

The

Servant of India

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Office : SERVANTS OF INDIA SOCIETY, POONA 4.

VOL. XXII, No. 7. } POONA—FRIDAY, FEBRUARY 17, 1939. { INDIAN SUBSN. Rs. 6.
FOREIGN SUBSN. 15s.

CONTENTS

	Page
TOPICS OF THE WEEK	81
ARTICLES :	
Vamanrao Patvardhan	84
The Railway Budget [... ..	85
The Statelets of India	86
The Naval Discipline Bill	88
The Bombay Shops Bill—II.	89
CURRENT COMMENT.	91
REVIEWS :	
Indian Finance. By Prof. V. N. Godbole. ...	93
Economic Survey. By Prof. R. V. Oturkar. ...	94
The World Court. By Prof. K. R. R. Sastry. ...	95
The Cost of Milk Production. By S. G. Nawathe.	95
SHORT NOTICE.	96

Topics of the Week.

Opera Bouffe.

IF what one reads in the papers is true, the re-election of Babu Subhas Chandra Bose, against the solid opposition of the Old Guard in the Congress, will in the end come to have a large element of *opera bouffe* in it. The election was fought mainly on the issue of stiffening opposition to federation, which it was declared some men in the High Command were using their backstairs influence to support or acquiesce in. Now Subhas Babu is being compelled, so it would appear, to retain these very men in his Cabinet, to the right to expel whom he has asserted a claim by his success in the presidential campaign. These gentlemen are reported to have informed the re-elected President, with a touching consideration for his difficulties, that if he is to remove any of them, he should remove them now. For he is told that if they are allowed to hold on to their positions in the Working Committee, they will become entitled to take a hand in the drafting of the resolutions to be placed before the next session of the Congress, and when passed, these resolutions will hold the field for the whole year. If any of the members of the Working Committee are reactionary, why should their reactionary influence be allowed to determine Congress policy, even in the initial stage? Subhas Babu would thus find it to his interest to relieve them of their responsibilities, and coincidentally of their power, immediately. And if they are so relieved, he would also see the necessity of disbanding the Congress Parliamentary Committee, appointed as it is by the

Working Committee. The Congress Ministries would thus remain for a month and more without the assistance of a supervising and controlling body; but what is this temporary gap in the Congress machinery, the Old Guard suavely say, before the issues of the highest importance which he has raised in his election campaign, viz. democracy in the Congress and opposition to federation? If Subhas Babu is to act, he must act at once.

BABU SUBHAS CHANDRA BOSE, it is said, regards this as minatory language and is preparing himself to cave in. Perhaps he thinks that the giving of an entirely free hand to the Congress Ministries for a month or two, without their having to listen every now and then to the zone dictators, would be a positive advantage; nor can he regard the abstention of some of the members from the drafting of Congress resolutions as a serious disadvantage either. But he tells himself possibly that if he appoints a new Congress Parliamentary Committee after the Congress session, the Congress Ministries in the Provinces, who have been appointed by and are in tune with the old Committee, will go on strike, and he will be faced, even before he has time to devise measures for resisting federation, with an internal crisis in all the provinces which will be well-nigh unresolvable. The personnel of members elected to the legislatures does not abound in genius to such an overflowing extent as to enable him to say to the resigning Ministries, "You may sulk in your tents; I'll have alternative Ministries from the Congress ranks." As it is, even the sitting Cabinets are reduced sometimes to very strange shifts in order to retain their power; the new Cabinets to be improvised hereafter will be peculiarly unstable.

THIS is the threat which, it is said, will be held out to Subhas Babu, a threat which is relied upon to induce the President to remain in office without power. If the President does not call the Old Guard's bluff, his election will merely reduce itself to a *coup theatre* and he will write himself down as one who is indifferent to public policies provided his personal ambitions are satisfied. He must of course be very circumspect in trying to put in force the policies that he has in mind, but the execution of those policies must in any case be in evidence, in however small a degree. One thing he must not shrink from doing, and that is the remodelling of the Working Committee, and, if his suspicions as to the giving of encouragement to the inauguration of federation fall on the Parliamentary Committee, of that body also. The changes need not be more than necessary, but whatever changes are required in the interest of honest and clean politics must be effected at whatever cost.

On what he does now will largely depend future developments in the political arena.

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Non-Violence and Sovereignty.

IN the last *Harijan* have been published a letter by Lord Lothian and Mahatma Gandhi's reply thereto on the above subject. The matter of immediate practical importance that emerges from this correspondence is the unambiguous statement of Mahatma Gandhi in the following words: "The federal structure is inconceivable to me because it contemplates a partnership, however loose, among dissimilars. How dissimilar the States are is being demonstrated in an ugliness for which I was unprepared. Therefore, the federal structure, as conceived by the Government of India Act, I hold to be an utter impossibility." This is the first statement of its kind that the Mahatma has issued. He was invited by Mr. N. C. Kelkar, on behalf of the Deccan States Association, to define his attitude to federation some years ago, but at that time he had refused to commit himself. Now he goes further than he was invited to go then, and says in effect that a federation cannot be thought of, not only till the States adopt democratic usages in the federal sphere by sending elected representatives to the federal legislature and in other ways, but till they accept, even in the sphere of internal administration, a democratic form of government similar to the one that obtains in the Provinces. However little may be the effect of the agitation in the States on the Paramount Power, it has had a tremendous effect on Mahatma Gandhi himself.

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THIS statement of the Mahatma is only a by-product of the discussion. The main issue is that of non-violence and sovereignty of States. Lord Lothian argues, quite rightly, that if aggressive violence is to stop in the world, the sovereignty of nations must be curtailed. The capital defect of the League machinery at present is that the conclusions arrived at in the League gatherings have no binding effect on its members. These being fully sovereign States, they can either give effect to the conclusions or entirely ignore them. Collective security, based wholly upon such voluntary agreement in every case, cannot be effective. Member States must therefore be prepared to submit themselves to a third party judgment, and it would be still better if they formed themselves into a federation, willing to abide by the decisions of the central Government that may themselves instal. World peace or non-violence, therefore, depends upon world federation or, at the lowest, on an abatement of the sovereignty of independent nations. This is Lord Lothian's thesis.

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TO it Mahatma Gandhi returns an answer in a sense which has now become familiar to us all in India. Lord Lothian by violence only means aggressive violence, and non-violence as he understands it certainly includes defensive violence; and he says that as in national affairs the police force has to be employed to suppress violence, so in international affairs also the use of the police force alone would be sufficient if there was a world federation instead of the existing congeries of independent sovereign States. But by non-violence Mahatma Gandhi means something quite different, viz. entire abstention from the use of violence in any form. In all affairs concerning either family government, local government, national government or international government,

he would abjure the use of force. Lord Lothian is willing to envisage the absence of force only when government itself becomes unnecessary and the individual can be left free to guide his own conduct according to moral rules. But till this millenium arrives, force has a definite place in human affairs, and all that one can do is to substitute force employed in behalf of right for force employed in despite of right. Mahatma Gandhi in theory does not allow that force has any place at all, though he does not object to the Congress Cabinets using police or military force to quell actual or even supposed disturbances.

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Fresh trouble in the Orissa States.

THE decision of the Rulers of Nilgiri and Hindol to declare their Praja Mandals illegal has created fresh trouble in the Orissa States. Our readers will remember that the Nilgiri State people were the first in Orissa to carry on an agitation against *bethi* (forced labour) and *magan* (forced exactions at the time of the Ruler's festive occasions) and the high revenue assessments of the State. The agitation was the first of its kind in the Orissa States, and so reasonable were the demands of the people that the late Political Agent of the Orissa States, Major Bazalgette, intervened in the matter and brought about a compromise between the Ruler and the State's people. By this compromise the Ruler recognised the Praja Mandal as the only representative organisation of the people and agreed to consult it in all matters which affected the welfare of his subjects. He further agreed to stop the nefarious practices of *bethi* and *magan* and reduce the land revenue demand to a reasonable figure. This compromise was effected in September last and the people of Nilgiri naturally expected their grievances to be redressed with all possible speed. But the Ruler of Nilgiri took no steps in this direction. Naturally, the Nilgiri Praja Mandal, as the accredited representative of the State's people, reminded the Ruler of the terms of the compromise and asked for their prompt fulfilment. This seems to have exasperated the Ruler who, roundly accusing the Praja Mandal of seditious activities, has declared it unlawful in the State. Full information is not available regarding Hindol; still it was only recently that we had learnt that Hindol had established a democratic form of government, which was highly commended by Mr. H. K. Mahtab, a member of the Congress Working Committee belonging to Orissa. Now, it is a mystery to us why Hindol, of all the States of Orissa, has thought fit to declare its Praja Mandal unlawful.

