes he told his princely wife that their efforts and the money they had spent on the speaker of the day were all realized. He invited Dr. Ambedkar to a special dinner given by him in London to his choice friends.

A Memorandum titled "A Scheme of Political Safeguards for the protection of the Depressed Classes in the Future Constitution of self-governing India" drafted by Dr. Ambedkar in the form of an Act containing the scheme of Fundamental Rights and various other safeguards to provide and protect the cultural, social, religious and economic rights of the Depressed Classes was submitted to the Minorities Sub-Committee for being included in the future constitution of India. It was stated that their demands were the irreducible minimum for willing co-operation of the Depressed Classes; otherwise they would not consent to any constitution for self-Government.

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Dr. Ambedkar made historic contribution in all the Committees and gave concrete proposals, recommendations and suggestions on all aspects of the future Constitution of the country. This historical document and the contribution of Dr. Ambedkar in all the Committees came out to be the foundation stone not only of the Government of India Act 1935 but also the constitution of free India. After lengthy debates basic principles of the form of the Government and the Constitution were settled in the Conference. After recording the reports of the different Sub-Committees, the Round Table Conference adjourned on January 19, 1931. As it was not considered advisable to proceed with the work of the final form of the Constitution in the absence of the representatives of the Indian National Congress, it was decided to hold the Second Round Table Conference.

Such was his sincerity and devotion to the problem and to the welfare of his people that Dr. Ambedkar worked day and night, sought interviews, gave interviews, supplied information, and even addressed a meeting of some Members of the British Parliament to acquaint them fully with the problem of the Untouchables. He took every opportunity of contributing articles to foreign journals, of issuing statements to the foreign press and of addressing meetings in London with the sole object of exposing the intolerable humiliations and unbelievable suffering under which the Depressed Classes were groaning in India for ages. The result was that the world came to know for the first time that the fate of the Untouchables in India was worse than that of the Negroes in America. Dr. Ambedkar's profound study, great industry and conquering intellect created a tremendous impression upon the delegates and the British statesmen. He inspired respect as well as hatred in different circles. Indian and foreign press showered encomium on him for his invaluable contribution in the Conference. (BAWS, Vol. 17, Pt. 1, pp. 71-77, 100, 101, Keer, pp. 151, 153, 163, 164, BAWS, Vol. 9, P. 41 and Vol. 2, pp. Vol. 2, pp. 503-510, 546-554, 546-554, 664-669 and V.D. Mahajan, Modern Indian History, seventeenth edition, pp. 325-346)

Second Round Table Conference (7th Sept., - 31st Dec., 1931)

The second Round Table Conference was held from 7th September to 31st December 1931. The Congress Party decided to join the Conference with Gandhi as the sole representative of the Congress. The main contentious and ticklish issue was the communal problem coming in the way of smooth passage to the agreed Constitution. In the bustle and hurry Gandhi wanted to sound Ambedkar as to his demands to be projected in the Conference. Accordingly a meeting between Gandhi and Dr. Ambedkar was held at Manibhu-

van, Bombay on 14th August 1931. It was the first face to face meeting of the two great leaders. Gandhi told that he was thinking over the problem of the untouchables since his school days when Dr. Ambedkar was not even born. The Congress had spent not less than rupees twenty lakhs on the uplift of the untouchables. Dr. Ambedkar reacted saying bluntly that had the Congress been sincere about problems of the untouchables it would surely have made the removal of untouchability a condition, like wearing of Khaddar, for becoming a member of the Congress. Charging the Congress of caring more for the strength than the principles, Dr. Ambedkar said: "We are not prepared to have faith in the great leaders and Mahatmas. History tells that Mahatmas like fleeting phantoms raise dust, but raise no level." When Dr. Ambedkar told Gandhi that he and his people had no homeland, Gandhi was taken aback and said that he (Dr. Ambedkar) had got a homeland, and from the reports that he (Gandhi) received of his work at the Round Table Conference, he knew that he was a patriot of sterling worth. But Dr. Ambedkar said that how could he call that land his own homeland and that religion his own wherein they were treated worse than cats and dogs and wherein they could not get water to drink. When Dr. Ambedkar sought the opinion of Gandhi on the recognition given by the first session of the Round Table Conference to the political rights of the Depressed Classes and its recommendations for the political safeguards like those of the Muslims and the Sikhs, Gandhi made it clear that he was against the political separation of the Untouchables from the Hindus as that would be absolutely suicidal. At this point Dr. Ambedkar took leave of Gandhi saying: "Thank you for your frank opinion. It is good that I know now where we stand as regards this vital problem." Surprisingly, till Gandhi went to London he thought that Dr. Ambedkar was some Brahmin who took deep interest in Harijans to remove untouchability. Though Gandhi claimed to be a fighter against the untouchability but was not prepared to touch the Varna system. The meeting, therefore, ended on discordant note in a grim atmosphere sounding the beginning of a war between Gandhi and Dr. Ambedkar. (BAWS, Vol. 17, Pt. 1, pp. 51-55, Vol. 17, Pt.3, P. 65 and Keer, P. 158, 164-169)

The second Round Table Conference commenced on 7th September 1931. The main work of the Conference was to be done in the Federal Structure Committee and the Minorities Committee. Dr. Ambedkar was appointed to the Federal Committee also in this Conference. Since Gandhi was not present in the first Round Table Conference, he did not know many things and snags, and the strategy and tactics different parties were adopting. Therefore, Dr. Ambedkar was very anxious that before Gandhi spoke he should be warned

about the land of lies, so that he might know what he should say and what he should not. He managed to get the first chance to speak on the excuse of having little temperature. In his speech of an hour and half - probably one of the largest of the speeches that he made in that country, he exposed the whole business and let Gandhi know the prevailing condition.

Mahatma Gandhi made his first speech in the Round Table Conference in the Federal Structure Committee on September 15, 1931. He counteracted everything that had been said by Dr. Ambedkar. The first sentence of Gandhi's speech was; "My heart is with Dr. Ambedkar but my head is not with him." He claimed in his speech that the Congress represented all Indian interests and classes including women, therefore, as the sole representative of the Congress he was the sole representative of the Indian nation. Referring to the problem of special representation claimed by different communities, he said, "The Congress has reconciled itself to the special treatment of the Hindu-Muslim-Sikh tangle for strong historical reasons. But the Congress will not extend that doctrine in any shape or form. He would most strongly resist any further special representation." Dr. Ambedkar observed that it was nothing but a declaration of war by Gandhi and by the Congress against the Untouchables. (BAWS, W/S, Vol. 17, Pt.1, pp. 109-111, Vol. 17, Pt.3, pp. 327,328, Keer, pp.171-173)

On the eve of commencement of the Minorities Committee's session on September 28, 1931, an interview was fixed between him and Gandhi at the residence of Sarojini Naidu by Gandhi's son Devdas. Dr. Ambedkar placed his cards on the table. But Gandhi did not open his mind and said that he would consent to Dr. Ambedkar's demands if others agreed. When the meeting of the Committee commenced, Sir Aga Khan, Nawab of Bhopal sought the adjournment on the ground that Mahatma Gandhi was going to meet the Muslim delegates that night to resolve the communal tangle amicably. On October 1, Mahatma Gandhi again asked for week's adjournment to hold informal conference of the delegates of all interests to arrive at an agreed solution of the communal tangle. The discussions between Gandhi and other leaders went on for a week. When Gandhi heard that at the suggestion of the Prime Minister the minorities were about to produce a settlement and that the settlement would have the effect of the Untouchables getting the support of the other minorities and particularly of the Muslims, he felt considerably disturbed and resorted to intrigue. He devised a scheme to buy out the Musalmans by giving to them their fourteen demands, which had already been rejected by him and the Congress and others. An agreement titled 'Gandhi-Muslim Pact' was also

drafted in this regard. Dr. Ambedkar said that Gandhi in his passion for suppressing the Untouchables had lost his sense of discrimination to such an extent as not to be able to distinguish between the fair and foul means. He also disclosed later on as to how Gandhi went secretly to Sir Agha Khan with a copy of the Holy Koran in his hand and asked the Muslim leader to withdraw his support to the Depressed Classes, and how Sir Agha Khan had refused to do so. Gandhi failed in the intrigue. (BAWS Vol. 17, Pt. 1, pp.112, 113, Vol. 9, pp. 71-74, and Vol. 17, Pt. 3, p. 74)

On 8th October Gandhi announced with deep sorrow and deeper humiliation his utter failure to secure an agreed solution of the communal question through informal conversations. He said that the causes of failure were inherent in the composition of the Indian Delegation and that they were almost all not elected members of the parties or groups whom they were presumed to represent nor were those whose presence was absolutely necessary for an agreed solution. He, therefore, moved an adjournment of the meeting sine die and proposed that the fundamentals of the Constitution be hammered in to shape as quickly as might be. He repeated that he was opposed to the special representation of the Depressed Classes. Responding to Mr. Gandhi's speech Dr. Ambedkar said that they had parted the previous night at the conclusion of the informal meeting with common understanding that none of them should make any speech or any comment that would cause exasperation. He asserted that Gandhi was guilty of breach of that understanding. Instead of confining himself to the proposition of adjournment sine die he started casting reflections on the representatives of the different communities who were sitting round the table. He further observed, "To say in public, I will agree if all others agree, and then to set out to work in private to prevent others from so agreeing by buying off those who are willing to agree, is, in our opinion, a piece of conduct unbecoming of a Mahatma and to be expected only from an inveterate opponent of the Depressed Classes. Mr. Gandhi is not only not playing the part of a friend of the Depressed Classes, but he is not even playing the part of an honest foe". Dr. Ambedkar did not give consent to the proposition of Mr. Gandhi for adjournment sine die. He said that the Depressed Classes were not clamoring for transfer of political power; but if the Government was unable to resist the forces clamoring for transfer of political power, it should be accompanied by such conditions and by such provisions that the power should be shared by all communities in their respective proportions. In reaction Gandhi further said that the claim advanced on behalf of the Untouchables meant the perpetual bar-sinister. He did not mind Untouchables, if they so

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desired, being converted to Islam or Christianity. He would resist the demand for separate electorates for the Untouchables with his life. (BAWS, Vol.2, pp. 659- 663, Vol.17, Pt. 1, pp.113-119)

