Constituent Assembly Debates
Emergency Provisions - Part III

Shri H. V. Kamath
(Central Provinces & Berar)

Referring to the new Article 277 A (renumbered later as Article 355), he said, "According to this Article, certain duties have been laid upon the Union Government. Firstly, it should protect the State against any external aggression. Secondly, it should protect the State against internal disturbance. Lastly, the duty is laid upon the Union Government to see that the Government of every State is carried on in accordance with the provision of this Constitution. As regards the middle provision of protecting the State against internal disturbance, the crucial point is what is internal disturbance and what is not. Will any petty riot or a general melee or imbroglio in any State necessitate the President's or Union Government’s intervention in the internal affairs of that State? If Honourable Members turn to List II of the Seventh Schedule, they will find that Item 1 lays the responsibility for public order squarely on the shoulders of the State. You say that the State must maintain public order, but through a new Article 277-A, you say that the Union Government shall protect every State against internal disturbance. If we are going to whittle down provincial autonomy, let us say so in the Constitution. It is dishonest on our part to say in one Article that public order shall be the responsibility of the States and then in another Article confer powers upon the Union Government to intervene in the internal affairs of the State on the slightest pretext of any internal disturbance.

Now coming to Article 278, renumbered at the time of revision as Article 355 before the House. It seeks to confer more powers upon the President than were envisaged in Article 278 of the Draft Constitution. Firstly, the President is empowered under Article 278 not merely if he gets a report from the Governor or the Ruler of the State but also otherwise. What that 'otherwise' is, God only knows. Reading all these Articles since yesterday, it seems to me that we are not going about the business in an honest fashion. We are adopting subterfuges to nullify and set at naught certain Articles of certain provisions which we have already adopted. I appeal to the House to deliberate coolly, earnestly, seriously, deeply and dispassionately upon provisions of Article 277-A and 278 and amend them in such a manner that the Constitution we are framing will do us credit and will not detract from the high principles enunciated in our Charter of Freedom which Pandit Nehru moved in December 1946."

Professor Shibban Lal Saxena
(United Provinces)

"Personally, I feel that the powers given in Article 278 are far too sweeping. By these Articles, we are reducing the
autonomy of the States to a farce. They will reduce the State Governments to great subservience to the Central Government. Even if these Articles are omitted, there are Articles 275 and 276 which give the Executive all the powers necessary to deal with an emergency. If there is an emergency, you can issue proclamation under Article 275, and by 276 you can legislate on matters relating to the provinces. Nevertheless, even if you must put in these two Articles (277-A and 278), I would strongly plead that at least the word 'otherwise' be taken away. There is no justification for the President to interfere with a State until at least the Governor who is his own nominee has reported to him.

**Col. B. H. Zaidi**
(Rampur - Banaras)

"Mr. President Sir, George Bernard Shaw was reported to have said that it is a dangerous thing to be too good. Similarly, it may be a very dangerous thing for our country to be too democratic. Let us have a little realism about our discussions and about our Constitution making. We go on dissecting, analyzing things purely from the point of view of a lawyer or an advocate. This tendency to be too legalistic may be divorced from the realities of administration and the handling of political crisis.

What do we mean by saying that the President may take the powers into his own hands and may become an absolute dictator? And will the 32 crores of Indians sit quietly and knuckle under? We seem to think that our political salvation lies purely in laws, not in a public opinion which is wide awake, well informed and vigilant. What we must work for is the proper democratic spirit, the realization that every one of us is responsible to see that the country is governed properly along enlightened, progressive, democratic lines. So, I feel that instead of being too critical and putting the most unwarranted suspicions at the door of our would-be Presidents of the future, we should take the historical tendencies of our country into consideration and see what is likely to happen in the future and then in a realistic way, in a way with political sagacity and wisdom and balance, we should proceed to the task of framing the Constitution."

**Pandit Thakur Das Bhargava**
(East Punjab)

"Sir, the provisions of the Constitution relating to emergency powers are really very important. The Drafting Committee has to be congratulated in tackling the question in a very able and adroit manner. I am very glad that Article 277-A is being enacted. This was a great lacuna in the whole Constitution. We have already provided fundamental rights and we have provided the powers of the Supreme Court. We know the army and navy are all under the Centre. How can provincial autonomy remain totally unrelated and have absolute rights? Supposing the Constitution fails, how can a State guarantee to the people the exercise and the use of Fundamental Rights? How can a Province by itself be able to meet the situation when the use of army and other forces are required by the State? It is, therefore, proper that, in regard to provincial autonomy, we must realise that the Centre has got a duty to discharge. I think the enactment of Article 277-A and Article 278 are perfectly justified."

