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Topics of the Aveek.

The Bihta Accident Inquiry Report.

THE Punjab-Howrah Express was involved last year in a terrible accident at a station, Bihta, 17 miles from Patna. The train left the tracks, and several coaches with the engine were thrown off a high embankment. 107 persons were killed and 117 injured. The Government deputed Sir John Thom, Chief Justice of the Allahabad High Court, to inquire into the accident and his report is now published. The report subjects the railway administration as regards the working of the link system of trains, the use of the types of engines and the responsibility for the safety of the passengers, to a sifting inquiry, and fixes the blame for the accident on the negligent manner in which a certain type of engines, the XB type, was allowed to be used on the track, in spite of the repeated complaints from drivers and other efficials as to the behaviour of these engines. In unambiguous terms, Sir John Thom declares:

The derailment resulted from distortion of the track which was caused by the XB engine running at excessive speed and hunting; and the accident is directly attributable to negligence on the part of the Railway Company (the E. I. R.); and the Railway Company are accordingly liable to damages to those who were injured and to the dependents of those who were killed in the accident.

THE reasons which led Sir John to arrive at this severe judgment are revealed in the report with devastating clarity and the East Indian Railway cannot escape from the charge that the plea advanced by them that the track was tampered with, or that the fault lay with somebody else than the Company is groundless and that the loss of life and limb sustain-

ed by the unfortunate passengers could have been avoided. Sir John finds that the drivers had repeatedly complained about the behaviour of the XB engines. Regarding the plea that the track was not normal, Sir John remarks that he is satisfied that

Not only was the track up to normal standard, but that there was no particular abnormality in the east of the down warner signal which could have thrown the engine of the 18 Down into a lurching movement or which was connected in any way with the accident.

And he adds:

The evidence points to the conclusion that there was something radically wrong. ... There can be no question that the operating department were negligent in the manner in which the timetable and the link system was drawn up.... The persistent ineptitude; fumbling and lack of grasp which have characterised the Company's handling of the problem of the XB engines is the more remarkable. The experience which the Railway Company had of XB engines upon their track should have been a sufficient warning to the Company to take decisive action long before 1937....

His conclusion, therefore, is:

The Railway Company, in my judgment, have clearly failed in the discharge of their functions to exercise that ordinary care upon which the law insists.

THE Government of India have issued a gazette dealing with the report and directing the E. I. R. to consider and settle reasonable claims for damages "without admitting negligence". We hope it is only a technicality to avoid further legal trouble and will not be resorted to to deprive the claimants of their just recompense. Government has also directed the Company to proceed to the appointment of an independent committee to inquire into the design, purchase and the continued purchase of the XB engines as recommended by Sir John Thom. The Railway Board has already issued orders to regulate the speed of the XB engines in use on the railways.

ALL this is satisfactory and the public can only hope that the terrible lesson of Bihta would lead to a more responsible handling of the time-tables and link systems on railways. The Railway administration will no doubt deal with those persons whom the report finds either negligent or careless in the discharge of their duties. One reflection, however, we are tempted to make. Every time an accident occurs on the railways the first conclusion that the authorities rush to is that it was a deliberate political crime by terrorists. The same conspiracy-complex is exhibited wherever a large scale dacoity or robbery takes place. In the case of the Bihta accident also the plea was advanced that the track was damaged by terrorists. We hope the clear rejection of any

such plea in the findings of the inquiry will check this tendency to attribute every crime to political motives.

The Hyderabad Riots.

A STRIKING feature of the bulletins issued by the Nizam's Government from time to time regarding the Hyderabad riots is the unfortunate tendency in them to throw the blame entirely on the Arya Samaj and to minimise the guilt of the Muslim rioters. The accounts given in the bulletins are at strange variance with reports published in the papers. The fact that a paper published so near the occurrence of the riots as in Secunderabad four days after the riots started, does not even mention the riots, let alone give detailed news about it, also leads to the suspicion that a severe censorship might have been imposed in the State. Suppression of news is not always the correct method of handling a delicate situation.

THE reports in the newspapers have so far gone to show that, in spite of the reassuring bulletins of the Government, unprovoked attacks on houses have occurred more than once in the city. That is the alarming aspect of the riots. These attacks have been on the houses owned by Hindus. If it is a coincidence that the news of these dangerous attacks finds no mention in the Government bulletins, which record with meticulous care what individual Sikhs and Arya Samajists have done in the riots, it is an unfortunate coincidence. The Nizam's Government cannot run away from the responsibility which rests on it, by charging the Arya Samaj alone as the instigators of the riots. To say the least, events do not substantiate the charge.

THERE was a time when every riot that took place in British India was attributed to political agitators belonging to the nationalist parties. The Governments concerned did not add to their reputation in trying to discredit their opponents by using the riots as an excuse. Nor will the Nizam's Government do so by making capital out of the present riots to hound out the Arya Samajists. It will first have to investigate the source of the organised and unprovoked attacks on houses, to whomsoever they might belong, and to find out whether such attacks do not denote a preconcieved plan. We are yet in the middle of the events and cannot pass a judgment on the riots, but we would like to repeat a suggestion we made some time ago. It cannot be denied that places of worship have proved to be the meeting grounds and ammunition stores of goondas when such riots take place. The first precaution to be taken at such times is to keep a close guard over these places, whether Muslim, Hindu or Sikh. We hope the Hyderabad authorities are doing it.

Pathetic Prevarication.

In the Shareef affair, which ought to have been promptly decided by the Prime Minister, even the Working Committee of the Congress has been indecisive. It has appointed Mr. M. N. Mukerjee, a retired High Court judge, to go into the question and to decide whether there has been "a grave error of judgment amounting to miscarriage of justice", It appeals to the public to await the verdict of the Committee which it says them will be given "without fear or favour" and assures them that it holds the "honour of womanhood no less dear than women do".

THE facts of the case are wellknown to the public by now. But it seems to us that the gravity of the

offence in all its heinousness is not sufficiently known. Jaffar Hussain was a highly placed officer in charge of education of a whole division in the C. P. viz., Berar. He was promoted to that office over the heads of many seniors, probably to satisfy the so called Muslim claims. It was revealed during the trial that the offence committed was the culmination of a carefully arranged "party". So much so that Jaffar Hussain who was stationed at Amrati was summoned by telegram to Wardha for the purpose after the hapless girl was enticed to the police inspector's house. Jaffar Hussain's offence was not the lustful outburst of a suddenly inflamed mind, but deliberate, planned and cruel sexual perverts. Pleas for mercy deliberate, enterprise cases ought to be rejected ruthlessly. There can be no excuse for indulgence or prevarication, nor can there be any question not only of a grave error of judgment, which the Minister has admitted, but of a miscarriage of justice in its ultimate effect.

THE fact of the matter is, that both the C. P. ministry and the Working Committee find themselves in a difficult position on account of their desire to truckle to the Muslim element in the provinces. In forming Governments they have assumed that their Cabinet would not be complete without the inclusion of Muslims in them. In the C. P., where the Muslim population is hardly ten per cent. and where the depressed classes have certainly a better claim for representation in the Cabinet than the Muslims both by strength of their population in the province and numbers in the legislature, the Ministry insisted on having a Muslim colleague. And if Mr. Shareef went, there is no alternative choice available. The pathetic prevarications of the Working Committee are due to this situation.

INCIDENTALLY the same situation is responsible for the grotesque ruling which Mrs. Kale, the Deputy Speaker of the C. P. Assembly, gave when she presided over the Thana Women's Conference last week. When a resolution condemning the release of Jaffar Hussain was sought to be moved, Mrs. Kale ruled it out of order. This is the same Mrs. Kale who led the agitation against the action of Mr. Shareef. Probably the alarmed High Command had rapped her on the knuckles with the rod of discipline for creating an embarrassing situation for her party in the province. But not only did Mrs. Kale cease to take part in the agitation which she had led, but gave a ruling which muzzled others. And thus the honour of women is sacrificed for political exigencies!

WE take such lengthy notice of this incident because of late the Ministers of Justice in Provincial Governments have shown an alarming tendency to make arbitrary use of their powers under section 401. The case of Mr. Munshi is now notorious. Another case is being reported from the N.W. F. Province where Dr. Khan has exercised mercy in an equally outrageous manner. A teacher in a school convicted of hiding a kidnapped girl has not only been released almost immediately after his conviction, but he has been reinstated in his old job, and his pay for the time he spent in jail has been paid him? We can well believe now that Dr. Khansaheb laughed in derision when he was in the Central Assembly and the woes of kidnapped girls in the N. W. F. were being recounted by a member there. If this is the price for Muslim mass contact, the sooner we rid ourselves of it the better for the purity of our publicaife and the honour of our women.

What State is This?

