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Topics of the Week.

Cr. Law Amendment in U. P.

ACHARYA NARENDRA DEV, a prominent socialist leader of the United Provinces, recently introduced in the U. P. Legislative Assembly a Bill to amend the Indian Criminal Law (Amendment) Act, 1908, as far as its application to the United Provinces is concerned. The original Act is a piece of legislation enacted more than 30 years ago by the old Council of the Governor General of India. Sponsoring the Act in its Bill form in this Council, the late Sir Harvey Adamson had said on 11th December 1908 that the objects of the Bill were twofold :

- (1) To obtain the prompter decision of the criminal cases of a complex nature arising out of an anarchist conspiracy; and
- (2) To obtain an effective way of dealing with criminal associations.

Sir Harvey in his speech had referred to a number of murders or attempts of murders of various officers of the State in Bengal and it was, he said, with a view to combating terrorist activities that this measure was intended. The Maharaja of Durbhanga had also described the Bill as one that was meant "to meet exceptional circumstances by exceptional methods." The exceptional circumstances were those occasioned by the prevalence of terrorist crime and the exceptional methods consisted in empowering the Police and the Magistracy, under certain circum-

stances, to dispense with the usual procedure in criminal cases, and in empowering the Governor General in Council to declare certain associations as illegal if they are of opinion that such associations interfere with the maintenance of 'law and order.'

* * *

THOUGH the object of the Act was thus to put a curb upon anarchist and terrorist activities, the weapon, once it was forged and placed at the disposal of the Provincial Governments, has been seriously and consistently abused by them by making the provisions of the Act applicable to the cases of ordinary citizens charged with ordinary offences under usual circumstances. This abuse of the Act has not been stopped after the advent of provincial autonomy even by the Congress Governments. Labour leaders are generally the chosen victims of this repressive piece of legislation. Just at the moment, Mr. M. S. Chowdhary, the vice-President of the Bombay Seamen's Union, is undergoing trial at Bombay under section 506 (Criminal Intimidation) of the Indian Penal Code read conjointly with the Indian Criminal Law (Amendment) Act. The offence with which he is charged is ordinarily non-cognisable and bailable but can become the contrary in both ways by the magic touch of this Act. It is being made so in Bombay. And the Bombay Government is a Congress Government.

* * *

THE new U. P. Bill sponsored by Acharya Narendra Dev is, according to the statement of objects and reasons,

intended to ensure that the absolute and unfettered discretion of the executive authority in the exercise of the powers under the aforesaid Act may be a little tempered with a sense of judicial caution and good cause.

According to the Bill, the provisions of the Act shall not apply to "associations registered under the Indian Trade Unions Act, 1926, or any other association having a lawful object, constituted and carrying on its activities in pursuance of such objects in a lawful manner unless its unlawful character...has been established before a court of law constituted by two Judges of the High Court".

* * *

THE Bill should be welcome to everybody genuinely interested in the cause of civil liberties of the people of the United Provinces. The Bill, however, tacitly recognises the wrong principle that the use of the repressive Criminal Law (Amendment) Act would be justifiable at least in the case of associations the activities of which are unlawful in the opinion of a Bench of two

High Court Judges. We are in principle and in an uncompromising manner opposed to any such assumption whatsoever. If a person or an association indulges in unlawful activities, the ordinary penal law, which in India is bad enough from the standpoint of the people, may be used to bring them to book. In fact, that is what law is meant for. But under no circumstances whatever, should the extraordinary procedure of the Criminal Law (Amendment) Act be brought into force. It is as important to safeguard the rights of the alleged offenders against the none too fair-minded Police and the Magistracy of this country, as it is important to safeguard the interests of the community as a whole against the activities of the criminals. We hope, in view of these considerations, the Bill will be suitably amended by the Select Committee when it comes to be appointed. Even as it is, the Bill marks an improvement in the right direction of the existing law and, as such, deserves support from the U. P. Government as also the other sections of the U. P. Legislative Assembly.