Dr. Ambedkar said that so much of energy and attention did Gandhi concentrate on the question of the Untouchables that it would not be unfair if it was said that the main purpose for which he went to the Round Table Conference was to oppose the demands of the Untouchables. To give recognition to the Muslims and the Sikhs and to refuse it to the Untouchables came to his friends as a surprise and a puzzle. Whenever they asked for an explanation, Gandhi said nothing except to get angry. Describing the role played by Gandhi during the Round Table Conference, Dr. Ambedkar said some years later "Unfortunately a worse person could not have been chosen by the Congress to guide India's destiny at the Round Table Conference. As a unifying force he was a failure. From the point of view of knowledge, he proved himself to be very ill equipped person. On the many constitutional and communal questions with which the conference was confronted, he had many platitudes to utter but no views or suggestions of a constructive character to offer." Gokhale, the Guru of Gandhi had predicted that when the history of the political negotiations and parleys was written Gandhi would go down as a great failure. (BAWS, Vol. 9, pp. 70-71 and Keer, p.185)

Gandhi's hostility to the demands put forth by Dr. Ambedkar had wide repercussions and reaction in the quarters of the Untouchables all over India. Various organizations of the Depressed Classes all over the country supported the demands put forth by Dr. Ambedkar and declared that no Constitution would be acceptable to the Depressed Classes which did not include the system of Separate Electorates for them. Dr. Ambedkar overworked in giving private interviews and explanations, issuing statements and counter statements and making speeches at different institutions in London in support of his stand at the Round Table Conference. A supplementary Memorandum containing the details of the Special Representation for the Depressed Classes was submitted by D. Ambedkar in the current session. It contained the extent of Special Representation in the Provincial Legislature; Special Representation in the Federal Legislature; method of representation viz. Separate Electorates; definition of Depressed Classes; nomenclature of the Depressed Classes viz. Non-Caste Hindus, Protestant Hindus, or Non-Conformist Hindus etc. (BAWS, Vol. 17, Pt. 1, pp. 117-123)

Indian national press let loose a campaign of unbridled ferocity against Ambedkar for his stand taken in the Round table Conference for the

cause of the Depressed Classes. His statement that he was not anxious about transfer of power was condemned in one voice without a blush. He was represented as a devil and cursed as a public nuisance number one and was damned as a reactionary, a stooge of the British Government, a traitor to the country and a destroyer of Hinduism. The anger of some people went so high that they talked of murdering him. But nothing deterred Dr. Ambedkar from his mission of liberating the vast population of the country from the age old thralldom, and seeing India as a nation of one people. If political slavery of one hundred and fifty years of the caste Hindus could justify extreme methods and violent means against the British Government, the Untouchables were a thousand times justified lashing with scathing hatred against the spokesman of their oppressors and the system of the oppression. Those who were fighting for political independence were equipped with resources of wealth, position and strength. But Ambedkar was fighting for the rights of those people whose minds, views, hearts, emotions and aspirations were trampled upon in this land for ages past. His was a nobler goal, a nobler task, a mightier endeavor, more momentous than the task of winning political independence. In his success lay the success, strength and safety of Indian Democracy and the Indian Nation as a whole. (Keer, pp.183, 186, 187).

When the British Premier saw that there was no unanimous solution to the Minorities problem, he asked all the members of the Minorities Committee to sign a requisition authorizing him to settle the communal problem and pledge themselves to accept his decision. Gandhi signed this pledge along with other members. But Dr. Ambedkar did not sign as he believed in the justice of his demands. The Prime Minister then adjourned the Conference on December 1. (BAWS, Vol. 17, Pt. 1, p.124)

Post Second Round Table Conference Developments

Having been disgusted with the Round Table Conference where there were critics but no devotee, Gandhi was the first delegate to return to India. He reached Bombay on December 28, 1931 to the black-flag welcome by the people of the Depressed Classes for his and Congress' hostility to their demand as the most unreasonable, obstinate, inexplicable and ridiculously fanatical. Gandhi was arrested on January 4, 1932 on account of statement wherein he had threatened to revive his campaign of Civil Disobedience. Though in jail, not Swaraj but the Untouchables were on his brain. He addressed a letter from jail on 11th March 1932 to Sir Samuel Hoare, the Secretary of State for India, reminding him of his opposition to the claim of the Untouchables. He said that his vow to resist with his life the grant of Separate Electorates to the Depressed Classes was the call of

his conscience which he dared not disobey. But in his obsession against the Separate Electorates for the Depressed Classes, he did not care that he was a signatory to the requisition asking the Prime minister to arbitrate and he was bound to accept the decision of the Prime Minister. In reply to his letter the Secretary of State conveyed in his letter dated 13 April 1932 that the British Government intended to give any decision that might be necessary solely and only upon the merits of the case. (BAWS, Vol. 9, p. 77, Vol. 17, Pt. 1, p. 137 and Keer, pp.191, 192)

Dr. Ambedkar left London for India on 15th January and reached Bombay on January 29, 1932. Dr. Ambedkar and his fellow-passenger, Maulana Shauqat Ali - the Muslim leader, were received very warmly amidst a burst of cheering by a huge crowd of his followers and admirers on landing at Bombay. The same evening he was presented with an address on behalf of one hundred and fourteen institutions at a mass meeting at Parel, Bombay. Addressing them, he told that it was a great shock to the world that Gandhi himself should have sponsored violent opposition to the breaking of Depressed Classes' shackles. He was confident that the future generations of Hindus would appreciate his services when they studied history of the Round Table Conference. He appealed to his people not to deify him as he hated deification. (Keer, pp.193, 194 and BAWS, Vol.17, Pt.3, pp. 69-70)

Member of the Lothian Franchise Committee

The Lothian Franchise Committee was appointed in December 1931 by the Prime Minister to devise a system of franchise in such a manner so that no important section of the community should lack the means of expressing its needs and its opinions. It had a special task to investigate into the demands for a Separate Electorates for the Depressed Classes to facilitate decision on the issue. Dr. Ambedkar immediately left for Delhi to take part in the Franchise Committee as one of its members.. All the Depressed Classes leaders supported the scheme of Separate Electorates while giving their evidence before the Committee. The Franchise Committee finished its business on May 1, 1932 and drafted its report. As Dr. Ambedkar differed from the Hindu Members of the Committee; he submitted a separate note to the Committee. The report said the term "Depressed Classes" should be applied only to those who were Untouchables. This was clearly Dr. Ambedkar's victory as he had insisted for this in his note to the Committee. (Keer, p. 198 and BAWS, Vol.17, Pt. 1, p.131)

The Lothian Committee took the help of the Provincial Governments and of the Provincial Franchise Committees consisting of non-officials specially constituted for that purpose province by province for doing its work. The Committee is-

sued questionnaires. They were replied to by the Provincial Governments, by the Provincial Franchise Committees and by individuals. To the question of total population of the Untouchables, staggering replies were received by the Committee. Witnesses after witnesses came forward to say that the Untouchables in their Province were infinitesimally small. The witnesses were not wanting who said that there were no Untouchables at all! Dr. Ambedkar said, "It was most extraordinary sight to see Hindu witnesses perjuring themselves regardless of truth by denying the existence of the Untouchables or by reducing their number to a negligible figure. The Hindus had realized that to admit the existence of the Untouchables was detrimental to their interest. They did not mind sacrificing truth and decency and decided to adopt the course of denial of the existence of the Untouchables and thereby knocking out the bottom of the political demands of the Untouchables. This showed how the Hindus could conspire in a cold, calculated manner against the Untouchables out of pure selfishness and do indirectly what they could not do directly. (BAWS, Vol. 9, pp.74-75)

Dr. Ambedkar left for England on May 26, to see British Premier and other Cabinet Ministers before the decision on the Communal issue was announced. He saw every big British official and all Cabinet Ministers in connection with his mission and pleaded his case with heart and soul and presented to the British Cabinet twenty two typed pages representation. As some of his supporters wished him to prolong his stay, he decided to stay for a month more for convalescing in a German Sanatorium at Dresden. By the middle of July he recovered his health, left Dresden and stayed for a week in Berlin which has been witnessing the emergence of Hitler. He returned to India and arrived in Bombay on the 17th August 1932. (Keer, pp. 202-204)

Announcement of the Communal Award - Separate Electorates for the Depressed Classes

The Prime Minister Ramsay Macdonald announced his decision on the communal question on 17th August 1932 granting Separate Electorates to the Depressed Classes. According to the decision, known as the 'Communal Award', the Depressed Classes were granted 78 separate seats in the Provincial Legislatures to be filled by election from special constituencies in which only their electorally qualified members would be entitled to vote. They would also be qualified to vote in a general constituency. The Special Depressed Classes Constituencies would come to an end after 20 years if not abolished earlier under the general powers of electoral revision. Thus, the Depressed Classes were granted separate seats in the Provincial Assemblies and given the right of double vote under which they were to elect

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their own representatives and also the candidates in the general constituencies. It was made clear by the Government that it would not give consideration to any representation aimed at securing the modification of the award if it was not supported by all the affected parties. It was an historical victory for the Depressed Classes won by Dr. Ambedkar with his untiring efforts, dogged determination and invincible spirit. It was for the first time in the history of the land that deprived and marginalized people for ages were empowered to elect their own representatives and the law makers. (BAWS, Vol. 17, Pt.1, pp. 133-135 and Vol. 9, pp. 80-82)

Dr. Ambedkar wrote immediately a letter to Sir Samuel Hoare seeking clarification on some important points of the Award as he was not satisfied with its existing form. In a statement issued by him on 23rd August, he said that he himself was prepared for some variations in the proposals made by him and his colleague Rao Bahadur Srinivasan at the Round Table Conference but the Award had ruthlessly scaled down their representation in the Provincial Legislatures to quite insignificance proportions creating positive grievances among his people. He said that such injustices would make them averse to the acceptance of the Award. (BAWS, Vol. 17, Pt. 1, pp. 135, 136)

Finding his threat having failed, Gandhi first tried to get the terms of the Award revised. Accordingly, he addressed a letter to the Prime Minister on 18th August 1932. Referring to his letter dated 11th March and his declaration in the Round Table Conference to resist the Separate Electorates for the Depressed Classes with his life, he said that he was left with no option except to execute his vow. He declared that he would undertake a perpetual fast unto death from food of any kind save water with or without salt and soda from the noon of 20th September next. The fast would cease, if during its progress the British Government revised their decision and withdrew their scheme of Communal Electorates for the Depressed Classes, whose representatives should be elected by the general electorates under the common franchise. Despite the Premier clarifying all his doubts and reminding him of his being signatory to the requisition, Gandhi decided to go ahead with his decision and conveyed his determination to carry out his threat of fast unto death in his letter of 9th September 1932. (BAWS, Vol. 17, Pt. 1, pp. 137-141 and Vol. 9, pp. 82-87)

Gandhi's announcement threw the country into a state of consternation. There was confusion and nervous strain in all Hindu Circles; not because the caste Hindus and their leaders felt ashamed of their cruelty to the Depressed Classes, but because the life of their political hero, their political liberator, was at stake.