NEWSPAPERS give the news that immediately after his release from jail, Jaffar Hussain crossed into an adjoining Indian State and is now employed in the Education dapartment of that State. If the story has any truth in it, it is the duty of the men and women in the State concerned to rise in protest against the employment of this criminal in a responponsible post. The Indian States have been the asylums of many persons from British India, pensioners, superannuated politicians and pampered civil servants from British India. But if the Princes are going to assume the role of protectors and friends of known sexual perverts, the limit of the endurance of even the States' people might be reached sooner than the Princes think possible.

WE have no desire to pursue Jaffar Hussain with a vendetta and do not wish that the man should be starved. What we object to is his employment in a department where he is bound to come into daily touch with young boys and girls. There are other ways of providing employment for a released convict than placing him in a position of responsibility.

* * The Travancore Sedition Case.

THE judgment of the Additional Sessions Judge of Trivandrum in the sedition case against Mr. Narayana Pillai, the full text of which has appeared in the press, is not only totally indefensible on the facts of the case, but quite amazing.

In referring Mr. Pillai's articles to the Advocate General for legal opinion, Sir, C. P. Ramaswami Iyer, the Dewan, showed that he had already made up his mind that prosecution was necessary and said in so many words that he expected the legal adviser to agree with him. The reference was probably intended only to observe the formalities that have to be observed in such cases! The articles themselves do nothing more than urge the Nairs of Travancore, who are against this policy, to ask for the principle of communal representation in the services to be applied to their own community. The Nairs, according to Mr. Pillai, are under-represented in the services, and the principle of communal representation, if made applicable to them, would benefit them to a large extent. The community is however, averse to making such a demand, being certain that if appointments were made on the basis of merit alone, the Nairs, as the most advanced community would get a larger share of posts, than their mere numbers would warrant. But the opposition of the community makes it possible for the Government to defy the principle as well of communal representation as of merit and appoint members belonging to other communities. This, Mr. Pillai thinks, must be stopped. We are not concerned here with the soundness of the policy advocated by him, but no one who reads the articles can take the view that they afforded material for a prosecution for sedition, much less conviction. There has been a grave miscarriage of justice in this case; not only is the conviction not justified, but the sentence passed on Mr. Pillai had gone in appeal to the High Court.

The Madras Immoral Traffic Bill.

In response to the demand of workers in the cause of Social Hygiene and the Madras Vigilance Association the Government of Madras introduced an

Amending Bill to the Madras Inmoral Traffic Act, to punish those persons who live on the earnings of a prostitute. When the Bill was passed in the Upper house, the Devadasis as a community were exempted from the operation of the Act, an amendment for bringing them within the scope of the Bill having fallen through. However, the interval between the passage of the Amending bill in the Upper House and its introduction in the Legislative Assembly was taken advantage of by the women of Madras, who got up protest meetings against the exemption with the result that the Minister had, of his own volition, to delete the exemption clause in deference to the demand of the women of Madras, when the Bill came up for consideration before the Assembly. The exemption clause in question would have had the effect of perpetuating the Devadasi system under the cloak of religion and custom and of giving it legal recognition.

ANOTHER provision in the Bill which calls for comment is the one that limits the operation of the Act to the Municipalities and areas within three miles radius of them. In justification of this provision Mr. C. Rajagopalchari pleaded administrative difficulties. The evil of prostitution and immoral traffic is spreading in rural parts with the progress of industrialisation of the cotton tracts in the presidency of Madras. Taking a place like Coimbatore for example, there are nearly a score of mills situated round about the city beyond the three miles limit, where prostitution and veneral diseases have become rampant. By the three miles limit, the Government have provided the brothel keepers and prostitutes a loophole to evade the the law by removing themselves just beyond the three miles limit and carrying on their trade unhampered by the fear of being prosecuted under the provisions of the Act. Penal provisions under the Act must be made universally applicable as the provisions of the Indian Penal Code, for instance.

"Dangerous Views."

SPEAKING on the question of the separation of the executive and judicial functions. Dr. Katju, the Minister of Justice in the U. P., gave expression to the following:

We want in our province, he said, that the legislature should be supreme. The essence of all democratic institutions in all countries which are governed by democratic institutions is that the legislature should be supreme not only over the executive but also over the judiciary. In England Parliament is master not only of the Cabinet and the executive, but also of the judges.

WE commented on this misguided notion of demooratic control in our last issue. A lawyer writing in the Leader draws attention to these "dangerous views" of Dr. Katju and quotes at length authorities to disprove Dr. Katju's misconceptions. He says:

It is true that in England the judges are appointed by the executive, but it is absurd to say that Parliament is supreme over the judiciary. Of course Parliament makes laws which judges interpret. Parliament also finds the money for their salaries. But that does not mean that Parliament can control the judiciary. "Although the consent of both Houses of Parliament," says Mr. Emden, "is necessary to an address to the Crown for the removal of a judge, and while either House can receive a petition respecting a judge's exercise of his duties, it appears that proceedings in respect of a joint address should properly originate in the House of Commons as being the grand inquest of the nation. . . . In point of fact, up to 1700 when

the Act of Sattlement was passed, the executive who appointed was able to remove its appointees at will. But since that Act came into force the tenure of office of the judges of superior courts is during good behaviour and these terms are now enacted in the Supreme Court of Judicature Act, 1875. The judiciary have thus acquired the quality essential to that organ, namely, independence."

I should be very glad to be assured that when he said that the legislature should be supreme not only over the executive but also over the judiciary, he was either indulging in a political flourish or only giving a half-truth of constitutional law and history. If, however it be the fact that what he is aiming at or what the Congress Government is aming at is the subordination of the judiciary to the executive, then I think our cry should be 'hands off the judges'. I cannot conceive of any greater disaster happening to this country at this juncture, when there are so many confused cries in the air and so many experiments being tried with the well-being of the body politic, than that the position of the judges should be in any manner or degree weakened, or that there should be even a suspicion in the public mind that there is anything like politics under the roofs of our courts.

Restoration of Lands to Tenants.

THE Bihar Ministry has taken in hand a very important piece of legislation. It has introduced a Bill seeking to restore to the tenants the holdings which they lost during the slump on account of their inability to pay rents. By an amendment of the Bihar Tenancy Act made last year, power has been taken to reduce rent in proportion to the fall in prices, but this benefit reaches only those who have been able to hold on to the land. However, a large proportion have already parted with their land. On account of the heavy fall in prices (paddy which used to sell at Rs. 6-2-0 per maund before 1928 was sold at Rs. 2-8-10 per maund in 1934) they were unable to pay rent; and their holdings were sold in execution of decrees for arrears of rent and were purchased by the landlords "in most cases for grossly inadequate prices." The present Bill may thus be said, as it were, to give retrospective effect to the amending Act passed last year.

THE relief intended to be given to the tenants by the Bill can in the nature of things only be partial. In the first place, the Bill seeks to put back in possession of the land only those raiyats who lost their lands in the years of the depression, i.e. between 1929 and 1936. In the second place, the raiyats can be restored only to such lands as were purchased by the zamindars at a sale in execution of rent decrees and as have not yet passed in the possession of third persons. What proportion of the total land sold for arrears of rent between 1929 and 1936 is bakasht or remains in the possession of the zamindars is not known; estimates about it vary. Neither are the conditions which the Bill attaches to the restoration of bakasht land too easy. If the landlord who has purchased a holding is "a petty landlord", then he is not to be required to disgorge the holding, and for the purposes of this Bill a petty landlord is one who is not assessed to agricultural income-tax (and the assessable limit of income is proposed to be placed at Rs. 5,000) or who pays local cess not exceeding Rs. 375 a year. The larger among these so-called petty landlords would, we think, be anywhere regarded as biggish landlords, but they all elude the net cast by the Bill.

THE compensation proposed to be paid to the landlord for the land resumed by him but now to be restored to the tenant is to be 50 per cent. of the

amount for which the land was sold plus the costs "necessarily incurred" by the landlord for obtaining possession of the land. The tenant has to pay this amount either in a lump sum or in instalments spread over a maximum period of five years. If a default occurs on the part of the tenant in the payment of instalments for two consecutive years, the land in question reverts to the landlord. The Collector, who is entrusted with the administration of the measure, has no option in the matter. He is under an obligation to eject the tenant and put the landlord once again in possession. The tenant would in this case also forfeit the deposit of 10 per cent. of the sale price of his holding which he has to make when applying for restoration of the holding. How many tenants would under these conditions be in a position to regain their lands and then retain them it is difficult to say, but Mr. Yunus roundly declared that in almost 99 per cent. of cases the tenants would not only lose the lands re-acquired by them but forfeit the deposit in addition.