* * *

The Gangapur Tragedy.

A NUMBER of conflicting versions of the tragedy of shooting and killing that was recently enacted at Gangapur have now appeared in the Press and they have made facts more inaccessible than before. The number of deaths that occurred as a result of the shooting, as reported by various agencies, varies from 28 to 61. The responsibility of the gruesome tragedy is placed by the Gangapur State authorities entirely on the people while the State authorities are held completely responsible by various other people who had opportunities of knowing the general background and the actual details of the incident. A statement, in this connection, issued by Mr. Sharangdhar Das of the Orissa States' Peoples' Conference throws a flood of light on the real situation.

* * *

THE Gangapur State is at a distance of about twenty miles from the Jarsuguda Railway Station. Its population is more than three lakhs and a half. The discontent among the people of the State against the State authorities has been on the increase since the 1935 Settlement which effected considerable increase of "rent" (which is practically equivalent to land revenue) which the people have to pay to the State for land under their cultivation. Land that was assessed by the 1910 Settlement at Rs. 1-9-0 per acre was in 1935 assessed at Rs. 2-8-0 per acre though the quality or quantity of the produce from land remained constant and the irrigation facilities remained as bad as ever before. In the adjoining district of Sambalpur, similar land is assessed at Rs. 1-2-0 per acre which rate is lower than the 1910 Settlement rate in Gangapur. During the course of the 1935 Settlement joint petitions against the abnormal increase were prohibited. Only individual petitions with a stamp of twelve annas on each were entertained and eventually thrown into the waste paper basket. This increased rate of rent was found to be so unbearable that, during the last three years, a majority of the people had practically ceased paying their rents, not in pursuance of any deliberate no-rent campaign but for the very simple reason that they had absolutely nothing to pay.

* * *

THE Gangapur State authorities were apparently determined to end this state of affairs at whatever cost. It is reported that they summoned the help of the military and utilized it for the purposes of recovering rent. The *modus operandi* was "to let the troops stand by while the State Tehsildar or the Quanungo with some constables attaches properties or auctions them." This was one of the many things which were being done by the State authorities "to drive fear into the people."

* * *

BESIDES this chief grievance of exorbitant enhancement of rent, the people of Gangapur were subjected to various other disabilities such as forced and free labour, the Chowkidari tax, *magan panch* (forcible contributions in cash or kind on special occasions) and others of a similar nature. Before matters came to a head, the Regent Rani of Gangapur convened a meeting of the people last February to give a hearing to their grievances. The thousands of people that assembled demanded with one voice the immediate redress of the above mentioned grievances. They also asked for the establishment in Gangapur of some form of representative government based on a wide franchise. No reply to these representations has, as yet, been given by the Rani.

* * *

IT is with this background in mind that the recent happenings in Gangapur must be interpreted. The exact situation under which a large number of people were shot down by the military is not yet brought to light in its completeness. This is certainly due to the significant circumstance that the State authorities, it is reported, have stopped all communications with the railway stations. Even the bus service between Jarsugunda and Sundargarh, capital of the State, has been stopped. The result is that even enterprising pressmen are not able to collect information on the spot. The Gangapur State authorities are evidently interested in keeping the outside world entirely in the dark as to the unhappy happenings of April 25 last. Whatever that may be, two things are clear: that a large number of people were killed by the military and that this event was the culmination of the continued reign of oppression and terror that was going on in the Gangapur State.

* * *

Labour Unrest in Bhavnagar.

THE Bhavnagar State authorities recently served orders of deportation from the State on Mr. Jhabvala, a well-known labour leader of Bombay and a member of the Bombay Legislative Assembly representing Railway Labour. A number of other workers in the young labour movement in Bhavnagar were also deported under a similar order. The circumstances under which these orders were passed by the Bhavnagar State authorities are recounted by Mr. Jhabvala in a statement to the Press.