Naturally all eyes turned to Ambedkar as a man of the moment. He now became the Cynosure of the whole country. Dr. Ambedkar issued a statement to the Press on the eve of the conference of the Hindu leaders proposed for 19th September 1932, saying that he was willing to consider everything but not to allow the rights of the Depressed Classes to be curtailed in any way. Declaring Gandhi's fast as a political stunt, Dr. Ambedkar said that he did not care such political stunts. He reiterated that his decision stood and if Gandhi wanted to fight with his life for the interests of the Hindu Community the Depressed Classes would also be forced to fight with their lives to safeguard their interests. A furious campaign was launched against Ambedkar. He was again called a monster, a traitor and a hireling. (BAWS, Vol. 17, Pt.1, p. P.140 and Keer, p. 205, 206)

Dr. Ambedkar issued another statement pin-pointing the unjustified grounds of Gandhi's fast. He said it passed his comprehension why Mr. Gandhi should stake his life on an issue which he had declared at the Round Table Conference to be one of a comparatively small importance - an appendix to the book of India's Constitution and not the main chapter. Many had felt that if there was any class which deserved to be given the special political rights to protect against the tyranny of the majority it was the Depressed Classes as they were not in a position to sustain themselves in the struggle for existence. The religion to which they were tied, instead of providing for them an honorable place branded them as lepers not fit for ordinary intercourse. He further pointed out that in the light of his past experience he could not accept the assurances of Mahatma that he and his Congress would do the needful for the Depressed Classes. He said, "The Mahatma is not an immortal person. There have been many Mahatmas in India whose sole object was to remove Untouchability and to elevate and absorb the Depressed Classes, but every one of them has failed in his mission. Mahatmas have come and Mahatmas have gone. But the Untouchables have remained as Untouchables." He said that he was prepared to consider the proposals of the Mahatma believing that the Mahatma would not drive him to the necessity of making a choice between his life and the rights of his people. For he could never consent to deliver his people bound hand and foot to the Caste Hindus for generations to come. (BAWS, Vol. 17, Pt. 1, pp.143 - 145, 148- 150)

Gandhi begins epic fast unto death - Tuesday the 20th September 1932

The Conference of the Hindu leaders was held on 19th September under the chairmanship of Pandit Madan Mohan Malaviya to find an acceptable solution. It was attended by the leading Hindu leaders and the leaders of the Depressed Classes such as Dr. Ambedkar and others.

Speaking in the Conference, Dr. Ambedkar said that Mahatma Gandhi should have put some concrete alternate proposal before staking his life. Unless it was known as to what was in his mind, the repetitive deliberations were not going to yield any result. On Tuesday, September 20, 1932 at 12 O'clock noon Mahatma Gandhi started his fast unto death. A Committee of the high Caste Hindus comprising of Sir Tej Bahadur Sapru, Madan Mohan Malviya, Jayakar and Mathurdas Wassanji was formed to negotiate in the matter. Dr. Ambedkar was invited for the meeting. Speaking in the meeting of the Committee on 20th September 1932, Dr. Ambedkar said: "I shall not deter from my pious duty, and betray the just and legitimate interests of my people even if you hang me on the nearest lamp-post in the street. I don't care even if a hundred Mahatmas are sacrificed. Mahatmas are not immortal creatures." He said that Mahatma Gandhi should postpone his fast for 10-12 days to allow time to think over his proposals. But Gandhi remained adamant. (BAWS, Vol. 17, Pt. 1, P. 150 - 153, 465)

From 19th September to 25th September hectic meetings, parleys and conferences took place between the Congress leaders, Mahatma Gandhi and Dr. Ambedkar to work out an agreeable formula to save Gandhi's life. After a lengthy discussion, Dr. Ambedkar said that there could be a settlement provided the additional concessions in regard to the Award were given to make good the loss which would be caused due to giving up the Award. Accordingly a Committee consisting of Sir Tej Bahadur Sapru, Barrister Jayakar, Pandit Malviya, Mathuradas Wassanji and Dr. Ambedkar was formed to evolve an agreeable scheme. In the meantime showers of letters threatening Dr. Ambedkar's life came to him. Murderous looks were cast at him in the street, and some of the leaders insanely reviled him behind his back. A secret plan to kill him by some youth from the touchable classes of Poona was reported in the Press. The situation became very volatile. An agreement was ultimately arrived at after lot of hectic discussions and haggling by both the parties. The question of the total number of seats was decided by granting 148 (increased to 151 subsequently) seats to the Depressed Classes in the Provincial Assemblies and 10 per cent of the seats of the Hindus from British India in the Central Assembly. A panel of four was fixed for election on the basis of Joint Electorates instead of two proposed by the Doctor and five by Gandhi. The agreement was signed at 5 P.M. on Saturday, 24th September which went down in history as the 'Poona Pact'. Some of the members signed the agreement on 25th September. The Pact was signed by Madan Mohan Malviya and other Hindu leaders on behalf of Mahatma Gandhi and Dr. Ambedkar on behalf of the Depressed Classes. In all

41 members signed the Pact. The Pact was ratified on 25th September at Bombay. Speaking on the occasion to a thunderous applause, Dr. Ambedkar regretted that if Gandhi had shown the same consideration to his point of view at the Round Table Conference, it would not have been necessary for him to go through the ordeal of fast. He confessed that he remained unconvinced that the Separate Electorates for the Depressed Classes were injurious to the national interest. (BAWS, Vol.17, Pt.1, pp.165 -172 and Keer, pp. 214, 215)

The contents of the Pact were immediately cabled to the British Cabinet and communicated to others concerned. The British Government announced on September 26, 1932 that it would recommend to Parliament the endorsement of the Poona Pact. Gandhi broke his fast at half past five in the evening of 26 September. (Keer, p. 215, BAWS,)

The Untouchables were not happy with the Poona Pact because it had taken more from them what was given in the pact. Though Poona Pact had given the Depressed Classes 148 (151) seats against 78 given under the Communal Award but it took away the fundamental benefits of the Award. The Award had given the Untouchables two benefits; (i) a fixed quota of seats to be elected by Separate Electorate of the Untouchables and to be filled by the persons belonging to the Untouchables; (ii) double vote, one to be used through Separate Electorates and the other to be used in the General Electorates. The second vote given by the Communal Award was a priceless privilege. Its value as a political weapon was beyond reckoning. The voting strength of the Untouchables in each constituency was one to ten. With that voting strength free to be used in the election of the caste Hindu candidates, the Untouchables would have been in a position to determine, if not to dictate, the issue of the General Election. No Caste Hindu candidate could have dared to neglect the Untouchables in his constituency or be hostile to their interest if he was made dependent on the votes of the Untouchables. Dr. Ambedkar said unequivocally that the Poona Pact was, thus, fraught with mischief. It was accepted because of the coercive fast of Mr. Gandhi and because of the assurance given at the time that the Hindus would not interfere in the elections of the Depressed Classes. He further said that he responded to the call of humanity and saved the life of Gandhi from sure death by agreeing to alter the Communal Award in a manner satisfactory to Mr. Gandhi. (BAWS, Vol. 17, Pt. 1, p. 176, 177 and Vol. 9, pp. 90-95, 98-102, Vol.1, p.432)

Third Round Table Conference (17 November to 24 December 1932)

Third Round Table Conference commenced on the 17th November 1932. Dr. Ambedkar attended the Conference, but the Congress

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boycotted it. The Chief business of the Conference was to supplement the work so far accomplished at the previous sessions by filling some details and gaps left out, decide the composition of the Central Government in the light of the reports of the Lothian, Percy and Davidson Committees and to issue white Paper on the recommendations of various Committees. It was declared that adult franchise was impracticable under the existing conditions, and the franchise should be extended and that a portion of the women population should be enfranchised. The number of delegates who attended the Conference was very small (less than fifty) this time. Dr. Ambedkar observed that the Muslim delegates, even after securing almost all of their demands contained in their fourteen point memorandum, were still not co-operating with the other Indian groups in the demand for responsible Government at the Centre. The Princes had lost their enthusiasm this time and they were marking time. Dr. Ambedkar worked on the Commercial Safeguards Committee. A memorandum signed by eight delegates including Dr. Ambedkar was submitted to the Conference asking for the removal of discriminating legislation and appealing to the Premier that there should be some small clauses incorporated in the Constitution abolishing privileges based on incident of birth, caste or religion. The British people too being anxious about the settlement of their debts to the U.S.A were unmindful of the Conference. Amidst such grim surroundings there was no chance of gaining a responsible and real Government for India. On completion of its work the Conference concluded on December 24, 1932 amidst depressing world conditions and amidst the intransigence of the Muslim delegates and their indifference to the goal of India. (pp. 223-225)

White Paper and Joint Committee of both the Houses of British Parliament

A White Paper containing proposals for Indian Constitutional Reforms based on the recommendations of the various Committees of the Round Table Conference was issued by the British Government towards the middle of March 1933. The White Paper was to be considered by the Joint Committee of both the Houses of British Parliament. However, the White Paper was outrightly condemned and rejected by some of the prominent Indian leaders. (Keer, P.235).

The Government appointed Joint Committee consisting of 56 members to consider the White Paper.

