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Topics of the Week.

Bhulabhai and Federation.

MR. BHULABHAI DESAI, who undertook after the last Assembly session a brief visit to England to enlighten the British public on the Congress's attitude to federation, gave, whether consciously or otherwise, an entirely mistaken impression to those eager spirits who went to listen to his lectures. Among the people so misled is no less a person than Sir Frederick Whyte, at one time President of the Assembly. When Sir Frederick found that Mr. Bhulabhai's version differed in fundamentals from Pandit Jawaharlal Nehru's he told Pandit Jawaharlal so. He declared "that Mr. Bhulabhai Desai at a private meeting in the Chatham House gave an impression to Sir Frederick Whyte and other retired officials from India that, despite Congress resolution to resist federation, the Congress would in reality adopt a policy similar to the one followed in the matter of provincial autonomy and would work federation."

POSSIBLY Sir Frederick was misinformed; possibly he drew wrong inferences from Mr. Bhulabhai's guarded statements. In any case it is a pity that the Congress should have chosen as its instrument of publicity one who could leave such an impression on so competent an observer as Sir Frederick Whyte, and the harm done is all the greater because the Congress attitude as Sir Frederick gathered it from Mr. Bhulabhai's speech is in fact shared by many right-wing Congressmen among whom Mr. Bhulabhai would easily take a high rank. This has naturally caused great alarm to Babu Subhash Chandra Bose, the President of the Congress, who, like Pandit Jawaharlal Nehru, would not accept the federal scheme unless it was changed beyond recognition. He felt constrained to issue the following statement on

the move that he apparently sees among the Old Guard of the Congress to veer round on the side of federation even if a few minor changes are introduced in it. He said:

When I was in London in January I declared both publicly and privately that there was no analogy between provincial autonomy and the federal scheme. Consequently, acceptance of office by the Congress in the provinces should not be construed as a stepping stone towards the acceptance of the federal scheme at the Centre.

The temper of the rank and file in the Congress is such that I cannot conceive how the federal scheme can ever be accepted by that body and, in the absence of proof, I cannot believe that any influential Congress leader has been secretly negotiating with the British Government on the federal scheme.

If, however, the federal scheme is adopted by a majority in the Congress by some chance, there will be nothing less than a civil war within that body. The anti-federationists will certainly not take the defeat lying down as the anti-ministerialists did in the case of provinces.

Speaking for myself, if such a contingency arises, it will probably be my duty to lay down the burden of office in order to be free to carry on a raging and tearing campaign against the federal scheme.

ONE would have expected in these circumstances a prompt and categorical denial from Mr. Bhulabhai, but it is not forthcoming. Instead, Mr. Satyamurti, who is now in Bombay and cannot but be in touch with Mr. Bhulabhai and Sardar Vallabhbhai, issues a statement protesting against Babu Subhash Chandra Bose, for whose threat of resignation he says there was no provocation! Why should not the Congress, he asks, accept federation if suitably modified? As if that was ever the question. Mr. Satyamurti ignores the fact that what gave so much alarm and caused scandal was that a member of the Working Committee should have led men of no small intelligence in England to believe that, without any alterations or with only minor alterations, the Congress would accept the federal scheme. Mr. Satyamurti's own conditions for acceptance are stringent enough. He says:

If, however, owing to the pressure of public opinion the British Government and Parliament amend the Government of India Act by substituting direct for indirect election to the Federal Lower House, by removing the power of the purse now vested in the Upper House, by repealing or radically amending the Second Schedule of the Act and, further, the British Government also securing representation of States by election and effecting other necessary improvements in the Act, I do not see any reason why we should not have federation for the time being.

If the safeguards of the Viceroy go the way those of the Governors did, if the British undertake to bear the cost of the British troops in India, or remove them altogether, if at least a portion of the defence expenditure

is made subject to the vote of the House, if the British undertake to Indianise the whole of the Indian defence forces in all arms and ranks within a period of not more than twenty years, if India is placed in the same position as any other self-governing Dominions in the matter of foreign affairs and if the Church is disestablished in India, I for one will recommend to the Congress the acceptance of federation as a transitional solution.

Direct election in the Federal Assembly, an obligation on the States to choose their representatives by election, excision of the *liberum veto* of the Princes, bringing defence under at least partial control of the legislature, Indianisation of the forces within a maximum limit of twenty years, full control over foreign policy—these as pre-conditions of federation do not square with Mr. Bhulabhai's utterance as Britishers have understood it. The question is whether Mr. Bhulabhai agrees to these or anything like these as pre-conditions. Mr. Satyamurti's wrath should have been turned against Mr. Bhulabhai rather than against Babu Subhash Chandra Bose, unless it is desired that the way should be prepared for acceptance of federation as it is.

* * *

Non-Intervention in the States.

IN the economic concessions obtained and the political concessions promised in the Maharashtra States of Ramdurg and Jamkhandi and also in Miraj and Phaltan (though in Phaltan the Rajasahab made the concessions voluntarily and without pressure), Mahatma Gandhi sees vindication of the Congress policy in the States. The successes obtained prove, if anything, just the need of vigilant intervention. But the Mahatma has a habit of making the better reason appear the worse, and this is a typical example of his muddled way of thinking.

* * *

SOME Congress workers from British India helped the people in these States in their fight for economic relief and political rights, and the help they rendered was a factor in securing the concessions. "Look," says the Mahatma, "the assistance of Congressmen (from outside) was invoked by the States authorities", and this he implies was the result of the Congress resolutely maintaining an attitude of rigid aloofness from the States. As a matter of fact, the States authorities did not invoke the help of Congressmen, but let that pass. Anyway it is clear that if Congressmen from British India, either asked or unasked, gave help to the States people who obtained valuable concessions as a result of this help, this is proof, surely, not of the value of non-intervention, but of the value of intervention.

* * *

THE "constitutional fact" of the separation of British India from Indian India, Mahatma Gandhi observes, must be recognised by both, and each must keep its hands off the other. This is dictated, he says, not by practical expediency alone, but by moral principle as well. For, according to him, "this is the way of satyagraha or the way of non-resistance to evil." Another definition of satyagraha! These definitions grow like blackberries and it is difficult to keep count of them! If this definition is to be given practical expression, both those Congressmen who rendered active help to the States people and the States people who received it proved false to satyagraha, and Mahatma Gandhi cites it as a triumph of non-intervention, which is satyagraha!

* * *

HE then adds a homily. He says that if only the States people practise satyagraha, i. e., do not involve British Indians in their domestic troubles

they will get freedom sooner than British Indians get theirs. They will enjoy civil liberty, secure equal distribution of wealth, obtain cheap and pure justice, regulate the privy purse of their rulers and secure other wonderful benefits long before British Indians can. It appears to be an ironic commentary upon the Congress Ministries in seven provinces that, by only refusing help from outside, the States people can achieve what autonomous Governments in British India who do not need, and do not intend to take, the help of the States people are unable to achieve.

* * *

BUT the States people must observe another "don't." As they must not take British India's help, so they must not use violence. This latter inhibition is of such universal application that we do not see the relevancy of it in an article glorifying non-intervention. But Mahatma Gandhi cannot end an article without enlarging on non-violence. The States people must not lift, he says, "their little finger in so-called self-defence." A satyagrahi abjures the right of self-defence." The Mahatma no doubt feels the glow of a preacher of the divine law. But even he puts limitations on the practical observance of it. Translate this satyagrahi from the wilderness in which he once wandered into a position where he wields authority. He is then free from the shackles of the satyagraha code. He can then use violence not only by punishing those who have used violence against others but by restraining those who may be suspected of intending to use violence against others. That is, he can employ both punitive and preventive measures of violence. The Bombay City Police Act of Mr. Munshi, the great satyagrahi in the Bombay Ministry, does not inspire much faith in non-violence to the point of abjuration of the right of self-defence. Or does a man remain a satyagrahi so long as he seeks political power but ceases to be one when he wins it.

* * *

U. P. Government and Communism.

THE U. P. Government have recently defined their attitude towards communism in the course of their correspondence with the Employers' Association of Northern India. "The Association demanded a definite assurance from the Government that active steps would be taken to check the spread of communistic propaganda among the workers." The Association holds the view that "no settlement between employers and workers could have any chance of being permanent if communism and class hatred were preached openly at the gates of mills and throughout the city."

* * *

THE U. P. Government, in their reply to this communication from the employers, point out that "the Congress stands for non-violence and peace and goodwill between all classes and sections of the community." They also observe that "communism as a doctrine or as a school of political thought, however much one may dislike it, cannot be suppressed by coercive methods alone. There is no ban on it in civilised States such as the United Kingdom, where the communists have been openly carrying on their propaganda and seeking election to the legislatures on communist tickets." We heartily congratulate the Government upon the right stand which they have taken on this issue and the outspoken and firm manner in which they have given expression to it in their reply to the Employers' Association.

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WE may perhaps take this opportunity of bringing to the notice of the U. P. Government the fact that the Communist Party of India is still under a ban and that the organization as such is declared

illegal in this country. The Government admit that "communists have been openly carrying on their propaganda and seeking election to the legislatures on communist tickets" in "civilised States such as the United Kingdom." The inevitable inference, that communism is banned in India because India is uncivilised, is not very pleasing to us nor could it be so to the U. P. Government or to the Congress party. May we, therefore, request the U. P. Government to lift the ban on the Communist Party in their province and vindicate their faith in the freedom of political thought? That will be an excellent example for other provinces to follow and that will stop the mouths of those sceptics who say that the faith of Congress Governments in the principle of civil liberty is expressed more in words than in deeds.