* * *

FOR a considerable period of time, the workers in Bhavnagar, who find employment chiefly in the State Railway, were anxious to organise themselves into a Union with a view to getting some of their numerous grievances redressed. Other workers including those employed by the Bhavnagar municipality were also anxious for organization. Before, however, much in the line of organization was done, the railway workers had to go on strike

as a protest against peculiar disabilities of their own. This strike was settled by the authorities in a spirit of compromise and a favourable atmosphere for a labour organization of a stable character was thus created. One would have expected the Bhavnagar authorities to continue the same attitude towards the young working class movement in the State. But recently their policy took a turn for the worse. The proposal to hold a Bhavnagar Workers' Conference was resented by them and the leaders of the workers, together with the President-elect of the Conference, were summarily deported. The causes given by the authorities for this treatment meted out to the labour leaders were patent; viz. that some of them were inciting trouble among the workers and the rest of them were communists.

THE Bhavnagar State authorities have placed themselves entirely in the wrong by nipping almost in the bud the very move for a Workers' Conference even without waiting to see what the Conference stood for and what was going to be the line of its activities. Mr. Jhabvala, in his statement referred to above, has declared his determination to defy the State order as soon as a suitable opportunity presents itself. He has also requested the Bhavnagar Praja Parishad to take up the cause of the Bhavnagar workers and to outline a programme of workers' movement in the State in their forthcoming session at Bhavnagar. We have no doubt Mr. Jhabvala's appeal will be responded to by the Praja Parishad. We earnestly appeal to the Bhavnagar State authorities to withdraw these unjust and injudicious orders against the labour leaders. It would be in their own interests to do so, in view of a threat of civil disobedience and labour unrest simultaneously breaking out in Bhavnagar.

The Forward Bloc.

THE *Tribune* welcomes the Forward Bloc which Babu Subhas Chandra Bose proposes to form within the fold of the Congress as a healthy sign and at the same time gives it a warning that it should be cautious in formulating its own policy. The paper asserts that it is as necessary in an unofficial as well as in an official Parliament to have a strong Opposition party to expose and correct the blunders that otherwise are frequently committed. From the recent history of the Congress it culls three instances of such blunders. It says:

One can easily recall at least three cases in recent years in which the cause of the country, the Congress and democracy suffered a serious setback on account of the non-existence of a well-organised Opposition in the Congress. The first was when the Congress, under the leadership of an unwise and short-sighted Working Committee, passed its nonsensical resolution on the Communal Award. The strong opposition which its action aroused in the country did compel the Working Committee partially to modify its attitude, but the absence of a strong Opposition in the Congress has prevented those opposed to the resolution from getting any real benefit out of the modification. The Congress attitude towards the resolution still remains in substance as anti-national, anti-democratic and anti-freedom as it was when the Working Committee first passed its unfortunate resolution. The second was the Khare case in which the forces of authoritarianism undoubtedly triumphed over those of democracy, and in

the name of discipline an action was taken by the Congress High Command, with, it must be said with regret, the active co-operation of Mr. Subhas Chandra Bose himself, which trampled under foot the just rights both of the Congress Party in the Legislature and the Electorate. The third was the Pant resolution, which went against the root principles of democracy and by which the elected tribune of the people was reduced to the position of a subservient tool in the hands of a person who, with all his outstanding influence and authority in the country and the unique respect and reverence in which he is held by all sections of the people both within and outside the country, is not even a four-anna member of the Congress. It is impossible to believe that the official party would have found it easy on any of the three occasions to act in the manner it did if there had been a strong and organised Opposition in the Congress.