Seventeen members included Dr. Ambedkar were selected to represent British India, seven to represent Indian States and thirty-two were from both the Houses of the British Parliament. Dr. Ambedkar left for London on April 24, 1933 to attend the session of the Joint Committee and reached London on the 6th May. (Keer, pp. 236, 238)

During the evidence recorded before the Joint Committee, Dr. Ambedkar examined and cross-examined about fifty witnesses to bring home the point on various constitutional, administrative, social and economic issues like structure and machinery of the government, role of various institutions and their functionaries, Dominion status, second chamber of the Legislature, Federation and the Princely States, Federal Court, Reserved, transferred and concurrent subjects, Federal and Provincial finances, levying and sharing of taxes between the Centre and the Provinces, Franchise, Public Services, social and economic issues, representation to the women in the legislatures and public services, safeguards for the Depressed and other Backward Classes, Communal Award and Poona Pact etc. Centre, federal system and adult suffrage. (BAWS, Vol.2, pp. 671-792, 742-745 and Keer, p. 241)

The Joint Committee completed its work in November 1933. It supported the White Paper and appointed a small committee to draft the Constitution in the light of the discussions on the White Paper. The Government of India Act 1935 known as the Constitution was enacted as a result of three Round Table Conferences and the Joint parliamentary Committee. The first general elections under the Act of 1935 were held in 1937 and the next elections were held not earlier than 1945. This Act was followed as the Constitution of India till the Constitution of the Republic of India came into effect on 26 January 1950. (Keer, p. 241, and V.D. Mahajan, Modern History, seventeenth edition, pp. 328-342)

Cripps Mission

The Cripps mission was an attempt in late March 1942 by the British government to secure full Indian cooperation and support for their efforts in World War II. The mission was headed by Sir Stafford Cripps, a senior left-wing politician and a minister in the War Cabinet of Prime Minister Winston Churchill. He was sent to negotiate an agreement with the nationalist leaders, speaking for the majority Indians, and Muhammad Ali Jinnah, speaking for the minority Muslim population. The British Government having considered the anxieties expressed in the United Kingdom and India as to the fulfillment of its promises made in regard to the future of India decided to lay down in precise and clear terms, the steps which they proposed should be taken for the earlier possible realization of self-government in India. The Government, therefore, made the declaration that immediate cessation of hostilities steps would be taken to set up in India, an elected body charged with the task of framing a new constitution for India. Finding the proposals not favorable, the Congress stopped talks with Cripps and, guided by Gandhi, the national leadership demanded immediate self-government in return for war support.

Gandhi said that Cripps' offer of Dominion Status after the war was a "post-dated cheque drawn on a crashing bank". Muslim League leader Jinnah though supported the war effort and condemned the Congress policy but he insisted on a Pakistan, a separate Muslim state. Dr. Ambedkar issued a statement showing how the Cripps Proposals would adversely affect the Untouchables. He wanted an honorable place and role of the Depressed Classes in the overall scheme of the making of the Constitution for India. The Depressed Classes were offered nothing; stone instead of bread. They were bound hand and foot and handed over to the caste Hindus. The proposed Constituent Assembly was nothing short of betrayal of the Depressed Classes as they might go unrepresented for want of fixed quota for them. If they were there, they could not have a free, independent and decisive vote because their representatives would be in hopeless minority and as all the decisions of the Constituent Assembly were proposed to be taken by a majority vote, their voice, therefore, could not count. As Gandhi was totally opposed to giving political recognition to the Depressed Classes in the Constitution as a separate and distinct element in the national life of India, therefore, the program of the majority Congress Party in the Constituent Assembly would be to wipe out the political safeguards already granted to the Depressed Classes in the existing Constitution. The Government by their proposals, therefore, had literally thrown the Depressed Classes to the wolves. The proposal thus rejected by the Congress, Muslim League and the Depressed Classes, the Cripps mission proved a failure. (V.D. Mahajan, Modern Indian History, seventeenth edition, pp. 346-350 and BAWS, Vol. 9, pp. 334-343, 376-383)

Cabinet Mission

General elections were held in the United Kingdom in July 1945 which brought the Labor Party to power with Clement Attlee as Prime Minister. The Labor Party wanted to transfer power to the Indians as quickly as possible. Accordingly the British Government sent Cabinet Mission comprising of three Cabinet Ministers, namely Lord Pethic Lawrence, Sir Stafford Cripps and Mr. A. V. Alexander for discussions with the Indian leaders to find a solution to the problem of India and pave way for its independence. The delegation reached India on March 23, 1946. The outstanding feature of the political scene of India was that Maulana Abul Kalam Azad represented the Congress Party, Mohammed Ali Jinnah, the Muslim League and the Nawab of Bhopal, Sir Agha Khan, the Princely India. Thus the whole of India except the Depressed Classes and the Sikhs was represented by three Muslim leaders. Dr. B. R. Ambedkar represented the Scheduled Castes and Master Tara Singh the Sikhs. The Mission interviewed Indian

leaders and gave its proposals in its Statement of May 16, 1946 followed by supplementary Statement dated 25th May 1946 and additional new Statement of 16 June 1946. It recommended that there should be a Union of India, embracing both the British India and the States which should deal with Foreign Affairs, Defense, and Communication. The Union should have an Executive and a Legislature constituted from the representatives of British India and the States. All subjects other than the Union subjects and all residuary powers should vest in the Provinces. The Provinces should be free to form groups with Executives and Legislatures, and Group could determine the Provincial subjects to be taken in common. It proposed a Constituent Assembly to decide a new Constitutional Structure. It considered practicable to utilize the recently elected Provincial Legislative Assemblies as electoral bodies for the Constitution making Assembly as the election based on adult franchise would lead to wholly unacceptable delay in the framing of the Constitution. It recommended allotting to each Province a total number of seats proportional to its population, roughly in the ratio of one to a million, as the nearest substitute for representation by adult suffrage. The Mission decided that it was sufficient to recognize only three main communities in India - General, Muslims and Sikhs. The General community included all persons who were not Muslims and Sikhs. The Sikh and Muslim legislators were to elect the allotted quota of their communities. States were to be represented by 93 members on the basis of calculation of population criteria adopted for British India and the method of selection to be determined by consultation. The Provincial representatives would divide up into three Sections. These Sections would proceed to settle Provincial Constitution for the Provinces included in each Section and decide whether any Group Constitution should be set up for those Provinces and if so what Provincial subjects the Group should deal with. The representatives of the Sections and the Indian states would re-assemble to form the Union Constituent Assembly for the purpose of settling the Union Constitution. The Mission concluded that the creation of Pakistan could not be advised due to multiple factors. Adequate provisions for the protection of the minorities were proposed in the Plan along with formation of an Interim Government comprising of representatives of the Congress, Muslim League and other minorities. There was no reference to the demands of the Scheduled Castes in the proposals. Dr. Ambedkar vowed to put up a fight to the last and made strenuous efforts to secure the Constitutional Rights of the Scheduled Castes in the proposed Constitution of India. The Cabinet Mission Report was partly rejected by

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the Congress, Muslim League and Depressed Classes. Hindu-Muslim riots took place in the country and in Calcutta particularly on an unprecedented scale. There was lot of bloodshed and enormous loss of life and property. But an interim Government was formed. The Executive branch of the Interim-Government was the Viceroy's Executive Council. Initially it was headed by the Viceroy of India and subsequently changed to a Council of Ministers with Pandit Jawahar Lal Nehru as its Vice-President holding the powers of Prime Minister. Nehru took office on September 2, 1946. The Muslim League also joined the Interim Government after its initial refusal. (V.D. Mahajan, Modern Indian History, seventh edition, pp. 351-355 and BAWS, Vol.17, Pt.2, pp. 224, 275, 499-504, Vol.17, Pt.3, p.368)

In February 1947, British Prime Minister Mr. Attlee declared that the British Government would leave India before June 1948 even if no agreement was made between the Muslim League and the Congress. In March 1947, Lord Mountbatten was appointed Governor-General of India and after prolonged discussions both with the Congress and Muslim League leaders. He put forward his famous June 3 Plan in which he suggested the partition of the country into India and Pakistan. The scheme was accepted both by the Congress and the Muslim League and the British Parliament passed the Indian Independence Act, 1947 accordingly. The Act provided for the partition of India. Accordingly, India was partitioned but at the cost of colossal bloodshed and loss of human life both of the Hindus and the Muslims. Two Dominions of India and Pakistan came into existence with effect from August 15, 1947 and 14 August, 1947 respectively. Partition of India was the outcome of many forces although the main cause was the isolationist policy of the Muslims in India. Pending the framing of the Constitution, each of the Dominions and all Provinces were to be governed in accordance with the Government of India Act 1935 with necessary modifications, and the respective Constituent Assemblies were made the Legislatures of the Dominions. The Indian Independence Act marked the ending of the British rule in India and beginning of a new chapter in the Indian and World history. (V.D. Mahajan, Modern Indian History, seventh edition, pp.355, 356)

Making of the Constitution of Republic of India

Elections to the Provincial Assemblies were held in early 1946. The Congress Party won the elections with thumping majority in most of the Provinces. But the Muslim voters routed the Congress on the Muslim seats under the system of Separate Electorate. Dr. Ambedkar's Scheduled Caste Federation was utterly routed by the Congress with the help of Communists and vast

number of Caste Hindu votes under the Joint Electorate system provided in the Poona Pact. Dr. Ambedkar, the most popular leader of his people, fell prey to the Poona Pact and lost the election.

