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Topics of the Week.

Bhulabhai Opposes Federation.

MOVING a resolution on federation at the Bhulabhai District (Bombay) Political Conference, Mr. Bhulabhai Desai made a strong speech denouncing the federal scheme in uncompromising terms.

He explained what federation meant and what constituted the federal units and how the proposed scheme of federation would come in the way of Indians attaining complete freedom. Indian States would also form federal units. The system of government in Indian States was absolutely different from the one in British India and if British Indian Provinces and the States became parts of federation, it could only be at the cost of the former. There could be a federation which might be welcome, if there was constitutional monarchy in the Indian States; but to-day the people of the States had no voice in the administration of the States. The speaker was in favour of a federation of the eleven British Indian Provinces and the States should be allowed to join federation only when it was felt that they would not act as a mill-stone round British India's neck in the latter's progress towards swaraj.

THE *Hindu* pleaded some time ago in very plaintive tones that the Congress should not adopt such a standpat attitude on the question of federation as to prohibit all negotiations with the Princes. Mr. Bhulabhai Desai does not forbid negotiations, provided the basis of the negotiations is that the Princes introduce responsible government in their States. Mr. C. Rajagopalachari also laid down the same terms as the minimum to which the Congress could agree as qualifying the States for admission into federation. If the *Hindu* or any one else thinks it possible to persuade the Princes to accept this as the basis of negotiations, let it or any other publicist initiate such negotiations, but evidently Mr. Bhulabhai and Mr. Rajagopalachari do not think that any useful purpose will be served by engaging in pourparlers

with the Princes. However, the *Hindu* has the satisfaction of being assured that the door is not closed on negotiations; it is left ajar!

Labour Leaders—a Menace to Peace!

AT the same Conference Sardar Vallabhbhai Patel tried to justify the Kher Ministry's maintenance of restrictions clapped on labour leaders in Bombay. He remarked:

Then there were demands for the release of all labour leaders or removal of all restrictions on labour leaders. It would certainly take some time to do it. The Minister responsible for law and order would have to become confident of the fact that he could have peace in the Province without resorting to either police or military. Calling for help of either police or military for the maintenance of peace would only mean the failure of the Congress method. Once it was felt that there could be complete peace in the Province without asking for the help of either the police or any others then all the restrictions on all the politicians would be removed. But this lay in the hands of the people. It was for them to create the necessary atmosphere. Congress had the greatest sympathy for workers.

THIS furnishes an answer to the query addressed to the Ministry whether the continuance of the restrictions was a voluntary act of Mr. Munshi and the Bombay Ministry, or whether the Ministry's hands were forced by the Governor. From what the Sardar says there is no reason to suppose that the Governor poked in his nose in this matter. The Ministry itself thinks that the labour leaders are best where they are; they are a menace to public peace; when the menace will disappear they will be restored to liberty but not till then.

WHAT we would ask the Sardar is whether the Congress is going to curtail the personal liberty of people on mere suspicion, or whether some overt act proved in an open trial to be destructive of public peace is required for the Congress to entitle it to such infringement of individual freedom. The Sardar himself cannot be expected to have had the leisure to acquaint himself more than very perfunctorily with the fundamentals of civil liberty, nor, with his fascist proclivities, can he be credited with a desire to respect these fundamentals. But Mr. Munshi is, we understand, a high-placed official of Pandit Jawaharlal Nehru's Indian Civil Liberties Union, Bombay Branch. He may thus know, we guess, that under no code of political morality is it laid down that a concentration camp is the only fit place for communists, particularly when men like Sardar Vallabhbhai see a communist behind every tree.

IF the labour leaders now under detention endanger public peace merely by spreading dangerous

doctrines, these doctrines are not going to be killed by seizing hold of the bodies of those in whose heads they have made lodgment, and in no case should a Congress Ministry professing excessive concern for freedom of opinion hold captive the men who cherish them. If the labour leaders on the other hand have done something which is prejudicial to the maintenance of public peace, it is a matter that is capable of proof. Why does not the Kher Ministry produce the evidence that may have been stored up in the Government files and seek a court's verdict on it? Why does it say to itself: "The former bureaucratic Government has, very obligingly for us, put all these dangerous men out of action on mere suspicion. It has incurred a great deal of opprobrium on this account. We ourselves were to no little extent responsible for heaping this opprobrium on its devoted head. But here is a chance for us now, without taking any further restrictive action and, what is more important, without incurring any odium, of maintaining peace merely by continuing what our predecessor has done. Why should we not extract some advantage to ourselves from the actions of the bureaucracy?" Yes, the Kher Ministry is welcome to take such advantage; only it should know that if the former Government was responsible for initiating restrictive action, its successor is now responsible for continuing this action. And the people are conscious of it. The people know too that it is not any "extraneous difficulties" trotted out by Pandit Jawaharlal to which we owe the continuance of restrictions on labour leaders, but the voluntary act of the Congress Ministry.

No Conflict with States ?

PANDIT JAWHARLAL NEHRU has given advice to the Rajkot Youth League in connection with the proposal to hold its tenth session in Kathiawar. Mr. Nehru asks the League not to "create unnecessary trouble."

Our general policy is (says Mr. Nehru) to avoid conflicts with States and this should be adhered to. But this does not mean that we should suppress our activities. If in the course of activities a State intervenes and even arrests a person that cannot be helped. But deliberate civil disobedience or breaches of orders are not encouraged to-day either in British India or in the States. An attempt should be made to build up public opinion. Where the fundamental right of association is denied small private meetings should be held and propaganda done through leaflets, etc. The Congress does not differentiate between the States and the rest of the country. But difference arises on the part of the States. The Congress cannot undertake any special activity in the States. Such activity has for its basis the people of the States themselves. The Congress would sympathise and would give such support as it can.

AT the same time Mr. Nehru advises the League to "concentrate on civil liberties, fundamental rights and opposition to federation". It is evident that Mr. Nehru considers these three topics inoffensive and innocent of mischief from the States' point of view. But does he really believe that a discussion on fundamental rights and civil liberties in the States can be carried on without reference to the actual state of affairs that obtain in them? And is there any State which considers such a discussion inoffensive?

IN passing, the Congress President reveals the general policy which his party follows towards the States. It is "to avoid conflict" with them. Mr. Nehru is caught between the dictates of his convictions and a sense of diplomacy developed of late in him as the President of the Congress. Hence,

while asking the youth of Kathiawar "to avoid conflict" with the States, he could not but add that it did not mean that they should suppress their activities. The two things, Mr. Nehru forgets, are incompatible. There is no State enlightened enough to tolerate propaganda for civil liberties and fundamental rights within its borders. Such a propaganda, it knows, is a direct challenge to its irresponsible autocracy.

Tax the Millowners.

ON the analogy of the processing tax which President Roosevelt put on to finance his A.A.A. schemes, Mr. M. L. Dantwala, Professor of Cotton in the H. L. Commerce College at Ahmedabad, suggests that a processing tax should be levied on raw cotton consumed in the Indian mills and the receipts therefrom made over to cotton-growers, in order to alleviate the disaster that threatens to befall the latter. Mr. Roosevelt's tax, it is true, did not fulfil the canons of law, but Mr. Dantwala observes that "it has not been condemned for violating the canons of taxation." Regarding cotton situation, Mr. Dantwala says:

If the Sino-Japanese war situation does not improve, the cotton cultivator of India will be faced with one of the severest crises. Japan is the biggest buyer of Indian cotton and already in the month of July the exports declined by Rs. 1,10,19,874 from the previous month. The very same factor is adding to the profits on the cotton textile industry in India. The poison of the farmers is the meat of the millowners. It is but just and proper that the millowner should be asked to share his good fortune with the farmer in distress, especially because they are the result of the same cause. A small "processing tax" on the cotton consumed by the millowners will not be, therefore, out of time or out of place. The proceeds from the tax can be utilised to give a bounty to the cotton farmers. The cotton marketing season will begin in a month or so. The Congress Provinces should by that time be ready to meet the emergency, if necessary in collaboration with the Central Government.