IN the future also, the *Tribune* thinks, it is necessary to encourage opposition in the Congress if only to prevent the demoralisation in public that results from the Congressmen at large yielding totalitarian obedience to the Mahatma who has placed himself at "the head of the Rightists." The paper observes:

He is the head of an enthusiastic band of followers who want every word that he utters to be implicitly accepted and every direction or command he issues to be unquestioningly obeyed. The Mahatma himself, the man of truth and honour that he is, has again and again confessed that he has committed Himalayan blunders, but to his devoted followers and lieutenants he is the personification of infallibility. If he ever draws up a resolution, or expresses his approval of it, not a word or even comma is to be changed in it. We have made no secret of our opinion that this blind worship of a great man is as demoralising to himself as to the worshippers, and we have sometimes actually felt, in the midst of great national misfortunes, that the failures, disappointments and set-backs which the Mahatma has occasionally met with have not been without their compensating value in India's scheme of national regeneration. Mr. Bose rightly says that respect for the Mahatma will not mean that the new party will necessarily have confidence in the present High Command of the Congress. For that matter it should not mean unquestioning obedience to every behest of the Mahatma himself. If the new party is to function properly it must approach all questions with a due sense of proportion and of responsibility. While it would be absolutely within its rights in opposing the official party in respect of any measure of policy it advocates, it should not itself advocate any policy or measure which it would not be in its power to carry out. By such advocacy it can do far greater harm to itself than it is in the power of its opponents to do to it.

ANSWERING an objection that has been urged, the *Tribune* proceeds:

When all parties and groups are loyal to the Congress, why should it be feared that the formation of any bloc within it will be a challenge to the integral unity of India's great national organisation? On the other hand the formation of a well-disciplined bloc within the Congress is essential in the interest of that organisation itself. Such a bloc will keep a formidable check on the vagaries of the party in power and keep it on the right path. It is a mistake to

believe that the formation of the Forward Bloc will seriously affect national unity. It can jeopardise the interests of unity only in one case, and that is if its promoters refuse to make common cause with other sections of Congressmen at a time when the Congress or the country is face to face with a crisis. There should, however, be no apprehension on that score. Mr. Subhas Bose and his co-workers are too patriotic to allow their differences to stand in the way of their joining hands with the Rightists in all cases of emergency. It looks ridiculous that anybody should raise the question of national unity simply because

the Forward Bloc has come into existence. Only those whose conception of national unity is wholly one-sided and who want unity on their own terms, can find in the formation of the bloc a danger to national unity. Really speaking the existence of a well-organised Opposition — that will apparently be the role and function of the Forward Bloc — is as necessary in the Congress, as in any other democratic institution. No sensible Congressman can and, in our opinion, should regard the formation of a Forward Bloc in the Congress as a threat to national unity and solidarity.

REGULATION OF MONEYLENDING IN BIHAR.

THE Bihar Government has re-enacted certain provisions in its Moneylenders Act of last year, and particularly those relating to suits in respect of loans and execution of decrees, with a view to removing the doubts that had arisen about their validity on account of the Governor-General's assent not having been taken. This gives us an opportunity of reviewing the provisions once again, and in greater detail, since they are of great importance and will furnish much guidance to other Provinces engaged in the same task.

The most important of these provisions is that which incorporates the *dam dupat* rule in the regulation of moneylending transactions. In Bihar this rule was applicable before in the Santal Parganas, but it is now to prevail all over the Province and in a form more favourable to the debtor class. In the Bill as it was first introduced the *dam dupat* law did not find place, but the same result was sought to be attained by imposing a restriction on the period for which arrears of interest might be decreed. The clause in the Bill ran as follows:

Notwithstanding anything (to the contrary) contained in any other law or in anything having the force of law (or in any contract), no court shall in any suit brought in respect of any loan advanced before or after the commencement of this Act, pass a decree on account of arrears of interest for any period exceeding three years.

The main purpose of the *dam dupat* law is to prevent accumulation of arrears of interest, and it was thought that this would be served by the above clause without the specific enactment of a *dam dupat* rule. The Joint Committee which examined this Bill, however, considered that the clause restricting the period for which interest arrears may be decreed to three years cannot be given retrospective effect without proper safeguards, and it, therefore, recommended that all arrears of interest might be allowed in suits brought within one year after the commencement of the Act and in respect of loans advanced more than three years before the commencement of the Act. But while conferring this privilege upon the moneylenders in order to mitigate the hardship that would be caused by the retrospective application of the clause, the Joint Committee also recom-

mended the introduction of the *dam dupat* law, providing that "the total amount of interest to be recovered shall not exceed the principal." This is the usual form of the *dam dupat* law: it does not take into account the interest already recovered, but lays down that the interest that is in arrear can be recovered only up to a certain limit, the limit being that it shall not be more than the principal.