Elections for Constituent Assembly took place in July/August 1946. In all 296 members were elected to the Constituent Assembly by the Provincial Legislatures. Congress won 208 and the Muslim League 73 seats. 93 members were the nominees of the Princely States. Since Dr. Ambedkar's Party had lost the Provincial elections and the Congress Party was against his entry in the Constituent Assembly, he could not be successful in entering the Constituent Assembly from Bombay Assembly. It was Mr. Jogendra Nath Mandal, a close associate of Dr. Ambedkar and a member of the Working Committee of the All India Scheduled Castes Federation, who vacated his seat of Jessore and Khulna (Bengal) General Constituency for Dr. Ambedkar, and helped him win the election with the support of Some Harijan Congress members, Namashudras and the Muslim League with thumping majority despite a strong opposition from the Congress Party. Dr. Ambedkar himself clarified subsequently in a speech delivered in the joint meeting of the Praja Socialist Party and the Scheduled Castes Federation held in Bombay on 26th November 1951 that the Congress was determined and practically vowed not to permit him to enter even the portals of the Constituent Assembly. In another speech delivered at Bombay on 12th June 1951, he brought out that all the doors and windows were of the Constituent Assembly were closed to them. (Keer, p. 378, 382, BAWS, Vol.17,Pt.2,p.229, Vol.17, Pt.3, pp. 413, 461 and Vol. 13, p.5 and Reminiscences and remembrances of Dr. Ambedkar by N.C. Rattu, p. 142)

Proceedings of the Constituent Assembly

The Constituent Assembly met on December 9, 1946 although it was boycotted by the Muslim League. Only 207 elected members attended the first meeting. Dr. Sachidanand Sinha was appointed the provisional Chairman. Dr. Rajendra Prasad was elected the permanent Chairman of the Constituent Assembly on 11th December 1946. On 13th December 1946, the Prime Minister Pandit Jawahar Lal Nehru moved the Resolution regarding aims and objects of the Assembly. On December 16, 1946, Dr. M.R. Jayakar objected to the timings of the Resolution and moved an amendment seeking postponement of the passing of the Resolution until the Muslim League and Indian States representatives came into the Constituent Assembly. This irritated the Congress bosses and voices rose from the Congress groups heckling him as an obstructionist. But his amendment became a battle royal as there were voices for and against the amendment. Amid this tense sit-

uation Dr. Ambedkar, the avowed enemy of the Congress, and on whom the doors and windows of the Constituent Assembly were closed by the Congress and who had lashed at their ideology and scoffed at their leaders privately and publicly, was invited unexpectedly on 17th December 1946 by the President Dr. Rajendra Prasad to express his views on the amendment moved by Dr. Jayakar. It was a surprise for him as there were 20 or 22 people ahead of him to speak. He delivered his first historical speech in the Constituent Assembly. Apart from other things, he said, "...Let us even make concession to the prejudices of our opponents, and bring them in, so that they may willingly join with us on marching upon that road which I said if we walk long enough, must necessarily lead us to unity... We should leave aside all legal considerations and make some attempt, whereby those who are not prepared to come, will come. Let us make it possible for them to come...The Assembly may have the right to pass this Resolution straightaway. But it would not be prudent; it would not be wise to do so at this stage. I suggest that another attempt may be made to bring about a solution of the dispute between the Congress and the Muslim League. When deciding the destinies of nations, dignities of people, dignities of leaders and dignities of parties ought to count for nothing. The destiny of the country ought to count for everything. It is because I feel that it would be in the interest not only of the Constituent Assembly so that it may function as one whole, so that it may have the reaction of the Muslim League before it proceeds to decision that I support Dr. Jayakar's amendment..." So forceful and logical were his passionate and convincing views and appeal that they produced an excellent impression upon the Assembly. He was frequently and loudly cheered and thunderously applauded by the Congress members- his deadly foes. His fine oration evoked a sense of co-operation and the hands that were itching to smash him rang with approbation! In the light of his logical, forceful and convincing speech the consideration of the Resolution was postponed to another session which was to meet in January. (BAWS, Vol. 13, pp. 7, 9-14, and Keer, pp. 387-389)

The Assembly constituted Advisory Committee consisting of 50 members including Dr. Ambedkar under the Chairmanship of Sardar Patel. The Advisory Committee appointed various sub-Committees such as Fundamental Rights, Minorities, the Union Constitution, and the Provisional Constitution Committee etc. and Dr. Ambedkar was appointed the member of Fundamental Rights, Minorities, Union Constitution and Flag Committee. He submitted the Memorandum to the Fundamental Rights Sub-Committee in which he gave concrete shape to his constitutional ideas. The work done by Dr. Ambed-

kar in various Sub-Committees convinced the Congress bosses beyond doubt that the legislation and solidification of freedom would not be easy without his services.

While the Constituent Assembly was in the process of Constitution making, the Bengal Legislative Assembly decided on 20 June 1947 to partition Bengal into East and West Bengal. Consequently the Constituency of Jessore and Khulna represented by Dr. Ambedkar was transferred to East Bengal. According to partition policy any Constituency having more than 50% population of Muslims in Pakistan and East Bengal Provinces had to be given to either Pakistan or East Bengal. But the Constituency of Dr. Ambedkar had 48% Muslim and 52% Hindus/Scheduled Castes population. It should have remained with India but it was given to East Bengal (Pakistan). This technically made Dr. Ambedkar to be the part of Pakistan Constituent Assembly. Since Dr. Ambedkar's people were mainly in India, he decided to serve his people and resigned from the seat of East Bengal. In view of the contribution and quality of work of Dr. Ambedkar in the Constituent Assembly and various Committees, his services were found to be indispensable for framing of the Constitution. Therefore, the Congress Party decided to re-induct him in the Constituent Assembly. Dr. Rajendra Prasad, President of the Constituent Assembly wrote a letter on 30th June 1947 to Mr. B.G. Kher, the then Prime Minister of Bombay requesting him to elect Dr. B.R. Ambedkar immediately to the Constituent Assembly enabling him to attend the next session of the Assembly commencing from 14th July. He wrote: "*Apart from any other consideration we have found Dr. Ambedkar's work both in the Constituent Assembly and the various Committees to which he was appointed to be of such an order as to require that we should not be deprived of his services. As you know, he was elected from Bengal and after the division of the Province he has ceased to be a member of the Constituent Assembly. I am anxious that he should attend the next session of the Constituent Assembly commencing from the 14th July and it is therefore necessary that he should be elected immediately*". Accordingly, Dr. Ambedkar was re-elected to the Constituent Assembly in July 1947 from Bombay against the Poona Constituency seat vacated by Dr. Jayakar. (BAWS, Vol.13, pp. 5, 25, 26)

The Constituent Assembly met in its third session in April 1947 and adopted reports of the Advisory Committee and the Fundamental Rights Committee. On April 29, 1947, the Constituent Assembly declared to the world the abolition of Untouchability in any form and the imposition of any disability on that account as an offence. It was a glorious day in the history of India when the ruling power in India declared its

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will to wash out the stigma of Untouchability. The Constituent Assembly adopted on July 22, 1947 the Tri-color flag with the Ashoka Chakra on it as the National Flag. Dr. Ambedkar played an important role as a member of the Flag Committee of the Constituent Assembly in finalizing the design and adoption of National Flag. He threw his weight in favor of the 'Ashoka Chakra' in place of 'Charkha' - Gandhian Emblem. Desiring rapprochement with Dr. Ambedkar, the Congress leaders decided to utilize his hitherto neglected gifts for the solidification of freedom. They decided to include him in the Cabinet as Law Minister with promise of more important portfolio to be given subsequently. Dr. Ambedkar too on his part forgot the past bickering and agreed to welcome the olive branch. On August 3, 1947 the names of the first Cabinet Ministers of free India were announced among which appeared the name of Dr. Ambedkar. The man who was decried as a stooge of the Britishers was now eulogized as a statesman by his erstwhile opponents. (Keer, pp. 393-396)

A seven member Committee comprising of the following members was appointed on 29th August, 1947 to scrutinize and to suggest necessary amendment to the rough Draft Constitution of India prepared by Sir B. N. Rau (Benegal Narsing Rau) the Constitutional Adviser to the Constituent Assembly. The rough Draft was prepared in the Office of the Constituent Assembly on the basis of reports of various committees of the Assembly. The Committee consisted of the following members:-

(1) Honourable Dr. B.R. Ambedkar (M.A Economics, PhD. M.Sc. D.Sc., Bar-at-law, World Class Scholar, Economist, Sociologist, Author, Constitutional Wizard, Political Philosopher and Leader, Ex Member of Legislative Assembly of Bombay, Ex Member of Viceroy's Council and First Law Minister of India) (2) Shri Alladi Krishnaswami Ayyar (Ex Advocate General, Madras) (3) Shri N. Gopalaswami Ayyangar (Ex Prime Minister of J&K and member of Nehru's Cabinet) (4) Shri K.M. Munshi (Ex Home Minister of Bombay) (5) Saiyyid Mohammed Saadulla (Ex Chief Minister of Assam) (6) Sir B.L. Mitter (Ex Advocate General of India, who resigned subsequently on health ground and was replaced by Mr. Madhava Rau) and (7) Shri D.P. Khaitan (Lawyer, who subsequently died and was replaced by T.T. Krishnamchari)

Dr. B. R. Ambedkar was elected the Chairman of the Constitution Drafting Committee by the Assembly with one voice. New India entrusted the work of framing her new laws to a man who had a few years before burnt the *Manusmriti*, the Code of the Hindus! It was a great achievement and wonder in the history that India chose in amends for her age-long sin of Untouchability, her Law-giver, new *Manu* and new *Smritikar* from among a caste which had

been dehumanized, demoralized and devitalized for ages. A strong opponent of the Congress and its top leaders throughout his life, Dr. Ambedkar had now become their friend, philosopher and guide in shaping the destiny of the country. He was now the first Law Minister of a free nation and the Chief Architect of the Constitution to define the will, aim and vision of India! (BAWS, Vol. 13, pp. 26, 29 and Keer, p. 397) The Drafting Committee met on 30th August 1947 under the Chairmanship of Dr. Ambedkar and set out on its epoch making task of drafting the Constitution - Supreme Law of free India. The Committee sat for total 141 days till February 13, 1948, and from 27th October, 1947 it sat day to day discussing and revising articles of the rough Draft in which Dr. Ambedkar himself conducted all the business. He worked almost singly and furiously, concentrating his hand, heart and head on the work of supreme national interest despite his deteriorating health. Fresh Draft of the Constitution as settled by the Drafting Committee was submitted to the President of the Constituent Assembly on February 21, 1948 for consideration. The Committee continued to function and deal with suggestions for amendments made from time to time. The Draft Constitution was before the public for eight months. (BAWS, Vol. 13, pp.44, 1206)