**Dr. B. R. Ambedkar**
(Bombay)

"Sir, although these Articles have given rise to a debate which has lasted for nearly five hours, there is nothing which has emerged which requires me to modify my attitude towards the principles that are embodied in these Articles. I will, therefore, not detain the House much longer with a detailed reply of any kind.

In regard to the general debate in which it has been suggested that these Articles are liable to be abused, I may say that I do not altogether deny that there is a possibility of these Articles being abused or employed for political purposes. But that objection applies to every part of the Constitution which gives power to the Centre to override the Provinces. In fact, I share the sentiments expressed yesterday that the proper thing we ought to expect is that such Articles will never be called into operation and that they would remain a dead letter. If at all they are brought into operation, I hope the President, who is endowed with these powers, will take proper precautions before actually suspending the administration of the Provinces. I hope the first thing he will do would be to issue a mere warning to a Province that has erred. If that warning fails, the second thing for him to do will be to order an election allowing the people of the Province to settle matters by themselves. It is only when these two remedies fail that he would resort to this Article. I do not think we could then say that these Articles were imported in vain or that the President had acted wantonly."

With that peroration of Dr. Ambedkar, the debate ended and Articles 277-A, 278 and 278-A were adopted.

... concluded

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**What Nehru said....**

I am a convinced believer in adult franchise, for men and women, and, though I realize the difficulties in the way, I am sure that the objections raised to its adoption in India have no great force and are based on the fears of privileged classes and interests.

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...from Chapter 3, The Quest, The Discovery of India.
**Hipparchus** (190 - 120 BC)

Hipparchus was born in the historic town of Nicaea, in Bithynia (today’s Iznik, Turkey). Hipparchus was a Greek astronomer, geographer and mathematician and was also considered to be the founder of trigonometry.

Like that of other astronomers of classical antiquity (the period from the 8th century BC to the 5th century AD when the Roman Empire declined), most of Hipparchus' works too are lost. What we know about him and his work comes from the writings of later scholars such as Ptolemy. Hipparchus wrote at least fourteen books, but only a copy of his commentary on the famous poem *Phenomena* by Aratus is available.

By the time of Hipparchus, good progress was made in astronomical research by his Greek predecessors, as we have seen in the earlier articles. Hipparchus used this accumulated research and systematically extracted useful astronomical information and techniques developed by the Babylonians, which his predecessors had not done.

Most of the astronomical work of Hipparchus was on the orbits of the Sun and the Moon. Like his predecessors, except for Aristarchus of Samos, Hipparchus championed the theory of geocentric universe, which says that the Earth is a spherical body considered to be stationary at the centre of the universe. He too propagated that the Sun, the Moon, planets and stars revolved around it.

It was known at his time that the four seasons (spring, summer, autumn and winter) were of unequal duration. Hipparchus observed that if the Earth is at the centre of the universe and the Sun is orbiting the Earth in a perfectly circular orbit, all seasons should be of equal duration. To explain this unequal duration of seasons, Hipparchus said that the Sun does not revolve around the Earth’s centre but around a point at a certain distance from the centre of the Earth. He even specified the location of this new point for the centre of the Sun’s orbit and by doing so he could correctly explain the unequal duration of the seasons. Hipparchus found the time of these seasons by finding the times of equinoxes (spring or vernal and autumnal equinox) and solstices (summer and winter solstices). See the box on page 4 for the explanation of equinoxes and solstices.

Hipparchus determined that spring (from the spring equinox to the summer solstice) lasts for 94.5 days, summer (from the summer solstice to the autumnal equinox) lasts for 92.5 days, duration of autumn is 89.8 days (from the autumnal equinox to the winter solstice) and winter lasts for the remaining days of the year for about 88.2 days.

This, indeed, was a work of mathematical genius. Later, astronomers successfully followed his mathematical techniques while discussing the orbits of other heavenly bodies and looking for the date of the vernal equinox. In time, finding the vernal equinox date became crucial as it was used for fixing the date of Easter Sunday. Hipparchus also designed an...
instrument called an equatorial ring to find the exact date and time of the vernal equinox.

Hipparchus diligently studied the orbits of the Sun and the Moon and their sizes (or how large they appear as seen from the Earth. In technical terms, it is called angular diameter). He also studied eclipses.