SPEAKING of the ban on the Communist Party of India, we are reminded of two students from Allahabad, Messrs. Ramesh Chandra Sinha and Jagannath Bhattacharya, who were sentenced to two years' rigorous imprisonment under the provisions of the Criminal Law Amendment Act on the charge of being members of the Communist Party. That was before the present Congress Government came into power. Since the acceptance of office by the present Government the release of these young men has been solicited by the Congress Committees of Allahabad, Lucknow and Muttra and the Political Conferences held at Azamgarh and Moradabad. Nothing has been done in the matter and now it is reported that seventy-two members of both the houses of the U. P. legislature have addressed a letter to the Hon'ble Mr. G. B. Pant, the Prime Minister of the U. P., requesting his Government to effect the release of the two gentlemen without further delay. The admirable spirit of tolerance for even communist propaganda displayed by the U. P. Government in their reply to the letter from the Employers' Association of Northern India referred to above is thus being put to a practical test. We hope the Government will rise to the occasion and that these two young men will be set at liberty.

Bombay Tenancy Bill.

THE Bombay Ministry is, it is said, going to introduce a Tenancy Bill in the ensuing session of the Legislative Assembly. So far as one hears, the Ministry itself is prepared for a sufficiently drastic measure, but its ill-assorted following is exerting pressure to whittle down both the rigours and scope of its provisions. The Bill that will finally be adopted will, we are certain, be a thoroughly innocuous measure to which no one need raise any objection on the ground of harshness. But still a hue and cry is being raised by landed interests which supply not a negligible quota to the Congress party in the Assembly.

WE would, in the circumstances, suggest some action by way of precaution to the Ministry. Even before it gets ready and publishes its Bill, it should publish all the factual data that it must have collected about tenancy, rents, etc. For in some quarters the previous question is raised: Where is the need at all for a Tenancy Bill in this Presidency? The only reason why no such measure was passed so far here is the general feeling that Bombay is a land of peasant proprietors, that most of the owners are themselves cultivators, and that there are no rent-receivers to complicate the simple economy of this province. This is of course wishful thinking, and if only people knew to what extent the practice has grown

of owners letting out their lands to tenants under conditions in which no regulations exist as to fair rent and fixity of tenure, they would welcome a Bill of the kind that the Bombay Ministry has in mind and would only wish that it were adequate to the needs.

SOME of the needed information is no doubt available in settlement reports, but who ever reads them even if they were readily accessible? In order that the prevailing ignorance might be dispelled, the Ministry would do well to give wide publicity to facts which it must have gathered for its own use, facts such as are given in the Tenancy and Crop Register. Bombay Presidency is fortunate in this respect, for we understand that such a register is not maintained in all the other provinces. The register shows whether each plot is cultivated by the owner or let out on rent, and if the latter, what the kind of tenure and the amount of rental are, and what proportion the rent bears to assessment and gross produce. These facts the Ministry must have already collated. We wish it would at once publish the results in a form that would be intelligible to the general public. If it did so, it would find that the gathering opposition melts away like mist before the rising sun, and the only question which the public would then consider is whether the Bill goes far enough.

Bhopal Ram Raj.

SOME members of the Bhopal Congress Committee have come forward, in contradiction to the grave charges made by Pandit Jawaharlal Nehru in regard to encroachments on civil liberty in Bhopal, to assert that civil liberty is not in as parlous a condition in their State as may be thought. Hindu communalists are wont to paint a gruesome picture and so also the Bhopal State People's Association, which is composed of Mahomedans as well as Hindus, but the Congress members say, not too enthusiastically, that things are not quite so bad, and that there is a freedom of a sort. Political organisations can be established "without restriction." That is something, though we hope it is not meant that the authorities so manage things that no one in Bhopal would wish to establish a political organisation. It is not denied that there is a Press Act, but it is claimed that it has been used "very discreetly." Fearing lest they should be misunderstood as claiming too much for the Bhopal Government, the members of the Bhopal Congress Committee hasten to add in their statement:

By this we do not mean to create the impression that the Bhopal Government is very liberal or that the people enjoy freedom of the press and platform to the same extent as do their brothers in the Congress-governed British Indian provinces. But this much we can unhesitatingly say that, compared with other States of Central India and Rajasthan, a good deal of civil liberty exists in Bhopal, and, if the scandalous and mischievous activities of these persons could be checked, political life can easily be revived and much good work done in Bhopal.

THE members make quite a modest claim when they say that Bhopal is better than some other States, for a State can be very bad indeed and yet be better than a lot of others. But these members seem to have a very poor idea of civil liberty when they say that civil liberty would flourish better in Bhopal when Hindu communalists and some Mahomedans who are not to the taste of the Congress organisation are put under restraint. We think that a test of the civil liberty allowed by Bhopal State is at hand. The Indian Civil Liberties Union has asked for permission to carry out an investigation on the spot into the

status of civil liberty in the State so as to confirm or refute the charges made by Pandit Jawaharlal. If the authorities of Bhopal State refuse permission, we shall not think much even of the timid apologia made by the Bhopal Congress Committee.

* * *

Agrarian Reform in U. P.

AT a meeting of the U. P. Provincial Congress Committee held on the 9th inst. in Lucknow it was resolved that "the arrears of rent prior to 1344 Fasli, the realisation of which had been stopped by an executive order of Government, be wiped out without any condition," and it was further resolved that the realisation of such arrears be made a penal offence. On the question of ejection of tenants the following resolution was passed :

Except tenants who were legally ejected for non-payment of rent for Rabi 1344 Fasli or for that accruing later, all other tenants who were in possession of their fields in Rabi 1344 Fasli but who were later dispossessed of

their lands by ejection or on any other ground should be given back possession of such lands. Such tenants should not be debarred from deriving any such benefit to which they would have been entitled, had they not been dispossessed of their lands.

It was suggested that the resolutions adopted should not be regarded as mandatory, for otherwise they would be embarrassing to the Ministry. But the suggestion was turned down, and it was decided that these resolutions, like others, must be regarded as binding on the members of the Congress party in the legislature. Mr. Tripathi, supporting this viewpoint, said that some zamindar members of the Congress party in the U. P. legislature had formed a separate party. They were freely associating themselves with the non-Congress zamindar members of the legislature. No one could be sure of the attitude that these members would adopt towards the Tenancy Bill. It was, therefore, imperative that the decisions of the Committee must be mandatory on such members.

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EDUCATIONAL RECONSTRUCTION IN BOMBAY.

I.

THE Report of the Vocational Training Committee, of which Rao Bahadur K. G. Joshi was Chairman, is of more than provincial interest, though, on the face of it, it concerns only the Bombay Presidency. The Committee were asked to consider the Wardha Scheme as well as the Report of Messrs. Abbott and Wood, and both these latter reports have an all-India significance and were discussed at the recent meeting of the Central Advisory Board of Education in Simla under the chairmanship of the Hon. B. G. Kher, the Education Minister in Bombay.

The Joshi Report has been signed by 19 members, of whom all, except two, have submitted dissenting minutes on various topics discussed in the Report. This is in contrast with the conclusions of the recent meeting of the Central Advisory Board in Simla, which are reported to be unanimous. The number and variety of dissenting minutes in the Joshi Report are likely to be confusing to the lay public and tend to discount its value. And it is likely that the public will turn to the unanimous conclusions of Simla in preference to the conflicting views of the Joshi Report.

More than ever educational reconstruction must have the appreciation and support of the general public, few members of which are experts in education. It is, therefore, of importance that the recommendations of a committee like the Joshi Committee should as far as possible be unanimous in order to commend themselves to the public. It is equally important that the recommendations should be so presented as to be easily grasped by the public. It would have been an improvement if, each of the terms of reference had been categorically answered by the Committee. Even if such a procedure was impracticable in the main body of the Report, it might have been attempted in the summary of recommendations.

Some of the recommendations of the Committee are far from illuminating in view of their indefi-

nitensness. For instance, the Committee, in para. 70 of the Report, descant on the qualifications needed in a teacher and recommend that "his emoluments should be commensurate with his qualifications, the nature and importance of his work and the special responsibilities devolving on him" and add that they should be "in accordance with the standard scales of pay that may be laid down for other public servants of similar attainments and responsibilities." But they do not suggest a figure, though both the Wardha and the Vidya Mandir Schemes, for instance, suggest definite figures for the salaries of teachers.

II.

The Committee do not indicate the total financial implications of their recommendations for educational reorganization. They are content to give certain figures for certain units, but the general public would be supremely interested to know what would be the total cost of reorganization which it will have to find one of these days if the reorganization proves successful, as the Committee seem to anticipate. In para. 36 of the Report the Committee mention that at present the Government are spending almost a crore of rupees on primary education and estimate that they would have to spend another crore and thirty lakhs if all the children between the ages of 6 and 11 are to be brought to school. The calculation is at the rate of Rs. 13 per pupil per annum, which, a footnote explains, is the average cost to Government for educating a pupil in a District Board Primary School, obviously under the present "bookish" system. What the cost per pupil under the reorganization proposed by the Committee would be and what the total cost to bring all pupils between the ages of 6 and 13 to school would be has not been mentioned. This is a very grave omission which greatly detracts from the value of the Report.

In educational reconstruction, either financial resources must rise equal to educational needs, or

educational schemes must reconcile themselves to financial resources. The Committee follow neither course; nor do they seem to realize that in India to-day financial resources are the limiting factor. For the content of education there is the experience of the whole world to draw upon, but for finances we have to depend on ourselves.

III.

As regards the content of education, the Committee give no clear lead; they are obviously confused; they seem to give a sneaking support to the central and distinguishing features of the Wardha Scheme, namely, that all education should be through a basic craft and that all the children in a school should be taught through the same basic craft. The Committee appear to confuse "practical education" with "education through a basic craft." They start with condemning the too bookish education of to-day, and plead for a more practical education but end up with advocating, though not in so many terms, the Wardha idea of education through a basic craft. The first is more or less universally accepted and is not new; the second is a matter of controversy and is special to the Wardha Scheme.