It may be interesting to recall in this connection that Japan takes 42 per cent. of her cotton requirements from India and sends 33 per cent. of her cotton textile exports to this country.

"Newspapers Lie" ?

SIR JAMES GRIGG sometimes allows his tongue to have the better of his head. During the discussion on the appointment of Mr. Chambers as Income-Tax Commissioner, he characterised news-papers as liars. We can understand and forgive Sir James's irritation at the disclosure of his plan to dump another 'expert' on India at five times the price he costs Great Britain; but we cannot understand and much less forgive his diatribe against Indian newspapers. Mr. Satyamurti was nearer the truth than the Finance Member when he retorted "Governments also lie." Innumerable instances can be quoted where Governments have thrown truth to the winds. Even in the present case, Sir James hummed and hawed before admitting, and that too by implication, that the Government had decided to appoint Mr. Chamber and Prof. Gregory to 'cushy' jobs.

The *Hindustan Times* quotes an instance of a "lie" by the Government of India which Sir James would do well to bear in mind when next he gets up to slander the newspapers of India. Indian papers, to any impartial observer, have maintained the dignity and decency of their profession with commendable consistency in trying times. The *Hindustan Times* reminds Sir James:

When the Alliance Bank of Simla failed, and the Imperial Bank of India offered to advance 50 p. c. to the

depositors of the Alliance who transferred their accounts to their (Imperial's) books, a member asked the Government in the Assembly whether the Government had given any guarantee to the Imperial Bank for this purpose. Sir Arthur MacWaters, speaking on behalf of the Government of India, replied categorically in the negative. An irate shareholder filed a suit in the Bombay High Court against the Imperial Bank for thus playing with its funds; and in justification of what it did, the Imperial Bank came out with the guarantee furnished by the Government! It will be edifying for Sir James Grigg to read the old Assembly reports to find out how Sir Basil Blackett faced the music when he tried to explain, we won't call it the lie, but the *faux pas*.

Twice Censured.

THE Government of India's "Indianisation" policy was twice the subject of censure in the Central Legislative Assembly last week. Mr. Shamlal's motion of adjournment to discuss the appointment of Mr. S. P. Chambers from England as Income-Tax Commissioner on a salary of Rs. 2,500 to 3,000 per month for five years was carried by a comfortable majority of seventeen votes. Sir James Grigg in opposing the motion first tried to sidetrack the discussion by violent criticism of the channel through which the information of the appointment had leaked out. The leakage was due he said, to "the disloyal and despicable habit of some Government servants" who went to legislators with their grievances. The Assembly refused to be sidetracked with this and Sir James had to argue that in the whole of India and the Income-Tax Department, he could find no person suitable to hold the office!

THE very next day Government sustained another defeat on the question of the appointment of an Economic Adviser to the Central Government. In the debate that ensued, Sir James Grigg gave expression to views which were deeply offensive to every Indian economist. With characteristic bluntness Sir James stigmatised Indian economists' work as falling into two classes: "first the works of men who had their eyes too confined to the class room, and second, those of men exclusively concerned with India who thought of it as a closed system without regard to the four-fifths of the world." Indian economists, we have no doubt, will see to it that the de-

liberate impudence of the Finance Member is given a fitting reply. We would, however, ask whether it is not necessary for a country to have as its adviser a person who thinks of her first instead of one who is at least presumably interested more in the exploiting country.

AS one of the members said, the statement of Sir James was an insult to Indians. How is it that ever since the present Finance Member took office, and more so since the present Viceroy came, India has been found wanting in men capable of holding high offices in the Central Government, from the news editor of the All-India Radio at Delhi, to the Economic Adviser to the Government of India? Every job has gone to a British expert! It seems, as Mr. Bhulabhai Desai said, as if the Government said to themselves, "Whatever we have done in the provinces, it is time we began to strengthen the European element in the centre." A series of 'experts' has made a bee-line to India for the last two years under the Linlithgow-Grigg aegis. The Assembly showed the temper of the country in this matter by sternly censuring the Government.

Even the *Pioneer* which cannot be accused of any anti-British prejudices, calls this unashamed use of patronage "a ramp of the first order." Sir James, it says, knows something about the practice and mental provisos of the British Treasury and asks

what, would be the Treasury noting on a file in which some other Department of State, for example the War Office, requested permission to appoint as an expert adviser at £2,500 a year a man in receipt of a salary of £400 or £800 or £1,000 a year from his present employers? Why should there be another standard for India? Is the Indian taxpayer not to be considered? Is not the Finance Member the custodian of his purse? That apart, if an English expert at £400 a year can teach the much more highly paid income-tax officials of India their business, would it not be cheaper, instead of sending him out to India for five years at six or seven times his salary, to send some of them home for attachment to the Board of Inland Revenue? It might take them half a year to pick up the threads, though in fact some of them have written useful books on British income-tax. But it will take Mr. Chambers at least as long to familiarise himself with Indian conditions.

CAN JAPAN BE STOPPED?

AT last there appears to be some stir among the big powers of the world against the horrible and inhumane war of aggression that Japan has been waging against China. The British nation, probably the most stolid of all, has voiced its protest through the mouth of the Albert Hall meeting, which attracted one of the largest crowds that attend a gathering like this. Its president, the Archbishop of Canterbury, made a resounding speech, which is having reverberations throughout the length and breadth of the world. But the speech, it would appear, was directed more against the methods of frightfulness that all aggressors employ than against the fact of unprovoked aggression on poor China, who wishes for nothing better than to be left in peace to carry through her programme of social reconstruction. The Primate entered a protest against "indiscriminate killing and maiming of non-combatants" and made "an appeal to the Government and people of Japan to

restrain the action of their naval and military command" in the name of humanity. The resolution passed at the meeting expressed "horror and emphatic condemnation of indiscriminate attacks upon civilian non-combatants by the Japanese forces" and also "urged the British Government to take the lead in securing concerted action by economic measures, or otherwise, to prevent their continuance." While this is good so far as it goes, it is not sufficient. What the British Government and the British nation must help in securing is not only humanisation of an aggressive war, which is hardly ever possible, but stopping of the war itself. Japanese aggression must cease, and China's territorial integrity and political independence must be preserved.

From this point of view President Roosevelt's declaration is more satisfactory. He too protested against civilians being ruthlessly murdered from the air, but he laid more stress upon condemnation of

the breaking of all covenants by Japan—the Briand-Kellogg Pact the Nine-Power Pact and all the rest of them. "In modern conditions of international interdependence," the President said, "no nation can isolate itself from the upheavals of the rest of the world. Therefore, it is vitally important to the people of the United States that the sanctity of international treaties and the maintenance of international morality should be restored. Peace-loving nations must make a concerted effort against those violating treaties and ignoring humane instincts. The moral consciousness of the world must recognise the importance of removing injustices, but should also be aroused to the cardinal necessity of honouring the sanctity of treaties and respecting the liberties of others." Even this speech is not quite clear as to how far U.S.A. will go in abandoning her isolationist attitude, for President Roosevelt added: "My determination is to pursue a policy of peace and adopt every practicable measure to avoid involvement in war." This raises a doubt as to how far U.S.A. will participate in whatever action may be decided upon in the interest of collective security, towards which cautious and tentative steps appear to be in contemplation.