* * *

Muzzling of the Press in Bombay.

THE Congress Government of Bombay called upon the management of four newspapers, one each from Barsi, Poona, Ahmedabad and Sholapur, to deposit securities of Rs. 3,000 each "under the relevant sections of the Indian Press (Emergency Powers) Act, 1931, for publishing and printing matter tending to promote feelings of enmity or hatred between the Hindu and Mahomedan communities."

* * *

WE have made it repeatedly clear that we regard any sort of propaganda calculated to exacerbate feelings between different communities as reprehensible in the extreme, and that we have every sympathy with the Government in their endeavours to put down the spread of communal virus

by legitimate means. However, we cannot but strongly deprecate the action of the Bombay Government in demanding securities from these papers under the notorious repressive Act of 1931. Prominent Congressmen including Pandit Jawaharlal Nehru have been the loudest in their denunciation of this piece of legislation which flies in the face of the principle of the rule of law. There are many cases of discrepancy between the outlook of Congressmen in opposition and Congressmen in office, and their attitude towards the erstwhile hated, Press law is surely a flagrant illustration of the same.

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IN 1931, the year in which the Press Act was passed the All-India Congress Committee at its meeting held in Bombay on 6th August, 1931, passed a Fundamental Rights Economic Programme. Clause (1) Article (1) of the Programme read: "Every citizen of India has a right to free expression of opinion, the right of free association and combination, and the right to assemble peaceably and without arms for purposes not opposed to law or morality." It will surprise many to recall to-day that Mr. Munshi, no other than the "strong hand" Home Minister of Bombay, pressed for the inclusion in this draft of the words "free expression of opinion", as "he maintained that the clause as it stood would not include freedom of press." Mr. Munshi who was then so very solicitous for the freedom of the press has, unlike the proverbial leopard, entirely changed his spots. His Government is now so lost to a sense of shame as to demand securities from newspapers under the very Act which in its Bill form was described by the Congress Working Committee as a "war measure sought to be re-enacted (by the bureaucracy) in truce time and accordingly a distinct breach of the Delhi settlement." Is its use by the Congress Governments to-day not a breach of the solemn promises given by them to their own people?

* * *

IF Government had been really convinced of the guilt of those newspapers, the proper course for them would have been to take action against them under the ordinary law of the land, which is good enough for the purposes of Government though bad enough for the people. Instead of doing so, the Bombay Government chose to hit the papers and presses below the belt. There may be many ways of putting a curb on communal propaganda in the Press, but stabbing newspapers in the back is surely not a proper one. If a popularly elected, responsible Government does not disdain to make full use of a law passed by a bureaucratic Government and a law censured and condemned by itself, it must expect the public to condemn it even more than it would have done the bureaucratic Government. The latter was at least honest in its avowals; the former seems to live on hypocrisy.

* * *

IN this respect the Congress Governments not only cause harm to the civil liberties of their own people, but they also serve as very useful examples for bureaucrats in the comparatively backward Indian States. A Press law similar to that obtaining in British India was recently passed by the Mysore legislature. Some of the progressive members of the legislature, in the course of discussion of the measure, pointed out to the Government that the existing Press law of the British Indian Provinces was not one of their own making, and that it had been inflicted upon British India against its

wishes by the bureaucratic Government of India, and that, with the advent of Provincial Autonomy, things had changed at least as far as the Congress-governed provinces went. In reply to this contention, Mr. S. P. Rajagopalachari, the then First Member of the Mysore Government, said:

Some reference was made to the fact that conditions in British India had changed. Yes, those of us who read the newspapers are entirely aware of the fact. But so far as the Press Law is concerned, there does not seem to be any change at all. On the other hand, as I mentioned in the Assembly, the provincial Governments do not seem to be very eager to get rid of this law. I read an extract in the Assembly from the report of a conference of all the Prime Ministers which was held recently at Bombay. And from that report, it seems quite clear that they are not very anxious to get rid of this Press Law. On the other hand, they seem to be anxious to apply the provision about securities so far as newspapers are concerned in regard to communal disputes and so on.

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IT is, not only inherently improper, but from the point of view of the growth of democracy in the States absolutely inexpedient, for the Congress Governments to have recourse to repressive legislation, against which they had been indulging in violent declamation of late.

Corporal Punishment.

FOLLOWING the proposal of Sir Samuel Hoare in the Criminal Justice Bill, the Prison Reform Committee in the United Provinces has recommended the abolition of corporal punishment for all criminals except those who are guilty of the crime of assault or mutiny in gaols. But progressive opinion everywhere has pronounced itself in favour of removing even this single exception to the abolition of corporal punishment on the ground that the retention of this form of punishment in offences against prison discipline has no deterrent effect. At the recent Conference called by the Howard League for Penal Reform in the Caxton Hall which consisted mostly of magistrates a resolution was adopted almost unanimously after a long discussion, which not only welcomed the provision in the Criminal Justice Bill for the abolition of the power of all courts to pass sentence of corporal punishment, but also urged the Government to amend the Bill so as to provide for the abolition of power to inflict corporal punishment even for offences against prison discipline. Sir William Jowitt, K. C., who presided over the first session of the Conference, said on this subject:

In my opinion the whole question is, "Does flogging deter or does it not? If it proves a greater deterrent than other forms of punishment, then the public will have it. If it does prove such a deterrent, then, to be quite logical, why should it not be extended to many other crimes—for example dangerous driving on the roads? Supposing you had what I call whipping posts put up at the side of the roads and a travelling bench of magistrates to deal with offenders of both sexes on the spots? Would it put a stop to dangerous driving? If it would, then I think there is a lot to be said for it. Nobody who reads the report of the departmental committee, however, can fail to see that they have put up a tremendously powerful case to say that it is not a deterrent.

Pursuing the same argument, it was necessary, the Conference agreed, that corporal punishment

must be abolished in offences against prison discipline as well as in others. And, when we in India are engaged in carrying out prison reform, it would be meet for us to abolish corporal punishment entirely as the Howard League and all other progressive bodies are urging.

Articles.

VAMANRAO PATVARDHAN.

THE Servants of India Society lost a foundation-member in Mr. A. V. Patvardhan or Vamanrao Patvardhan, as he was popularly known, on the night of Tuesday last. With the late Mr. Devadhar and Mr. N. A. Dravid, Mr. Gokhale administered the vows on the day he founded the Society to Mr. Patvardhan. Thus from among the original members Mr. Dravid alone is now alive, and it is the Society's good fortune that he survived a serious illness last year and enjoys good health for his age, rendering active service in the sphere which has been allotted to him. Mr. Patvardhan had an exceptionally robust constitution, and his simple and abstemious life enabled him to do a full day's work every day almost without any interruption during his thirty-four years of membership of the Society. He had of course his share of small ailments, but we had every reason to expect that he would continue to live and carry on the Society's work, perhaps on a slightly lower level of activity, for many years more. As fate would have it, however, he had a lung affection last December, which proved eventually to be cancer of the lungs, and he succumbed to it. A merciful Providence made his death almost painless, and that is the only consolation to those who are left behind to grieve.

Mr. Patvardhan's major work in the Society consisted in the management of the Aryabhushan Press and general supervision over the other printing presses and newspapers of the Society. This work was of so absorbing a nature that for a number of years it left him no leisure at all for any other work, and consequently he was denied the thrills which attract many a worker into public life. But he never made a complaint of the situation which had glued him firmly to his more or less routine work but carried it on in a sacrificial spirit that evoked the highest admiration of all those who saw him at work. The Aryabhushan Press of which he was in charge passed through very anxious times occasionally, and it was entirely due to his unremitting toil, sleepless vigilance and competent management that it ultimately emerged into a sound financial position. The fact that his labour enabled the Society not only to carry on propaganda through the newspapers but to make the Press a permanent source of income by means of which other members could do more extensive public work was,

in Mr. Patvardhan's eyes, sufficient recompense for an absence of opportunities for himself for this kind of work. A consecrated life, always difficult, becomes bearable to many if it enables them to be much in the public eye; a consecrated life in a humbler sphere, where your lot is to do your daily drudgery without anyone taking any notice of you, is indeed a hard life. Mr. Patvardhan did not lack the intellectual qualities which are essential in a public worker, as the term is usually understood; but circumstances conspired to assign to him extremely prosaic and unexciting work, and his chief merit lay in doing this work, not only cheerfully but with the utmost enthusiasm and energy. He did not consider that personal sacrifice was justified only if one could thereby have some glittering piece of work to one's credit; he was conscious that greater sacrifice was really required if one was to spend all one's waking hours in a work that is little thought of, but that is still important and necessary in the interest of the brotherhood through which one has taken a vow to serve the country. He did not look with the slightest tinge of envy upon those whose work lay in a supposedly more alluring field and whose way many public honours came; he never expressed a desire for a change in the task given to him, but he did it with a truly religious zeal, bringing to bear upon it all his intellectual and moral qualities which were of a high order.