The most sensible, cogent, powerful and almost devastating criticism of the Committee's confused thinking and unsound recommendations is contained in Miss R. Reuben's Minute of Dissent. As she has pointed out, practical education is very different from education through a particular basic craft. Every school subject has its practical aspect, irrespective of its correlation with a craft. "There is no craft so broad and comprehensive that all school work can be centred round it. . . . Even if it is possible to correlate all school subjects and school activities to a basic craft, it will need good teachers to work out the scheme satisfactorily. . . . We cannot expect from the ordinary village teacher what Gandhiji could achieve at Tolstoy Farm."

The other aspect of the Wardha Scheme that all children in a school should be taught through the same basic craft is also open to serious criticism. It means adjusting the individual child to a craft, instead of adjusting the craft to a child. The modern tendency in advanced systems of education is thus brought out by I. L. Kandal, Professor of Education in the Teachers' College, Columbia University, in his book, *Comparative Education*:

Educational theory and psychology have in turn contributed to the same situation with their emphasis on the individual as the starting-point in their educative process and on individual differences in abilities, capacities, and needs. . . . The aim of education from this point of view is not to adjust the individual to society as it is (or, we may add, to a given craft, as the Wardha Scheme would have it), nor to inculcate acquiescence, docility and conformity, but to give him such a training as will enable him to refuse to accept tradition uncritically, to control the conditions under which he lives, and to be intellectually ready for change and progress. This philosophy, which stresses individualism and the freedom of the individual, and which in its extreme form refuses to accept any content fixed in advance and not determined directly by the inter-

ests of the learner, is to-day (1933) dominant in the new or progressive schools and in public systems in the *Versuchsschulen* and *Gemeinschaftsschulen* of Germany.

Nothing could be more unsound than to adjust the children of a whole nation of some three hundred odd millions, or even all the children of a town or village, to a single basic craft. As Miss Reuben rightly points out, it is not a craft, but the life and the environment of the child, that should be the centre of interest in a school. This will naturally lead to a differentiation between rural and urban areas which constitute different environments, and in a city there will be a greater variety of environment than in a village.

The Committee, in paragraph 46 of the Report, disapprove of any fundamental differentiation in the courses of urban and rural schools, but suggest that teaching should be related to the environment, and yet, as part of their main recommendations, they suggest a basic craft education even in urban areas. Agriculture may perhaps be adopted as the basic craft in rural areas, because agriculture is nearly as wide as life itself in rural areas, but in towns and cities there is no single comprehensive craft. As Miss Reuben says, "It will be unfair to urban children to force them to concentrate the best part of their attention on one or two basic crafts when the whole complex life of modern civilization is calling out to them and demanding their attention on all sides. A minor craft will soon be exhausted of all its educational possibilities and sucked dry of all interest and intellectual stimulus."

IV.

If it is urged that education should be less bookish and more practical, it is no new discovery. The cry for more practical education has a long history all over the world. Even in India it is no new theme. As the Joshi Committee themselves point out, it was emphasised by the Primary and Secondary Education Reorganization Committee in 1927-29. The inclusion in school curricula of practical science and of nature study and drawing, etc. is evidence of this recognition of practical education. The Committee themselves refer to it thus in para. 20 of their Report: "He (the pupil) is supposed to do nature study at the Middle School stage through observation, collection and excursion." But what does he do in practice? The Committee observe: "What he really does is to read a book on nature study." The Committee do not tell us why, if practical nature study was included in the syllabus, it was not taught as it ought to have been. An investigation of this failure would have been far more illuminating to the Committee and the public than the repetition, as if it were a new discovery, that education should be more practical and learning should be by doing. Such investigation might have revealed that the failure to give a more practical turn to education was not because the importance of it was not hitherto recognised, but because there were no adequate funds forthcoming.

The Committee again complain: "The Secondary School provides neither optional courses nor definite practical work. Agriculture, art crafts, technology, commerce have no place in the present stereotyped system of education" (para. 20). As a remedy thereto, they urge: "What is needed is a reorientation of educational ideals" and suggest that "education must be made thoroughly practical, both in the primary as well as secondary stages, with a view to bringing our schools into intimate touch with the life, needs and traditions of the people." The primary need is not, it would seem to us, for a change in ideals of education, but for an increase in financial

resources. Practical education is a very costly affair. The Committee would have done better if they had collected and given information as regards the costs of "practical" education as well as of "bookish" education in India and elsewhere. If practical education is to be provided not only in secondary schools but also in all primary schools—a very desirable consummation—the costs will be staggering. The Joshi Committee do not estimate the total cost of their proposals, nor do they suggest the means of finding the money. Thus, both in the matter of the content of education and the finance of education, the Joshi Committee's Report is most disappointing.

LANDLORD-TENANT "COMPROMISE" IN BIHAR.

A FRESH Congress-Landlord agreement has been reached in Bihar, thanks to the intervention of Maulana Abul Kalam Azad, which may now be said to ensure the passage of the Bakasht Bill and the second Tenancy Bill into law. The agreement is represented as a settlement freely arrived at between the Congress party in Bihar on the one hand and the landlords on the other; it is also claimed that the Congress represented the tenants in these negotiations and that the resulting settlement is, therefore, a settlement between the landlords and the tenants; and in regard to the nature of the settlement, it is said that it constitutes a compromise, in which the landlords have to give up something to the tenants and the tenants have to give up something to the landlords. An examination of the terms of the agreement, however, discloses the unpleasant fact that none of these contentions is true.

The most important clause in the new agreement drastically limits the power conferred upon the court by the Tenancy Act already passed to order sale of only a portion of a judgment-debtor's holding in execution of a decree for arrears of rent and that too for a price to be fixed by it. The agreement provides that if a raiyat defaults in payment of rent for four years in succession, the court may declare him to be a habitual defaulter, and if it so finds may direct that the entire holding be sold in execution of the decree without fixing the price for which it is to be sold. It is said that the Congress, representing the tenants, was standing out for four years' continuous default on the part of the raiyat being made the ground for the sale of the whole, instead of a portion, of his holding while the zamindars wanted the period of default to be reduced to two years; and that inasmuch as the zamindars have now agreed to make only the four-year defaulters liable to have their whole land sold up, they have made a valuable concession to the tenants; and that, consequently, the tenants have succeeded against the landlords in this respect.

The facts, however, are not quite as they are represented. The Ministry from the first were anxious above everything else to save the raiyat from the loss of his holding. To this end it inserted two provisions in its first Tenancy Bill. By one it

sought to empower the court executing a decree for arrears of rent to place the landlord in possession of a holding for a maximum period of seven years instead of selling the holding; and by the other it sought to empower the court in cases where sale was necessary to order sale of a portion of the holding instead of the entire holding, as under the law as it existed then it was obligatory upon the court. The first provision was the far more important from this point of view, but it was first mutilated and then entirely dropped in deference to the wishes of the landlords. The mutilation took place in the select committee which changed the clause so as to remove the upper limit of seven years that was originally put upon the period during which a landlord could be put in possession of a holding for the rent arrears to be cleared off, and to authorise the court to extend period to whatever length it might be necessary so that the whole amount due from the judgment-debtor on account of arrears of rent and of rent accruing while the landlord was in possession was fully met. But the zamindars were not satisfied with this drastic emasculation of the clause, and, as a result of the first so-called Congress-landlord agreement arrived at between Babu Rajendra Prasad and Maulana Abul Kalam Azad on the one hand and the landlords on the other, the clause was deleted altogether from the Bill in its final stages.

The only provision that there is in the Act now to save the raiyat from the loss of his holding is section 23, under which a court may sell only that portion of the holding which in its judgment would fetch enough to satisfy the decree. Under the Bengal Tenancy Act, 1885, the court had to order sale of the entire holding, however small the amount under decree and however high the value of the holding might be. All that the Act did was to provide that whatever balance remained after paying the dues of the landlord should be paid to the judgment-debtor. The amending Act allowed of part-sale, but the zamindars were not adversely affected by this change since the portion to be sold must be big enough to satisfy the decree in full. However, it is a clear gain to the tenant if he is left at least with a portion of his holding instead of being fobbed off with some cash which

he would squander away and thus being cheated out of his means of subsistence. Another merit of the provision was that it empowered the court to fix the price at which the portion of his holding of which it had ordered sale should actually be sold. Thus the section achieved two highly desirable results: it prevented the sale of the entire holding where such prevention was possible; and it also ensured that the raiyat would get full value even for the portion that was sold.

The raiyats attached great value to this provision; in fact, they regarded it as almost the only provision in the Act which was of undoubted and great benefit to them. The zamindars no doubt agreed to it; but they did so with the utmost reluctance and have since been straining every nerve, if not to resile from it altogether, to circumscribe its scope as much as possible. They have succeeded in doing so in the second Congress-landlord agreement now made. Under this agreement, a raiyat who had defaulted for four successive years would forfeit both the benefits of the provision, viz. saving a portion of his holding for himself and obtaining a fair price for the portion sold. Such a raiyat would be liable to have his entire holding sold, and without any safeguard against his being mulcted in price. It is true that a raiyat who without any adequate cause fails to pay his rent for four years in succession is not a particularly desirable raiyat, but if all that is due from him can be realised by selling only a portion of his holding, why, except in the interest of retributive justice, sell him up completely, and why withhold from him the guarantee of a fair price?