VARIOUS suggestions were made in the Assembly for increasing the protection to be given to the tenants and making it more effective. The most important of these was for cancelling the exclusion of "petty landlords" from the purview of the Bill. It was urged that the maintenance of this exclusion would go far to frustrate the object of the Bill, for not only did such landlords form a majority, but they were more oppressive than the bigger landlords. A prominent member, Mr. Jalil, gave a shrewd guess that the reason which weighed with the Ministry for so shaping the Bill as to favour smaller landlords was that the major part of its total strength came from them, and he thought it was but natural for the Ministry to propitiate these landlords along with or, to some extent, even at the cost of the kisans. If the landlords were themselves cultivating the lands, there would be some justification for the exclusion, but not otherwise. Another suggestion was to extend the period during which the tenant could pay compensation to the landlord from five to seven or even ten years and to give discretion to the Collector to look into individual cases of default in payment of instalments and keep the tenant on the land, in spite of the default, in circumstances which would justify such action.

Empire Policing.

IN order to achieve strategic mobility, the Cardwell system of linked battalions under which half the British Army is in India, must be altered and a part of the strategic reserve now stationed in England must be stationed in the Middle East. On this plan there is general agreement, but in order to put it in force India's consent is required. Mr. Hore-Belisha, War Secretary, again referred to this in the House of Commons on 22nd March. He said: "It is our object, in having these discussions with India, to secure an arrangement whereby we should be able to keep our strategical reserve in a place where it should be possible to send it to alternative spots that might need reinforcement. Until such an arrangement is reached we have not a free control of our total forces."

VARIOUS suggestions have been made as to the future organisation of the Army, and Capt. Macnamara contributed one in the debate on the Army Estimates on 22nd March. "I consider," he said, "that the Empire in general and India in particular need some form of Empire police force, a sort of Empire gendarmerie, light mobile policemen, semimilitarily trained perhaps, on the line of the North-

-West Mounted Police of Canada and the sort of formations that you see in other countries." "The Empire police force should be a long-service force, Empire police force should be a long-source which with a pension at the end of it, and a force which will not be withdrawn from India should there be a Polestine or anywhere else." "It war in Europe or Palestine or anywhere else." would have to be very much fewer than the number of British soldiers kept at the moment in India.

THIS might be a smaller force, because the five divisions of Regular troops which are stationed in England for being sent abroad in an emergency are, Capt. Macnamara said, "mainly boys; young men; a depot, as they really are, for the flower of our Army that is still kept in India. These are the young people who are being trained and sent out." But "if you have one older man the known his ich and you have one older man, who knows his job and speaks the language, he will be able to do the job of twenty young boys armed with a Lewis gun, who are rushed up at the last moment to shoot when the situation has got out of hand. I consider that a great deal of money will be saved, even if one has to allow for bigger pay and pensions." "Above that (Empire police force), we need three small striking forces (each of about three strong mobile divisions) who will be able to bear the first brunt of hostilities in the three parts of the world where they are most likely to break out in the near future. There should be one small striking force, mobile and very strong, in this country; another in the Near East; and another in the Far East or India, having nothing to do with the Empire police force."

THAT the present system is unfair to India was frankly admitted by Capt. Macnamara, who said:

I consider that this system does not suit India any more than it does us; this system of training these boys, keeping them as boys at home, and sending them out to India for the flower of their soldiering. India does not need an army which is trained for Europe, and India knows perfectly well that if there is a European war India will lose all that army, because we shall have to take it away.

This proves conclusively that India was regarded all these years as a training ground and reserve base for troops eventually required elsewhere, and that the British Army in India was not in fact maintained for India's own security alone. Section 150 (1) of the Constitution Act lays down that "no burden shall be imposed on the revenues of the federation or the provinces except for the purposes of India or some part of India," but one may be sure that, as in the past, the future organisation of the Army, whatever it may be, will throw on India a burden which ought properly to be borne by the Imperial Government.

Army: A Citadel of Caste.

In the debate an earnest plea was made for the democratisation of the Army." A Labour amendment was moved in the following terms:

In the opinion of this House, the present Army system governing the conditions of the serving soldier and under which officer commissions are almost wholly reserved for the sons of the well-to-do is out of date in a democratic CODDITY.

The amendment was defeated by 2 to 1, but the arguments advanced, valid as they are in England, are entirely apposite to the conditions in India, in the matter of recruiting not merely officers but ranks, though the complaint in England is particularly about the former. It was pointed out that only 17 per cent of the officers in the British Army had risen from the ranks, whereas in the French and - Russian armies the proportion was about 50 per cent.

Most of the cadetships, it was said, are given to boys from a small number of public schools. There are qualifying examinations, but in practice the regulations concerning them are got round by back-stairs forms of entry because the boys are generally too "stupid to pass the examinations." Mr. Parker said:

What is the quality of the boys from these approved schools? In most cases the Army class is hardly the centre of intellectual brilliance. In March, 1937, there was an interesting article in the Times about the ways of getting into the Army, and the writer quoted the remark of one headmaster, who said: "I only advise boys who would be quite impossible in any other walk of life to go to Sandhurst, '

NOT one in ten of the boys selected for cadetships, remarked Mr. Lees-Smith, "has passed the matriculation examination, and a number of them cannot pass the school certificate examination and could not get a responsible position in a commercial firm. Not only is the material unpromising, but the education given at Sandhurst and Woolwich, where they are segregated, is very narrow. The military correspondent of the Times said recently that the Army is a temple of ancestor-worship. Mr. Markham said: "It is a class system. I, for one, can see no particular merit in limiting the commissioned ranks of the Army to those who have been fortunate enough to secure their training in a very narrow school, however excellent." Mr. Lees-Smith said: "We are however excellent." Mr. Lees-Billion Ballion drawing the officers of the Azmy from a little pinpoint of the population." Sir Edward Grigg described a citadel of caste and said: "It is the Army as a citadel of caste and said: "It is absolutely vital to open the doors of commissioned rank much more widely, . . . and to have it laid down that those (selected for cadetship) should come at least in equal measure from the elementary schools as well as from the public schools. You should get the ablest boys and then give them their education in a special military secondary school. Later they should be allowed to go for a period to the cadet colleges and then they should be allowed to go for a short period to one of the universities. The latter I believe to be vital." Only thus, it was said, would the Army cadets be brought into the main stream of national life, and only then would the Army be a national army, a citizen army.

Articles.

PROF. D. K. KARVE

OST heartily do we join the numerous friends and admirers of Prof D V V admirers of Prof. D. K. Karve in celebrating his 81st birthday on the 18th inst. We offer him our most cordial felicitations and our very best wishes. India is blest in his life and his work and is justly proud of him. Indian womenhood has in him a pioneer champion who devoted the best part of his great life to its emancipation.

This is not the occasion to attempt a critical appraisal of his life and work for India, though we feel assured that even the most critical examination will only reveal a high character without blemish, unexcelled devotion to service without a tinge of selfishness and a life of the utmost sacrifice without seeking a reward—a man who achieved his own ideal of Nishkama karma. In his recent autobiographical sketch, called "Looking Back," he has, with engaging artlessness and belittling modesty, revealed a life of

heroic endeavour and achievement which evokes a thrill of reverence and admiration for the aged hero.

Early in his boyhood, in his march of 110 miles from Murud to Satara, he showed the stuff of which he was made. Sensitive to human injustice and suffering, he was profoundly moved by the plight of the high-caste Hindu widows. He knew how hopeless it was to attempt a reform when he began this work, that only spurred him to greater effort. Once his objective was fixed, he pursued with unflagging zeal and undaunted courage. courted poverty, suffered privations and persecutions and steadily plodded his way to the achievement of his objective. And he carried on his uphill work for some twenty years in the most unostentatious manner. At best, his chosen line was not such as to give him wide public applause; it was unpopular. His persecutors knew him more than the public knew him. It was only when he was elected President of the Indian National Social Conference in 1915 that a wider public came to know of his great and enduring work done with no thought of publicity. His subsequent founding of the Indian Women's University was the coping stone to his services to Indian women. His Hindu Widow's Home, Mahila Vidyalaya and the Women's University are the living monuments of his humanity, his vision, fortitude, perseverance, heroism and achievement for Indian women. He gave a wonderful exhibition of the catholicity of his sympathies for the lowly and oppressed when out of his meagre earnings he donated a thousand rupees to the Depressed Classes Mission, long before the Harijan cause became popular on account of its espousal by Mahatma Gandhi.

Though belonging to the older generation of eminent Indians, Prof. Karve is not a mere survival. His body and mind are as active as when he was much younger. Even now the physical exertion he can enjoy will put many a man forty years his junior to shame. His mind is alert and active to a degree and capable of taking new ideas, conceiving new projects and seeing to their execution. He has in fact now undertaken the working of spreading literacy in villages and spends all his mornings, going from door to door, collecting small sums for the purpose. A humble beginning as it is at present, it is destined, one may be sure, to assume large dimensions, even as his work amongst women did. In his case it may truly be said that he is eighty years young.