To look after the minute details of a printing press employing a fairly large number of workers, getting them to work hard and keeping them contented, is no easy job; it will tax the patience of most men if they do the work conscientiously. But Mr. Patvardhan was at it for over thirty years without showing a sign of fatigue or staleness. The employees were not just "hands" to him; he was in direct touch with everyone of them individually and fully recognised that while it was his business to make the press remunerative it was his sacred duty to give full scope to each worker to develop his individuality. And in this he met with an eminent success; he was able to infuse into the workers something of his own conviction that the press in which he and they were engaged was not just a commercial concern but an instrument for public good. Very gratifying evidence of this was afforded whenever the Servants of India Society came into trouble as e. g. when the old Aryabhushan Press building was burnt down and when other charitable bodies needed urgent relief. On such occasions the workers would voluntarily come forward to give out of their poverty small amounts for public charity. Himself a tireless worker, Mr. Patvardhan was very exacting in taking work from others; nor was he a particularly smooth-spoken man, he would often talk harshly to people. But those who were well acquainted with him knew what a kindly spirit lay beneath these words. In fact, the first impressions of anyone who came newly into contact with him were apt

to be rather unfavourable, but they improved on closer acquaintance. If the press employees knew that they would have to encounter scolding at his hands for remissness, they also knew that no one could be more tender or obliging in their hours of need. There was hardly a worker who fell ill whom he did not visit at his house and to whom he did not give comfort. He looked upon the whole body of workers as his family and shared with them their joys and sorrows. And the employees were conscious of it too. He was to them a patriarch whom it was easy to anger but whom it was even easier to please and from whom to evoke further acts of kindness. It was a signal proof of Mr. Patvardhan's admirable qualities of head and heart that the employees in the press completely identified themselves with the management.

Apart from this internal work in the Society, Mr. Patvardhan took a very prominent part in the popular movement in the States of Maharashtra. Indeed, with the late Mr. G. R. Abhyankar of Sangli he was a pioneer in this line. He founded the Deccan States Association and conducted its affairs till almost his closing days as Secretary, with Mr. N. C. Kelkar as his colleague. The States movement has latterly acquired a great momentum everywhere, and if it has done so in the Deccan States also it is due to the foundations that Mr. Patvardhan laid years ago, when few were to be found in British India who would give countenance to it and when the States themselves looked upon any slight criticism against themselves as *leae*

majeste. But Mr. Patvardhan persevered with it in the midst of a pervading atmosphere of general indifference and suspicion and was at least successful in creating in the people in the States a political consciousness which was entirely lacking before. No objective measurement of his achievement in this direction is possible, but those who are aware of the tremendous difficulties which any movement has to meet with in the initial stages will certainly give it an exceedingly high rating. In carrying on this activity, Mr. Patvardhan came eventually to be a personal friend and adviser to most of the Princes in the Deccan, and, what is very rare to find, he could do so without forfeiting in the least the implicit trust which the States' people reposed in him. He was known by the people to be thoroughly incorruptible and immune from the influence of any kind of official allurements, and he was known by the Princes to be essentially just and incapable of lending his support to anything savouring of unfairness and untruth. He reaped the reward of scrupulously pursuing this policy in winning the confidence of both rayat and raja. He was throughout a member of the Working Committee of the All-India States' People's Conference and ranked high in its councils. His personal qualities of profound industry, native modesty, unflinching devotion to principle and utter unselfishness were to the Servants of India Society great assets and to many a guarantee that a Society which claimed a member of his calibre was a body of great moral worth.

THE RAILWAY BUDGET.

THE Railway Budget presented this week to the Central Legislature bids fair to continue the small surpluses which have characterised the railway finance in recent years. The actual surplus for 1937-1938 is 2.76 crores, seven lakhs less than the budgeted figure. The revised estimate for 1938-39 promises a surplus of 2.05 crores, whereas the estimated surplus for 1939-40 has been placed at 2.13 crores. The surpluses thus obtained are being paid to the central exchequer, thus enabling the latter to distribute a share of the income-tax receipts among the provinces in fixed proportions. Our readers will remember that the distribution of half of the income-tax receipts among the provinces is dependent on Railways paying their full quota of contributions to the central exchequer. This consummation has not yet been reached and it is difficult to believe that it can be reached at all unless there is a complete overhauling of railway expenditure. Much was expected in this connection from the recommendations of the Wedgwood Committee report. But that Committee took the present standard of expenditure of the Railways as sacrosanct and unalterable

and therefore did not suggest economies of a major character. We cannot take the same view, however. In view of the close linking of the future of the provincial finances with the solvency of the Railway Department, we would strongly urge the appointment of a retrenchment committee which should explore the avenues of economy in the railway administration. It has been pointed out times without number that the salary-bill of the Railways is excessive and a drastic reduction in it will be necessary before the Railways can be expected to fulfil their obligations. To give but one instance, though between 1913-14 and 1933-34, the railway staff had remained almost stationary, being 633 thousands and 667 thousands respectively, the cost of the railway staff had increased by 150 per cent. In 1913-14, the amount spent on the railway staff was 14 crores. By 1933-34 it rose to the excessive sum of 34.61 crores. The reason for this great increase was that, during the war and the post-war period, the salaries of the railway staff had been increased in accordance with the prevailing rise in prices. But now the prices have fallen heavily, almost to 50 per cent. of the post-war

figure. Under the circumstances, one fails to understand why the railway salaries should not be adjusted to the fall in prices. Besides the programme of salary reduction, there are many other economies which can be effected in railway expenditure. The loss of the Railways on the strategic lines amounting to about two crores a year should be debited to the defence budget. It is passing strange why the Railway Department should be asked to bear a burden which in fairness should form a part of the defence expenditure. Thirdly there is the question of the conversion of the railway loans. The Railways pay an interest of 3.75% on their capital. This can be considerably reduced, if loan conversions will be attempted on a wide scale in these days of low rates of interest. In short, there are many ways open to the Railways by which they can improve their present position if they have the courage to adopt a bold and comprehensive programme. Connivance at these important matters which affect vitally the interests not only of the Railways but of provincial finance as a whole will never satisfy the Indian taxpayer.

Coming to the works programme of the Railways, we find that the total expenditure on this head has been put at 15 crores. Of this amount $\frac{2}{3}$ crore is proposed to be spent on two railways in Sind. One crore has been provided for the purchase of the South Bihar Railway. Five crores have been provided for rolling stock and $1\frac{1}{2}$ crores for the purchase of service wagons. $4\frac{1}{2}$ crores have been provided for track renewals and $3\frac{1}{2}$ crores for bridges and other structural works. In this case again, it will readily be understood that the Railways are not undertaking any big constructional work. Most of their works programme is confined to the maintenance and repair of the existing railways. No one will believe that the limit of railway expansion has been reached in India. Even now, vast tracts have remained almost undeveloped without any

easy means of communication. The Railway Department should link these tracts with the more progressive areas of the country. But unless its financial position is substantially improved, it cannot take up this hazardous work. This again points to the necessity of a bolder railway policy which will enable the Railway Department of India to fulfil, to the satisfaction of the public, its obligations in the matter. Unless that is done, no hopes can be entertained of a fresh programme of railway construction.

With regard to the other activities of the Railway Department, we note with pleasure that the railway authorities are making an attempt to improve the travelling prospects of the third-class passengers. We are told that the Railways have under consideration the issue of a schedule of requirements necessary for the better convenience of the third-class passengers. These requirements include the provision of smaller compartments for greater privacy, lotah taps, lotah shelves, coat hooks and hand-rails in latrines, better lighting arrangements and broader seats. We are sorry that these matters are still in the range of contemplation. In view of the importance of the third-class passengers in railway traffic, the conveniences of the former should be attended to at once and it is disappointing that the Railway Department has done nothing notable in this connection. We are glad to find that the railway authorities are making greater efforts than heretofore to improve their relations with the business community with a view to securing greater custom. They have also taken steps to avoid rail-road competition specially in the Punjab and have provided better facilities to the pilgrim passengers. Steps are being taken to see that the railway officers behave better with the passengers and special training is being imparted in this respect. All these are moves in the right direction and we hope that the attempts of the Railways in this connection will meet with success.

THE STATELETS OF INDIA.