It would be a matter for surprise if to such a deprivation of a valued right the tenants gave their willing consent, and in fact they did not; nor did the Congress party in Bihar. The agreement, so far as one can judge, is imposed upon both by Maulana Abul Kalam Azad in virtue of his position as a zone dictator. The story of this act of coercion has been told in detail by Mr. Jamuna Karjee, a member of the Legislative Assembly and one of the staunchest champions of the raiyats. When the landlords' agitation against the part-sale provision in the amending Act assumed threatening proportions, the Congress party in the Assembly set about thinking as to whether in some way the agitation could not be allayed. The landlords demanded that the provision should not operate in favour of the tenants who had defaulted in payment of rent for two years.

This demand (says Mr. Karjee) was rejected by the Congress party in the Assembly as it was outside the agreement entered into between the zamindars and the Congress. However, in order to make the last effort with the zamindars so that they may respect the Agreement, a Sub-Committee of Five was formed by the party which discussed the matter with the representatives of the landlords. The discussions were held for two days. The Honourable Babu Anugrah Narain Sinha put before the Committee the following formula: "If the landlord had to bring a rent suit for four years' arrear of rent, either year by year or at a time, only part of the holding would be sold. But if the same tenant again defaulted in the fifth year, and if the landlord had to bring a rent suit in the

sixth year, the whole holding of the tenant could be sold." I told the Hon'ble Babu Anugrah Narain Sinha that I was not agreeable to it and so was Babu Jamuna Prasad Sinha. We told him that the party was against any idea of the principle of part-sale being attacked in any way and the formula put by him no doubt attacked this principle. Therefore, we had no right to come to any decision without consulting the party. We met in the party meeting, and when the members were being informed of what had happened during the discussion between the members of the Sub-Committee and the representatives of the landlords the reply of the latter came that they were not agreeable to the formula put by the Hon'ble Anugrah Narain Sinha. This is what happened.

Thus it is clear that Mr. Anugrah Narain Sinha, the Finance Minister, had no authority to propose a compromise which would certainly whittle away the main advantage which the earlier Act had offered. The tenants were opposed as much to his proposal as to that of the landlords. Mr. Karjee continues:

Nowhere in the (earlier) agreement has it been laid down that for easy and speedy realization the principle of part-sale, which forms a part of the same agreement, would be attacked or its effect would be minimised. If either formula is accepted, it will be taking away the advantage of the part-sale by one hand while it has been given by the other.

That part of the agreement which deals with methods of speedy realisation of rent contains suggestions which relate to the simplification of procedure with regard to rent suits. Nowhere in it is found that the provisions of part-sale would be nullified in the name of speedy and easy realisation of rents. It is, therefore, clear that the zamindars are bent upon nullifying the provision of part-sale and thus trying to run away from the agreement anyhow.

What has been said above will show that it is not as if Maulana Azad managed to get for the raiyats some concession from the zamindars; he in fact, by exercising his authority over the Congress party, made the raiyats surrender to the zamindars what they had obtained from them after much effort.

One other clause in the new agreement is frankly a concession which the Congress party is to make to the landlords. It provides for "amalgamating all the different stages in the realisation of rent, viz. obtaining a decree, executing the same and obtaining dakhaldahani (delivery of possession), and making it into a continuous procedure of rent suits and execution cases." The agreement also has the following clause: "The sections in the Bihar Tenancy Act for distraint of crops in lieu of arrears of rent will be so amended as to allow the power of issuing orders of distraint to remain in the hands of the officers of the civil court, and after the order of distraint is passed it will be transferred to a revenue court for executing the order." The 1885 Act in section 124 provides: "If an application (for distraint to a civil court) is admitted... the court shall depute an officer to distraint the produce specified therein, or such portion of that produce as it thinks fit; and the officer shall proceed to the place where the produce is, and distraint the produce by taking charge of it himself or placing some other person in charge of it in his behalf, and publishing a notification of the distraint in accordance with rules to that effect to be made by the High Court." Execution of the order of distraint is at present in the hands of the civil court; hereafter it

will pass into the hands of the revenue court, because the zamindars think that the machinery available to the civil court for effecting distraint is not "adequate."

In the minute of dissent attached by Messrs. Chandreshwar Prasad Narain Sinha and S. A. Manzar to the report of the select committee on the new Tenancy Bill, these zamindar representatives say :

Various suggestions were made for meeting with cases of habitual defaulters, providing for realisation of rent by attachment of crops, eliminating separate procedure of execution of rent decrees and combining both suit and execution into a continuous procedure, but it is regrettable that none of these have found favour with the committee.

The new agreement, therefore, consists in the Congress now agreeing to all the proposals made by the zamindars which both the Congress party and the Congress Ministry had refused to accept before. It is not in the nature of a give and take; it is in the nature of the raiyats being made to give and the zamindars being asked to take. The utmost that can be said for it is that the landlords have not been allowed to take quite as much as they wanted to, but it is only they who take. The raiyats' part is to give.

CIVIL LIBERTY UNDER CONGRESS.

AT a dinner given to Pandit Jawaharlal Nehru in London by the National Council of Civil Liberties he is reported to have discussed the question of civil liberties in India. According to a Reuter's message, "Mr. Nehru declared that two or three years ago these (civil liberties) hardly existed... One of the first act of the Congress Ministries was to restore civil liberty as far as they were able... The restrictions could not entirely be removed because many of these were imposed by the Government of India. The position in non-Congress Provinces remained much the same as it had been. There were numerous prosecutions for sedition and in Bengal detenus were still kept in prison without trial and their numbers were added to from time to time."

We are sorry to have to point out that most of the statements quoted above and alleged to have been made by Pandit Jawaharlal Nehru are loosely made and are not based on facts. With regard to his sweeping assertion regarding non-Congress Provinces and as far as Bengal is concerned, the Hon'ble Khwaja Sir Nazimuddin, Home Minister of Bengal, has promptly issued a rejoinder. He points out in his statement that since the present Government took office the number of detenus in Bengal has been reduced from 2,000 to about 300. The number of persons whose movements were restrained under various orders, says the Home Minister of Bengal, was 1,000 when the present Government came into power; the process of release has been rapid and continuous, and in a week there will not be a single person under restraint orders. We may frankly admit that we do not wholly approve of the policy of the Bengal Government towards the civil liberties of the people of Bengal, but we must disapprove of the unjust attack made on Bengal in particular by Pandit Nehru.

We generally agree with Mr. Nehru in saying that the condition of civil liberties in Congress

Provinces is a little better than in non-Congress Provinces, but we are afraid the latter are far from deserving all the praise that has been enthusiastically bestowed upon them in Mr. Nehru's speech. We contend that the Congress Ministries did *not* restore civil liberties "as far as they were able." They only did so as far as they were "willing". And their will did not take them very far. They persuaded themselves that they also had to "govern" and maintain "law and order." And in doing so, they in many cases disregarded the claims of individual freedom and infringed civil liberty.

As we write, we have before us stray copies of the fortnightly Press communiques issued by the Indian Civil Liberties Union. Even a casual glance at them amply bears us out in what we say.

Pandit Nehru was making loud declarations that sedition is the creed of the Congress and at the same time Mr. S. S. Batliwala, a socialist from Bombay, was being prosecuted for sedition in Madras under the sanction of the Premier of that Congress Province. Threats of prosecution for sedition were administered to Mr. P. M. Bapat in Bombay and Mr. Jagannath Prasad Varma in the Central Provinces.

A constitutional crisis on the question of the release of political prisoners was forced in Bihar and the U. P. but almost on the heels of it a number of public workers from Sholapur (in Bombay) were sentenced to various terms of rigorous imprisonment for their activities in connection with the "Independence Day." Subsequently one of them was flogged in Bijapur jail. Political prisoners from Madras are safely transferred to a Punjab jail. The Madras Government is no longer concerned with their release and the Punjab Government says it cannot effect their release as they come from Madras. Pandit Jawaharlal is reported to have personally seen these prisoners and promised them to take up the matter of their release with the Prime Minister of Madras. He was, on that occasion, informed by the jail authorities in the Punjab that orders releasing these prisoners could be issued only by the Madras Government. (Just at this movement the prisoners have been ordered to be released.)

During the continuance of trade disputes it is quite customary with the Congress Governments ruthlessly to curtail the civil liberties of the workers. By promulgating the notorious section 144 they prohibit the holding of meetings and organization of processions and demonstrations. The section is utilized, in season and out of season, as soon as a strike takes place. Firing on gatherings of workers is not very uncommon since the Congress accepted office. There was firing at Cawnpore in the U. P., Chirala in Madras and Dharavi in Bombay. In the last case even a request for a public enquiry into the incident made at a public meeting of the citizens of Bombay and by the Bombay Civil Liberties Union was turned down in the right bureaucratic manner.

The Congress Governments are not slow in their use of the Criminal Law (Amendment) Act—a measure which all Congressmen with one loud voice

had denounced as a black spot on the statute book of India. The Act was used at Ahmedabad during the last general strike of textile workers and is being continuously used in Madras to put down the anti-Hindi agitation. Curiously enough, the very issue of the *Hindu* of Madras publishing Pandit Nehru's London address to the National Council of Civil Liberties also publishes details regarding trial and sentence of several anti-Hindi agitators in Madras. The trying Magistrate has emphatically pointed out in his judgment that the Criminal Law (Amendment) Act is fully in force in Madras and that the defence counsel's plea that it is not in operation is entirely wrong.

The Indian Press (Emergency Powers) Act which was opposed tooth and nail by the Congress Party when it was being piloted through the Central Legislature is also not allowed to remain unused. The *Darling Press* in Madras, *Al-Hilal*, an Urdu paper in Bombay, and *Jaddie Johad*, another Urdu paper in the Central Provinces, were brought under its clutches by the Congress Governments of these Provinces.