His life and work are a great asset to the Indian nation. That may be said of him which the late Mr. G. K. Gokhale said of Mr. M. G. Ranade that "the work that he has done (and is doing) for us, the ideals of individual and collective life that he has placed before us and the high example that he has given us of a life that is spent (and is being spent) nobly in the service of the country—these will ever constitute one of the most precious possessions of my countrymen." Prof. Karve's life is an example of the triumph of character over circumstances. His is not a meteoric glory, but the final achievement of a prolonged and sustained application to a given and limited end. As the American poet, M. C. Davies, said:

To give one's life through eighty years is harder Than to give it in one moment gloriously;
To succour with life-giving bread rewardless
Those who expect a stone,
To give one's life, on weary days and hopeless,
To give one's life, hour after hour, and be
Ready to give it again, again —is harder
Than to give it in a moment gloriously.

"UNADULTERATED NON-VIOLENCE."

THE Congress is the only political organisation in the world," says Mahatma Gandhi, "which has, at my instance, adopted unadulterated non-violence for the attainment of swaraj." But he is full of grief that, pledged as the Congress is to strict non-violence in thought, word and deed, and therefore entitled as it is to claim superiority in spiritual virtue to any other political organisation in the world, its profession falls short of its achievement. There are occasionally riots and disturbances even in provinces where the Congress forms the Government: not only are Congress volunteers unable to prevent the outbreak of disturbances, but they are unable even to restore order afterwards by peaceful and nonviolent means and the Congress Ministries are required to call in the aid of the police and even the military to quell disturbances by means which are not at all pacific. Violence has to meet violence; it is true, legitimate violence meets illegitimate violence. But he would like to see that violence did not break out at all; or that if it did, non-violence would be able to meet it successfully. His grief is that non-violent people have to be violent in overcoming the attacks of the violent.

His grief is certainly genuine and poignant, and all will share it, even those who have never pledged themselves to non-violence. For the feelings of all decent-minded people the world over are just the same as those of Gandhiji, though they have not taken a vow to abjure non-violence in all circumstances and in fact feel themselves unable conscientiously to take such a vow. They would all like to have undisturbed peace, and if unfortunately peace is disturbed they would like that the strong arm of the law was kept in the background and that quiet was established by unofficial agencies by the use of moral suasion alone, even as Gandihji would like. would not take the cath about non-violence that under Gandhiji's inspiration Congressmen take in India. Why? Because those who are in fact nonviolent but fight shy of the pledge interpret the pledge They say to themselves: "Aggressive violence is of course to be reprobated; but if violence has to be used in defence against such aggressive violence, it must certainly be allowed. All violence is not therefore necessarily evil; and those who think that in self-defence and as a last resort recourse to violence is permissible cannot bind themselves to nonviolence." Such people refuse to take a vow of nonwiolence only because they read into the vow more than Gandhiji has in mind. Gandhiji too does not put a veto upon violence, if Congressmen have recourse to it in self-defence and as a last resort. He does not blame but supports the Congress Ministers who, because no milder measure would avail, brought in the police and the military to quell the disturbances. He regrets the use of the military a little more than that of the police, but that for a political reason, viz. that the military force does not belong to the people. But, whatever political considerations there may be, ethical considerations do not, according to him, forbid the use of the military any more than that of the police. This means in plain words that if the propaganda of non-violence is not successful enough to prevent a riot or to bring it under control by non-violent means, the practice of violence is permitted to those who are pledged to non-violence. There is thus not much to boast of in the uniqueness of the Congress as the only political organisation in the world that is wedded to non-violence; the uniqueness results either from the ignorance on the part of the organisations in other countries of the restricted sense in which the Congress understands its pledge of non-violence or from their reluctance to take a vow which on its face means a great deal but which can be brought into conformity with the conditions of daily life only by whittling down its obvious meaning.

Violence in its more naked and drastic form, viz. the use of the police and the military, Gandhiji hates to have to employ, as everyone would hate. Even such violence is not morally condemnable where its use is necessary, but it is extremely regrettable. But violence in a milder form he allows for without much regret, violence involved in the infliction of punishment in the normal course of enforcing law. " It has been suggested," he wrote recently, "that Congress Ministers who are pledged to non-violence cannot resort to legal processes involving punishments. Such is not my view of the creed of non-violence accepted by the Congress. I have personally not found a way out of punishments and punitive restrictions in all conceivable cases." Congress Ministers thus "cannot ignore incitements to violence and manifestly violent speech, even though they may themselves run the risk of being styled violent." They must punish incitements to violence. By the same token, then, they must also punish manifestations of violence; indeed, greater is the need for the prompt and effective use of the State's physical strength when the State is faced, not merely with sporadic violent speeches, but organised violent deeds. It would of course be a matter of greater concern that the State is required to put down violence in deed than in speech; this would render the Minister's duty more odious; but, however unpleasant, he has to perform one duty as well as the other; and the violence involved in the use of the military differs only in degree but not in kind from the violence involved in inflicting punishment by the normal process of law. It is, therefore, no use for Gandhiji to write, as he sometimes does, as if the Ministers who summoned the aid of the military were necessarily at fault. They may be on particular occasions, but what decides the Ministers in this matter is not their own will and inclinations, but the circumstances in which they find themselves. Having allowed that physical force has a legitimate part to play in the conduct of national affairs, as Gandhiji himself does, what amount of force is to be used in the interest of law and order on a particular occasion must be left to be determined by the amount of force that is employed by those who are bent on violating the law and creating disorder The Ministers cannot draw an artificial line.

Mahatma Gandhi has not had occasion so far to formulate a definite policy in international affairs; but we guess he would not be an extreme pacifist, though in pacifist circles he is supposed to be. If to uphold national law he would allow Government to use force, without regret in putting people into gaol for ordinary crimes, and with regret in subduing riots and military risings, he would not, it seems to us, feel any qualms of conscience, though like all others he would consider it a deplorable necessity, in using force for the purpose of repelling external aggression and thus upholding international law. National and international law are two branches of public law, and if he holds the use of physical force legitimate in one sphere he cannot hold it illegitimate in the other. It surely cannot be maintained that a State has the right to defend itself from its own nationals who attack it unjustly, but has no such right when it is unjustly attacked by foreign powers. To deny the latter right would lead step by step to the conclusion in favour of the abolition of the courts of law, the annihilation of the police force and the end of prisons and penitentiaries. And Gandhiji is very far from it. The Messiah of "unadulterated non-violence" has in fact given a very restricted message which all decent people, as we said above, in India and elsewhere already practise without making too loud professions about their virtue. There is really no need for the anguish of soul that Gandhiji betrays,

BRITISH COLONIAL ADMINISTRATION.

In the last two issues of the SERVANT OF INDIA we discussed the nature of disturbances in Trinidad in 1937 and the underlying causes as disclosed in the Report of the Commission appointed by the Secretary of State for the Colonies and as discussed in the House of Commons of the 28th February last. We may now consider the nature of the recommendations of the Commission and the means of giving effect to them.

The Commission made a large number of recommendations regarding medical and health services, housing, education, land settlement, the organization of labour and the settlement of labour disputes. Few of the recommendations are new or novel; similar recommendations had been made by previous commissions. But there are a few, however, which call for notice. The present Commission laid great emphasis on the organization of trade unions. It, however, proposed to vest in the Labour Department discretion to with-

hold registration if and when the credentials of the persons organizing a trade union were unsatisfactory. In the House of Commons debate the Secretary of State for the Colonies added that the type of unions he proposed to encourage were "craft unions". Against these proposals Mr. Bevan entered a most emphatic protest in the Commons debate. He said:

The trade unions are to be organized on a craft basis; in other words, the workers in Trinidad are to be organized in a type of union that minimises and not maximises their strength... In the next place, these trade unions are to be registered.... Those unions that are led by good boys will be registered and will negotiate with the employers, and those unions which are led by bad boys, like Uriah Butler, will not be registered at all; in other words, you will have tame unions, unions that employers want.

It is the height of unwarranted optimism on the part of the Commission to expect an officer of the Trinidad Government to promote healthy and independent trade unions. This distrust of local officials has partly been acknowledged by the Commission itself in its recommendation regarding the recruitment of the President of the Industrial Court. The recommendation is that an Industrial Court should be established, with a President and two assessors, one representative of labour and the other of employers, selected from a panel set up by the Labour Department. The judgment of the Court is to be that of the President alone. And that President is to be appointed from outside the Colony. The Commission thus states its reason for it:

Final decision left to a tribunal constituted entirely of local persons would, we are satisfied, be suspect both by employers and employees; and it is in our view necessary therefore that a person of the required experience and standing should be appointed from outside the Colony to act as President.

Though not specifically excluding local officials, the Commission has said about the same thing in its recommendation regarding the Secretary of Labour, who, it says, must be a person "with wide practical experience in dealing with industrial and labour questions." Such an officer is hardly likely to be found among local officials. As a matter of fact, the Secretary of State has selected Mr. Lyndon from England to take up the post of Secretary of the Labour Department in Trinidad.