THE *Statesman* of Calcutta in its issue of the 7th inst. has made a valuable contribution to the discussion of the problem of the smaller States or Statelets, as the paper calls them. It is convinced that, though juridically these States equally with the bigger States are like "independent, practically foreign, countries," it is necessary that the Paramount Power, to whom they are all subject, should take them in hand and deal drastically with them, not minding very much what their treaty rights are; for these treaty rights which in law the Paramount Power guarantees to them cannot, in fact, be maintained even by the mighty Paramount Power so long as these petty tyrants refuse to mend their ways. "Petty tyrants" is not our expression; it is that of our

contemporary. Describing the conditions in these States, the journal says:

Unfortunately, they are not merely examples of bad landlordism. The bad landlords as well as the good ones are subject to no laws; they have the power of life and death; there are no obstacles to their greed or lust or cruelty if they are greedy, vicious or cruel. They have long been felt by the Princes as a disgrace to their order. But they continue to be a disgrace. Nothing is done about it. Like the permanent settlement, they are supposed to go on for ever. Now if anything is certain it is that nothing can last for ever. If the treaties which protect petty tyrants are never to be revised, if the Paramount Power is for ever to have an obligation of "honour" to defend the indefensible, then some day an irresistible force will encounter an irremovable object and, according to the classic answer to this problem, "something will go to

smithereens." We have had in Europe of late sufficient examples of what happens when treaties are not revised. The whole fabric of public law is undermined. Revolution and disorder and unilateral denunciation, forcing acceptance or war, are the certain ends. The Paramount Power cannot for ever hold the ring between a rapidly progressing British India, which may resolve to liberate kinsmen over the border of a small State, and its tyrannous Ruler.

The *Statesman* thinks that, in view of a general demand for intervention by the Paramount Power, "intervention should not be longer delayed." The Paramount Power should consider in what respects the treaties require revision, and if to the treaties so revised the States concerned do not give their consent, the *Statesman* says in effect, they should be revised unilaterally, the Paramount Power expressing its utter inability to protect them otherwise.

Where exactly the *Statesman* would draw the line between Statelets and States is not known, but it is obvious that it does not include in the former merely those little States that are only estates, but even the relatively larger States among the small States. Several of these have been assigned seats in the federal legislature. Of the total 660 States only 49 have been mentioned in the Table of Seats given in the first Schedule to the Government of India Act; some of them have one or more seats by themselves, while others share a seat with several together, sometimes five or six. Thus eight States in the Western India States Agency and Mahikantha Agency—Rajkot, Limbdi, Wadhwan, Danta &c.—have between them all only one seat in the Federal Assembly. While in the former Agency there are only sixteen States which are entitled to representation in the federal legislature either on their own individual account or in common with some others, the Agency itself consists of no fewer than 202 States. Some of them have a population of round about 100 and 200 and their annual revenue ranges between Rs. 500 and Rs. 1,000. As many as 140 States of the Western India States Agency, or 70 per cent. of the total, have an annual revenue of less than Rs. 25,000; and a few of them can boast of a police force of some 5 or 10 men. These are small States, in fact estates; but in the eye of the law they are sovereign States or "practically foreign countries" as the *Statesman* rightly observes. Nor has the federal scheme ignored them. It is an all-in scheme, and every Statelet finds a place in it. The Table of Seats attached to the first Schedule provides seats for about 150 States *eo nomina*, but all the other 500 States are not ignored. Our benign British Government is not capable of such neglectful conduct. It has provided that all these 500 States can have between them five seats in the Federal Assembly and two in the Council of State. If eight States can club together (and among them is the famous Rajkot State) to send one representative to the Federal Assembly, why cannot 500 send five?

The point of great importance in this discussion is that every State, however tiny, has a place in the all-India federation, and if it decides to join the federation, it acquires a title to a separate existence as a State. It has that title now, but the title becomes inviolable as the federation itself is indestructible. It is widely recognised that many of them do not deserve to live as independent entities, and though in the article referred to above the *Statesman* does not in so many words urge their abolition, many responsible people, and among them some officials, have advocated this line of action, some of them, with a view to maintaining the total States area intact, urging absorption of smaller States into neighbouring larger ones or mediatisation. There can be no escape from such a course, and yet federation will make this impossible at any time in future. When federation is formed, each unit will obtain an indefeasible right, and in fact it will be its ineluctable duty, to remain within the federation as a unit. That is to say, no State joining the federation can be abolished ever afterwards, or one State merged into another. No one seems to have considered this consequence of bringing about federation in hot haste. Any process of either abolition or mediatisation of smaller States must precede federation. To forge federation on the present basis is to give a permanent lease of life to all Statelets or petty States. The remedy that the *Statesman* itself proposes is a sort of confederation between smaller States. "It would be helpful," remarks our contemporary, "if the States grouped under single Agencies had a closer union amongst themselves so that powers now vested in small and dubious hands could be vested in a more responsible federal ruler given a constitutional position within the group." Such a confederation cannot be brought into existence on a voluntary basis. No ruler will thus part willingly with powers, however small the powers may be. A reform on these lines is practicable only if coercion is applied, and the *Statesman* itself does not rely wholly upon a voluntary act of the rulers of small States. Such a confederation too cannot be compulsorily brought about after federation. The Paramount Power no doubt retains in its hands its present authority in respect to all matters not ceded to federation, but the Paramount Power itself will cease to have any right to put an end to a State's existence or compel it to form part of a larger State or a group of States.

If then, as the *Statesman* says, it is necessary to provide "a real and not a sham remedy with all speed," the Government of India must take up once again for its consideration the methods that were proposed before of dealing with the question of small States and, pending a decision on this question, postpone federation which only underwrites these States, whose continued separate existence it is agreed cannot be maintained. Otherwise, the *Statesman* broadly hints, revolution will smash the smaller States to smithereens.

THE NAVAL DISCIPLINE BILL.

THE rejection by the Central Assembly of the Naval Discipline Bill intended for the discipline of Naval reservists is a fitting reply to the calculated discourtesy shown towards the Central Legislature by the Government of India. It is a well-known fact that the defence expenditure of the Government of India is a non-votable subject. Still, till last year, the Central Legislature had been enjoying the opportunity of discussing the defence budget. But since last year, the Central Legislature has been deprived of that privilege. Not only that, in all matters relating to defence, the Government of India is behaving in a way which makes the Central Legislature feel that its rights are being progressively curtailed. It is only recently that the Army Secretary announced in the Central Assembly that the Chatfield Committee report would not be presented for discussion to the Central Legislature. This, together with the refusal of the Viceroy to allow adjournment motions relating to the personnel of the Sandhurst Committee and the military training of Afghans at India's expense, has created bitter discontent in the Assembly. The members of the Assembly feel now as they never did before that though the Indian tax-payer is asked to foot the defence bill, his representative in the Assembly is given no right whatsoever of having his say on the defence expenditure. As time passes, instead of defence being "to an increasing extent the concern of the Indian people," as solemnly embodied in the Instrument of Instructions to the Governor-General, it is becoming increasingly the sole concern of the Governor-General himself. This feeling is not confined to Indians alone but is also shared by the European members of the Central Assembly, whose point of view was expressed by Mr. Boyle in the following manner :

My party has urged for several years that some channel should be found by which information on defence matters could be elicited so that the country could share in the burden of its own defence. There seemed little reason why Indian citizens should not know as much about the defence of the country as was known to every foreign observer in the country.

This being the state of things with regard to the defence policy of the Government of India, it is no wonder that the Assembly refused to give its sanction to a proposal, consent to which might have been interpreted as its approval of the defence policy of the Government of India.

Coming to the question of the Royal Indian Navy, the Assembly has all through insisted that it would not pass any measure relating to the upkeep of the Navy unless the navy was made amenable to Indian control and was composed mainly of the natives of India. Till the last Great War, the Indian Navy was a non-combatant force. During the War, it was not only made a combatant force but was placed entirely at the disposal of His Majesty's Govern-

ment which could use it for imperial purposes even without the consent of the Government of India. After the War, re-organisation of the Indian Navy as a combatant force came under discussion and the question was discussed by Admiral Jellicoe, who led the expeditionary force in France. In 1922 and 1924, the question was discussed again and was referred to a departmental committee presided over by Lord Rawlinson. In February 1926, the Viceroy announced the decision of the Government of India to establish the Royal Indian Navy. The following year, a bill was passed in Parliament amending section 66 of the Government of India Act of 1919 providing for the establishment of the Indian Navy. But in all these proceedings the Central Legislature was never consulted. Some of the members of Parliament wanted to know from the Secretary of State for India whether his proposal had met with the approval of the Indian Assembly, but the Secretary of State said that the Assembly had not considered the proposal at all! This, as was to be expected, drew strong protests from some of the members of the House of Commons. Mr. Wheatley, for example, said :

I want to take this opportunity of entering a most emphatic protest against the provisions of this measure. I do not know what case was or could be made out for Indian Navy, but I know that no case can be made out for an Indian Navy which is not under the control of the Indian people. What we are asked to do here is simply farcical. We are asked to subscribe to a situation in which there will be an Indian Navy which may be taken away by the very people who in certain conceivable circumstances may be India's chief enemy and used by those people while they retain the power, the right, to say who is to pay for the Navy during the time it has been used without the consent of the Indian people.