The Committee of Thirteen of the League of Nations, whose help was invoked by China, has found that *prima facie* Japanese hostilities (which, technically, yet do not amount to war, Japan not having declared war on China) constitute a breach of obligations towards China and other States as laid down in the Nine-Power Treaty and the Briand-Kellogg Pact. This verdict has been adopted by the League Assembly and a resolution passed inviting signatories to the Nine-Power Pact to take the act of aggression into their consideration. To this invitation U.S.A. will certainly respond, for the statement issued by that country's State Department two days after President Roosevelt's declaration is more emphatic than the declaration itself. It says:

In the light of unfolding developments in the Far East the Government of the United State is forced to the conclusion that the action of Japan in China is inconsistent with the principles which should govern the relationship of nations, contrary to the provisions of the Nine-Power Treaty in regard to the principles and policies to be followed concerning China and to these of the Kellogg-Briand Pact. Thus the conclusions of this Government are in general accord with those of the League Assembly.

From this it would appear that if any sanctions are decided upon, as they will have to be after a declaration that aggression has been committed, U.S.A. will join in them. The sanctions will only be economic, and rather half-hearted even at that, but U.S.A. may well be expected to pull its full weight in them. China, of course, is quite right in not counting too much upon this effort at collective security by the big powers. After the experience of Abyssinia, she would be wise in discounting it to a large extent. Marshal Chiang Kai-shek has therefore done well in warning the people of China that the war will be a protracted one and that they must stand on their own bottom in carrying it to a successful issue.

The attitude of U.S.A. in this affair, though not yet free from doubt, is very encouraging. Both Presi-

dent Roosevelt and Secretary of State Cordell Hull are known to have strong leanings towards collective security. The President for this very reason has so far avoided putting the country's Neutrality Act into force. The Act is mandatory in character which reads: "Whenever the President shall find that there exists a state of war between . . . two or more foreign States, the President shall proclaim such fact," and then automatically an embargo has to be imposed on munitions, loans and credits to be supplied to both belligerents, the President being given discretion only in the matter of placing an embargo on "war materials" other than munitions. President Roosevelt took advantage of the fact that war was not formally declared to avoid applying the Neutrality Act which, should it have been applied in China and Japan, would have worked to the disadvantage of China, the victim of aggression. Japan has many advantages over China, and to put the neutrality law in operation in both cases would have only resulted in penalising the innocent party, for whom the American nation is full of sympathy, and rightly so. There was the danger of U.S.A. being embroiled as a result of munitions being shipped to China and Japan blockading Chinese ports as she has done. The munition makers naturally stood out against the law, but President Roosevelt did not refrain from putting the law in force in their interest or in the interest of the commercial people who wished to exploit a foreign war to their own advantage. America's stakes in China are small. She has no imperial ambitions and does not wish for a permanent place in China. Her trade and investments in that part of the world are limited. Her total investments in China amount to \$ 250 millions, while the annual cost of the upkeep of her army and navy there is no less than \$ 1,000 millions. It would therefore be a paying proposition to her to buy out commercial and capitalistic interests and withdraw her forces from China altogether. In fact this course is being pressed upon the President in U.S.A.'s own national interest. If the President has not taken it, it is for the reason that he does not want to forgo the bargaining power which he will enjoy so long as he does not enforce the Neutrality Act, and he wants to use this power in the interest of China. Mr. Cordell Hull in the middle of last month expressed a hope that U.S.A. would be able to keep out of war, and added at the same time: "But we must make a contribution to the realisation of conditions on which peace can be maintained everywhere, or ultimately we shall have to sustain and protect ourselves amidst an outside world ridden by force and war." President Roosevelt is acting from the same motives.

Great Britain's attitude is very obscure. In the former Japanese aggression against China, she let down U.S.A. when the latter was taking the lead in initiating measures to counter the aggression. It may well be that she will hamstring the enforcing of sanctions this time also. But her stakes in China are greater, though they are confined to Southern China. Her investments amount to £250 millions, her annual trade is £25 millions, and her imperial interests are vastly superior. She cannot allow war in the Hong-

kong region to interfere with her trade and strategic position. That is the reason why a different attitude on her part is possible on this occasion. She may not only fall in with U.S.A.'s invitation to join in international action to punish the aggressor, but may herself call for such action. One wishes, for the sake of poor China, that Japan gravely endangers British interests in the South so that Britain may be roused to take a bold stand for collective security. Russia appears to be too weak to give any substantial help. Indeed, Japan timed her aggression in view of this fact. Nevertheless, the Sino-Soviet Pact, brought to light towards the end of August, is significant. It is only a non-aggression pact, and not a pact of mutual assistance; the report that there are secret military clauses attached to it may not be true. Even so, it is of vast import inasmuch as it shows a revulsion of feeling in nationalist China, which was for the last few years engaged in fighting communism. The war has led to solidarity between Nationalist and Communist China, and so it has led to friendship between Nationalist China and Soviet Russia. This has only inflamed feelings in Germany and Italy. The German-Japanese Pact concluded last year was directed ostensibly only against the doctrine of communism, but it will lead to concrete action on the part of Germany in aid of Japan. Italy has already declared her intention to give active help to Japan in this 'holy war.' This fascist bloc will and must give rise to a counter communistic and democratic bloc, and if China can hold out till then—and she certainly will—there is every prospect of China being helped materially in stopping the tide of Japanese aggression.

For some time at least the only sanctions to be applied will be economic, and even these may prove useful. Japan's economic and financial condition is terrible. Her budget for the current year provided originally for expenditure of 2,185 million yen, of which half was appropriated to military expenditure. But additional military expenditure of 2,549 millions

has been added, increasing the deficit from about 1,000 to 3,500 millions, the deficit for this year being 184 per cent. of the normal revenue. Japan's excess of imports for seven months from the beginning of the year totalled 720,321,000 yen, and if her exports are boycotted by other countries—and the movement in this direction is growing rapidly—her trade position will be intolerable. It would of course be an unwarrantedly optimistic assumption to think that she would be prevented from prosecuting a war only by her economic condition. Dictator countries show a large reserve of resources and carry on for a long time in the midst of conditions which appear desperate. But economic sanctions will tell in the long run. The following estimate of the *Economist*, based on careful conclusions, is hope-inspiring:

It is clear that Japan has a very difficult task on her hands, the more so because she will be unable to raise loans abroad as she did in the Russo-Japanese war. There is bound to be a drastic reduction in the standard of living of the people, but so strong is the disciplinary power of the Japanese Government that social collapse need not be anticipated in the near future. Nationalist fervour will doubtless maintain the zeal of the populace, particularly if substantial victories are rapidly obtained. If the war or its aftermath are prolonged, the strain will become severe, but it cannot be confidently argued that her economic system will collapse and prevent her achieving her war aims provided that the outside world does not apply any embargo against Japanese trade. *A boycott by China would not be decisive; but a joint embargo by the United States and British Empire would be a very different matter.* The Japanese would in theory be able to use their own silk for clothing and would be able to feed themselves. But many of the vital needs of warfare would be withheld, and the effect upon unemployment and the standard of living would be drastic. *Many observers, indeed, believe that the mere demonstration of a joint front by America and Britain would be sufficient to hold Japan in check.* In its absence, economic factors alone are unlikely to prevent Japan from pressing forward with her present policy.