The distrust of local officials has a special significance for India. As the Commission puts it, (para 17), the "labour engaged in agriculture is mostly East Indian, and that engaged in the oil industry West Indian", and, according to the Commission, there are as many as 72,500 employees in agriculture as against 9,000 in the oil industry. The great majority of labourers are thus Indians, towards whom the Government of India and the people of India have a special responsibility. This responsibility can be adequately discharged only if the Government of India has its own Agent in Trinidad.

The most fundamental question is, however, the creation of the necessary momentum for reform. As the Commission itself admits, the Government of Trinidad and the Colonial Office in London are not unaware of the deplorable conditions in Trinidad. As long as 1897 a Royal Commission had drawn attention to them; since then the Olivier Commission had

done similar service in 1930. Trinidad has had the special advantage of an organized Labour Party, consisting of coloured workers but led by a white person, the Hon. Capt. A. A. Cipriani, who has been for years an elected member of the Trinidad Legislative Council and the Mayor of the capital city of Trinidad. For years, as the Governor acknowledged, Capt. Cipriani had moved the Legislative Council to fix a minimum wage, The Government, therefore, lacked neither knowledge nor constitutional reminders and pressure from within Trinidad.

Nor was legislation wanting. The Commission has drawn attention to a large number of laws in the interest of the working classes. Nor was there lack of money. There have been surpluses of revenue over expenditure for some years, and the surplus balance at the end of 1937 was £1,504,000. In discussing the financial implications of its recommendations (para 303), the Commission speaks of the "Colony's very satisfactory financial position and its resources." As has been pointed out earlier, the sugar and oil industries also shared in financial recovery and prosperity. It is thus clear that neither knowledge, nor legislation, nor finance nor constitutional pressure was wanting. The only thing that was wanting was the will. The will of the Government has all along been successfully paralysed by the powerful influences of the sugar and oil interests both in Trinidad and in London. The real situation was thus described: by Mr. Benn in the Commons debate:

If I thought that he (the Secretary of State for the Colonies) was controlling the destinies of Trinidad I should feel a great deal happier than one feels when one realizes that big commercial and financial forces are in reality in

Both Messrs. Benn and Bevan referred to the larger combines that the sugar and oil industries were forming in Trinidad in order further to increase their power, already so great that the Sceretary of State was but a "tool" of these interests. Not only were these interests banding themselves together, but they were forming volunteer corps, which Mr. Bevan said were being "armed in order to supplement the military forces of the island." The House of Commons, which has ultimate responsibility for colonial administration, was unable to protect the coloured workers from these powerful and armed sugar and oil interests. Said Mr. Bevan:

The position in Trinidad is that the actual government of the island has not been in the House of Commons, but in a number of propertied interests who have done what they liked without check or hindrance and could have done so had it not been for the speaches and agitation of Uriah Butler. . . . We are obviously incompetent, because if this report discloses anything at all, it discloses the fact that our Colonial administration is entirely unsatisfactory and we in this House are not doing our job. And, of course, it is impossible that we should do a job of this kind. . . . Whatever be the reason, the fact is that this House of Commons, as proved by this report on Trinidad, is entirely not to be trusted with the stewardship of these areas.

The position then is like this: The sugar and oil interests are combining and augmenting their power; they are organising volunteers in order to-

overawe the workers; they have enormous influence with the Colonial Office and the House of Commons. On the other hand, the workers, mostly coloured and, by a great majority, Indians, are unorganised and have no influence either in Trinidad or in London. Their grievances are proved to the hilt by the Commission. 'The only remedy that the Commission has suggested is the appointment of a Labour Department! The Labour Officer can at best advise the Government of Trinidad, but that Government never lacked advice but the power and the will. And that the Labour Officer cannot supply.

The only remedy is to extend political power to the workers in Trinidad. But that plea of the Labour Party in Trinidad the Commission turned down. However, it was championed by several members in the Commons debate. Mr. Benn said:

I say that the right and the approved method of defending the interests of these people is to give them the chance to defend their own interests by giving them the vote.

And he repeatedly asked the Secretary of State for the Colonies as to why the franchise should not be extended. Mr. Creech Jones mentioned that only 26,000 out of a population of over 400,000 were enfranchised, and there were only 7 elected members in a legislature of 26 members. He mentioned that in the French West Indies there was adult franchise, and he wished it extended to the British West Indies as well. Mr. Benn pointed out that millions of illiterate peasants in India were given the franchise, while literacy was some 46 per cent. in Trinidad.

The argument in favour of universal franchise. in Trinidad as well as in other countries of the British West Indies is irresistible. But of that the Secretary of State held out no hope. It is possible that the new Labour Department may be able to do some good, thanks to the shock produced by the publication of the Commission's, The interests of the Indian labourers who form the great majority and who, because they are agricultural labourers, are more difficult to organize in trade unions even on the tame lines envisaged by the Commission, need the presence of an Agent of the Government of India to watch over-an agent who will be independent of the Trinidad Government and of the sugar and oil interests in Trinidad. An Indian Agent will be useful even to the Secretary of State for the Colonies in reporting, progress.

THE BOMBAY PRIMARY EDUCATION BILL

THE Prime Minister of Bombay, who is also the Education Minister, is to be congratulated on turning his attention to the removal of the ills that have crept into the Primary Education Act since its inception in 1923. The then Minister for Education, Dr. R. P. Paranjpye, enacted that measure with a view to giving the local authorities in the presidency sufficient control over the administration of primary education to enable them to make rapid progress towards the goal of universal primary education. Various defects of the Act were revealed during its administration through these years. These defects were not remedied so far on account of the peculiar composition of the legislatures in preautonomy days were the Ministers who followed Dr. Paranjpye relied more on personal following than on party programmes for their seats in the Cabinet. This personal following in the legislature was composed, more often than not, of members, who were themselves office-holders in the local authorities of the presidency and did not wish to forego the power over teachers and educational authorities vested in them by the Primary Education Act, 1923.

Dr. Paranjpye concieved that Act in a generous spirit, believing that primary education being such a popular and persistent demand, the representatives of the public in the local authorities would administer it in such manner as rapidly to pave the way to universal literacy. That hope was grievously disappointed. The office-holders in the local authorities, elected largely on communal tickets, often uneducated themselves and prone to look upon the School Boards as a field for the exercise of authority and patronage, made the primary education of the presidency stink with inefficiency, woeful nepotism, tyranny and exploitation of the poorly-paid

school teachers. The Kher Bill, now before the Bombay Legislative Assembly, seeks to remedy these defects.

Mr. Kher proposes to set up an advisory body called the Provincial Board of Education consisting of four elected and eight nominated members to advise the Government in matters educational. The composition of the local school boards, which varies from one local authority to another at present, is to be made uniform and the evil of non-educated demagogues controlling the schools is to be remedied by the imposition of minimum educational qualifications for membership of the boards. The control of the Administrative Officers has been taken away from the school-boards in order to remove the present source of mal-administration, directly traceable to the desire of the Administrative Officers to please their uneducated masters on the school boards. A separate education fund is to be created for every local authority. The control, guidance and direction of schools, in fact, passes out of the hands of local cliques into the hands of the education department.

The first charge that has been levelled against the bill is that it seeks to bureaucratise the educational system and thus sets back the democratic clock by thirty years. The next is that by removing the control of primary education from the local authorities it leaves them no motive for enthusiasm for educational progress. Both these charges are, we fear, the outcome of a misconception of the historical reasons which led to the persistent demand for decentralisation in the old days. One of the most powerful motives for that demand was the desire to wrest from the irresponsible Government and its unresponsive servants as much control of public affairs as possible. Now that the provincial Governments

have become responsible to popular will and directly control the policy of their departments, the time has come to revise our ideas of public administration and the measure of decentralisation. There is nothing sacrosanct in decentralisation as there is nothing evil in itself in centralisation, provided the controlling authority is responsive to the public and alive to its needs.

In fact, experience has proved that if the great dream of the late Mr. G. K. Gokhale for free, compulsory and universal primary education is to be realised, we must get rid of the petty tyrannies that choke up education at the very source and must pool the resurces of the province together and regulate the progress of education from a central authority which can coordinate educational activities from a detached outlook and remain uninfluenced by petty vested interests of the local cliques. Far from seeing in the present Bill a desire to deprive the public of the rights it has enjoyed so far, we feel that Mr. Kher has presented us with a half-hearted measure, and has not followed his views to their logical end viz., the complete taking over of the primary education of the province by the Government. What is necessary is not the institution of petty education funds for local use, or small advisory bodies which will neither have the power nor the incentive to take an interest in the schools in their area, but that the Government ought to come out with a bold and sweeping measure and set a definite period for the introduction of compulsory primary education and shape its policy with that view from now on.

It is regrettable that the solicitude which Mr Kher shows for the Administrative Officers does not extend to the unfortunate teachers, who are, after all, more in need of protection than the well-paid Administrative Officers. While the Bill provides for the protection of the latter, it leaves the teachers to the tender mercies of the members of the school board. The harassment by way of reduction, transfers and refusal of leave, etc., to which these teachers have to submit and the serfdom to which they are reduced are well-kown, and we wish Mr. Kher would take courage enough to take over the whole administration of primary education instead of tinkering with the problem and offering safety and security to highlypaid officials who are better able to take care of themselves.