From this, it can be seen that the Government of India treated the Indian Assembly with the utmost discourtesy when they turned the Royal Indian Marine into the Royal Indian Navy. But this was not all. Though the Indian members of the Assembly strongly insisted that the Indian Navy should be composed mainly of Indians like the Indian Air Force, the Government of India put forward the plea that qualified people were not forthcoming and restricted the admission of Indians to one-third of the total vacancies, with the result that, out of the 140 Navy officers to-day, only 20 are Indians.

We have given enough evidence to show that over both the management and composition of the Indian Navy, the Indian Legislature has no control at all. The Government of India wants to add to this Navy by recruiting reservists and its Naval Discipline Bill takes power to compel the reservists on pain of imprisonment and penalty to work in the Navy. Clearly, the management of the Navy being out of the Assembly's control, it cannot agree to the Bill. The Navy may be asked to work anywhere according to the will

and pleasure of the Governor-General and the Legislative Assembly will have no say in the matter. Then why should it be asked to consent to a measure which will force people to work in the Navy? Secondly, the recruitment of reservists will add considerably to the Navy expendi-

ture. The Indian Assembly might have been persuaded to take an interest in the matter, if the Defence Department had been under its control. But, that not being the case, it must throw the entire responsibility for its defence policies on the Government of India.

THE BOMBAY SHOPS BILL.

II

COMMERCIAL ESTABLISHMENTS.

CHAPTER III of the Bill is wholly devoted to provisions regarding workers engaged in what are called commercial establishments. These do not include ordinary shops but comprise establishments which do the business of advertising, commission agency, brokerage, exchange and so on. They also include clerical departments of factories, other industrial undertakings, insurance companies, joint stock companies, banks, etc.

Special provisions regarding the hours of work of workers engaged in these establishments are made in the Bill. In their case neither the daily nor the weekly hours of work are sought to be fixed. The monthly hours of work are, however, limited to 220 per month. In this connection the Statement of Objects and Reasons attached to the Bill proudly declares that "taking 28 working days in the month this would work out at about 8½ hours a day." Nobody can deny the arithmetical accuracy of this calculation, but the benefit apparently bestowed on the workers by this provision of the Bill interpreted in isolation is, to a very large extent, taken away from them by other provisions of the Bill, which will be equally efficacious in their operation to the disadvantage of the workers.

The monthly limit to the hours of work is allowed, by a provision in the Bill, to be relaxed "during stock-taking, making of accounts, settlement or other prescribed occasions," provided that the total number of such extra hours of work does not exceed 120 in each calendar year. Fixation of the hours of work on a monthly basis is an extraordinary feature of this Bill. We are not aware of any such provision in any other piece of labour legislation either in India or abroad. The disadvantages of such a scheme from the point of view of workers are patent. It will be extremely difficult to enforce such a provision with anything approaching efficiency, as a breach of law cannot be established against the employer only by proving that he allows his workmen to work in his establishment for more than 8½ hours a day, which is the supposed daily average; for this period can be legally extended to twelve hours minus the period of rest. As no closing time for commercial establishments is fixed as in the case

of shops, no overt indication of breach of law on the part of the employers can be available. The authorities will have to insist upon the maintenance of separate registers for each and every single workman, putting down in it his time of coming to work and getting away from it. And again there is nothing in the Bill to prevent these timings from changing often or even from day to day. Granting that Government uses its rule-making power under the Bill to make such extremely cumbersome registers possible, even then these registers will not be of much use to the authorities to establish default against an employer at the end of a day as an overtime of about 2½ hours is allowed to be worked every day. The employer can safely escape even at the end of the week just for the simple reason that there is no weekly limit to the hours of work prescribed, except that they cannot be longer than $12 \times 7 = 84 - 7$ hours of rest, that is 77. One would suppose that at the end of the month at least the employer could be taken to task for exceeding the hours of work. But it is not so. He can legally increase the number of working hours by 120 hours during the year. So it will be only at the end of the year that there is any likelihood of an employer being found guilty of a breach of law regarding the hours of work. Or, in the alternative, it will be only after the employer exhausts the whole of the yearly period of 120 hours for which he is allowed to require his workers to work in excess of their usual time. It can easily be seen that such provisions can give practically no protection to the worker as they can be set at naught by the employer without difficulty and without fear of trouble. On Government's own showing, in the case of commercial establishments, "especially those in the cotton trade, excessively long hours are worked" and there are establishments in which "settlement days often give rise to abnormal working hours." This being the present position, any half-hearted attempt to change it is bound to be frustrated. Even the considerably stricter provisions of the Factories Act are many times found to be flouted and Government ought to be wise from such experience.

Such special provisions deliberately made favourable to the owners of commercial establishments are not to be found in any other part of the world so far as we know. If there had been a parallel we are almost sure that the Statement

of Objects and Reasons would have cited it. These provisions were happily absent from the original draft of the Bill prepared by Government last year. We wonder what happened during last year to make Government adopt such a harsh and stepmotherly attitude towards the hard-working people in commercial establishments. We submit that there is absolutely no justification for making a discrimination against these workers. We hope Government do not exclude the welfare of the workers engaged in commerce from the "interests of commerce" which they are anxious to protect. If they do not, it is up to them to see that these workers also are treated on a par with others. We, therefore, suggest that in the case of commercial establishments also hours of work should be fixed on the daily and weekly basis, a closing hour be fixed and provisions regarding monthly hours and yearly increase in them should be dropped from the Bill.

HOLIDAYS.

The provision in the Bill for holidays to the shop assistants will be welcome to all. But, as we pointed out in our first article on the Bill, Government would be well advised in fixing one day in the week as a holiday instead of simply providing four holidays in the course of the month and 52 during the whole of the year. It would be even better if Government decides to follow the practice of some other progressive countries in this respect, the practice of having a common weekly closing day for all shops. The United Provinces Shops Bill referred to in the first article contains a similar provision. Clause 7 of the Bill provides that "every Sunday shall be treated as a rest day in a week on which all shops shall remain closed; provided that in special cases and for specific types of shops and establishments any other day in the week may be notified as rest day by the local authority." The provisions of the Ceylon Shops Ordinance are very progressive in this respect. Section 5 of the Ordinance ensures to every employee in a shop one whole holiday and one half holiday in each week, with full wages; what is called a "closing order" under the Ordinance prescribes the opening and closing hours of shops and provides that in each week there should be an early closing day, for instance, Saturday, and a day on which shops shall not open at all, for instance, Sunday. Provisions can be inserted in the closing orders for the purpose of dealing with special circumstances and conditions in any particular trade or business or in any particular area. There is another very important feature of the Ceylon Shops Ordinance. Section 6 provides that every employee will be entitled to a week's holiday with pay every year after twelve months' continuous work. We wish the Bombay Government would try to modify their present Bill on these progressive lines.

The provisions regarding holidays in the present Bill are, in one respect, less progressive than those adumbrated in the original draft proposals. Clause XIV of the draft ran thus: "Where a person is required to work on a holiday notified as such under the Negotiable Instruments Act he shall be entitled to receive an extra day's holiday in lieu thereof in addition to any holidays which may be due to him under the provisions of Section XIII." This Clause XIII, like Clauses 9, 13 and 17 of the present Bill, entitled the workers to 52 whole holidays in each year of which at least four must be given each month. Government have taken a definitely retrograde step in this respect, as indeed in most other respects, from their original position as outlined in their earlier draft. The workers would very much appreciate the retention of the original Clause XIV in the new Bill. The U. P. Shops Bill contains a progressive provision in this respect. Clause 10 of the Bill provides that "all" shops shall remain closed on all public holidays (which are defined as "holidays" under the Negotiable Instruments Acts). Provision is, however, made for shops remaining open on such holidays with the previous sanction of local authorities on occasion of fairs and festivals, but in all such cases overtime wages at $1\frac{1}{2}$ of the usual rates shall be paid to the employees."

CHILDREN AND YOUNG PERSONS.