Dr. Ambedkar introduced the monumental Draft Constitution as settled by the Drafting Committee to the Assembly for consideration on 4th November 1948. The Draft Constitution contained 315 articles and 8 schedules as against 243 articles and 13 Schedules of the original Draft given to the Drafting Committee to work upon. Describing the Draft as a formidable document Dr. Ambedkar brought out in a grand, lucid, and elaborate speech its salient and special features, the whole of Assembly listening to him as one man. He brushed aside all criticism of the Draft which according to him was based on misconception and inadequate understanding of the articles. Explaining the salient features of the Constitution, he said, "The Draft Constitution proposes the Parliamentary system under which the President occupies the same position as the King under the English Constitution. He represents the nation but does not rule the nation. The Draft Constitution in recommending the Parliamentary system of Executive has preferred more responsibility to more stability. It is Federal in as much as it establishes what may be called a Dual Polity with a single Indian citizenship. It can be both Unitary as well as Federal according to the requirements of time and circumstances. In normal times it is framed to work as a Federal system. But in times of war it is so designed as to make it work as though it was a unitary system. A single Judiciary, uniformity in fundamental laws, civil and criminal and a common All-India Civil Service are the methods

adopted in the Draft Constitution to achieve this purpose". (BAWS, Vol. 13, pp. 50-58)

After explaining the special features of the Constitution, Dr. Ambedkar took on the points of criticism against the Draft and replied each point with convincing clarity and irrefutable logic in his speech. Replying to the criticism of providing safeguards for the minorities he said, "...Speaking for myself, I have no doubt that the Constituent Assembly has done wisely in providing such Safeguards for minorities as it has done. To diehards who have developed a kind of fanaticism against minority protection, I would like to say that minorities are an explosive force which, if it erupts, can blow up the whole fabric of the State. The history of Europe bears ample and appalling testimony to this fact. The other thing I would like to say is that the minorities in India have agreed to place their existence in the hands of the majority. They have loyally accepted the rule of the majority which is basically a communal majority and not a political majority. It is for the majority to realize its duty not to discriminate against minorities. The moment the majority loses the habit of discriminating against the minority, the minorities can have no ground to exist. They will vanish".

Winding up the speech Dr. Ambedkar concluded by saying: "... No Constitution is perfect and the Drafting Committee itself is suggesting certain amendments to improve it. But the debates in the Provincial Assemblies give me courage to say that the Constitution as settled by the Drafting Committee is good enough to make in this country a start with. I feel that it is workable, it is flexible and it is strong enough to hold the country together both in peace time and in war time. If things go wrong under the new Constitution, the reason will not be that we had a bad Constitution. What we will have to say is that man was vile". (BAWS, Vol. 13, pp. 59-70)

The Draft Constitution was widely acclaimed and thunderously lauded by the members of all shades in the Constituent Assembly. The whole Assembly was illuminated by the grand commentary given by Dr. Ambedkar on the Draft, and speaker after speaker paid glowing tributes to him for the lucid, symmetrical and brilliant exposition of the Constitution. There was a long queue of the speakers to pay tribute to the great man and chief architect of the Constitution but the Chair could accommodate only limited number owing to the time constraint. Though the Drafting Committee consisted of seven members but the herculean task of drafting the Constitution fell on the shoulders of Dr. Ambedkar as the other members rarely attended the meetings of the Committee. He revealed this fact himself during his speech delivered at Parel, Bombay on 22nd November 1951. Repudiating the charges made against him by

some Congressmen that he had played a very insignificant part in drafting the Constitution, he said that there could be no greater lie than this. He was prepared to prove by documentary evidence how his colleagues on the Drafting Committee had showed little interest in the Drafting of the Constitution. They rarely attended the meetings of the Committee and the whole burden, therefore, fell on him and the Secretary of the Committee. This fact was endorsed by his Colleague Mr. T.T. Krishnamchari while speaking in the Constituent Assembly on 5th November 1948 on the work done by Dr. Ambedkar in drafting the Constitution. He said, "*I am one of those in the House who have listened to Dr. Ambedkar very carefully. I am aware of the amount of work and enthusiasm that he has brought to bear on the work of drafting this Constitution. The House is perhaps aware that out of the seven members nominated by you, one had resigned from the House and was replaced. One died and was not replaced. One was away in America and his place was not filled up and another person was engaged in State Affairs and there was a void to that extent. One or two people were far away from Delhi and perhaps reasons of health did not permit them to attend. So it happened ultimately that the burden of drafting this Constitution fell on Dr. Ambedkar and I have no doubt that we are grateful to him for having achieved this task in a manner which is undoubtedly commendable. But the attention that was due to a matter like this has not been given by the Committee as a whole....*"

Clause wise discussion on the Draft (Second Reading) took place from 15th November 1948 to 17 October 1949. Dr. Ambedkar, as Chairman of the Drafting Committee had to explain many knotty points and niceties of law in response to the amendments proposed by the members and clarifications sought by them on various constitutional aspects of the articles of the Draft Constitution. He wielded such an enviable wizardry on Constitutional matters that his word on the amendments and points of clarification was considered to be final. The Vice President while chairing the proceeding of the Constituent Assembly gave the ruling that after the reply had been given on the amendments by Dr. Ambedkar, he would not permit any further discussion. Vice President said: "*I want to make one thing clear. After the reply has been given by Dr. Ambedkar, I shall not permit any further discussion. I have made a mistake once. I am not going to repeat it. (Laughter)*". (BAWS, Vol. 13, p. 327)

During clause wise debate for almost one year, Dr. Ambedkar gave clarifications, explanations and final word to the amendments moved by the members, questions raised and clarifications sought by them to the

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complete satisfaction of the House. Shri H.V. Kamath moved amendment to the Preamble in the Draft Constitution proposing the commencement of the Preamble with the words *"In the name of the God, We, the people of India..."* supported by some other members he claimed a division on his amendment. The Assembly divided by show of hands with 41 Ayes and 68 Nays. The amendment was, thus, negated. Replying to the points raised in the amendment, Dr. Ambedkar said: *"...This Preamble embodies what is the desire of every Member of the House that this Constitution should have its root, its authority, its sovereignty, from the people. Therefore I am not prepared to accept the amendment. I do not want to say anything about the text of the amendment. Probably the amendment is somewhat worded in a form which would not fit in the Preamble as we have drafted, and therefore on both these grounds I think there is no justification for altering the language which has been used by the Drafting Committee."* (W/S, Vol. 13, pp. 1129-1132)

An amendment to Clause (1) was moved by Prof. K.T. Shah proposing insertion of words 'Secular, Federal and Socialist' therein. Responding to the amendment, Dr. Ambedkar said: *"The Constitution is merely a mechanism for the purpose of regulating the work of the various organs of the State. What would be the policy of the State, how the society should be organized in its political and economic side are matters which must be decided by the people themselves according to time and circumstances. It cannot be laid down in the Constitution itself, because that is destroying democracy altogether. If you state in the Constitution that social organization of the State shall take a particular form you are taking away the liberty of the people to decide what should be the social organization in which they wish to live. The amendment is purely superfluous. The mover does not seem to have taken into account the fact that apart from the Fundamental Rights, we have also introduced other sections which deal with directive principles of State Policy. The Legislature as well as the Executive has been placed by this Constitution under certain definite obligations as to the form of their policy. These directives are socialistic in their direction and content. Therefore, these socialist principles are already embodied in the Constitution and it is unnecessary to accept this amendment".* The motion was voted and negated. (W/S, Vol. 13, pp. 326-37)

Dr. Ambedkar finally settled thousands of amendments, questions and doubts of the members regarding Fundamental Rights, equality of opportunity and representation to the backward Classes, abolition of Untouchability, amendment to Constitution, Uniform Civil Code, religious instructions in the schools, proclama-

tion of emergency, Special Provisions for Scheduled Castes/Tribes and other minorities, claims of minority communities to services and posts et al. The curious may like to refer to BAWS, Volume 13 for details.

The clause wise debate on the Draft Constitution (Second Reading) was concluded by the second week of November 1949. The Constituent Assembly met on Thursday the 17th November 1949 for taking up the Third Reading of the Constitution. Dr. Ambedkar moved the motion with thunderous cheers from the whole House to the effect that the Constitution as settled by the Assembly be passed. More than seventy members gave their names to the President and some more names were in the pipeline to speak on the motion moved by the Honorable Dr. Ambedkar, the Chairman of the Drafting Committee. The exuberant, exultant and highly elated members came forward one after the other to mark their presence and express their views and compliments eulogizing the services of the Chairman and the members of the Drafting Committee and highlighting the significance of the Constitution on the momentous event in the history of India. It is not possible to reproduce the speeches and views of the members eulogizing the Chairman and his team for producing world's largest and one of the finest constitutions for the newly born largest Democracy on earth. Readers may like to refer to the text *ibid* for details.

Historical speech of Dr. Ambedkar on presentation of the final Constitution

On the conclusion of debate on the Third Reading of the Constitution and expression of views by members of the Constituent Assembly on the final shape of the Constitution and the contribution of the Chairman and members of the Drafting Committee as well as the Constituent Assembly as a whole in producing such a voluminous historical document, the Chief Architect of the Constitution Dr. B.R. Ambedkar rose amidst loud applause to reply to the debate on his motion to pass the Constitution. In his historical speech, he explained the philosophy and vision contained in the Constitution in lucid terms and cautioned those responsible to work the Constitution against the likely pitfalls and vulnerable areas in their path. Since the exhaustive speech covered all the points raised by the members during the debate and underlined his philosophy and vision as reflected in the Constitution, it would be enlightening to the readers to have a look at the complete speech available in BAWS, Vol. 13, pp. 1206-1218.

Some excerpts of the speech will give an idea of enormity of the task and responsibility that devolved on him as Chairman of the Drafting Committee and the lasting mammoth contribution he made in the Constitution making as one of the greatest patriots of India, conscientious politician, world class economist,

constitutional expert and an erudite world scholar that earned him the popular epithet of 'Father of the Constitution'.