The powers conferred on the Provincial Education Board are also insufficient and do not warrant the institution of such a big body, which is purely advisory. Mr. Kher could have made the Board the controlling authority of the primary education scheme for the whole Province. It may, for instance, examine and decide the cases of complaints from the employees of the school boards; it may also be given the power to supervise their transfers, emoluments, increments and general service conditions. In fact, in a majority of the cases where the present Bill provides for a check on the Director of Education by way of previous sanction of the local Government, the Provincial Board can be substitued. Government can well afford to delegate its power in certain

respects to such a Board, as its composition is largely appointive, and some of its members are likely to be officials of the Education Department.

However commendable the intentions of the Bill, Mr. Kher must know that as long as the Administrative Officer continues to be under the discipline of the school boards, even under the proposed arrangement, the powers for good vested in him will remain unused. For the simple reason that no officer, however efficient or qualified, can continue to fight his masters for a long stretch of time. If Government really desires to have an independent Administrative Officer in every District it must create a provincial cadre for him and make him transferable. Such a provision would remove him from the demoralising influence of the members' personal nepotism.

A fear is being expressed that in order to placate his party members, Mr. Kher might be induced to exempt from the operation of this bill all school boards whose budget exceeds a lakh of rupees per year. We hope that the fear is unfounded and that the Select Committee instead of whittling down the bill will tighten it up considerably. To exempt School Boards whose expenditure exceeds a lakh of rupees is to reduce the whole bill to a shadow of its original shape. For what it would really amount to is to exempt all Boards who spend only fifty thousand of rupees over primery education, as an equal amount is contributed by the Government. This would exempt almost all big towns and cities from the operation of the bill and it is in towns that many of the evils that disgrace our administration of the elementary schools. are more rampant. The bill as it stands does not go far enough, and if Mr. Kher bows to the clamour of the ignorant members of his party, he would destroy in legal terminology, what he set out to accomplish in spirit and the tragic tale of the plight of our children's education would get a lease of fresh life for a number of years to come.

M. D. SHAHANE.

MONEYLENDERS BILLS.

I.—IN BIHAR.

few substantial changes in the Select Committee, from which it has now emerged. The Bill consists of two main parts: the first gives a definite standing and recognition to respectable moneylenders by registering them and imposing on them obligations concerning the keeping of proper accounts, the giving of receipts for the amounts received etc.; the second places limitations on interest charged, preserves a minimum of land to the agricultural debtors in the execution of decrees passed against them and gives relief to the debtors in certain other forms.

The registration of moneylenders is optional under the Bill; thus the carrying on of business as a moneylender without a registration certificate is not penalised, but it is provided that an unregistered moneylender will not be entitled to sue for the recovery of his loan. The fee for registration may

vary for different classes of moneylenders in different parts of the province, but the maximum fee that can be charged is Rs. 25 (raised from Rs. 18 as proposed in the original Bill). A registration certificate will ordinarily remain in force for five years, but it is liable to be cancelled for a maximum period of five years if the moneylender fails to maintain proper accounts or is otherwise found unfit to carry on the business of money-lending. Besides the cancellation of the certificate he will also be liable to a fine up to Rs. 500 if he fails to carry out the duties laid on him of giving receipts for the sums paid by the borrower and furnishing to the borrower a statement of account at least once a year or if it is found that he has taken from the debtor any salami, or batta, or other exactions -of a similar nature. A severer penalty, viz a year's imprisonment (simple or rigorous) or a fine of Rs. 500or both, will be imposed upon a moneylender if the -amount actually lent is less than that shown in the account

Coming to the second part of the Bill, the maximum rates at which interest may be decreed are 9 per cent, in the case of a secured loan and 12 per cent. in the case of an unsecured loan. This applies only to loans advanced after the commencement of the Act, but in respect of previous loans the court is given the power of relieving the debtor of all liability on saccount of interest in excess of these rates, even if the account purports to be closed. Compound interest is not altogether prohibited, but it is allowed at annual rests only. The maximum period for which arrears .. of interest may be decreed is three years and the amount of interest can in no circumstances exceed the amount of the principal. The dum dupat principle thus embodied in the Bill is of the most rigorous variety, for the provision in this respect runs as .follows:

No court shall in any suit pass a decree for an amount of interest which, together with any amount already realised or decreed, is greater than the principal of the loan.

Generally the principle of dam dupat is enforced in such matters in a very attenuated form, which only equires that at no particular time interest exceeding the principal is allowed, irrespective of whatever amount may have been paid previously in the way of interest. The principle as embodied in this Bill, however, allows the total amount of interest, payable on a loan, to equal the principal and never to exceed it. The Bill also empowers the court to direct payment of the amount due on mortgage by which a loan is secured in instalments, notwithstanding the terms of a contract. Following the provisions of the Tenancy Act, this Bill provides that the court may estimate the value of the judgment-debtor's property and may order the sale only of that portion of the property which, in its opinion, would, at a price specified by it, fetch enough to satisfy the decree. In the execution of a decree against an agricultural debtor the court may exempt one-third of the total area of the debtor's land, and is under an obligation to exempt an acre at the least. Thus a minimum of an acre of land is in every case to be left to such a debtor.

II.-IN FIJI.

Just about this time the Fiji Government has published a Moneylenders Bill, and it would be interesting to compare its provisions with those of the Bihar Government's Bill. The Fiji Bill requires every moneylender (and "any person who lends a sum of money in consideration of a larger sum being repaid shall be presumed until the contrary is proved to be a moneylender") to take out a licence, whose life is only for a year, at a fee of £12. The taking out of a licence is not optional as in Bihar, but compulsory, for besides providing that a contract for the repayment of money lent by an unlicensed moneylender will be unenforceable, it also provides that a person carrying on a moneylender's business without holding a licence will be guilty of an offence and will be liable on summary conviction to a fine up to £100 and for subsequent offences to a year's imprisonment or to a fine of £100 or to both. The licence is given on the ground that the applicant is of good character; it may be suspended for a term or altogether forfeited if the licensee does not discharge his duties. Among the duties cast on him are those of keeping a regular account of each loan in a permanent book "paged and bound in such manner as not to facilitate the elimination of pages or the interpolation or substitution of pages," and of supplying information as to the state of the loan "on any reasonable demand in writing being made by the borrower at any time and on tender by the borrower of 1s." and copies of documents relating to a loan on tender of 2s. 6d. for expenses. The penalty attaching to the non-performance on the part of the moneylender of the obligation of keeping accounts in the prescribed manner is, besides the loss of his right to enforce a claim in respect of which a default is made, a fine of £5 and an additional fine of £1 for each day for which the offence continues. For the failure to supply information about the state of accounts and to give receipts for the amounts paid the penalty imposed is a fine £5 in respect of every offence. Advertisements by moneylenders in circulars or newspapers and employment by them of agents or canvassers inviting borrowers are prohibited under a penalty of six months' imprisonment or a fine of £50 or both. The making of false statements or representations to induce borrowers is an offence visited with much severer punishment, viz. two years' imprisonment or a fine of £500 or both. The taking of promissory notes in which the amount is left blank or is not truly stated makes the moneylender liable to a fine of £50 and for subsequent offences to six months' imprisonment or to a fine of £100 or to both. A moneylender is prohibited from charging a borrower for expenses other than legal costs, and any sum thus exacted by the moneylender is recoverable as a due to the borrower.

Now to the limitation of interest. From the definition of "moneylender" are excluded persons who carry on banking or insurance and also persons who bona fide carry on business not having for its primary object the lending of money in the course of which and for the purposes whereof money is lent at a rate

of interest not exceeding 10 per cent. A provison is therefore inserted in the Bill to the effect that no such persons shall recover in the way of interest a sum exceeding 10 per cent. So far as moneylenders themselves are concerned, no maximum rate of interest is fixed, but the court is given the power to reopen accounts where interest charged is considered excessive. Interest above 12 per cent. is presumed to be excessive and, unless the contrary is proved, the court is required to reopen an account. in which more than 12 per cent. interest is charged. At the same time the court has also the power to reopen an account even where the interest charged, although not exceeding 12 per cent., is in the court's opinion excessive. The provision relating to the reopening of moneylenders' transactions is given below in extenso:

Where there is evidence which satisfies the court that the interest charged in respect of the sum actually lent is excessive and that the transaction is harsh and unconscionable, the court may reopen the transaction and take an account between the moneylender and the person sued and may, notwithstanding any statement or settlement of account or any agreement purporting to close previous dealings and create a new obligation, reopen any account already taken between them and relieve the person sued from payment of any sum in excess of the sum adjudged by the court to be fairly due in respect of such principal, interest and legal costs as the court, having regard to the risk and all the circumstances, may adjudge to be reasonable, and, if any such excess has been paid or allowed in account by the debtor, may order the creditor to repay it and may set aside either wholly or in part or revise or alter any security given or agreement made in respect of money lent by the moneylender and, if the moneylender has parted with the security, may order him to indemnify the borrower or other person sued.