The ban on many books proscribed by the former bureaucratic Government has not yet been lifted. In Bombay Mr. V. D. Savarkar's books are still under a ban and it was only last week that the Government of Bombay declined to lift the ban on a book containing selected essays written by a well known Marathi writer, the late Mr. Shivram Mahadeo Paranjape, himself a strong Congressman and for some time President of a Provincial Congress Committee.

The Government of Bombay has recently passed a piece of legislation which gives to the Police Commissioner of Bombay extremely wide powers to deport under certain conditions any person from the city of Bombay without judicial trial. The person

concerned cannot even enjoy the normal right of appeal to an ordinary court of law. If the Congress Government goes out of power and the Congress activities come to be regarded as undesirable by the Government in power, the Commissioner of Police can use these preposterous powers to deport from the city of Bombay even the present members of the Bombay Government who will then be ordinary Congressmen.

Pandit Nehru, in his speech, remarks that some of the restrictions on civil liberties could not be removed by the Congress Governments because these were imposed by the Government of India. He evidently refers to repressive legislation of an all-India character such as the Indian Press (Emergency Powers) Act or the Criminal Law (Amendment) Act. But, as we have seen above, Congress Governments have been actually using these hated measures without any compunction. Certainly there is nothing in these Acts to compel the Provincial Governments to make use of them. They can legitimately refuse to use them if they do not want to do so. But far from abstaining from the use of these Acts the Congress Governments are making full use of them. What is lacking here is not power to repeal obnoxious laws but desire to do without them.

In view of these considerations we are constrained to say that Pandit Jawaharlal Nehru's statements regarding the condition of civil liberties in India are somewhat misleading. He could not have been misinformed, neither could he indulge in wilful misrepresentation. Without, therefore, making any comments we may perhaps be allowed to quote what the *Spectator* says about another speech in England delivered by Pandit Nehru: "Orators whose exuberance carries them away when they get on the platform hardly realise the harm they do to their reputation."

THE C. P. RELIEF OF INDEBTEDNESS BILL.

THE Central Provinces and Berar Relief of Indebtedness Bill was preceded by an Act temporarily postponing execution of money decrees against agriculturists, the object being to prevent creditors from either forestalling the passing of the Bill or impairing its usefulness by harassing the debtors.

In the Central Provinces a Debt Conciliation Act is already in operation since 1933. This Act provides for conciliation boards presided over by revenue officers and consisting of representatives of creditors and debtors. The jurisdiction of the civil court is barred in all matters pending before the board. "Suits or proceedings pending before a civil court in respect of any debt shall be suspended until the board has disposed of the application". If 40 per cent. of the creditors agree, their settlement with the debtor will be reduced to writing and registered as an agreement. The effect of an agreement is that the instalments of the debt will be collected by the revenue officers on behalf of the creditors and that no decree shall be executed by courts in respect of debts incurred after the agreement until "all amounts

recorded as payable under such agreement have been paid or such agreement has ceased to subsist."

The board is also empowered to issue a certificate to a debtor against any creditor who does not agree to a fair offer. The effect of a certificate is that a secured creditor will be disallowed costs and will be allowed only 6 per cent. interest on the amount due, if he sues in a court of law, and that an unsecured creditor can execute his decrees on amounts due to him only after all sums mentioned in the agreement have been paid off or the agreement has ceased to subsist. The instalments fixed carry no interest. There can be no appeal against or revision of the board's orders. Legal practitioners cannot appear before the board. A small fee for application and registration, etc. has to be paid by the debtors. The Act applies to proprietors and tenants and not to labourers. It restricts the jurisdiction of the board only to those debtors whose debts do not exceed a certain amount, and who state in their application that they are unable to pay their debts. It permits conciliation of all kinds of debts as rent debts, debts due to co-operative societies and debts due to companies and banks. A

time limit is placed on the applications and the board is wound up as soon as it has disposed of all the applications.

The new Bill scraps the conciliation machinery and provides in its place a Debt Relief Court. The Court proceedings will not be automatically barred when the Relief Court is seized of an application, but the debtor must apply to the Court before issues are settled for transferring the proceedings. The judgment-debtor should apply also to the Court in case of decrees passed for payment of money to be transferred to the Relief Court. Subject to these applications, the civil court jurisdiction is barred in matters pending before the Relief Court. Certain compulsory methods of scaling down debts are provided for in place of agreements in the old Act.

Debts are classified into three kinds, those incurred before 1-1-1926, between 1-1-1926 and 1-9-1929, and between 1-10-1929 and 31-12-1930. The first class will be reduced by 30 per cent., the second by 20 per cent. and the third by 15 per cent. under principal. The original principal will be determined, and compound interest with yearly rests at $4\frac{1}{2}$ per cent. or simple interest at 6 per cent. on secured debts and 9 per cent. on unsecured debts will be calculated on the original principal. Any excess paid under interest will go to reduce the principal. The instalments fixed will carry 4 per cent. and 3 per cent. interest, according as the debts settled are unsecured and secured. The instalment payment will be suspended when revenue or rent is suspended or remitted. The same procedure of collection of instalments as that of revenue arrears is provided for in the present Bill also. But execution of decrees in respect of further debts incurred after the settlement is in no way prohibited under the new Bill.

Restricted appeal is provided for to a District Judge against the orders of the Relief Court on certain grounds, viz., that the order is contrary to law, that the court has gone beyond its jurisdiction or that the instalments require to be revised. Lawyers are not excluded from appearing before the courts. One-fifth of the usual court fees are to be paid by the creditor on the amount determined by the Court. The new Bill applies to agricultural labour, but by restricting its scope to those who mainly live by cultivation instead of by agriculture excludes stock raisers and those engaged in horticulture and forestry. The Bill also removes the maximum limit for debts provided in the Act. Rent debts, debt due to co-operative societies and banks, and debts due to companies with less than 100 shareholders are excluded.

The Bill also throws the burden of proof that he is unable to pay his debts on the debtor, though of course his inability will be presumed "if his debts exceed his assets." The Bill is not to be applicable to rent debts, and debts due to co-operative societies, companies and banks. The Relief Courts are made permanent institutions of the country to which debtors may apply without any time limit.

Two other provisions have been added in the Bill as a result of experience gained in the working of the Debt Conciliation Act. During the course of settle-

ment of debts, land is transferred in lieu of debts. Sometimes the debtor resiles from an agreement by refusing the transfer of his property. The new Bill empowers the court to make an agreed transfer and to award a higher rate of interest on the debt where a debtor unreasonably refuses to part with his land in lieu of debts. Secondly under the Bill a creditor can sue an agriculturist who owes a joint debt along with non-agriculturists only through the Relief Courts.

Let us now examine in what respects the new Bill is an improvement over the old Act. A compulsory scaling down of debts is supposed to secure a larger reduction in the amount of debt and to bring before the courts recalcitrant creditors. The Government Review of 14th August, 1937, states the following on the working of conciliation boards :

Remission of 47 per cent. of the claims was obtained. The percentage of remission obtained in individual cases has been as high as 68 per cent. In Berar, where debts are generally secured, the percentage of remission was not so high, being 25 per cent. of the demand.

But the remission provided for in the Bill amounts only to 30 per cent. Further, no remission under principal can be given in the case of debts incurred from 31-12-1930. This means that the small holders and poorer cultivators whose debts generally do not run to long periods and who are the very class of debtors who require a greater reduction of debt will get no relief at all under principal.

It is claimed for the Bill that secured debts which could not be settled without the consent of the creditors under the Act could be composed under the present Bill. This is no doubt an improvement. But the very compulsory nature of the scaling down method has, according to the authors, possibly necessitated the exclusion of a large class of debts. The poor tenants who got relief under the Act by a reduction in rent debts would not now get it. It seems as if the Government consider that debt alone should be brought down to the scale of prevailing prices and not rent. Secondly, debts due to banks and companies with more than 100 shareholders are excluded. Does it mean then that these institutions can levy any rate of interest over and above the scheduled one and yet the debts due to them are not to be scaled down? The Madras Debt Relief Act excludes a company and a scheduled bank only if their rate of interest is not more than 9 per cent. per annum; it does not exclude all banks.

While compulsory scaling down of debts does bring in a large number of transactions, the simple and summary procedure of conciliation boards equally induced settlements of a large amount of debts which the ordinary process in civil courts would not be able to do. Firstly, the position that a debtor may apply at any time will lead to a paucity of applications. The absence of a time limit on applications in Bengal was one of the causes for the dormancy of the conciliation boards. When once a debtor knows that a Relief Court can settle his case *at any time*, he waits till the creditor sues in an ordinary court and then alone he will apply to the Relief Court. Secondly, the applications which a debtor has to make to the court to stay proceedings in respect of a suit or

execution of a decree, the proof of inability to pay which he has to produce in the court, the provision to engage lawyers, and the powers of appeal to a District Judge will operate as impediments in the way of ignorant tenants making the fullest use of the compulsory provisions. The possible reason for the provision of appeal is that some of the officers under the Act went beyond their jurisdiction in the settlement of debts. This could have been remedied by providing for necessary legal powers as transfer of property in lieu of debts in the old Act itself.

A complaint has been rightly laid at the door of the Act that the maximum limit for debts was too high. Most of the time of the boards is taken up with the settlement of debts of rich malguzars on whole villages and consequently the cases of the poorer classes which could be quickly settled could not be given proper attention by the boards. An examination of the figures of the number of malguzari villages and the number of tenant holdings and the amount of debt conciliated in such cases will prove this. While, therefore, everyone was expecting that some rule would be formulated by the Congress Government in the C. P. restricting the maximum debt that should be taken up for conciliation, they increased it to Rs. 10 lakhs, which only roused public resentment. On top of it they have brought in a bill which removes even the existing restriction and permits the scaling down of any amount.