Special provisions are made in the Bill regarding the employment of children and young persons. The Bill defines a child as "a person who has not completed his twelfth year" and a young person as one who has completed his twelfth year but has not completed his seventeenth year. These ages could with advantage be raised to fifteen and eighteen respectively. A child was defined by the original draft of the Bill as a person who has not completed his fifteenth year. There is no justification for the change in the definition in the new Bill. It is provided in the Bill that no child under the age of twelve shall be allowed to work in any establishment to which the Bill applies; that no young person under the age of seventeen shall be allowed to work before 6 a. m. and after 7 p. m.; and that no such young person shall be made to work for more than eight hours a day. The work of eight hours which the young person will be required to do is thus spread over a period of eleven hours during the day. We think the period is unnecessarily long and should be reduced to the actual period of work plus the period of rest. Young persons are more apt to be required to work longer hours than are the ordinary workers, and so provisions regarding their conditions of work should be made as favourable to them as possible.

A PROBABLE EVENTUALITY.

It will be conceded that, as a result of the passage of this Bill into an Act, the working conditions of those for whom it is intended will be improved.

and the employers will, to a certain extent, stand to lose. The fear of the impending loss will naturally create in the minds of the employers the desire to avoid it by the only possible method of cutting down the wages of the workers to the necessary extent. As can be seen from the report on the enquiry made by the Labour Office, the wages of these workers, as of others, are very low. Some of them earn less than five rupees per month. Under these conditions a new wage cut will spell disaster to the workers. Reduction in their hours of work will practically amount to partial unemployment for them. In view of this consideration, perhaps, Government have introduced a provision in the Bill to the effect that no deduction in wages must be made "on account of holidays given" to a worker under the provisions of this Bill. The provision is meant to serve an extremely valuable purpose, but we have our own misgivings regarding its real utility. In the form in which it appears in the Bill it can prevent wage cuts which are expressly made "on account of holidays given" under the Bill. But this does not mean much to the worker, for the employer can effectively cut down wages and flatly deny that the cuts are made "on account of holidays given." In fact he can very well refuse to disclose his reasons for the cuts. He can as well forestall the issue and bring about the cuts well in advance of the passage of the Bill. The shop assistants and other workers for whom the Bill is intended are in an extremely unorganized condition and cannot be expected to resist the wage cut by means of any concerted attempt to do so. Besides, there is an appalling amount of unemployment in their class. The odds are tremendously against them. Minimum wage legislation is the only remedy in such cases, but, pending that, the least that Government should do is to see that, after the publication of the Bill which puts the employers on their guard, no reduction in wages is effected under any circumstances whatever. Simply preventing wage cuts "on account of holidays given" will not help the workers.

(Concluded.)

CURRENT COMMENT.

KASHMIR REFORMS.

In the State of Jammu and Kashmir a forward step, though very short, is being taken on the path of representative government. On the recommendations of the Glancy Conference's report in April 1932, a Legislative Assembly or Praja Sabha was inaugurated in October 1934. In doing so, however, the Conference's recommendations were greatly whittled down. The Glancy Conference had recommended a total membership of 60 for the Legislative Assembly, 33 to be elected by voters aggregating to about one-tenth of the population of the State, 22 to be nominated and 5 to be *ex-officio*. Of the nominated members not

less than one-third were to be non-officials, and nomination was to be used only to provide representation to interests not adequately catered for in the elected membership. It was thus hoped that there would be a clear elected majority and that there would be a proportion of not less than two non-official members to one official member.

The Government, however, retained the elected members at 33, but increased the nominated members from 27 to 42. Thus while the Glancy Report had assigned to elected members 55 per cent. of the total seats in the Legislative Assembly, the Government reduced this percentage to 44. Again, of the 42 nominated members only 16 were non-officials, the total number of non-officials being 49 in a body of 75. Now the Government will throw open 7 of the seats so far filled by nomination to election, thus raising the number of elected members from 33 to 40. Thus the proportion of elected members to total membership will be in the ratio of 53 to 100, which means that even after this improvement the proportion will not come up to that recommended in the Glancy Report.

There is one matter in regard to which there is some slight advance. At present the State Budget is placed before the Legislative Assembly, and members are allowed only to ask questions and make suggestions relating to any part of it which does not concern reserved subjects (*viz.* His Highness and the Ruling Family, foreign relations and the State forces). But the consent of the Legislative Assembly is not sought nor required to the Budget provisions. This will now be altered. "The proposals of the Council (of Ministers) for the appropriation of the revenues and other money in any year for expenditure on items which are votable will be submitted to the vote of the (Praja) Sabha (or the Legislative Assembly) in the form of demands. The Sabha may assent or refuse its assent to any such demand or may reduce the amount of it." But there is an important reservation: "It is, however, provided that the Council will have the power, in relation to any such demand, to act as if it had been assented to, if the Council considers that the expenditure proposed is necessary for the carrying on of any department or for the discharge of the Council's responsibility for its administration."

Again, at present the only restriction that exists in Kashmir State in regard to new taxation is that it should not be imposed without reference to the Assembly. The Council of Ministers places the taxation proposals before the Assembly, the Assembly takes the proposals into its consideration and passes resolutions thereon, but the proposals require the consent, not of the Assembly, but of

the Council alone. A change will be introduced into this matter also. "Legislation regarding taxes... will in future be passed by the Praja Sabha instead of by the Council of Ministers." But in this case also, as in the case of general legislation, the power conferred on the Assembly is subject to the overriding power of His Highness to certify any Bill which the Assembly may decline to pass when he considers it necessary in the interests of good government. The net result of the Kashmir reforms will be that the popular element in the Legislative Assembly, which will be increased somewhat, will be afforded a larger scope of discussion but will still lack definitive power to control the State's policy in any respect. One cannot but come to the conclusion, therefore, that the reform to be brought into force will be very inadequate to the needs of the situation.

THE BOMBAY TENANCY BILL.

The Legislative Assembly of Bombay gave a first reading to the Tenancy Bill last week after a fairly lengthy discussion of all its general features, in the course of which all possible views were fully ventilated. The Bill, as it stands, is almost a wholly useless measure as we have shown before. It affects, *at the most*, 0.4 per cent. of the holdings and less than 1 per cent. of tenants in ryotwari areas; but on account of various restrictions embodied in the Bill the actual number of holdings to which and the tenants to whom it will become applicable will be very much less. Even the protection proposed to be afforded to this minute fraction of holdings and tenants will be rendered illusory if some of the Bill's provisions are retained. The power of re-entering on the land on which a tenant has acquired protected status that the Bill confers on the landowner is, as we have said before, unprecedented in any tenancy law and would defeat the whole object of giving fixity of tenure to protected tenants.

In this connexion, we would draw the pointed attention of the Bombay Ministry to the recently issued report on Tenancy of the Land and Agriculture Committee of Burma. In giving an account of the previous attempts of the Burma Government to introduce tenancy legislation in that province, the Committee records the fact that when the select committee on the Burma Tenancy Bill of 1908 inserted, thanks to the predominance of the landlord interest on the committee, an amendment to the effect "that a landlord should be permitted to resume his land from a tenant with protected status on giving six months' notice where there was a *bona fide* intention on the part of the landlord to cultivate the land himself," the amendment was peremptorily turned down. The Committee states that "both the Lieutenant-Governor (of Burma) and the Government of India found this provision unacceptable." If now the Bombay Ministry persists with a similar provi-

sion for resumption of land by the landlord, it would mean that what appeared unacceptable thirty years ago to the bureaucrats who are presumably indifferent to the condition of the cultivators, our super-democrats in the Congress, vauntedly anxious to place the interests of the peasants above those of everybody else, find completely acceptable. If the Bombay legislature gives its O. K. to this clause, it will nullify everything that is even potentially good—and that is very little—in the Bill.

The problem of fair rent must also be boldly tackled. What the Bill seeks to do is to prevent the rent payable by a protected tenant for his holding from being raised to an amount out of proportion to the rent in the adjoining areas which, the protected holdings being only 0.4 per cent. of the total holdings, are presumably let out to unprotected tenants. The "fair" rents of protected tenants will thus be determined by the competitive rents which unprotected tenants are compelled to pay. Rent will therefore in effect become unfair throughout, without distinction between a protected tenant and an unprotected tenant. This must be radically altered. A definite criterion of determining fair rent must be laid down on the lines of the recommendation of the Burma Committee, and the Government must make a general settlement of rent through the Revenue Department in the whole of the Province on the basis of this criterion. Fixity of tenure, even if a reality is given to this part of the Bill which it now lacks, will have little value unless fixity of tenure is accompanied by a measure determining fair rent fairly. There are several other aspects of the Bill which require modification, in fundamentals as well as in details; but we need not go over the whole of that ground here, which we have already covered in our articles on the subject. We cannot refrain from saying, however, that when fair rent is determined it should be made applicable to protected and unprotected tenants alike.