Provided that nothing in this subsection shall prevent any further or other relief being given in circumstances in which a Court of Equity would give such relief.

The provision in the Fiji Bill closely follows that in the Bihar Bill. The Fiji Bill also introduces the dam dupat principal, though in a restricted form. The provision in regard to it is as follows:

In no case shall interest at any time be recoverable by a moneylender of an amount in excess of the sum then due as principal unless a court, having regard to all circumstances, otherwise decrees.

BENEFICENT DEPARTMENTS.

THE expenditures budgeted by provincial Governments for the year 1938-39 on Beneficent Departments, i. e., Scientific, Educational, Medical, Public Health, Agriculture, Veterinary, Co-operative Credit and Industries departments, are given in tabular form on the last page of this issue. For each province the expenditure under each department is given except in the case of Bengal for which the figure for the Scientific department and separate figures for the departments of Agriculture and Veterinary are not available. The provinces are arranged in the table, as last year, according to the percentage of expenditure on the nation-building departments to the total expenditure charged to revenue. Besides, the last table gives a summary of the results arrived at.

The beneficent departments of the various previnces contain some special features, and provision for increased expenditure has been made in the budget in that behalf. Some of these deserve mention.

The Madras Government has provided for an expenditure of nearly 39 lakhs of rupees under public health, that is to say, about 5½ lakhs of rupees more than it did last year. A ten year plan for providing protected water supply for household purposes in rural areas has been drawn by the Government. During the year 1938-39, a sum of 5 lakhs of rupees is proposed to be spent on this scheme. Nor are the urban areas forgotten. 12 new water and drainage works will be undertaken in urban areas this year at a cost of 6.35 lakhs of rupees. Another sum of 50,000 rupees is allotted for anti-malarial work in various parts of the province.

The Punjab Government proposes to spend 40½ lakhs of rupees on Agriculture. This is about 4½ lakhs of rupees in excess of last year's allotment. Rs. 1½ lakhs on improved seeds, Rs. 1½ lakhs on new schemes such as the award of prizes to inventors of agricultural implements and machines of a superior design, Rs. 1 lakh for special development programmes such as fruit vegetable growing schemes, appointment of a vegetable expert, will be spent during the year.

The United Provinces Government has allotted Rs. 71 lakhs under Agriculture, the largest amount allotted by any provincial Government. The agricultural programme of the U. P. Government includes a comprehensive scheme of rural development, development of sugar-cane growing areas, communications, water supply and the development of cottage industries. Besides, under the Industries department the allotment has been raised by Rs. 2¾ lakhs with the idea of developing the hand-loom and glass industries, conducting a survey of cottage industries, development of the Gur industry, raw hide industry, etc.

The Bombay Government has increased its allotment under education by 30 lakhs. Out of this increased allotment a sum of Rs. 6 lakhs will be paid to the Ahmedabad Municipality as arrears of grant. The creation of a Provincial Board of Secondary Education, the starting of 200 more Board schools at a cost of about 12 lakbs, provision for giving effect to the Wardha scheme of education, the provision of Rs. 2,17,000 for promoting physical education, the conversion of the Deccan College into a college of Oriental learning with a Teachers' training college attached to it, are some of the new items of activity proposed to be undertaken this year.

The Orissa Government has to its credit a number of small schemes to improve the condition of the cultivator. A scheme for raising a lakh of cocoanut seedlings at a cost of Rs. 20,000, an agricultural farm for the Konds, an aboriginal tribe of the Ganjam Agency, costing Rs. 12,000, a fruit farm, a fruit research scheme, a sand flora experiment, raising of 2 lakhs of orange seedlings, distribution of potato seeds and free distribution of potato roots—all these costing about Rs. 39,000 are proposed to be undertaken during this year.

It is not possible to comment in detail about the special features of the beneficent departments of the Bengal Government as the information available to us is limited. But we may venture to draw attention to some important features. One notable feature is the allotment of a sum of Rs. 24 lakhs for debt redemption in Bengal. A novel proposal under education is the starting of a Purdah college for Muslim girls at a cost of 2 lakhs of rupees, about the advisability of which there has been some controversy.

The North-Western Frontier Province has a new scheme for providing drinking water in the dry areas of the province at a cost of Rs. 1½ lakhs.

The C. P. and Berar Government has allotted an increased expenditure of about five lakhs of rupees under Education, Medical and Public Health. A sum of 2 lakhs of rupees is proposed to be spent on the Vidya Mandir scheme, Rs. 31,000 on travelling libraties, Rs. 25,000 on continuation schools in rural areas, Rs. 83,000 for introducing compulsion in places where schools already exist, Rs. 51,320 for education of Harijans and the aboriginals. Under the medical department they propose to give a grant of a lakh of rupees to District Boards for improving rural water supply. Besides Rs. 32,000 will be given as a grant to the Indian Red Cross Society for running infant welfare centres.

VILLAGE AS A VOCATION.

Now that the village has become the centre of attraction for individuals as well as Governments, I venture to put forward a scheme for carrying on the village work efficiently. Two things have encouraged me in doing it. Firstly, while this subject hardly attracted the attention of people twenty five years ago and the topic was rarely mencioned at gatherings of young people in those days, the expressive phrases, "Rural Reconstruction" the expressive phrases, "Rural Reconstruction"
"Rural Development" "Back to the villages"
"Villages constitute the Heart of India" are almost on every body's lips now and no gathering of young people today is complete without some mention or discussion of one or other of the above topics. Secondly, practical action is being taken in various ways by individuals and organizations, and Governments, from the Government of India down to the smallest Indian State, are setting up elaborate organizations to help and improve village conditions. The time, therefore seems to be very opportune for putting forth this scheme before the public.

The problem of village uplift or rural development is so immense and complicated that no one method is ever likely to solve it. It has to be attacked from various angles and a co-ordination between all such attempts has every chance of resulting in success. The scheme outlined below is a purely unofficial one. This is because inspite of the improvement that there has been in the attitude of the peasant towards Government officials in various places, the common villager has not yet completely overcome his doubts about the reality and the sincerity behind the work of the Government official for the improvement of the village. There is often a lurking suspicion that there may be more behind the scenes than is visible at present and the villagers are not usually wholehearted in following the lead of Government officials in this work. In such case, a purely unofficial agent, without any connection with Government

has great advantage. He can more readily secure the villagers' willing co-operation in any work that he undertakes.

Secondly, the scheme is one in which voluntary effort plays a very important part. I sincerely believe that among the many thousands of educated unem-ployed, there will be available just a few who will eagerly volunteer for this work and will consent to the conditions imposed. It is not a question of merely finding employment for a few unemployed. That may come about at a later stage as a result of the work of the few pioneers. It is primarily a question of finding a few young men filled with that missionary spirit of dedicating their energy and their talents for the good of the countryside for a bare living wage. There must be some to whom the cities and city life have no attraction and who would rather live in a village leading a simple and at the same time a healthy life. It is to such young men, who are not above doing some honest work with their hands, and who will find pleasure in the work of helping their less forward brethren of the village, to a fuller and better life, that I believe the scheme will be attractive.

The young men coming into this scheme must be trained in Agricultural practices and must possess the ability not only to carry on farming intelligently and successfully but also to impress on others their ability to do things correctly and well. It does not necessarily imply a university degree of any kind. higher the education of the individual and the greater his culture, the more successful he is likely to be in this enterprise. Since I assume that these young men will gradually form an integral part of the life of the village in which they choose to work. I consider it desirable that they should be married. Not only desirable but essential, because after all, a man can touch only the fringe of the village life and his work may or may not be permanent, If, however, he is helped in this work by a wife who is also imbued with the same mission spirit as himself, they can together mould the entire life of the village. The work done among the women by the young lady is likely to be quite permanent. This aspect of the matter cannot be too highly stressed, as the effect of two young people dedicating themselves to the service of the country and living together, making their lives an example to others and making their simple and artistic, although rustic, home a centre of everything that is beautiful, that is self-sacrificing, and that is lovely is something whose limits cannot be defined. Here again, I feel sure that we have such young women amongst us.

From what has been said above, it will be apparent that this is not work which can be taken up by somebody for five or ten years and then given up for a retired life in the city. This is a life-time job and the worker will have settled once for all in the village. The scheme is such that it can be started with any number of workers, from one onwards, according as funds and workers permit. The one central idea is that the villager should not entertain the least suspicion of any kind regarding the workers and that the whole energy of the worker would thus be available for fruitful work.