Would it be too much to hope that U.S.A. and Britain will take concerted action early enough to stop Japanese invasion?

TRANSFER OF ABORIGINES' LAND.

I.

THE Congress Ministry in Bihar has promoted a Bill relaxing the restrictions on the transfer of land of the aboriginal community in Chota Nagpur. The Bill was moved by the Premier in the last session of the Legislative Assembly and has been referred to a Select Committee. Any such measure making a change in the law which was intended for the protection of the aboriginal cultivators against the inroads of alien landlords and money-lenders must naturally provoke misgivings in the minds of those whose chief concern it is to see that these defenceless people are not subjected to any injustice or oppression. And we find that it has already excited bitter comment from one who will deservedly be regarded in all quarters as a paladin of the rights and interests of the aborigines in general. The Rev. Father A. Lallemand, S. J., writing on "Gandhiji's Paradox" in the *New Review*, remarks that Congress politicians do what they should avoid and leave undone

what they ought to do. They should leave it to one's private judgment to abstain from drink, but they resort to legal prohibition to bring about this result. If they decide on prohibition they should enforce it first of all on the aborigines; but they apply it to every other community, in whose case it is both unnecessary and harmful and leave out from its scope the aborigines, the one people in whose case it is both necessary and beneficial. But the paradox, Fr. Lallemand says, does not stop here. They go and tamper with a salutary law which prohibits the filching away of the lands of the aborigines who cannot look after themselves. His exact words are given below:

Apparently the Bihar section (of Congressmen) is opposed to the protective laws on behalf of the Chota Nagpur aborigines and want no exception in the land tenure system; but a sorry exception is allowed with respect to prohibition. Aborigines will not be given what may save them; they will be permitted what is bound to destroy them. Vested interests of the worst type could discover no more fatal aboriginal policy than the one adopted by some Bihar Congress representatives, and

one is left wondering how the matter has escaped the Congress Working Committee.

Any criticism coming from such a source must command high respect, but we must say that in this particular matter the criticism is misplaced. We must confess that when we began studying the Chota Nagpur Tenancy (Amendment) Bill of the Congress Ministry, we set out with the same bias as Fr. Lallemand, that is to say, a bias in favour of maintaining intact the existing prohibition on the transfer of raiyati holdings of the Chota Nagpur aborigines, but we soon found that the facts of the case are stronger than any *a priori* theory, and that in any case, if it be wrong to loosen the prohibition in any respect, the Congress may well plead not guilty to this charge, for the proposals it has put forward in this behalf are not really its own, but have been adopted, word for word from the Bill which the former bureaucratic Government introduced in the old Legislative Council just about a year ago, and which it was anxious should be passed during the life-time of the Council, but which was not proceeded with for want of time, though (according to Rai Bahadur Sharat Chandra Roy than whom no more ardent champion of the aboriginal peasantry of Chota Nagpur lives) the Bill was dropped after introduction "owing to the opposition of landlord members." It would appear, therefore, that vested interests are not manoeuvring to get the Bill passed; they are manoeuvring, if anything, to wreck the Bill. To Fr. Lallemand we daresay the motives of the bureaucracy appear unimpeachable, so far as safeguarding the rights of the aborigines are concerned, however questionable may seem to him the motives of the men who have now risen to power under a democracy. Well, it is really the bureaucracy's Bill and should, therefore, inspire more confidence in Fr. Lallemand.

II.

A good instance of the way in which the purpose of a legislative enactment is frustrated in actual practice is afforded by the laws passed by the legislature "for the protection of the aboriginal peasantry of Chota Nagpur against alien adventurers." "For generations the aborigines of Chota Nagpur had been in a state of unrest owing to their inability to protect what they believe to be their rights in the land. They enjoy special rights and privileges in respect of the land cultivated by them, and these are recognised by the indigenous landlords. But for many years past, these landlords had gradually been losing their estates to aliens, chiefly of the money-lender class; and the latter, when they came into possession, always endeavoured to break down the rights of the cultivators and to enhance their rents. The result was that there had been constant disputes between landlords and tenants and occasionally, armed risings of the latter. To remedy this state of affairs the (Chota Nagpur) Tenures Act of 1869 and the (Chota Nagpur) Landlord and Tenant Procedure Act of 1879 were passed."* Under the first Act special commissioners were appointed for the survey and demarcation of the privileged lands of both the landlords and the tenants, the latter kind of lands being bhuinhari, i. e. held by

persons claiming to be descendants of the original founders of the village. But the ordinary raiyati lands were left out of the scope of the Act. Under the second Act the rent of bhuinhari land was secured from enhancement except under certain conditions and that of other occupancy holdings except on application to the Deputy Commissioner. "The restrictions on the sale of landed property which had been observed for many years were legalised by the insertion of a clause prohibiting the sale of all under-tenures for arrears of rent without the permission of the Commissioner."† Both these laws were more or less ineffective and failed to allay agrarian discontent. Accordingly the amending Act of 1903 and the Chota Nagpur Tenancy Act of 1908 were passed with a view to giving better protection to the peasants from the oppression of the landlords and money-lenders.

The Ranchi Gazetteer says of the intention and the effect of these two Acts as follows :

Restrictions on the transfer of holdings were introduced in the Tenancy Act of 1903, the object being to stop the sale of raiyati holdings by improvident raiyats and to restrict all forms of mortgage and thereby save the aboriginal population from becoming the serfs of the money-lenders. These restrictions were reproduced in section 46 of the present Tenancy Act (Act of 1908). Transfer by raiyats of their rights in their holdings for any period exceeding five years are prohibited; but a raiyat may enter into a bhugutbandha mortgage for any period not exceeding seven years. A bhugut bandha mortgage is one in which the loan is repaid by the profits arising from the tenancy during the period of the mortgage. The restrictions of the transfer of Mundari *khunt-katti* tenancies are similar and the provisions of section 46 were made applicable to bhuinhari tenancies in 1908. Even if the mortgagor demands to be put in possession of the land at the end of the period, the money-lender can still attach and sell his moveable property, including his crops. As a matter of fact, experience has shown that the raiyat seldom demands to be put in possession and often agrees with the money-lender to execute a second mortgage for a period of five years. Another method by which the intention of the law is defeated and the sale or permanent transfer of raiyati holdings effected is for the raiyat to make a collusive surrender of the holding to his landlord, who then resettles the land with the money-lender. Thus the restrictions on the transfer of land have not proved a success, and it appears desirable to amend the law and to permit the transfer of holdings, provided the transfer is approved by the Deputy Commissioner. This would prevent raiyats selling or leasing their lands at unfair rates.

III.

The bar on the transfer of aboriginal lands introduced in the laws of Chota Nagpur continued in force till 1920. The bar was absolute during this interval except for temporary alienations of land for five or seven years. But, as the Ranchi Gazetteer has said, transfers were in fact taking place, only in conditions which had proved extremely disadvantageous to the peasants just because of the legal prohibition. A law that was intended to preserve the raiyats in their holdings had turned out to be an engine of extortion in the hands of the landlords and mahajans. When Sir Walter Maude brought forward

* "The Administration of Bengal under Sir Andrew Fraser, K. C. S. I., 1903 - 1908" published in 1908.