We should ordinarily have no hope of the Bill being so thoroughly overhauled by the Select Committee as to be of much real advantage to the tenant class. But, in this instance, we dare to hope. The reason for it is that the Revenue Minister, Mr. Morarji Desai, showed by his speech in the Assembly that if only he received adequate support, he would not shrink from altering the Bill almost out of recognition. The Select Committee's hands are free, protection of the tenants being declared to be the only principle of the Bill. Every proposal will thus be in order that renders the protection effective and extends its scope. It is open secret in the Bombay Presidency that Mr. Morarji himself had contemplated a much larger measure, but that his hands were forced by Sardar Vallabhbhai Patel, whom it is the hard lot of the Congress Party in this Pro-

vince to have as its zone dictator. One feels assured that if Mr. Morarji is allowed to have his way by the Sardar—and the under-Sardar Mr. Munshi—we can have a good enough measure which will go a long way to ameliorate the condition of the peasantry; but whether his progressivism will not be checkmated by the conservatism of the Congress High Command is more than one can say, particularly when one sees that from the Select Committee that has been appointed Mr. Atmaram Patil and some others who were incessantly pressing for an expansion and improvement of the Bill from within the Congress Party have been carefully excluded. We would still venture to hope that the Bill would emerge from the Select Committee in a more acceptable form. Our wish is all the more ardent in view of the fact that the Bombay Government, which is the first to introduce tenancy legislation in a ryotwari tract, would virtually block all other Congress Governments' way for radical reform if its own measure remained so paltry and so ineffective as it is at present.

PEASANTS "BETRAYED".

The Congress Party can see nothing good in the Bengal Ministry's doings, that being a non-Congress Ministry. The Tenancy Act of the Huq Ministry is not an ideal piece of Legislation, but it has certainly given much relief to large sections of the people, and, what is more pertinent, more relief than the Congress Ministry in the neighbouring Bihar Province. But while to Congressmen the Bengal Tenancy Act is *anathema maranatha*, they sing hosannas of praise and adoration to the Congress Ministry in Bihar for its Tenancy Act. The head and front of their complaint against the Bengal Act is that it has done nothing for the actual cultivators, a complaint which we ourselves share in full. But what these Congress critics forget is that the Bihar Act gives as wide a berth to the cultivators as the Bengal Act. If they had criticised the non-Congress Bengal Government and the Congress Bihar Government together, their criticism would be just; but their party affiliations make such impartiality impossible for them.

And what applies to Bihar applies equally to Madras. The *Hindustan Standard*, emitting fire and brimstone against the Huq Ministry for its acts of omission in passing the Tenancy Act, says:

We challenge the supporters of this measure to point out that the actual tillers of the soil have received the smallest benefit from it. They are not better for it and if possible they are worse for it. All that may be said of the Tenancy Act is that the Ministry has favoured one class of vested interest against another, and there is every apprehension that the lot of the tillers of the soil will be worse in the new order. This measure will benefit the supporters of the Ministry but the masses have no reasons to thank the Ministry for it. They are betrayed—thoroughly betrayed. . . . Abolish land-

lordism, if you will, by compensating the landlords, but it is stupid to replace one class of landed aristocracy by another, and this is what the new measure will do.

The Rajagopalachari Ministry of Madras too, by entirely side-stepping the issue of sub-tenants in its proposals for zamindari areas, is giving an incentive to the growth of middlemen and affording no protection to actual tillers of the soil. It too is replacing one class of landed aristocracy by another. When Bihar and Madras have no cleaner hands than Bengal, why exclaim only against Bengal?

Reviews.

INDIAN FINANCE

INDIAN FINANCE YEAR-BOOK, 1938. Ed. by P. R. SRINIVAS. (Editor, 20, British Indian Street, Calcutta.) 1938. 27cm. 454p. Rs. 5.

THERE is very little that is eventful in the Indian Economy for 1937-38. There is a decline in the balance of trade position due to the increase of imports; part of it being explained by the separation of Burma. The Editors believe that rather than quickening the pace of industrialization we should strive for the improvement of agriculture and they are right in our opinion, since a demand for industrial products cannot be very great unless the income of the agriculturist is raised a good deal.

A review of provincial economy reveals some striking comparisons. Madras leads the way in Education, showing the highest total expenditure as well as the highest expenditure on rural education. Bombay can boast only of taking the third place. In the matter of newspapers, Bombay tops the list with 429, the Punjab, coming next with 401. Bengal shows the largest number of books published; U. P., Bombay and Madras coming next in order. Bombay shows the largest amount of cotton-goods, producing more than $\frac{2}{3}$ of the total cloth in India; thus its premier place is still unchallenged.

Coming to Budgets, the authors are right in taking a serious view of the position of the Railways. All the surpluses of the good years have been wiped out by the bad years and there is to be no contribution to the general revenues so that the great prop of the 'Subsidies to the Provinces' under the new regime crumbles down. The position of the budget is not enviable owing to an increase in Army Expenditure and very little is available for distribution to the provinces. In the provinces the Congress Governments are spending more upon rural education and sanitation; but there is not the ghost of a chance for the reduction of land-revenue which was vociferously promised in the election campaign.

During the year the world currencies were very unstable; in spite of this Indian currency showed an even tenor. The future of the rupee-exchange is however gloomy since in spite of the devaluation of currencies all over the world, India continues to have the luxury of an over-valued currency. This pessimism of the Editors seems to be based on solid reasons. There is a marked fall in our favourable balance of trade, the whole of this being swallowed by the Home charges. So India which

had been importing on a large scale has become a gold-exporting country! Either India must increase her exports or restrict the imports—that is the only salvation. It is comforting to reflect that manufactures have made a better showing during the year; the total exports being Rs. 55 crores. The table of the index number of prices shows that while wholesale prices in England and France have fallen by about 20 p. c., prices in India have shown a reduction of about 45 p. c. (taking 1929 as the base year); so India is in a more sorry plight.

The industrial section is as usual adequately informative, bringing the history right up to the year under report. Tea records an increase of 32 million pounds in exports and even internal consumption has been stimulated by the advent of Prohibition and on the whole optimism prevails in the industry. In the cotton industry greater use of Indian cotton is made in Lancashire; there is a substantial rise in the exports of piecegoods and yarn, most of the mills have made substantial profits and, as the authors say, it is time for them to consolidate their position. The sugar industry is in suspense owing to the report of the Tariff Board not being public; the output in the year being 2 lakhs of tons less than during 1936-37 the outlook is not hopeful. In the cement industry there seems to be an excess of production; but if cement houses continue to be popular the industry may have a bright future. In the handloom industry the Punjab and Madras are the top producers producing between them more than half the handloom products; Bombay, with all its noise about khadi, is at the bottom among major provinces. By the way mill-khadi is a bunkum and should be discontinued if necessary by legislation. The editors have made a definite suggestion that "it would be desirable if official policy would rescue the handloom weaver from his position of dependence on the good faith of the mills."

India now holds the first place among the producers of sugar cane in the world. In the production of coffee we are lagging behind and the inferiority of our product is shown by the fact that during 1937-38 we exported only half of what we exported in 1935-36. Ground-nut is regaining the lost position and the export of the cake alone gives us Rs. 1.75 crores. In the banking world there is little that is new or epoch-making; the year however records the highest amount of note-issue reaching 215 crores. The fear that the Imperial Bank would be eclipsed by the Reserve Bank has proved to be unfounded, both doing useful work in their proper spheres. In Insurance every Company is showing rapid progress e. g. the Western India, which had a new premium income of Rs. 2.7 lakhs in 1935 showed under the same head Rs. 3.7 lakhs, a rise of 1 lakh in two years. The editors hail the new Insurance Act of 1938 as one likely to lead to a healthy growth of Insurance. We suggest that a new section giving the total wealth of India should be added in future.

V. N. GODBOLE.

ECONOMIC SURVEY

LIFE AND LABOUR IN A GUJARAT TALUKA.

BY J. B. SHUKLA. (Longmans, Bombay.) 1937.
22cm. 291p. Rs. 5.

FOR a belated review of the book the present reviewer owes an apology both to the editor of the *Servant of India* and to the author of this book. This volume is an outcome of the very useful research work that is going on under the

auspices of the Bombay University School of Economics and Sociology. It is published in the series entitled, 'The Studies in Indian Economics' edited by Prof. C. N. Vakil. As many as twelve volumes have been published during the last 14 years, each one of the volumes, throwing very useful light on such varied problems of Indian economic life as taxation of income, marketing of cotton, organisation and finance of industries, population survey and many others.