The scheme in outline is this: One or two or three villages will be selected as being a suitable field of work for one man. The number of villages will naturally depend on the size of the villages and their distance from one another. About two acres of irrigable and about five acres of dry lands will be purchased or leased out, the lands should be most favourably situated since we do not want the worker to struggle against unnecessary odds. These lands will be farmed by the worker himself and he is expected to raise enough on these lands, in time, to

support himself and his family without external help. The actual extent of the land will thus vary from place to place. For two years, the worker is expected to devote himself entirely to the cultivation of his lands and he will studiously refrain from any propaganda of any kind. This is a most important part of the programme as this will be a period during which his life and work will win the approbation of the villagers. When these people see that there is a man who has settled down in the village and who is doing what they themselves are doing for his livlihood, then they are likely to be more ready to listen to anything he might have to say, than otherwise.

At the start, the worker will be given the land, and a sum of money to equip himself properly for farming the land on improved lines. He will be given a monthly maintenance allowance for himself and his family and another small allowance to meet his farming expenses. These latter will not be same every month, but an average can easily be arrived at. Under the present circumstances, these allowances need not be big. Each worker may not cost more than about a thousand rupees a year at the start. The allowances given to the worker can be gradually reduced year after year, as he begins to get more and more from his land. Thus the expenditure on each worker will grow less and less year after year. Finally, a stage will be reached when the worker can meet all his expenses completely from the income from his farm. This presupposes that the nature and extent of the farm is such that it will maintain one family in comfort. The income from the farm is not to be calculated on the basis of money that it will yield but on its ability to produce most of the requirements of a family. The money thus released could be used to start another centre.

If many such centres are started near one another it will be easy to have an eye on all of them and to co-ordinate the work turned out by them, thus making their work more effective. After two years, the worker will slowly start his propaganda, open a night class, give readings and lantern lectures, organize bhajana parties, invite the farmers and show them improved ways of doing things, and new and improved varieties of crops. In short he will take them through the whole course of the official rural programme improving and altering it to suit his conditions. Once this stage is reached, he can easily command the services of the Government departments and organizations and see that what is done is permanent. His continuous presence will ensure that there will be no falling back, as he will himself be doing what he preaches, all the time.

To start this scheme and keep it going, one needs finance. If the scheme is sponsored by some well-known organisation which has already earned the confidence of the people, like the Servants of India Society, an appeal for funds for such a work will surely meet with a ready response. Even a new organisation headed by people well known to the public for their beneficent activities and whose sincerity will be above question. could readily attract financial help. This can very well form part of the activities of such organisations as the Order of Service of the Theosophical Society. Surely, a few of the merchant princes of our big towns could be induced to be each responsible for the maintanance of the worker for five years. Such a method has been tried and found successful in other countries for similar activities. It only needs some one with the necessary prestige to put it to our rich men in the proper way and I have no doubt that necessary funds will be available.

So far as the workers are concerned, I am full of faith that we have a sufficient number of young men among us who will be all too willing to dedicate

themselves to the service of their country brethren. This faith has been considerably strengthened by the assertion, in ringing tones, of a representative of the coming generation on the occasion of the late Central College day at Bangalore, that they stood for Service and not for Self,

GUNDAPPA S. KURPAD.

Correspondence.

THE PRESS IN TRAVANCORE.

TO THE EDITOR OF THE SERVANT OF INDIA.

SIR,—One of the first acts of Sir C. P. Ramaswamy Iyer since he became the Dewan of Travancore, was to attempt to bring the press under his control; and how the desired object was gained, speaks for the methods adopted towards this end.

Some newspapers there are, which draw their sustenance from Government and exist as the unofficial organ of Government. But I am speaking of the Press that is actuated by the best traditions of journalism.

The editor of 'the Malayalee' had to resign to avert more serious consequences to the paper. The appointment of the license-holder of the 'Samadarsi' an Anglo-vernacular weekly of independent views, as a compounder in the Medical Department of the State effectively put an end to that paper. The dastardly assaults on two respectable editors are also suspected to be inspired by interested persons.

Unamenable to all corrupting influences, the 'Kaumudi', an Anglo-vernacular daily edited by Mr. C. Kesavan B. A. B. L., truly and faithfully reflected public opinion on the various acts and policy of Government. Its impartiality and honesty gained for it in the space of a few weeks, a circulation which no other paper in the west coast could boast of. With the inauguration of the Travancore State Congress the necessity of crushing this paper became pressing to Sir C. P. Ramaswamy Iyer. The republication of a message sent by the late Mr. George Joseph to a Malayalam weekly was taken advantage of to cancel the license and forfeit the security of 'the Kaumudi'. Government have no qualms in invoking the provisions of the Newspaper Regulation; so much so, it has become impossible for a newspaper of independent views th assert itself.

In such deplorable state of affairs, it is not unnatural that the people of Travancore should look up to the British Indian press for a correct and true appreciation of the events that take place here. But some of the leading newpapers in Madras are alive only to the doings of Sir C. P. Ramaswamy Iyer, which they spare no pains to picture in exaggerated colours. The resentment and protest of the general public at the policy and acts of Sir C. P. Ramaswamy Iyer are studiously disregarded and letters and statements from individuals and associations sent to them never see the light of day. It is not surprising that Sir C. P. Ramaswamy Iyer should attempt to influence the press, but the measure of success that he has achieved in this direction is astonishing. May I hope that these newspapers would realise the duty they owe to the public and at least in future uphold the best traditions of journalism.—Yours Erc.

A. B. PERIERA.

SHORT NOTICES.

TURES ON THE BHAGAVAD GITA By D. S. SHARMA (N. Subba Rau Pautulu, LECTURES Rajahmundry) 19cm. 1937. 213p. Re. 1-4-0.

THE Bhagavad Gita has been for all time, as no other book ever was, the most fascinating, the most inspiring and satisfying of Gospels to all men and women who have felt like aliens in the ever-changing vistas of the material world, and have experienced at one time or other of their lives, a spiritual nostalgia which has driven them to seek in religion and philosophy an anodyne and a cure. There are also many today who think that religion is not necessary except for those who happen to relish it. If we are kind and tolerant, good tempered and unselfish, that is enough. "But morality requires a stronger basis than mere sentiment. Mere amiability and good-will cannot save the individual or the world. The Bhagwad Gita affirms that religion is oppositely and it alone can make human life sweet and pure."
The Gita takes its stand on the reality of spiritual experience. "It is possible for the individual to be Bhagwad Gita affirms that religion is essential directly aware of the presence of the Divine." Our life looks "a thing of shreds and patches till religion comes into it and makes it a seamless garment."

The learned author has gone to the work not in the spirit of a sectarian philosopher to seek confirmation of and reinforce his own individual view-point or doctrine, but as an earnest seeker of the truth who has found in the Gita a most practical, spiritual guide. In six learned and most illuminating lectures, he has set forth its priceless teachings. This Song of the Lord is not a theological or philosophical treaties, and hence all attempts to read a cut-and-dried system into it are bound to be futile. "All that we can sayis—there are two streams of thought flowing throughout the poem, an ethical stream and a metaphysical stream, dealing respectively with what man ought to do and what God is." "The Gita touches our hearts, convinces our minds and shapes our wills. It covers the whole way of man's pilgrimage to the feet of God."

In the end a lucid translation of the entire song in eighteen chapters is appended. There is also the foreword of Sir S. Radhakrishnan which like a breeze

from the Elysian shores exalts and lifts up while it replenishes and kindles our souls.

C. R. DEVADHAR,

INDIAN PEEPSHOW. BY HENRY NEWMAN. (G. Bell and Sons.) 1937. 20 cm. 291 p. 7/6.

THE book under review is from the pen of one who was in India for a long time partly as a journalist and partly as a soldier. The two roles which he played led him into several parts of India, particularly to the north-western frontier, and he had therefore several opportunities of learning the customs and superstitions of her people, of studying her peculiar problems and of seeing the glamour and splendour of her Princes. Possessing as he does a facile pen, he has given his impressions of India a permanent shape in the book before us.

The author frankly admits that the variety and immensity of India's problems preclude his making any generalisation about the country and the people. He has therefore given only a bird's eye view of India, and though many of the things in the book do not add to our information, the book is bound to interest anyone who has never been to this ancient land, or who has stayed in the country only for a short time. We are happy to say that the author has got an interesting way of presenting his facts and we congratulate him on his book which makes delightful reading.

M. V. SUBRAHMANYAM.

HINDUSTAN YEAR-BOOK AND WHO'S WHO 1938. By S. C. SARKAR, (M. C. Sarkar & Sons Calcutta.) 1938. 18cm. 357p. Re. 1.

THE Hindustan Year Book for 1938 is a handy volume packed to the full with information on all subjects of interest to an Indian. Statistical information about India, a section on health and food, world events etc., enhance the value of the book. We have had occasion to refer to the book and we have found it helpful. We heartily commend it to all publicists. It deserves a place on the shelf of every educated Indian, not to speak of schools, reading rooms and libraries.

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