† The District Gazetteer of Ranchi by Maopherson and Hallett, published in 1917.

a Bill to amend the Act of 1908 in the Bihar Legislative Council in 1920, he said :

In the opinions which have now been received in connection with this Bill, there is evidence of a fairly wide belief that the prohibition of raiyati and Khuntkattidari tenancies is worse than useless in that it can be and is easily evaded by collusive abandonment and resettlement and merely gives the landlord an extra opportunity of fleeing his tenants. A considerable party including such experienced gentlemen as Rai Bahadur Sharat Chandra Roy and Mr. Durham Waite, the Manager of the Ranchi Encumbered Estates, are therefore in favour of giving the tenant a statutory right to transfer his holding, or at least a portion of it, sufficient to clear his encumbrances and debts.

The Bill, as introduced, contained no provision attaching transferability to tenancies, but the Select Committee to which the Bill was referred recommended unanimously in this sense. The report of the Committee observed on this point :

There is evidence that efforts, not wholly unsuccessful, at any rate in the more advanced areas, have been made to evade the most salutary prohibition under section 46 (1) against transfer by a raiyat of his right in his holding or part thereof, the usual method being by surrender by the raiyat to the landlord, on terms agreed upon, of the land which it is desired to transfer. The right of free transfer was restricted from considerations of public policy and of the advantage to the raiyat, and the result was not contemplated that a part of the tenant's property would thereby be transferred to the landlord who *omnium consensu* had no manner of claim to it. Opinions are not unanimous, but among non-officials at least the prevalent view is in favour of relaxing the prohibition against transfer of holdings, and we have come to the conclusion that some degree of relaxation of a very conservative character is expedient.

In accordance with the recommendations of the Committee two new clauses were inserted in the Bill, in explaining which Sir Walter Maude said :

(They) contain by far the most radical and important change that has been introduced, being in fact a tentative and carefully guarded step in the relaxation of the principle which formed so important a part of the Act of 1908, namely, that it was necessary to protect the raiyats of Chota Nagpur from self-destruction by prohibiting absolutely the sale of their holdings or even the transfer by mortgage or lease, save within certain specified and narrow limits. This question of transferability of raiyati tenancies in Chota Nagpur is one of the utmost importance, and I ask the Council to believe that, in recommending, as we have done, a carefully guarded relaxation of the prohibition, the Select Committee have not acted in any hasty or ill-considered spirit or in any lack of appreciation of the gravity of the measure which they have advocated. The fact is . . . that there has been a strong revulsion of opinion on this question of transferability among many of those whose work is most intimately connected with the raiyats of Chota Nagpur and who are therefore in the best position to know where the shoe pinches. It is impossible to ignore the opinion of men like the Rai Bahadur Sharat Chandra Roy and Mr. Durham Waite, the Manager of the Ranchi Encumbered Estates, men who are known to have the interests of the Chota Nagpur raiyat entirely at heart ; and these gentlemen are only types of a large class who are convinced that the existing inflexible bar upon raiyati transfer is nowadays doing more harm than good, because it cannot be made effective and consequently merely results in the handing over to the landlord in the shape of a bribe, otherwise called salami, of a considerable part of the raiyat's assets. We have therefore recommended that Government should be empowered to permit by notification, with due restrictions, transfers among classes of raiyats.

. . . The transfer from an aboriginal to a non-aboriginal will still be statutorily barred.

The following subsection was thus added to section 46 placing a bar upon transfers :

With the previous sanction of the Governor-General in Council the Local Government may by rules declare that any specified class or classes of transfer (not being transfer by an aboriginal raiyat to a non-aboriginal transferee) in contravention of subsection (1) may be validly made by a raiyat of such tribe, caste, group or community, or section thereof, of such class, in such area or areas, and subject to such restrictions in respect of the person by whom and the person to whom the transfer may be made, sanction of any officer or other authority, quantity of land or proportion of the holding transferred, and any other matter or matters whatsoever, as may be specified, and thereupon nothing in subsections (1), (3) and (4) shall affect the validity of any such transfer so made by such raiyat after the date of publication of the rules in the Gazette or such later date as may be prescribed.

The rules contemplated by this new subsection were promulgated only in 1924. Mr. Tallents explained last year in introducing an amending Bill :

These rules were very complicated and in the event they proved very difficult of application. . . . The figures collected (in the revision settlement of the Ranchi district) show that 10,000 odd legal transfers of raiyati land have been made since the rules were issued in 1924, that the number of illegal transfers is no less than 61,000 and that even that number is not complete. It became clear during the settlement that the existing provisions of the law and the rules were neither known generally nor understood. The Settlement Officer estimated that not more than 5 per cent. of the cultivators understood the Act and that less knew the rules. Nor is there any means by which the present restrictions can be enforced. The law can be broken with impunity by those who understand it. This is a dangerous state of affairs. In view of these facts ascertained during the Ranchi Settlement . . . they decided that they must take steps to simplify the law on the subject in the light of present-day requirements.

IV.

Having come to the conclusion "that the existing provisions of the law are not in accordance with the requirements of the situation and that they are freely ignored, the previous Government introduced a Bill in the former Legislative Council last year, of which the main provisions will be clear from the following passages in the statement of objects and reasons attached to the Bill :

The intention of the law is to retain the cultivators as far as possible in possession of their holdings. But experience has shown that the existing restrictions are both too stringent and too complicated to achieve the desired result. This Bill is intended to allow some relaxation in the law in directions in which relaxation is desirable. It distinguishes between aboriginal and non-aboriginal raiyats. In the case of non-aboriginals the existing restrictions are waived. An aboriginal may sell his land to another aboriginal, and he may sell it to a non-aboriginal with the previous sanction of the Deputy Commissioner provided it is to be used for non-agricultural purposes.

Land is frequently lost to the raiyats owing to the continuation of *zarpeshgi* mortgages beyond the statutory limit of five years. The Bill provides a machinery for terminating such arrangements on terms equitable to both parties.

It is essential that there should be a means of enforcing the restrictions on transfer by aboriginal raiyats. The Bill therefore provides for ejectment of an illegal transferee

and the restoration of the land to the transferor. There is also provision for penalising the transferor and for compensating the transferee in cases of hardship.

Provision is also made to defeat the deliberate default in payment of rent by a mortgagee.

At present transfers are illegal, but they take place freely and in conditions in which the raiyats are eased of a good deal of money which they are not in a condition to part with. Rai Bahadur Sharat Chandra Roy says: "About half, if not more, of the sale proceeds which might otherwise have gone to the raiyat now goes to the pocket of the landlord as his reward for helping to defeat the law." Now it is proposed to relax the restrictions, but whatever restrictions will remain will be strictly enforced. The measure of protection will be less in theory but more in practice. The Congress Ministry has bodily adopted this part of the Bill and certainly does not deserve the strictures passed upon it by Fr. Lallemand. A long series of administrative officers and protagonists of the interests of the aboriginal population are agreed about the soundness of the measure proposed. Rai Bahadur Sharat Chandra Roy believes that a thorough revision of the Chota Nagpur tenancy laws is needed, but he believes at the same time that the changes now proposed are in the right direction.