"Sir, looking back on the work of the Constituent Assembly it will now be two years, eleven months and seventeen days since it first met on the 9th of December 1946. During this period the Constituent Assembly has altogether held eleven sessions. Out of these eleven sessions the first six were spent in passing the Objectives Resolution and the consideration of the Reports of Committees on Fundamental Rights, Union Constitution, Union Powers, Provincial Constitution, Minorities and on the Scheduled Areas and Scheduled Tribes. The seventh, eighth, ninth, tenth and the eleventh sessions were devoted to the consideration of the Draft Constitution. These eleven sessions have consumed 165 days. Out of these, the Assembly spent 114 days for the consideration of the Draft Constitution. Coming to the Drafting Committee, it was elected by the Constituent Assembly on 29th August 1947. It held its first meeting on 30th August. Since August 30th it sat for 141 days during which it was engaged in the preparation of the Draft Constitution. The Draft Constitution, as prepared by the Constitutional Adviser as a text for the Drafting Committee to work upon, consisted of 243 articles and 13 Schedules. The first Draft Constitution as presented by the Drafting Committee to the Constituent Assembly contained 315 articles and 8 Schedules. At the end of the consideration stage, the number of articles in the Draft Constitution increased to 386. In its final form, the Draft Constitution contains 395 articles and 8 Schedules. The total number of amendments to the Draft Constitution tabled was approximately 7,635. Of them, the total number of amendments actually moved in the house was 2,473.

I mention these facts because at one stage it was being said that the Assembly had taken too long a time to finish its work and that it was going on leisurely and wasting public money. It was said to be a case of Nero fiddling while Rome was burning... The American Convention completed its work within four months. The Convention of Canada took two years and five months. The Australian Constitutional Convention consuming a period of nine years. The South African Convention completed the task in one year. It is true that we have taken more time than what the American or South African Conventions did. In making comparisons on the basis of time consumed, two things must be remembered. One is that the Constitutions of America, Canada, South Africa and Australia are much smaller than ours. Our Constitution, as I said, contains 395 articles while the American has just seven articles, the first four of which are divided into sections which total

up to 21, the Canadian has 147, Australian 128 and South African 153 sections. The second thing to be remembered is that the makers of the Constitutions of America, Canada, Australia and South Africa did not have to face the problem of amendments. They were passed as moved. On the other hand, this Constituent Assembly had to deal with as many as 2,473 amendments. Having regard to these facts the charge of dilatoriness seems to me quite unfounded and this Assembly may well congratulate itself for having accomplished so formidable a task in so short a time."

"As much defense as could be offered to the Constitution has been offered by my friends Sir Alladi Krishnaswami Ayyar and Mr. T. T. Krishnamachari. I shall not therefore enter into the merits of the Constitution. Because I feel, however good a Constitution may be, it is sure to turn out bad because those who are called to work it, happen to be a bad lot. However bad a Constitution may be, it may turn out to be good if those who are called to work it, happen to be a good lot..."

"The condemnation of the Constitution largely comes from two quarters, the Communist Party and the Socialist Party. Why do they condemn the Constitution? Is it because it is really a bad Constitution? I venture to say 'no.' The Communist Party wants a Constitution based upon the principle of the Dictatorship of the Proletariat. They condemn the Constitution because it is based upon Parliamentary Democracy. The Socialists want two things. The first thing they want is that if they come in power, the Constitution must give them the freedom to nationalize or socialize all private property without payment of compensation. The second thing that the Socialists want is that the Fundamental Rights mentioned in the Constitution must be absolute and without any limitations so that if their Party fails to come into power, they would have the unfettered freedom not merely to criticize, but also to overthrow the State. These are the main grounds on which the Constitution is being condemned. I do not say that the principle of Parliamentary Democracy is the only ideal form of political democracy. I do not say that the principle of no acquisition of private property without compensation is so sacrosanct that there can be no departure from it. I do not say that Fundamental Rights can never be absolute and the limitations set upon them can never be lifted. What I do say is that the principles embodied in the Constitution are the views of the present generation or if you think this to be an overstatement, I say they are the views of the members of the Constituent Assembly...The Assembly has not only refrained from putting a seal of finality and infallibility upon this Constitution by denying to the people the right to amend the Constitution as in

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Canada or by making the amendment of the Constitution subject to the fulfillment of extraordinary terms and conditions as in America or Australia, but has provided a most facile procedure for amending the Constitution. If those who are dissatisfied with the Constitution have only to obtain a 2/3 majority and if they cannot obtain even a two-third majority in the parliament elected on adult franchise in their favor, their dissatisfaction with the Constitution cannot be deemed to be shared by the general public....

"Here I could have ended. But my mind is so full of the future of our country that I feel I ought to take this occasion to give expression to some of my reflections thereon. On 26th January 1950, India will be an independent country (Cheers). What would happen to her independence? Will she maintain her independence or will she lose it again? This is the first thought that comes to my mind. It is not that India was never an independent country. The point is that she once lost the independence she had. Will she lose it a second time? It is this thought which makes me most anxious for the future. What perturbs me greatly is the fact that not only India has once before lost her independence, but she lost it by the infidelity and treachery of some of her own people. In the invasion of Sind by Mahommed-Bin-Qasim, the military commanders of King Dahar accepted bribes from the agents of Mahommed-Bin-Qasim and refused to fight on the side of their King. It was Jaichand who invited Mahommed Ghori to invade India and fight against Prithvi Raj and promised him the help of himself and the Solanki kings. When Shivaji was fighting for the liberation of Hindus, the other Maratha noblemen and the Rajput Kings were fighting the battle on the side of Moghul Emperors. When the British were trying to destroy the Sikh Rulers, Gulab Singh, their principal commander sat silent and did not help to save the Sikh kingdom. In 1857, when a large part of India had declared a war of independence against the British, the Sikhs stood and watched the event as silent spectators. Will history repeat itself? It is this thought which fills me with anxiety. This anxiety is deepened by the realization of the fact that in addition to our old enemies in the form of castes and creeds we are going to have many political parties with diverse and opposing political creeds. Will Indians place the country above their creed or will they place creed above country? I do not know. But this much is certain that if the parties place creed above country, our independence will be put in jeopardy a second time and probably be lost forever. This eventuality we must all resolutely guard against. We must be determined to defend our independence with the last drop of our blood. (Cheers.)

"On the 26th of January 1950, India would be a democratic

country in the sense that India from that day would have a government of the people, by the people and for the people. The same thought comes to my mind. What would happen to her democratic Constitution? Will she be able to maintain it or will she lose it again. This is the second thought that comes to my mind and makes me as anxious as the first. It is not that India did not know what Democracy is. There was a time when India was studded with republics, and even where there were monarchies, they were either elected or limited. They were never absolute. It is not that India did not know Parliaments or Parliamentary Procedure. A study of the Buddhist Bhikshu Sanghas discloses that not only there were Parliaments - for the Sanghas were nothing but Parliaments - but the Sanghas knew and observed all the rules of Parliamentary Procedure known to modern times.... This democratic system India lost. Will she lose it a second time? I do not know, but it is quite possible in a country like India - where democracy from its long disuse must be regarded as something quite new - there is danger of democracy giving place to dictatorship. It is quite possible for this new born democracy to retain its form but give place to dictatorship in fact. If there is a landslide, the danger of the second possibility becoming actuality is much greater. If we wish to maintain democracy not merely in form, but also in fact, the first thing in my judgment we must do is to hold fast to constitutional methods of achieving our social and economic objectives. It means we must abandon the bloody methods of revolution. It means that we must abandon the method of civil disobedience, non-cooperation and Satyagraha. When there was no way left for constitutional methods for achieving economic and social objectives, there was a great deal of justification for unconstitutional methods. But where constitutional methods are open, there can be no justification for these unconstitutional methods. These methods are nothing but the Grammar of Anarchy and the sooner they are abandoned, the better for us. The second thing we must do is to observe the caution which John Stuart Mill has given to all who are interested in the maintenance of democracy, namely, not "to lay their liberties at the feet of even a great man, or to trust him with powers which enable him to subvert their institutions." There is nothing wrong in being grateful to great men who have rendered life-long services to the country. But there are limits to gratefulness. As has been well said by the Irish Patriot Daniel O'Connell, 'no man can be grateful at the cost of his honor, no woman can be grateful at the cost of her chastity and no nation can be grateful at the cost of its liberty.' This caution is far more necessary in the case of India than in the case of any other country, for in India, Bhakti or what may be called the path of devotion or hero-worship

plays a part in its politics unequalled in magnitude by the part it plays in the politics of any other country in the world. Bhakti in religion may be a road to the salvation of the soul. But in politics, *Bhakti* or hero-worship is a sure road to degradation and to eventual dictatorship. The third thing we must do is not to be content with mere political democracy. We must make our political democracy a social democracy as well... Political democracy cannot last unless there lies at the base of it social democracy. Social democracy means a way of life which recognizes liberty, equality and fraternity as the principles of life. These principles of liberty, equality and fraternity are not to be treated as separate items in a trinity. They form a union of trinity in the sense that to divorce one from the other is to defeat the very purpose of democracy. Liberty cannot be divorced from equality; equality cannot be divorced from liberty. Nor can liberty and equality be divorced from fraternity. Without equality, liberty would produce the supremacy of the few over the many. Equality without liberty would kill individual initiative. Without fraternity, liberty and equality could not become a natural course of things. It would require a constable to enforce them.