The principle of scaling down debts on the basis of a fall in prices will not result in scaling them according to the repaying capacity of the debtor, which is the supreme merit of the present Act. The reduction of the amount of debt in the ratio of prices raises the question as to why other properties also such as rents, houses, lands, money in banks, wages, etc. should not equally be reduced on the same principle. It helps the man who could pay and does not go far enough in helping the man who cannot pay. The present Act and the new Bill both lack in insolvency provisions which supply a necessary corrective to the scaling down of debts in the ratio of prices.

In deciding the amount of property to be transferred to creditors in lieu of debts either temporarily or permanently, or in fixing the instalments to be paid out of produce, due provision should be made to set apart a minimum holding for the maintenance of the judgment-debtor and the portion of the produce that should be exempt from attachment for the maintenance of himself and his family.

The Bill provides for a transfer of land in lieu of debts. When once scaling down on the basis of prices is provided for, the same principle can also be applied to such transfers. The recent Revenue Administration Report of U. P., 1936, says :

Under the Regulation of Sales Act, in 2,239 cases debts of Rs. 32.75 lakhs were liquidated by transfer of property at pre-slump valuation to decree holders and in 3,446 cases, Rs. 35.95 lakhs were liquidated by sale of a suitable portion of the attached property valued at pre-slump valuation. The Act saved a large number of debtors from the loss of much of their property and gave considerable relief in individual cases. Its comparatively simple and expeditious

procedure led creditors to regard it with less resentment than they regarded other measures.

If only the Government were desirous of settling as much of agricultural debts as is possible in the shortest amount of time, they could have attained this result by introducing amendments in the existing Act. The scaling down of debts on the basis of a fall in prices could have been incorporated in the Act limiting its scope to a certain amount of debts and to agriculturists paying less than a certain land revenue or rent. More powers could have been given to the boards on the lines of the Bengal Act, which would have exerted a larger amount of pressure on creditors to come to settlement. Insolvency provisions could have been added, which would have saved a large number of small holders.

The Madras Government no doubt passed an Act for scaling down debts. But they have not repealed the Debt Conciliation Act. The compulsory scaling down is to be an additional sanction in the hands of the conciliation boards to reduce the debts. If the present Bill is to be modelled on the Madras Act, providing for only a sanction for Conciliation Boards in the reduction of debts, then certain other amendments too are necessary in it. The present Bill should be so amended as to avoid the formation of Debt Relief Courts. Also the legal obstructions such as application by the debtor to the court, powers of appeal and proof of inability to pay thrown on the debtor should be eliminated from the Bill. All debts should be included in the scaling process, court fees should be graded according to the capacity of the debtor to pay, a time limit should be put on applications, instalments should not carry any interest, and in cases in which land is transferred in lieu of debt, land values should also be fixed in the ratio in which debts are scaled down.

K. G. SIVASWAMY.

CURRENT COMMENT.

U. P. TENANCY BILL.

SOME estimate of the benefit that the tenants will derive from the United Provinces Ministry's Tenancy Bill, when it passes, can be obtained from the facts of tenures and holdings contained in the Report on the Revenue Administration of the province for the year 1935-36.

In Agra province the total holdings area in that year was 29,375,538 acres. Of this landlords' sir and khudkasht of ten years' standing was 4,935,913 acres. On this at present the tenant where he exists has no right whatever, but under the Bill, if he is in continuous occupation for five years, he will obtain hereditary rights, barring the sir of those landlords who have 100 or less acres of sir land. 995,826 acres are held by non-occupancy tenants with no tenant right. These with a few exceptions will become hereditary tenants. Statutory tenants and heirs of statutory tenants with a life tenancy occupied 7,083,979 acres. They will obtain hereditary rights. Occupancy tenants (including under this term tenants on non-occupancy land for more than 12 years) cultivated 13,036,764 acres. They will of course continue to enjoy occupancy rights.

In Oudh the total holdings area was 9,932,914 acres. Of this landlords' sir and khudkasht of ten

years' standing, on which no tenant right accrues, was 1,132,997 acres; on this land heritable rights would now be conferred by the Bill on those tenants who are in continuous occupation of holdings belonging to landlords who have 100 or less acres of sir. An area of 1,063,915 acres is under non-occupancy tenants, who enjoy no tenancy rights; most of them would get heritable rights. So also statutory tenants and heirs of such tenants holding 7,437,222 acres and who now have a life tenancy. An area of 685,159 acres is under occupancy tenants, who would continue to be in enjoyment of occupancy rights.

The percentage of each kind of holding to the total holdings was as follows: sir, khudkasht, etc. 21.1 in Agra and 11.4 in Oudh; occupancy tenants and others with a heritable right 49 in Agra and 6.8 in Oudh; statutory and heirs of statutory tenants 23.7 in Agra and 69.9 in Oudh; non-occupancy tenants, grove holders, etc. 6.2 in Agra and 11.9 in Oudh.

REGISTRATION OF MONEYLENDERS IN THE PUNJAB.

Some of the criticisms levelled against the Bill seem to be misconceived. Prof. Gulshan Rai, for example, writing in the *Tribune* of 26th June supports compulsory registration of money-lenders but thinks that those clauses of the Bill which provide for the cancellation of the moneylender's licence are too harsh and should be deleted. The cancellation of a licence will, according to him, not only disable a moneylender from carrying on money-lending in future but will also disable him from recovering his claims that would be time-barred during the period. This he thinks is too drastic a punishment and should be substituted by fine alone. Prof. Gulshan Rai seems to think that cancellation of licences is a special feature of the Punjab Bill and that the Moneylenders Acts of England do not provide for it.

On this point, we think, Prof. Gulshan Rai is wrongly informed. In paragraph 271 of volume XXIII of Halsbury's "Laws of England" (1936 edition) it is expressly stated that "Upon the conviction of any person who holds a certificate for any offence under the Moneylenders Acts of 1900 to 1927 the court may order that any certificate held by the person convicted . . . shall be suspended for such time as the court thinks fit or shall be forfeited." So, it is wrong to say that under no circumstances licences granted for money-lending are not cancelled in England. In fact, cancellation of the licences upon conviction of the moneylenders is a common punishment awarded by many Governments. In the issue of our paper of 30th June we referred to the Moneylenders Bill (now passed) in Bihar where, in addition to the cancellation of the registration certificate, fine is also provided for the offending moneylenders. The Ordinance regulating money-lending in Fiji also provides, for the cancellation of moneylenders' licences. The Fijian law expressly states that "where any person, being the holder of a licence is convicted of any offence under this ordinance, the Court may order that the licence held by that person shall either be suspended or be forfeited."

Therefore the Punjab Government has not departed from traditions in this respect in providing for the cancellation of the moneylenders' certificates. The whole difficulty with Prof. Gulshan Rai seems to be that he thinks that the cancellation of the licences will disable a moneylender from recovering his claims that would be time-barred during the period of cancellation. No doubt the Bill left the matter in doubt; but the Select Committee has made a provision in regard to the recovery of previous loans. It says: "The Commissioner may, in dismissing

an appeal, grant to the moneylender a certificate specifying the loans in respect of which a suit may be instituted by him or the decree in respect of which an application for execution may be presented".

We do not think that this provision is satisfactory. We fail to understand why the Commissioner should have the right of specifying the loans in respect of which alone suits can be instituted. We think, to be fair to the moneylender, the Commissioner should allow him to institute suits for all loans which he advanced before his conviction for any breach of regulations. The Fijian law to which we have referred above, does not confer such powers on the court which is the authority in Fiji dealing with the suspension or forfeiture of licences. It expressly states that previous claims should not be jeopardised because of the cancellation of a moneylender's licence. The exact wording of the law is: "Provided further that an order for forfeiture or suspension shall not affect any money-lending transaction, other than that in respect of which such order is made, entered into before such order is made". We hope that the Punjab Government would insert such a salutary provision so that their Bill may not operate harshly against the moneylenders.

There are other clauses in the Bill which ought to have been made more explicit. For example, it is not mentioned under what circumstances the District Collector may refuse to grant licence to a moneylender. Surely, the District Collector should not have the power to act as he likes. On this point the Moneylenders Acts in England are very explicit. They provide:

The court which hears the application for a moneylender's certificate can only refuse to grant a certificate upon any of the following grounds:

- (a) Failure to produce satisfactory evidence of good character.
- (b) Production of satisfactory evidence that the applicant is not a fit and proper person to hold a certificate.
- (c) An order of Court disqualifying the applicant from holding a certificate.
- (d) Failure of the applicant to comply with the rules governing the applications for certificates.

It is to be hoped that the framers of the Punjab Bill will make use of the experience gained in England and so modify the Bill that the refusal of licence is not left to the discretion of the Collector.

Review.

RURAL WORK AT MARTHANDAM.

FURTHER UPWARD IN RURAL INDIA.
By D. SPENCER HATCH. (Oxford University Press.) 1938. 20cm. 200p. Rs. 2-8-0.

THIS is a continuation report of the progress of the rural reconstruction work carried on by the Y.M.C.A. at Marthandam in south Travancore. The various activities of the centre and their results are given in the many chapters of the book. The Y.M.C.A. work aims at the regeneration of the rural areas through the improvement of agriculture, introduction of handicrafts, creation and extension of co-operative credit and marketing facilities, organisation of sanitary and hygienic services and social recreations. Improvement of cattle and goats, spread of the improved strains of poultry, rearing of bee-hives are items on which very great attention is bestowed. The marketing side of co-operation has also been specialised. The centre has introduced some new, and revived some old recreations of the parts to make rural life more attractive. A survey of the suitable and economic handicrafts area is given. The author,

being an expert, has given detailed and descriptive chapters on poultry and bee-hives.