Using an instrument called **dioptre**, he discovered that the angular size of the Moon varies as it orbits the Earth. He did not observe any change in the angular size of the Sun. He also observed that the average angular size of the Moon is equal to the angular size of the Sun, which he noted to be 0.55 degrees. This value is very close to the modern value. What he and others of his time referred to as angular size is now referred to as angular diameter (of the Moon, the Sun etc.).

Hipparchus was the first astronomer to compile a star catalogue. He devised a scale called magnitude (of stars) and catalogued the stars according to their brightness (as seen from the Earth). In this manner, he listed 850 stars.

His scale was as follows:- The stars which were seen first after sunset were called first-magnitude stars. Those stars, half as faint as the first-magnitude stars, were second-magnitude stars and so on till the sixth-magnitude, the limit of naked eye visibility of stars. With some minor modifications, this system of magnitude scale is still used today.

Hipparchus spent most of his life on the island of Rhodes and died there. His influence through his work lasted for many centuries after his death. Some coins minted in Bithynia in the second and third centuries AD were made in his honour. These coins bear his name and show him with a globe.

Hipparchus attempted to measure the exact length of one year, the time taken between two successive vernal equinoxes. He observed the date of the vernal equinox by using an instrument called the **equatorial ring**. He also referred to the dates of vernal equinoxes as recorded by Babylonian astronomers and found that the vernal equinox date systematically shifts at about 1 degree per century. The modern value is 1.38 degrees per century. He correctly attributed this shift to the changing direction of the axis of the Earth. The continuous change in the direction of the axis of the Earth (or any other rotating object) is called **precession**. Hipparchus is credited for the discovery of precession.

The diagram above shows the Earth and the celestial sphere. The celestial equator and ecliptic, the path of the Sun on the celestial sphere is marked. The point where the Sun crosses the celestial equator from the southern hemisphere to the northern hemisphere is called the vernal (or spring) equinox. The point precisely opposite to this is the autumnal equinox. When the position of the Sun is farthest north of the celestial equator, it is the summer solstice; when it is farthest south, it is called the winter solstice.
Lokshahir Vitthal Umap Theatre Group will perform the Bhaktipuran abhangas (भक्तिपुराण अभंग) and bharuds (भारुड) which were narrated by saints for social enlightenment. The other form of art that will be performed is Gavlan (गवल). They will also present Gondhal (गोंधळ) which is a ritualistic folk art in which performers, known as Gondhali, invoke the deities for prosperity and health. The Gondhal is performed at home when there are auspicious occasions like weddings and thread ceremonies and also at temples for the prosperity of villages. For this, instruments like sambal, tuntuna, taal and manjira are used. Powada (पोवडा) is presented in the form of songs, music, dance and acting. It started from the era of Chhatrapati Shivaji Maharaj, the Maratha ruler. Koli (कोळी) music and dance originated from the fishermen community and their popular lilting tunes will enchant the audience.

Script and Direction: Nandesh Umap (Sangeet Natak Akademi Awardee)
Compere: Dr. Samira Gujar-Joshi
Singers: Nandesh Umap & Vishakha Sapkal
Supporting artistes: Musicians, Chorus Singers and Dancers from the Lokshahir Vitthal Umap Theatre Group.

Friday, 19th January 2024 | 7.00 p.m. | Nehru Centre Auditorium

2 hours 30 minutes with interval

Entry: Entrance Cards will be available from the ticket counter of Nehru Auditorium on Monday, 15th January 2024 from 10.30 a.m. onwards until availability of cards.
ART GALLERY

PROGRAMME FOR JANUARY 2024

OPEN FROM 11.00 A.M. TO 7.00 P.M.

SOURABH MAZUMDAR
PANKAJ NIGAM
SANJEEV KUMAR SINHA
SEEMA SIROHI
KAMAL SHARMA

This group of artists will display sculptures in bronze and stone, paintings with clay mud and mirror-inlay work and landscapes.

Tuesday 2nd January 2024
to Monday 8th January 2024
(AC Gallery)

ANANDKISHOR MEHKAR
SHRADDHA KOKAM

This pair of artists will exhibit their works in acrylic on canvas.

Tuesday 9th January 2024
to Monday 15th January 2024
(Circular Gallery)

SANJAY MARATHE

Sanjay is a photographer and has captured beautiful scenic spots which he will exhibit.

Tuesday 16th January 2024
to Monday 22nd January 2024
(Circular Gallery)

RUPESH PATIL

Rupesh teaches in Rayat Shikshan Sanstha and will display water colours on paper.