At the same time we should note here that the Rai Bahadur suggests that, pending a complete overhaul of the whole law, two changes should be made immediately in the Bill. He says:

The right of transfer of his holding or part of his holding that is being conferred by Section 46 (4) on a non-aboriginal raiyat should also, in the case of raiyats belonging to the recognised depressed classes, many of whom in Chota Nagpur are as gullible as aboriginal raiyats, be restricted to the extent that the intending vendor should be a settled raiyat of the village itself or, failing that, of a neighbouring village. Unless such a provision is enacted, unrestricted sale of the holdings or parts of holdings of such Harijan raiyats is likely to introduce a large alien element into the country—a state of things which, as past experience shows, may prove detrimental to the interests of the indigenous people. Another defect that might be avoided is that instead of allowing unrestricted sale of bhuihari tenures, as provided by clause 5 of the proposed Bill,§ the transfer of bhuihari tenures might more advantageously be restricted to members of the same tribe, as otherwise most bhuihari lands which are the best and most valuable lands of a Chota Nagpur village, will gradually pass out of the hands of the tribe that reclaimed them and thereby give rise to considerable heart-burning and sentimental—and perhaps more serious—trouble in future.

CAPITAL OF THE BOMBAY GOVERNMENT.

POONA OR BOMBAY?

ONE of the most important questions under the consideration of the Government of Bombay at present is the question, whether it is desirable that the Government should continue to move its headquarters annually between Bombay and Poona. When the Thomas Committee's recommendation to discontinue the move to the Mahabaleshwar Mount

§ This is clause 5 of Mr. Tallent's Bill and clause 8 of the Bill of Mr. Sri Krishna Sinha, the Prime Minister.

during the hot season was accepted, the official view was that even Poona should be dropped as the monsoon capital. But the Sykes Government left this matter for final consideration for the Bombay Government under provincial autonomy.

The Thomas Committee, or the Reorganisation Committee as it is known in Government papers, clearly laid down: "After consideration of the question in all its aspects we think that the time has come for Government to reconcile themselves to remaining in a single headquarters throughout the year." What led the Committee to reach this conclusion was not the consideration of cost, although the Kher Cabinet seems to attach much importance to it. By way of allowance for a move to Poona, Government have to spend only about a lakh of rupees over the secretariat staff and officers. The Thomas Committee recognised that some very real inconvenience was caused by separating the members of the Government and their Secretaries from the Secretariat office for nearly half the year, during which period personal discussion between the officer responsible for passing orders and the staff responsible for putting up the case was precluded and that both expedition and efficiency suffered.

A *United Press* message from Poona said the other day that the cost of building a new Secretariat at Poona was once estimated at a crore of rupees. Nobody knows when this estimate was made, but the Thomas Committee's figures were Rs. 6 lakhs for residential quarters and Rs. 11 lakhs for a proper Secretariat. The Committee did not prepare any figures for the new bicameral legislature, because that was not then in view. The Thomas Committee did not go very deep into other details because it was very definitely of the opinion that if Government were going to remain in one place throughout the year, it could be no other than Bombay.

But if the Government were going to stay all the year round in Bombay, the problem of a new Government House was visualised by the Thomas Committee. It was estimated that Rs. 11 lakhs would be the cost of an altogether new building and Rs. 7 lakhs would be required if only some adjustments in the existing Governor's residence were to be made. But it was quite certain that if the Governor was to stay in Bombay during the rainy season, his present house was wholly unsuitable.

It would be seen from this that, whether Bombay is decided upon as the only seat of Government or Poona, the matter of new expenditure on account of new buildings is not a point which should be unduly stressed. Administrative convenience, a more economical administration and a Government which can quickly respond to the demands, grievances and requirements of the people are the really important points which must be taken into consideration while deciding what the seat of Government should be. Like the Thomas Committee, even the Kher Cabinet is said to be in favour of a single seat of Government, and that too Bombay. That is the view to which individual members of the Cabinet are inclined. But the fact that the Hon. Mr. Latthe, Finance Minister,

has called for fresh estimates from the Chief Executive Engineer in order to weigh the claims of both Poona and Bombay shows that the Cabinet has an open mind on the question.

THE summary way in which the Thomas Committee decided against Poona creates the impression that the Committee first made up its mind on the point and then set about refuting the arguments advanced in its favour by some of the witnesses who appeared before it. According to the Committee, the only possible claim that could be advanced in favour of Poona as permanent headquarters was its climatic advantage, which "could not be strongly pressed in view of the fact that the business community and by far the greater proportion of Government officials are able to carry on their work without, we believe, undue strain." The Committee said: "Bombay is the commercial, geographical and intellectual capital of the Presidency and indeed of the whole of the west of India."

NO one will deny the pre-eminently great position of Bombay; it is not possible for any one to minimise its importance. Even if the Thomas Committee had recommended in favour of Poona and Government had accepted the recommendation, Poona could not have deprived Bombay of her industrial greatness, her position as a central place of trade and commerce, her greatness as one of the best harbours of the world. Even if the Government moves to Poona for all time, it will only mean that Government has moved to a suburb of Bombay, for what is Poona but a suburb of Bombay with the easy and rapid communication now obtaining between Bombay and Poona by rail, road and telephone and an air service shortly to come into being?

THERE will be any number of business firms which will buy up Government buildings in Bombay, but in Poona no one will take the Ganeshkhind property or other Government buildings. In the words of the Thomas Committee, "the Government House of Ganeshkhind is a property which is extremely difficult to sell and the most that would be probably obtained by relinquishing it would be the saving of the annual cost of its maintenance." Why do that and spend money on constructing a new house in Bombay or reconstructing the present one at enormous cost? Mr. Jamnadas Metha, Finance Minister in the interim Government, gave same thought to this question. His opinion is that the present arrangement should be continued, but that if there must be a single capital for the Presidency, then it must be Poona and not Bombay.

If the Government moves to Poona, it will be more in touch with the rural and agricultural interests, which form a very big majority of the Presidency's population. It will also get into touch with the predominantly intellectual and educational atmosphere of Poona as Poona is universally recognised as a seat of learning and the biggest educational centre in the Presidency. The industrial and commercial interests are always in a position to look after themselves and approach Government almost at their will, wherever the Government might

be seated, and their point of view is never likely to be ignored for want of not being pressed or presented. That is not the case with the rural population.

All these considerations are verily likely to be present to the mind of the Congress Cabinet. Whatever the ultimate decision of the Kher Cabinet may be, it is certain that the point of administrative economy without loss of efficiency will weigh with them most. The efficiency of the officers and staff of the Secretariat will increase and not diminish in the salubrious climate of Poona and there can also be a revision of pays and expenditure of establishments in the direction of reduction, because life in Poona is far cheaper than in Bombay. One thing is, however, certain, that no decision has been taken on the point. The matter is not such as could be decided without bringing it before the Legislature and every interest has had its say. Some decision is expected to be reached before the next budget is presented to the Bombay Legislature.

T. V. PARVATE.

INDIAN LANGUAGES IN FIJI.*

I HAD hardly landed in Fiji where ultimately I spent some eight weeks, when a deputation of South Indians pressed me, almost beseeched me, to address public meetings, at any rate some of them, in some South Indian language, but not in Hindi! They freely admitted that almost all South Indians in Fiji knew and understood Hindi, but most North Indians did not know any of the South Indian languages. Nevertheless, they begged me, almost with tears in their eyes, to speak at least once in some South Indian language!! They did not mind if I had never given a public address in a South Indian language and was not used to that medium. They did not so much bother how I spoke as long as I spoke in some South Indian language!!!

Further enquiry showed that these friends were making very earnest attempts to maintain the *izzat* of the South Indian languages, which were not on a par with Hindi in the scheme of things in Fiji.