"We must begin by acknowledging the fact that there is complete absence of two things in Indian Society. One of these is equality. On the social plane, we have in India a society based on the principle of graded inequality which means elevation for some and degradation for others. On the economic plane, we have a society in which there are some who have immense wealth as against many who live in abject poverty. On the 26th of January 1950, we are going to enter into a life of contradictions. In politics we will have equality and in social and economic life we will have inequality. In Politics we will be recognizing the principle of one man one vote and one vote one value. In our social and economic life, we shall, by reason of our social and economic structure, continue to deny the principle of one man one value. How long shall we continue to live this life of contradictions? How long shall we continue to deny equality in our social and economic life? If we continue to deny it for long, we will do so only by putting our political democracy in peril. We must remove this contradiction at the earliest possible moment or else those who suffer from inequality will blow up the structure of political democracy which this Assembly has so laboriously built up. The second thing we are wanting in is recognition of the principle of fraternity. Fraternity means a sense of common brotherhood of all Indians—of Indians being one people. It is the principle which gives unity and solidarity to social life. I remember the days when politically-minded Indians resented the expression "the people of India". They preferred the expression "the Indian nation." I am of opin-

ion that in believing that we are a nation, we are cherishing a great delusion. How can people divided into several thousands of castes be a nation? The sooner we realize that we are not as yet a nation in the social and psychological sense of the word, the better for us. For then only we shall realize the necessity of becoming a nation and seriously think of ways and means of realizing the goal. The realization of this goal is going to be very difficult—far more difficult than it has been in the United States. The United States has no caste problem. In India there are castes. The castes are anti-national in the first place, because they bring about separation in social life. They are antinational also because they generate jealousy and antipathy between caste and caste. But we must overcome all these difficulties if we wish to become a nation in reality. For fraternity can be a fact only when there is a nation. Without fraternity, equality and liberty will be no deeper than coats of paint. These are my reflections about the tasks that lie ahead of us. They may not be very pleasant to some. But there can be no gainsaying that political power in this country has too long been the monopoly of a few and the many are not only beasts of burden, but also beasts of prey. This monopoly has not merely deprived them of their chance of betterment; it has sapped them of what may be called the significance of life. These downtrodden classes are tired of being governed; they are impatient to govern themselves. This urge for self-realization in the downtrodden classes must not be allowed to develop into a class struggle or class war. It would lead to a division of the House. That would indeed be a day of disaster. For, as has been well said by Abraham Lincoln, a house divided against itself cannot stand very long. Therefore the sooner room is made for the realization of their aspiration, the better for the few, the better for the country, the better for the maintenance for its independence and the better for the continuance of its democratic structure. This can only be done by the establishment of equality and fraternity in all spheres of life. That is why I have laid so much stress on them. I do not wish to weary the House any further.

"Independence is no doubt a matter of joy. But let us not forget that this independence has thrown on us great responsibilities. By independence, we have lost the excuse of blaming the British for anything going wrong. If hereafter things go wrong, we will have nobody to blame except ourselves. There is great danger of things going wrong. Times are fast changing. People including our own are being moved by new ideologies. They are getting tired of government by the people. They are prepared to have Government for the people and are indifferent whether it is Government of the people and by the people. If we wish to preserve the

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Kanshi Ram Tells Dalits : SPECIAL SPEECH DELIVERED BY MR. KANSHI RAM JI AT 1ST WORLD DALIT CONFERENCE IN MALAYSIA ON 10TH & 11TH OCTOBER, 1998

Dalits should become rulers instead of being ruled. We must not be always at the receiving end, instead become the givers, Dalit Leader Mr. Kanshi Ram told the world Dalits. It's long we have been ruled. It is long we have been taking. Now it is time we change the destiny to rule and give, he said. Mr. Kanshi Ram who is the Founder President of Bahujan Samaj Party delivered a key-note address at the opening of the 1st World Dalit Convention 'A new vision towards a casteless society' at the Kuala Lumpur Mines Resort City.

The two day convention held on 10th and 11th October 1998 was well attended by more than 700 delegates throughout the world including famous politicians noted leaders from Dalit movement, champions of down-trodden, social reformers, renowned economists, famous educationists and great scholars.

The Malaysian Minister of Tourism, Arts and Culture Datuk Sabbaruddin Chikofficially opened the conference which saw the opening very colorful with Malaysian cultural and traditional dances performed by Indians, Malays and Chinese. Mr. Kanshi Ram garlanded the Portrait of Dr. Babasaheb Ambedkar while Dalit Sena President Ram Vilas Paswan garlanded the portrait of the great Periyar.

Mr. Kanshi Ram in his speech

continued to trace the history of caste and Brahminical social order. He asserted by virtue of his vast experience that elimination of caste was impossible at this stage. He also elaborated the very purpose of creating caste. In context of caste oppression and Justice Mr. Kanshi Ram referred the role of Dr. Ambedkar. He commended the merit of 'Communal Award' which he achieved after a long struggle.

Dr. Ambedkar could not sustain the going due to the constant pressure of the mighty upper caste Hindus, Mr. Kanshi Ram told the delegates who packed the hall. 'Babasaheb Ambedkar was able to get reservation for the oppressed in legislative houses, job opportunities in government departments and also places in higher educational institutions.

I wish to stress upon that reservation is not the solution to our problem. We must become rulers instead of being ruled; givers instead of being takers, Mr. Kanshi Ram told the crowd to a thunderous applause. It is my duty to prepare my people not to get reservation but to grant reservation. Who can gain reservation? Only rulers can grant reservation. Hence, I will prepare my people to become rulers. If we do not become rulers, our problems will remain forever, Kanshi Ram said.

In order to become rulers we must learn how to handle caste. Dr. Ambedkar, Nehru, Gandhi and Indira Gandhi were experts in handling caste. Nehru handled caste so well that he made Dr. Ambedkar helpless and retain the Brahminical Social Order. Indira Gandhi also handled caste well to benefit the Brahminical Social Order. Dr. Ambedkar prepared the SC/ST to handle Caste. That is how we could get many benefits from the British, he added.

Mr. Kanshi Ram expressed concern for 10 crores slum dweller, which are deprived of proper drinking water and electric supply. People migrating from villages to cities are also being denied of many facilities and end up in polluting the environment. But those refugees who came from Pakistan after independence were duly taken care of by the then government and a special budget was allocated to meet their basic necessities, he pointed out to the delegates. According to Mr. Kanshi Ram, slum dwellers presently living in urban areas are the Dalit refugees who have migrated from the villages because of acrimony's & atrocities committed by upper caste Hindus.

They have not been able to influence the Planning Commission and the Government of India to allocate separate budget to provide them bread, clothes and shelter.

A decent life is a matter of fundamental right of every citizen in accordance with the constitutional mandate, Mr. Kanshi Ram asserted.

He advocated separate settlement for Dalit people as once formulated by Dr. Babasaheb Ambedkar. He was very critical of the evil impact of caste-system in India.

Wherever the Indians went they never failed to carry with them this spreading disease he told the laughing and cheering crowd. The Indians are prepared to leave anything behind.

They leave behind their little property, small land and their huts. But they will never leave behind their caste. They carry with them wherever they go, he said. While urging the Dalits to unite he also called upon the Dalit intellectuals to shed away the approach of existing analysis only. They should instead come with forward-looking approach in education, economic and social problems. They must also come up with some sort of effective solution programme, Mr. Kanshi Ram added. Mr. Kanshi Ram impressed upon the delegates that Dalit problem can only be solved through political power to rule the country. 'We must become the rulers instead of being ruled,' he told the cheering and applauding delegates.

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Celebrating the historic Constitution Day - 26th November 1949

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Constitution in which we have sought to enshrine the principle of Government of the people, for the people and by the people, let us resolve not to be tardy in the recognition of the evils that lie across our path and which induce people to prefer Government for the people to Government by the people, nor to be weak in our initiative to remove them. That is the only way to serve the country. I know of no better". (BAWSW, Vol. 13, pp. 1206-1218)

After the conclusion of the speech of Dr. Ambedkar to the all round jubilation and thunderous applause from all the members of the Constituent Assembly, the House was adjourned till 26 November 1949. When it met on 26 November 1949, Dr. Ambedkar moved the motion "That the Constitution as settled by the Assembly be passed." Dr. Rajendra Prasad, President of the Constituent Assembly put the motion to the vote of the House with the words "...Before I close, I must express my thanks to all the Members of this August Assembly from whom I have received not only courtesy but, if I may say so, also their respect and affection. Sitting in the chair and watching the proceeding from day to

day, I have realized as nobody else could have, with what rare zeal and devotion the members of the Drafting committee and especially its Chairman, Dr. Ambedkar, in spite of his indifferent health, have worked. (Cheers). We could never make a decision which was or could be ever so right as when we put him on the Drafting Committee and made him its Chairman. He has not only justified his selection but has added luster to the work which he has done. In this connection, it would be invidious to make any distinction as among the other members of the Committee. I know they have all worked with the same zeal and devotion as its Chairman, and they deserve the thanks of the country... All deserve my thanks as I have received courtesy, co-operation and legal service from all." (Prolonged cheers). It now remains to put the motion which was moved by Dr. Ambedkar, to the vote of the House. The question is: "That the Constitution as settled by the Assembly be passed."

The motion was adopted with Prolonged Cheers in a chorus from all corners of the Constituent Assembly. The President then authenticated the Constitution. The House gave authority to the President to call another

session in January 1950 by a voice vote. The honorable Members then shook hands with Mr. President one by one. (W/S, Vol. 13, p. 1219)

It is over seven decades that the Constitution has been guiding the destiny of the country without any major breakdown. There have been some anxious moments but it sailed through safely. It has been adapting to the needs of time fairly well as over hundred amendments suggest. But, the warning sounded by its Chief Architect against the possibility of things going wrong does not seem to have been taken with the deserved seriousness. The constitutional institutions seem to be under stress and socio economic conditions in the country are far from being satisfactory. The evils of corruption, social inequality, discrimination and casteism are staring at the face. The marginalized and deprived sections continue to suffer miseries to a large extent. Majoritarianism seems to be showing its teeth at times and hero-worship seems to have become the order of the day. Social democracy is a remote dream. Ghost of dictatorship appears to be knocking at the door. Achieving nationhood is a distant dream as the hydra-headed monster of caste is spewing venom all around. One hears

clamor for a new Constitution whereas the cries of 'Save Constitution' are too ranting the air. The ruling dispensations seem to be tardy in recognizing the evils that lie across the path, and weak in initiative to remove them. There is simmering discontent among the minorities and backward sections.

The question is as to whether the Constitution has failed the test of time or some hidden forces are at work to weaken the country; or ruling dispensations are lacking will of implementing the Constitution in its letter and spirit; or we as responsible citizens are wanting in discharging our constitutional responsibility conscientiously; or there is absence of constitutional morality? What does the Constitution Day mean if it is not a call for all to open eyes, scratch heads, identify evils or stumbling blocks on the path and to remove them individually as well as collectively facilitating smooth march of the Constitution to its destination as enshrined in the Preamble, as commemoration of the Day and respect to the Supreme Law of the land and its fathers?

Note: These are the personal views of the writer.

-Editor