The economic survey of Olpad taluka with which the present volume deals has been taken with a definite objective. "The object of the present work," says the editor, "is to evolve a method of studying rural areas, which while taking away from such works the exclusiveness of the village study would yet impart to them some of their exactness and realistic touch. If the taluka is accepted as the most convenient unit for such studies, it will be profitable to undertake the rural survey of India." We would only like to know the cost of any such survey. Mr. Shukla undertook this research work as a research student in M. A. Under exceptional circumstances his work continued for three years from 1929-32; but any such work would easily require at least a year of vigorous work. His work was facilitated because it was possible to obtain the co-operation of the census office. At the lowest estimate such inquiry would require a sum of Rs. 2000. Considering that British India has over 276 districts and each district on an average has 10 talukas, the cost of the inquiry would come to over Rs. 55 lakhs. Other aspects of economic investigation such as urban problems and communication problem may require another 55 lakhs; so that the whole work of economic inquiry would cost a crore and ten lakhs, not a large sum if it were to supply the data on the basis of which plans of reconstruction may be outlined. A permanent statistical department will have to be maintained for keeping the figures up-to-date and supplying the builders of reconstruction, with the much-needed data.

For the purposes of inquiry, the taluka was divided into 5 groups, on the basis of the varying economic calibre of the area. Of the total number of 116 villages, 14 villages falling in different groups were chosen and in all 793 families belonging to these villages were taken for a detailed inquiry. The investigator was careful in making a critical use of the government records. For instance, he did not accept the revision survey groups that were based on revenue considerations for his inquiry but he did not hesitate to check his results and supplement his information with one available in the village records and in different government departments. From the detailed information presented as a result of this procedure we can say that this method of inquiry was eminently successful. Other investigators proceeding to make a similar inquiry in as large an area will have to adopt a similar method.

While we shall not hesitate to give an unflinching compliment to the author for the data collected and for having presented them in such a systematic manner, we are sorry to find that no tangible lines of reconstruction have been proposed. The taluka is largely a cotton producing territory. We would have desired the writer to calculate the cost of introducing the takli, charkha and the handloom in an organised manner, or the desirability of founding a ginning factory, or the possibility of developing fishing in the villages on the banks of two rivers, flowing through the taluka. The work

is excellent in its narrative part but he who might look into the book for a plan of reconstruction will scarcely get any direction regarding the part to be played by individual enterprise, co-operative effort, social institutions and Government departments. It is true that the aim of the author was academic investigation rather than social or economic reconstruction, but time has certainly come when even our academic investigators doing such type of work should bear a social aim in their mind in the course of their investigations.

R. V. OTURKAR.

THE WORLD COURT.

THE WORLD COURT, 1921-1938. BY MANLEY O. HUDSON. (World Peace Foundation, Boston.) 1938, 23cm. 345p. 75 cents.

To the busy Indian lawyer or the intelligent Indian publicist, there is little time to peruse the 28 Judgments and 27 advisory opinions that have been given by the Permanent Court of International Justice from 1922-1937. The publications of the Court include in the former *Series A and B* and the present *Series A/B* the texts of Judgments, opinions, and orders; in *Series C* all documents relating to the cases are published. By the end of 1937, the Court's publications numbered about 200 volumes.

Professor Manley O. Hudson (now one of the Judges of the Permanent Court of International Justice since October 1936 when he was elected to succeed F. B. Kellogg) has made a special study of the Permanent Court and his annual articles in the *American Journal of International Law* on the work of the P. C. I. T. are well-known to students of International Law. His other work on the "*Permanent Court*" (1935) is a standard book for all legal students. He has now written a handbook for the citizens of the world under the auspices of the World Peace Foundation, Boston.

A digest of all judgments and advisory opinions to the end of 1937 has been given. A foreword gives the history of the formation of the Court which owes its origin to Art. 14 of the Covenant of the League of Nations. The value of the work is enhanced since it gives the amended Statute of the Court consisting of six articles which entered into force of February 1, 1936. The revised rules of Court consisting of 86 articles which were adopted on March 11, 1936 have been also given. The documents relating to the proposed participation of U. S. A. where it has failed to get the two-thirds majority of the senate on January 29, 1935 are also published.

It will interest students of Indian Constitutional Law to be reminded that the Lord Chancellor in the Parliamentary Debates in the House of Lords on the Constitution Bill referred to the precedent of the Permanent Court procedure (besides that of the House of Lords) where majority and minority views are published. The advisory jurisdiction of the P. C. I. T. is not without its value in view of Sec. 213 of the Government of India Act, 1935.

While the League in its political side has not been given a chance to function effectively since 1931, there can be no two opinions "about the value of its judicial side. In sixteen years, the Permanent Court of Inter-

national Justice, has more than justified the expectations of its founders."

K. R. R. SASTRY

THE COST OF MILK PRODUCTION.

COST OF MILK PRODUCTION (1931-32 TO 1934-35) AT LYALLPUR, PUNJAB. BY KARTAR SINGH AND LAL CHAND SIKKA. (The Board of Economic Inquiry, Punjab, Lahore.) 1938. 24cm. 77p. As. 8.

THIS report is in continuation of the Board's publication No. 25 which dealt with the cost of Milk Production at the Lyallpur College Dairy in 1930-31. The genesis of the inquiry was the unsatisfactory state of milk supply in certain Punjab towns where the supply had been subjected to a systematic study. These investigations had revealed that the supply was generally unequal to the demand and the production and marketing of milk left much to be desired. The value of milk as a food requires no stressing and the Punjab is a large consumer of milk directly or in forms such as buttermilk, ghee and butter. The cry for milk, pure, wholesome and at the same time cheap, enough to be available to all, cannot be ignored; and this report is an attempt to place before the public some useful and relevant data for a study of this problem. It shows a method of working out the cost of production of milk and the accounts have been prepared in a scientific manner. Allowance has been made in the cost for interest charges on the capital invested and depreciation on the stock, while returns from the calves born and the dung dropped have been included in the credits.

The only way to lower the cost of producing wholesome milk is to increase the milk yields of the animals. The increase in milk yield of the cows is possible by selective breeding, judicious culling and better feeding. The increased amount of consumption of green fodder contributes most towards the improvement in yield.

The milk produced in towns from animals kept there by professional milkmen forms an important part of the milk supply of the Indian urban areas. No authentic data have so far been published regarding the cost of milk production by professional milk producers and so their inclusion in this inquiry presents interesting comparison between the College Dairy milk production and that of the Gujar Mandy—the milk market of the professional milk producers.

Whereas the production of milk in the College Dairy increased by about 45 per cent. during the three years, it remained practically at the same level in the case of Gujars; because at the Dairy the stock was constantly improved and raised while the Gujars mostly replenished their stock by outside purchases effecting no improvement in the productive capacity of their animals. Indian cattle are poor and uneconomical producers of milk and in order to bring about any improvement in them, which is so essential, it is necessary for the owners to raise their own cattle rather than replace them by outside purchases. *Money spent in breeding better cattle is fully repaid by the extra milk produced by such cattle.*

The report reveals many more interesting features of the milk production in urban areas. The same state of affairs with a few local peculiarities, prevails all over India and the tracts of best breeds of Indian cattle are being depleted for the urban milk supply. The professional milk dealers can produce milk more cheaply in spite of the poor

producing animals due to lower overhead charges and by resorting to adulteration. This accounts for the lack of enterprise in starting modern dairies on a commercial scale for the supply of milk to Indian cities. For the financial success of modern dairies run on up-to-date lines there should be protective legislation and cattle breeding. Green fodder facility is a preceding condition for starting a dairy.

S. G. NAVATHE.

SHORT NOTICE.

TIBET AND HER NEIGHBOURS By E. T. WILLIAMS. (Cambridge University Press, London, and University of California Press, Berkeley, California.) 1937. 27cm. pp. 99-139, 2/3.

THE land of the Dalai Lama is a mysterious country about which very little is known to the general reader. It was therefore a happy idea which suggested itself to the California University to include within its studies, Tibet. But in this publication, we learn only about the political condition of Tibet and little of its social, economic and religious life. The pamphlet before us surveys the position of Tibet in the Chinese Empire and its relations with Britain and Russia. It is written by one who was in charge of the American Legation in Peking in 1912 and who is therefore well qualified to write on Tibet's international relations. We wish the author had written at length on Tibet's religion, government, produce and population instead of giving one or two ideas only. But as a survey of Tibet's relations with her neighbour the pamphlet deserves praise.

M. V. S.

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