Tuesday 23rd January 2024
to Monday 29th January 2024
(Circular Gallery)

TARAK PATIL
DAYANAND BHAU RAO
SANJAY MHATRE
JYOTI K. MALIK

These artists who hail from Mumbai will display works in acrylic on canvas featuring Warli art and paintings in mixed media.

Tuesday 2nd January 2024
to Monday 8th January 2024
(Circular Gallery)

SOMENDRA KUMAR
SHYAM VERMA

This talented artist will display portraits, rural life and classical themes in oil painting.

Tuesday 9th January 2024
to Monday 15th January 2024
(AC Gallery)

INDIAN MASTER’S RETROSPECTIVE

Indian Master Painter John Fernandes (1951-2007)

In its 29th year, the Indian Master’s Retrospective will present the works of master artist Shri John Fernandes. The mastery of John Fernandes in representational art was unequalled, whether it was in pencils, water colours, charcoal or oil. His landscapes, figure studies and portraits carried the stroke of a master artist.

Thursday, 18th January 2024
to Sunday, 28th January 2024
Nehru Centre Art Gallery
Time: 11.00 am to 7.00 pm

Nehru Centre Newsletter - January 2024
Ramsar Wetland Sites in India

12. Ladakh

1. Tso Kar Wetland Complex

This high-altitude wetland complex is located more than 4,500 metres above sea level in the Changthang region of Ladakh. The complex includes two connected lakes, the freshwater Startsapuk Tso and the larger hypersaline Tso Kar.

The name Tso Kar refers to the white salt efflorescence on the margins of the lake caused by the evaporation of the saline waters. The local climate is arid and glacial meltwater is the primary water source for the lakes. The lakes, in particular because of the presence of fresh water, attract biodiversity in a biologically sparse region. Inhabiting the site are numerous threatened species including the endangered Saker Falcon, Asiatic wild dog or Dhole and the vulnerable Snow Leopard. It is one of the most important breeding areas in India for the Black-necked Crane.

Tso Kar Wetland Complex was designated as a Ramsar Wetland site on 17th November 2020.

2. Tso Moriri Lake

Tso Moriri Lake in Changthang region of Ladakh is one of the most beautiful and calm high altitude lakes in India. Ladakhis consider the lake to be sacred. In fact, it is the largest high altitude lake in India that is entirely in Indian territory.

The Tso Moriri and the surrounding marshes are a Ramsar Wetland Conservation Area which means a visitor has to be careful not to damage the native flora and fauna. The Korzok village is the nearest settlement.

The site is said to represent the only breeding ground for one of the most endangered cranes. About thirty-four species of birds including fourteen species of water birds like the Black-necked Crane and the Bar-headed Geese are found here. The great Tibetan Sheep or Argali and Tibetan Wild Ass are native to the Tibetan Plateau, of which the Changtang region is the westernmost part.

The 400-year-old Korzok Monastery attracts many tourists, and the wetland there is considered sacred by local Buddhist communities. Hence, the water is not used by them.

Tso Moriri Lake was designated as a Ramsar Wetland site on 17th August 2020.

Further reading at Nehru Centre Library:

- Ladakh: Crossroads of High Asia by Janet Rizvi, Oxford University Press, 2001, Call no.915.46/ Riz, Barcode: 12377
Reader of the Month

In the realm of boundless wisdom, I shape my tomorrows, one chapter a day.

The library that I visit every day to prepare for my competitive exams has truly become my academic sanctuary. From the moment I step through its doors, I am enveloped in an atmosphere of focused determination. The library’s serene ambience, coupled with its extensive resources, has played an indispensable role in my journey toward success.

The collection of study materials is nothing short of impressive. Whether it is textbooks, reference guides, or newspapers, the library has curated a diverse range of resources that cater to the needs of various competitive exams. The availability of up-to-date materials ensures that I am always equipped with the latest information.

What sets this library apart is its conducive reading environment. The calm and quiet atmosphere is strictly maintained, allowing me to concentrate without distractions. Comfortable seating, proper lighting, and ample desk space all contribute to a setting that is ideal for prolonged reading sessions. The library’s commitment to maintaining this environment fosters a sense of discipline among all the readers.

The staff members Zikra and Sharbani deserve a special mention. Their willingness to assist, whether it is in helping me to locate a specific book or clarifying doubts, has been invaluable. Their friendly demeanour creates an approachable atmosphere that encourages interaction and support.

In conclusion, this library isn’t just a place to read, it’s a community that nurtures learning and aspirations. I am immensely grateful for the role it has played in shaping my journey toward success in competitive exams.

Naveen Kadam
(MPSC Aspirant)