Roughly speaking, two-thirds of the Indian population in Fiji are of North Indian origin and speak Hindi as their mother-tongue. The others hailed from South India and have Telugu, Tamil and Malayalam as their mother-tongues. In Fiji, Hindi has become the *lingua franca* for all Indians, and the natural course of evolution, at any rate for the immediate future, is for Hindi to become the accepted mother-tongue for all Indians, particularly those born in Fiji. But the evolution is not likely to be smooth and easy.

The educational system of Fiji was reviewed by an Education Commission in 1926. The witnesses who appeared on behalf of the Indians, and Mr. C. F. Andrews among them, asked that Hindi should be the medium of instruction for all Indians up to a certain stage in primary education. The Commission so recommended, and the Government accepted the recommendation. And since then Hindi has been the

*Reproduced from the *Indian Review* of October.

medium of instruction for the first three standards of the primary education for all Indian children.

Government, however, allowed one departure from this rule. Certain Muslim schools were allowed to substitute Urdu for Hindi.

The South Indians were not completely reconciled to the Hindi medium and the exclusion of the South Indian languages from any recognised place in the educational system, particularly when an exception was made in favour of Urdu for Muslims. Their grouse developed into positive resentment when, as it is alleged, some Hindi enthusiasts crowed over the exaltation of Hindi and the humiliation of the South Indian languages. Some of the leading South Indians organised themselves, collected funds and, with the cordial co-operation of the managers of the Colonial Sugar Refining Co., built their own schools at a huge expense and have kept up an agitation for recognition of the South Indian languages as the media of instruction in the place of Hindi for the children of South Indians.

The Government remained firm in its policy of Hindi as the medium of instruction for Indian children, except for the concession of Urdu medium to Muslims. For the Government policy it is claimed that, for a total population of just over 200,000 consisting of Fijians, Indians and Europeans, there are already three different sets of primary schools based on the media of instruction, namely, Fijian, Hindi and English; that it is administratively and financially impossible to have four or five parallel primary schools for Indians alone, who form less than half the population; that, once the claims of the three South Indian languages as media are conceded, the claims of other Indian languages such as Gujarati, Punjabi, Gurmukhi, etc., which also are spoken to some extent, will have to be conceded and that would only make matters worse; and that in making Hindi the only recognised medium for all Indian children, irrespective of their ancestral languages, Government in Fiji was helping to consolidate the Indian communities—a consummation devoutly wished for by the nationalists in India itself, and among them, the Indian National Congress and Mahatma Gandhi.

Impressed by the earnestness and moved by the importunities of the South Indians, the Government went so far as to permit the teaching of South Indian languages as second languages provided the South Indians made their own arrangements for the teaching of their languages.

This concession failed to satisfy the South Indians. The teachers employed to teach the South Indian languages were untrained and as such not qualified for grants-in-aid. Government would not relax this rule. It would make no provision for the proper training of teachers in the South Indian languages. Nor would it import competent trained teachers from India, nor encourage their importation by the local South Indians. There was no promise that the training received in India would be accepted by the Government in Fiji; if anything, the reverse. The net result is that, while Government tolerates the South Indians making their own arrangements at

their own expense to teach the South Indian languages during school hours, it will not incur any expenditure on that account. In consequence the South Indians suffer from a sense of defeat and frustration.

They grow bitter when they find that the Government thrusts Hindi down their throats and makes provision for the training of teachers in Hindi. They can understand the policy of making the mother-tongue or the King's tongue the medium of instruction, but they cannot understand the policy of making a foreign tongue other than the King's language the medium. If it is to be the mother-tongue, then let it be Telugu, Tamil and Malayalam, as the case may be. If it is to be the King's tongue let it be English. But why Hindi for South Indian children? Hindi is as foreign to them as English, but infinitely less useful. To most of the Indians in Fiji, particularly to the local born, Fiji is their permanent home. And the language of the State is English. Every State document, in fact almost everything useful, is published in English and precious little in Hindi (or in Fijian). English is so valuable in Fiji that from the fourth standard onwards English is the medium of instruction even now and with universal consent. English is even now taught as a language subject long before the fourth standard stage is reached. The only question is as to the medium of instruction in the first three standards. Should it be the mother-tongue, or Hindi or English? The South Indians would have either the mother-tongue or English, but not Hindi.

From an educational point of view, any of these three alternatives is feasible. Hindi is now the medium. It is well established that the mother-tongue, whatever it may be, is perhaps the best medium. Even English, though a "foreign" language, is feasible. Indian children in Trinidad, in British Guiana and South Africa have English as the medium of instruction right through. And in the United States of America, English is the medium for all, irrespective of the mother-tongues of the immigrants from polyglot Europe.

Financially, it will cost very much more to run several parallel schools with different media of instruction. But in the case of Europeans who have English as their mother-tongue and the Indian Muslims who claim Urdu as theirs, and who both form but very small minorities in the population of Fiji, the fewness of pupils did not deter the Government from running parallel schools with English or Urdu as the medium. For the sake of economy, the European and the Muslim children were not asked to learn through the Fijian or Hindi medium. The paramount claim of the mother-tongue was acknowledged in their case. Children with any of the South Indian languages as their mother-tongue will any day be more than the European or Muslim children.

As for maintaining contact with Indian culture and India, Indian culture is not enshrined in one single language, least of all in Hindi, but in several languages.

The advocates of the *status quo* among Indians, who are mostly Hindi-speaking people, contend that the South Indian languages imported into Fiji are gradually giving place to Hindi, that the latter is increasingly becoming the mother-tongue of all Indians and that Mahatma Gandhi and the Indian National Congress had declared Hindi to be the *lingua franca* of India, and as such it should be the *lingua franca* of all Indians, whether in India or abroad, and that as patriotic Indians, they should give prominence to Hindi in Fiji as well and insist on its being the medium of instruction for all Indians in the first stages of education. They oppose, in consequence, the substitution of English for Hindi as the medium.

Two solutions have been suggested. One is that English should be the medium, with Hindi, Urdu, as well as other Indian languages being second languages. The second is that Indian schools shall have the option of Hindi or English as the medium. The South Indians may prefer the latter and make independent provision to teach South Indian languages as extra subjects, but be under no compulsion to teach Hindi.

P. KODANDA RAO.

HINDU RELIGIOUS ENDOWMENTS.

MY good friend, Mr. R. Surya Rao, has done a service to the cause of Hindu Religious Endowments by freely giving out his suggestions for further improvement of them. It is my duty here to pay a tribute to the *incorruptible* administration that was run under his stewardship. Before examining his suggestions for a further amendment of the Madras Hindu Religious Endowments Act, it is none the less necessary to correct a few of his reactions.

Mr. R. Surya Rao was not justified in stating that "the educated Brahmin community kept sullen and aloof" instead of popularizing the Act. Even his historical introduction has to refer to the pioneer services rendered by Rama Iyengar, Anandachari and Srinivasa Rao of Madura. Further, the work done by the Dharma Samrakshana Sabha with Mr. (later Sir) S. Subrahmanya Aiyar at the helm is only another instance of the healthy lead given by the foremost Brahmin leaders. Nor should it be forgotten that owing to the method of appointing commissioners, the best and safest men were not often selected. When among some of the members of the Board one could not expect the impression that he was getting justice done, no wonder that further difficulties were created in the way of popularising an ill-drafted Act.

In fact, Mr. R. Surya Rao himself in my view supplies this answer through his suggestion that "recruitment to the Hindu Religious Endowments Department should be made on the same lines as in the other Departments of the Government." The impression created in the public was that this Department was the asylum for the disabled and the mediocre. This impression could not have been created if the recruitment had been the same as in the other Departments of the Government.