This concentration on poultry and apiary is too much, and they are given undue importance. The scheme of rural reconstruction should be a comprehensive one, on a proper understanding of the appalling poverty of the rural areas. In such a scheme poultry may occupy a small place and not the all-absorbing place which it is given in this scheme. The achievements which are proclaimed here are not quite visible to a native of the area, who sees no difference in the area from the surrounding parts. The poultry and the apiary, however effective in one or two places, will not solve the rural problem when the same

scheme is carried out in all the lakhs of villages of the country. Greater problems such as forced unemployment, burden of land-tax, the step-motherly treatment of the rural areas, the tenancy laws, the crushing burden of debts, illiteracy, over-population in rural areas, need to be tackled before anything constructive can be done for rural reconstruction. But such work cannot be done by organisations which have to depend on Government grants and subsidies. The normal work of the centre might as well be done by the state itself, as it is only a side activity with no great potentiality. The book is readable and informative.

N. S. S.

AIR BLOCKADE BY FRANCO.

MR. LLOYD GEORGE'S GREAT SPEECH.

Following is the speech which Mr. Lloyd George made in the House of Commons on 21st June in the debate on Foreign Affairs:

I SHOULD not have intervened at this late hour had I not considered that the position which has been created by the attitude of the Government, and more particularly by the speech of the Prime Minister, is an extraordinarily grave one. In my judgment, it involves a complete reversal of the attitude and the policy of the British Government as it has been declared by successive Governments and successive Prime Ministers for generations. I am glad that the Prime Minister is now present, because I should like to begin with his speech. Quite frankly, I thought it was a distressing speech, a very deplorable speech, coming from the Prime Minister in his great position, and wielding the power which he does. It was a very pitiable declaration. During the whole of the time I have been in this House I have seen many Prime Ministers, representing several parties, and I do not know any Prime Minister in any party who would have made that speech. Frankly, I do not know of any House that I have seen which would have tolerated it.

Let us deal with the facts. They are facts that are accepted. I do not think the Prime Minister challenged the facts as they were stated in the very powerful and very fair statement of my hon. Friend the member for Derby (Mr. Noel-Baker). What are they? A number of British ships, plying a perfectly legitimate trade, a trade which has been sanctioned by the Government, with a country with which we are on friendly terms—their Ambassador is still here and we recognise their Government—have been attacked, bombed, torpedoed, sunk, and about 30 British seamen have lost their lives. They were plying a trade recognised by the Government as being perfectly legitimate. In the northern ports of Spain the Germans are conducting their business. I am not talking now about their carrying munitions, which they do. They are carrying on a perfectly legitimate trade in the purchase of materials and the export of their goods. British ships are conducting the same trade on the east coast of Spain. They have done it for centuries. They were doing it at the beginning of the war and they have continued to do it during the war. They were not carrying any contraband. The Government have set forth the kind of commodities which are legitimate for the plying of trade with Spanish ports. The British ships were carrying wheat, coal, etc. The London Chamber of Shipping has gone into the matter very closely. I should say that the vast majority of the members of that chamber are Conservative, and from what I hear are on the whole inclined to sympathise with Franco, but they examined the cargoes which

were carried by these ships and came to the conclusion that there was nothing which contravened the regulations of the British Government.

These ships have been attacked, some of them destroyed, some of them on high seas, and some in ports, and nothing is to be done. The Prime Minister elaborated the theory that they were attacked by aeroplanes flying at a speed of 300 miles an hour and that as the bombs had to be let loose long before they got to their objective you could not assume that the attack was made upon British property and British lives. That is a very disingenuous argument, and I am surprised that the Prime Minister of this country should use it in the face of the facts. He knows perfectly well from the information he has received, some of it elicited and announced in this House by his own Ministers, that the attack was deliberate upon one particular ship. There was first reconnoitring to see where the ship was, and then came the attack in daylight, a quite deliberate attack with a clear definite purpose, on that British ship which was conveying goods to Spain which the Government themselves said was a perfectly legitimate cargo. They came down within 100 feet, they have come down within 300 feet in other cases. It is not a case of bombs being let loose half a mile or quarter of a mile from the objective, but of the aeroplane hovering over the objective which it has already designated and dropping its bombs with the cruel purpose of destroying that ship and those on board. They have even come down and used machine guns, not for destroying the ship but for destroying the seamen. It is not very straightforward to tell the House of Commons and through the House of Commons the country that it was something in the nature of an accident.

The Prime Minister: The right hon. Gentleman will allow me to correct him. He has accused me of not being straightforward, and of asserting that on account of the speed at which aeroplanes fly and the distance at which bombs have to be loosed you cannot tell whether the attack was made on the ship or on something else. That was not my argument. My argument was in this case that it was not possible to say whether an attack was meant on the ship until the attack was made. The question was whether it was possible to defend a ship by anti-aircraft fire, and I said that we could not defend a ship by anti-aircraft fire unless we were prepared to fire at all aeroplanes.

Mr Lloyd George: If that is the case the Prime Minister admits that the attacks made upon these ships in ports were deliberate.

The Prime Minister: I said so.

Mr. Lloyd George: That makes it all the more serious, and there is absolutely no excuse of any sort

or kind. If the Prime Minister is conscious, knows that these attacks were deliberately made upon British ships with a view of destroying them and with a view of killing British seamen there is no excuse at all for not taking strong action. It is quite true that you cannot protect every British citizen who goes recklessly into the zone of action and may happen to be hit by a shell. Nobody pretends that you should immediately take action, that you should have reprisals because someone is killed in those circumstances. I agree. The man is taking his own risk if he does that. But that is not the case here. These are ships chartered to go there, and are going there purposely. As a matter of fact the Italians ascertained that it was a British ship, knowing perfectly well that it was not carrying contraband, because there was an observer on board and because they have the guarantee of the British Government that no ship will leave our ports with contraband for Spain. In spite of that it is given no protection of any sort or kind. The Prime Minister says in effect that he protested; that he has sent a series of protests. Has he followed his protests up by any action? The Germans did, and the Italians would have done it if similar outrages had been committed on their ships plying an innocent trade.

The Government are behaving like a bevy of maiden aunts who have fallen among buccaneers. They just say, "Talk nicely to the gentlemen, don't ruffle them," and, above all, "You must not ask impertinent questions about them, whatever you do." In fact anybody who does is treated with a sort of vixenish tartness. The Prime Minister says, "Leave it to us, dearie." This is really not the way in which to treat vital interests. Our shipping is the greatest in the world and we are naturally proud of it. It is not merely our interest to protect it; it is our glory. We have always done so until to-day, and the first time that 30 British ships are attacked, several of them sunk and British sailors killed deliberately by bombers from countries with whom we have been shaking hands, all we do is to utter a futile word of protest, not to the owners of the bombing machines and their pilots but to Franco.

What more does the right hon. Gentleman say? He says, "Well, if we were to do anything to protect our flag, what could we do?" In the first place, we know exactly where these aeroplanes came from. They came from the Italian camp in the Balearic Islands. We know where they are, and we could bomb those aerodromes until they stopped it. The right hon. Gentleman says, "Oh, but that is war." War with whom? Is it war with Franco? He would not make war. Is it war with Mussolini? Mussolini could not make war without accepting the responsibility for sending aeroplanes to sink British ships. Is he prepared to do that? I do not believe it; and if he did, well, we should have to stand up to him at last.

What is the excuse which the right hon. Gentleman has given for this? He says that, after all, it is only ships that are in port. What difference does that make? A ship starts from here to go to its destination. It starts with an honest cargo. It is to deliver that cargo with the consent of the British Government, because the rules have been laid down by the British Government and all these shipowners conform to them. The Chamber of Shipping of London has said so. But some of these ships have been attacked on the high seas. Why was not some action taken about that, because the Admiralty undertook protection for them? The extraordinary answer was given that there was no British man-of-war on the spot. There was plenty of evidence about the attack, there was abundant testimony as to who had done it; but there was no British man-of-

war on the spot. A murder is committed—let the murderer off because the police did not happen to be there. Evidence does not matter; it is only if it so happens that a policeman is on the spot at the moment that you prosecute; if not, you do nothing. What an amazing doctrine!

I am not going to recall Palmerston and say what he would have done. I will not recall Disraeli and say what he would have done; but I know that if Gladstone, Henry Campbell-Bannerman or Asquith had behaved as the right hon. Gentleman has done and delivered the speech which he did in defence of it to-day—I apologise to their memories for that supposition for argumentative purposes—every man on that side of the Committee would have stood up and howled at him. There has been an argument as to what the Government would have done if the position had been reversed, if there had been in Spain an elected government composed of the great aristocrats of Spain, the great financiers of Spain, the great capitalists of Spain, and the rich hierarchy in Spain. Supposing they had been elected, and there had been a Socialist insurrection against them, what would have happened then? The right hon. Gentleman says, "Ah, what would you have done on that side?" I am not responsible for my hon. and right hon. Friends and I do not know what line they would have taken, but I am entitled to say this, that I was against interfering with the Soviets in their own country. I thought it was a bad policy. But if the Soviets had sunk British ships and attacked British vessels on the high seas, I am not the only one among millions in this country who do not belong to the party here, who would have protested with all their hearts and voted against any Government that tolerated it for an hour.

But the right hon. Gentleman is content with futile protests. I was hoping that he would say that something would be done. As far as I am concerned, I should have taken very strong action if I had been in the position of the right hon. Gentleman. First of all, I would have seen that those aerodromes were bombed until they stopped sending bombing aeroplanes to destroy our ships and drown and mutilate our sailors. A suggestion was made by Vice-Admiral Osborne that a Franco ship should be destroyed in retaliation.

Mr. Crossley: That was not Vice-Admiral Osborne's conclusion.