To cite one instance. The Commissioners under the Act need only be "persons professing the Hindu religion". Though in fact the Local Government has thus far appointed mostly lawyers as Commissioners, there is nothing in law to prevent a timber merchant or a toddy contractor being appointed a Commissioner, for the Commissioner has only to "profess the Hindu religion." (I am aware of the possibility of the toddy contractor running into disrepute when my esteemed friend Srijut "C. R." of Madras carries out his Presidency Prohibition programme.)

One is a bit surprised that a trained lawyer should have in his zeal allowed himself to make the remark that "the Privy Council, basing their decision on the one-sided representations of the Mahant, altered completely the High Court scheme." It is only true of the procedure of the H. R. E. Board sometimes not even to remember the other side; for, as stated in 36 L. W. 673, "There need be no pleadings on record. Evidence need not be given on oath, and none need be recorded. No reason need be given for the decision. No pleader need be heard. The proceedings need not be conducted in public."

The present writer concluded in the course of a special study of the "Hindu Religious Endowments" (*Madras Law College Magazine*, Dec. 1936) that "the experience of the Hindu Religious Endowments Board since 1925 has to be gone into by the Local Government and a comprehensive amending bill is to be brought by the Government after mature consideration and consultation of public opinion."

I also put the pointed question, "Will it not conduce to better supervision, if, say, Trichinopoly, Vizagapatam and Calicut be made the headquarters of divisional Commissioners?"

One is glad to be confirmed on these points by the rare experience of Mr. R. Surya Rao. "The present Department", he rightly points out, "must be decentralized, reducing the officers and the staff at the centre and increasing the officers and the staff in the mofussil".

Further, the present writer concluded that "a rational reorganization of the feeble, fractious and non-functioning temple committees should demand the urgent attention of the Local Government." Mr. R. Surya Rao very correctly points out that "there shall be no more temple committees."

I do not agree with his view that "charitable endowments also must be brought under the Act." The distinction between religious and charitable endowments is well-known in judicial decisions. Time is not yet for giving that jurisdiction to the Board which has yet to do its allotted work in the expected manner. Defective legislation, inevitable clashes with powerful vested interests and absence of judicial procedure in the conduct of enquiries combine to limit the quality of work done by the Madras Hindu Religious Endowments Board.

Other provinces like the U. P. are following the working of the experiment at Madras. Our respected publicist, Mr. C. Y. Chintamani, had expressed on the floor of the Legislative Council the need for better

supervision of religious endowments. A private member has, it is understood, given notice of a bill in this behalf. Under provincial autonomy, however truncated it be, it is necessary to bring in an exhaustive amending bill in Madras so that the reputation of the Hindu Religious Endowment Department can be maintained at a high level.

K. R. R. SASTRY.

SHORT NOTICES.

THE AGRICULTURAL LANDOWNERS' HAND BOOK ON TAXATION (ENGLAND AND WALES.) By R. STRACHAN GARDINER. (Central Landowners' Association, London.) 1936, 20cm. 251p. 6/-

THE agricultural landowner in England has to pay many taxes to many institutions, but there are clear laws and regulations, and this book is intended to guide the agricultural landowners. Income-tax is levied on agricultural income also unlike in India where it is exempted, and the submission of many schedules for assessment are to be clearly prepared if the landowner is to pay his due taxes to the Government. The English landowner pays land tax, local rates, income tax, death duties, tithes and tithes redemption annuities to the Government and other institutions. All these different taxes are clearly explained with illustrations and the ordinary landowners are guided to prepare their accounts to satisfy the assessing authorities. Various general rules of licences, and the labour and insurance laws are briefly and clearly explained. The legal processes connected with assessment and appeals are also given in detail. A study of the land tax system of England reveals the very regressive nature of our land tax system. Our revenue system, if it might be so styled—is more of executive creation than codified legislation, with the main intention of augmenting the income of the State. The ability of the assessee is not taken into consideration and the smallest holder is taxed proportionately with the big holder. Agricultural income is exempted from the payment of income tax, and the rich are shown a concession, but the poor and small holders are not exempted from land tax as is the case in England. When our land revenue system is properly codified, books of this kind in our vernaculars will be of great use to the ordinary cultivators who are now at the mercy of subordinate revenue servants who harass them if they are not sufficiently propitiated.

N. S. S.

BORZOI. By IGOR SCHWEZOFF. (Hodder & Stoughton.) 1935. 23cm. 441p. 9/6.

THIS autobiography has been awarded a prize of £1000 by Messrs Hodder and Stoughton Ltd. It is an admirable piece of work. Its charm lies in its true-to-life descriptions and the personality of the author which is revealed throughout.

The author of this life story was born in 1904. His parents were rich aristocratic people belonging to the old regime in Russia—the Borzoi. His father was a great general, who fought for the Tzar in many famous battles including the Russo-Japanese War, the Crimean War and, lastly, the Great War. His mother was a daughter of a rich Russian banker, who was an owner of big firms and rubber factories,

palatial buildings and estates in Russia. At the beginning of the Revolution private property of every kind was confiscated and he was regarded with suspicion by the communists. He was a good dancer and a promising artist. Being ambitious, he devoted himself wholeheartedly to his art. He had to suffer hard in his struggle for success. He was distrusted and treated unjustly by the Soviets or party members. At last he had to desert his beloved motherland and run away from Russia. The description of this flight is an exciting and impressive one. He escaped from Vladivostock and crossed the Russian frontier with great difficulty, crossing many frozen rivers, tramping through thick forests and mountains, suffering from hunger, piercing cold and the after effects of imprisonment. He reached Harbin in Manchuria without a penny in his pocket. From Harbin he proceeded to Shanghai from where he sailed for France. It is no wonder, therefore, that the author dislikes Soviet Russia and longs wistfully for the happy by-gone days.

The author has a fine sense of satire and humour. Various experiences and descriptions are coloured richly by them, and gives us an absorbing picture of Soviet Russia from the beginning of the Revolution to the end of 1930 through the eyes of its victims.

L.

THIS ENGLAND! WITH A NOTE ON THE EXIT OF EDWARD VIII. By K. L. GAUBA. (The Times Publishing Co., Lahore.) 1937. 19cm. 98p. Rs. 2.

THE book is written by one who has already earned a reputation for an attractive facility in English writing on account of his revelations about the black side of American life in "Uncle Sham." Fortunately in "This England" the reader is spared from similar subject matter. On the other hand, England seems to have inspired the author with entertaining reflections on the country and the people. As a member and secretary of the Indian Delegation to the Empire Parliamentary Conference held in London in 1935, the author had opportunities of meeting persons holding high positions in the public life of England. In the book, he has jotted down his impressions about them supplemented by rather commonplace observations on English life with his usual vigorous and picturesque language.

For a book of merely 98 pages, the list of errata is somewhat long and the price also is too high.

W. M. V.

GOLDEN RESOURCES. By L. V. NARASIMHA RAO. (The Author, Santivasti, Guntur.) 16cm. 207p. Re. 1-4-0

PUBLISHED by the author Santivasti, Guntur pp206

The writer has written this small book as a "guide to health, wealth, and happiness". Unfortunately the author has borrowed many things from many sciences, but has not digested and assimilated them and hence he breaks out into hyperboles many a time. For instance while praising Vitamins, he has actually said that "Life is in Vitamins." (p. 30) Vitamins are no doubt important but Life is more than Vitamins and exists in other things as well. Such exaggerations mar the value of this book.

V. M. BHAT.