Mr. Lloyd George: Vice-Admiral Osborne threw out several tentative suggestions. That was one out of many that he made.

Mr. Crossley: That was not Vice-Admiral Osborne's conclusion, as the right hon. Gentleman will see if he reads the conclusions of that letter in the *Sunday Times*, which I read very carefully.

Mr. Lloyd George: I read it carefully not merely once but two or three times. I assure the Committee that Vice-Admiral Osborne threw out several tentative suggestions. The one which I have mentioned was among them, and I entirely agree with it. That the hon. Gentleman will allow me to say. It is perfectly legitimate to do that if our ships are being attacked. What does the right hon. Gentleman do? He does nothing. The fact of the matter is that from the moment the right hon. Gentleman rejected the suggestion made by the right hon. Gentleman the late Foreign Secretary, a wise and far-seeing suggestion that we should first of all clear up the situation with Mussolini before coming to any pact, he was hopelessly entangled. Any sensible man would have known that it was a dangerous thing to come to terms with a man who is committed to the conquest of Spain for his own avowed purpose and policy, to establish a Fascist regime by force of arms.

It was a fatal thing to do without clearing up the situation beforehand. That was the very sagacious advice which the right hon. Gentleman the late Foreign Secretary gave to the Prime Minister.

What has been the result? The result of his not accepting that good counsel has been that he has placed himself in a position where his own personal reputation is in conflict with the interests of the British Empire. He is now involved in making that Anglo-Italian Pact a success. He is driven from one position to another in doing so and with a stubbornness which, as I once reminded him, is one of his most notable characteristics; he sticks to it, although it is quite clear that he took the wrong course. He is now involved in a position where he cannot even protect vital British interests without endangering an agreement upon the success of which his personal repute depends. I cannot conceive a worse position for any statesman, especially an obstinate one, to put himself into. Since the right hon. Gentleman first of all differed from him, and since his resignation, no one can deny that things have got worse. I think within a few days after the Pact was signed, Austria was invaded. The situation in Eastern Europe has become more and more tense. The one thing that saved Czechoslovakia from the fate of Austria was the fact that they did not follow the example of the right hon. Gentleman and make merely futile protests, but mobilised their Army. In the third place, since the right hon. Gentleman's resignation, more and more British ships have been attacked, openly, with impunity, deliberately, in broad daylight. They have been encouraged by these fatuous protests which the Prime Minister is content to make.

See what he has done in the last few days. Non-intervention involves fair administration, but he cannot treat both parties alike. As a matter of fact, the rebels had something like seven to one in aeroplanes and far greater odds in heavy artillery. They had organised divisions of the Italian Army invading the country. There was nothing of that kind on the other side. During that interval the disparity between the forces was met up to a certain point, and the victory which seemed to be imminent for the insurgent forces was suddenly checked. Now I see in a paper which supports the right hon. Gentleman that France has closed her frontiers at Mr. Chamberlain's request. Was there any request to Portugal to close her wider frontier, through which overwhelming munitions and material of war have been poured in to the insurgent forces? Has he seen that nothing is coming in through Cadiz and the Northern ports? No. The whole of his intervention has been to give the Government forces no opportunity to defend themselves against their deadly foes who are destroying their cities and killing their civilians, men, women and children.

I am sorry for the position that France has been put into, France with her noble tradition of always going to the help of nations fighting for liberty, for right and for independence. The French people have made great sacrifices for that. No country in Europe has made greater. They were drawn by that. On the other hand, you have the opposition there of all the organised forces of society, of business and of the hierarchy. We have had the spectacle of one French Government after another being torn between two alternatives and the decisive word in each case came from the British Government. We intervened to prevent the sending of material to help the Basques, who had not a single anti-aircraft gun to defend their towns. We have intervened again and the Prime Minister has put himself in a position where the only thing that will redeem his reputation for foresight in entering headlong, against the best advice, into this Italian agreement is, I will not say

a Franco victory, because it would not be a Franco victory, but a German and Italian victory.

I am quite conscious that we are divided in our sympathies. There are very good friends of mine who have taken the Franco side from the start, though I do not know that they are quite as zealous about it now as they were. There are also a great many friends of mine who have taken the other side. But, apart altogether from these sympathies, there are deep British interests involved in this struggle and the Prime Minister is completely ignoring them in his calculation. Even if you withdrew every volunteer and every gun on the other side, Franco could not win without the German and Italian aeroplanes, the great organised forces of Italy and the still more potent intelligence of the Germans.

What is the position now? First of all, the Germans have fortified the Northern ports. They have built aerodromes overlooking the Bay of Biscay, over a high road to the Southern Atlantic and to the Mediterranean and vital to France. They have planted heavy artillery on both sides of the Straits of Gibraltar, and the harbour of Gibraltar will be under the fire of those guns. There are Italian aerodromes in the Balearic Islands, on the sea route between France and her African Empire, and on our communications with Southern France. The Germans have a lien on the valuable mineral resources of Spain. Formerly they were largely in our hands. They have captured the shipping and other trades for most of the ports—for all the ports except the Republican ports—and they are destroying our ships there so that our trade in those ports should go as well. Let the Prime Minister say, "Well I cannot interfere; I can only write letters and notes."

They are doing another thing that is much more vital in the contingencies of the future. They are establishing a government in the most strategic peninsula on the high seas of the world—Spain. Every great soldier has realised that; from Hannibal and Caesar to Napoleon; Wellington and Castlereagh knew it. It is one of the most vital strategic peninsulas in the world. It will have a government established by them—a government that cannot exist without their support. Mussolini says, "I am not going to annex Spain; I am not going to keep any of the territory of Spain." Why should he? He will have three Fascist countries—the most formidable triple alliance in the world. He will have three Fascist countries, including this country, the Fascist government in which will depend for its very life on the support of the other two.

Have you ever calculated what that would mean if there were a war? The right hon. Gentleman says there must not be a war. We will all say that. But why are you spending £2,000,000,000 upon rearmament unless you think that war may come and you want to be ready for it? Against whom are you building your aeroplanes and your ships and your forces? Not against France; not against Russia; and, as far as I can see, not against Japan. Against whom are you building? Well, everybody knows that just as in the time before 1914 when we had the great competition in dreadnoughts you are building against the menace of regenerated militarism in Central Europe. They, of course, are preparing too. They are establishing themselves in this vital position and they have captured it without the loss of as many men as they lost in a single day's skirmish in the Great War.

What a Government! In an Empire with interests in every corner of the globe it is essential to us that we should have free access to other parts of the world and that we should not be kept under the same kind of peril as we were subjected to before by the submarine. It is a peril which has been

doubled, trebled, aye, made a hundredfold more terrible, as these bombing aeroplanes prove. Yet we have allowed this to go on and the only answer is a speech like that which we heard to-day. What a declaration! The right hon. Gentleman says he wants peace and that he is working for all-round peace. That is not an original idea. Everybody has said that, and meant it. The only thing that is original is the way in which they have set about doing it. That a statesman who is at the head of affairs in this country should say that he is working for peace as his objective—that is a noble idea. That he should persevere in it against every obstacle, makes it all the more commendable. But if, in pursuit of that high aim, he takes a wrong course and sticks to that in spite of every warning of fact—that is not statesmanship, it is sheer dunderheadedness.

Only if in Opposition!

THE Working Committee of the Assam Provincial Congress Committee met at Gauhati on 29th and 30th June and passed, among others, the following two resolutions:

1. This Committee approves the proposal for a revision of the existing system of taxation on land with a view to securing a 50 per cent. reduction of land revenue and imposing a tax on agricultural income of Rs. 2,000 and over so as to make up the deficit in the provincial revenue.

This Committee further agrees to the suggestion that lands held on lease directly from Government on concessional rates where the incidence of taxation is lower than ordinary rates, should be on normal rates, particularly when the landholders belong to the capitalist classes such as owners of oil-fields, lime quarries and tea gardens.

2. Congress members on the Retrenchment Committee are directed to follow and act in accordance with the principles laid down in the Karachi resolution in this connection.

All Government servants attaining the age of 55 years or putting in service for 25 years, whichever is earlier, should be made to retire.

The maximum pay for all provincial services should in no case exceed Rs. 500 and, in case of experts, Rs. 1000 per month.

The first resolution embodies the proposals which the Congress members of the legislature are to make to the Land Revenue Inquiry Committee and the second those which they are to make to the Retrenchment Committee.

* * *

THE question that comes to one's mind upon perusing these resolutions is whether the Committee puts forward such proposals merely because the Congress is not burdened with responsibility in Assam. The Congress is in power in seven provinces, but in not one of them has land revenue been reduced by 50 per cent. or even by 5. Only in one province is a tax on agricultural income proposed to be levied, and the limit of taxable income in that one province, is Rs. 5,000. The Karachi resolution on the salaries to be paid to officials is disregarded in everyone of the seven provinces. In face of these facts what weight will be attached to the efforts that Congress members may make in getting a non-Congress Ministry to do what no Congress Ministry has so far done or is even thinking of doing? An Opposition is always in a position of advantage in the matter of criticism, but the Congress Opposition in Assam labours under the disadvantage that its party supplies the Government in some other provinces, which results necessarily in the clipping of wings of the Congress members in Assam. Not only does the Government in any of the Congress provinces not contemplate any of the measures sponsored by Congress members in Assam, but the Congress backbenchers in the legislatures are not even allowed to table motions in provinces where the Congress has assumed the responsibility of government, so strict is the discipline maintained. No such discipline is needed in Assam, because the Congress has not to shoulder the burden of responsibility. In this sense the Congress members in Assam are in a happier position, but their proposals will naturally be discounted in advance because their party apparently considers them impracticable in provinces where it rules the roost.

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