The *dam dupat* provision as was passed, however, placed a limit on the total amount of interest, whether recovered or unrecovered. It runs as follows:

Notwithstanding anything to the contrary contained in any other law or in anything having the force of law or in any contract, no court shall, in any suit brought by a moneylender in respect of a loan advanced before or after the commencement of this Act, pass a decree for an amount of interest for the period preceding the institution of the suit which, together with any amount realised as interest through court or otherwise, is greater than the amount of the loan advanced, or, if the loan is based on a document, the amount of loan mentioned in the document on which the suit is based.

While enacting the *dam dupat* rule in this spacious form, the legislature deleted the clause limiting the period for which arrears of rent may be decreed to three years, which was originally intended to do duty for the *dam dupat* rule. The difference between the normal law of *dam dupat* and that adopted in this legislation was thus explained by Mr. Vindheyshvari Prasad Varma:

The rule prevailing elsewhere is that when a suit is brought and the matter is before the court, the court would not grant a decree for interest which would be more than the principal amount claimed. The result is that if, before the institution of the suit, the creditor has realised any portion of the interest accruing due from time to time, those amounts are not taken into account. But now the rule which we are going to introduce is an innovation upon that principle. I propose in this amendment that the amount realised either privately or through courts before the institution of the suit out of interest accruing due will also be taken into consideration, and if together with that amount the interest claimed amounts to more than the principal amount claimed, the court shall not decree that amount which is in excess of the principal amount.

The question was then raised as to what the court will do if, when the debtor has already paid

in the way of interest more than the principal, a suit is filed for a portion of interest and the principal. Mr. Jagat Narayan Lal, Parliamentary Secretary, said: "The court should decree the principal and the interest due as one sum. Of course it will be deducted from the principal." But Mr. Baldeva Sahay, Advocate General, took the other view which ultimately prevailed, viz., that the excess of interest would not go to reduce the principal. He said:

This law restricts the power of the court in the matter of granting a decree for interest. It has no reference at all to the power of the courts to grant a decree for the principal amount. Therefore, the power of the court to grant a decree for the principal amount remains unimpaired by this rule. The language is: "No court shall pass a decree for an amount of interest which is greater than the amount of the loan." Now, in the case which we were discussing just now in which Rs. 150 has been paid as interest on the principal amount (being Rs. 100) the court cannot grant any decree under the heading "interest" because he has already paid more interest than the amount of the original loan, and the purpose of the rule will be fulfilled. . . . (But) the principal amount cannot be touched.

Thereupon an amendment was moved with a view to ensure that excess of interest would go to reduce the principal. It was in these terms:

Notwithstanding anything to the contrary contained in any other law or in anything having the force of law or in any contract, no court shall, in any suit brought in respect of a loan advanced before or after the commencement of this Act, pass a decree for an amount which, when added to the amount realised prior to the institution of the suit under the transaction, would be more than double the principle.

This amendment was moved by Mr. Muhammad Shafi and supported by Mr. Jamuna Karjee, but was opposed by Government on two grounds: first that since a maximum limit on rates of interest to be charged is made applicable even to past transactions, there would in fact be very few cases in which the debtor would have paid as interest a sum greater than the principal; and second, that even if such cases occurred there was no injustice involved in it to the debtor, since what he paid was understood all along to have been paid as interest, and if the total amount of interest exceeded the principal, although interest rates were not usurious, it was because the use of the loan had been availed of for a long period. The amendment was pressed to vote but was negatived by 16 votes to 80, among the contents being only Muhammadans (14) and aborigines (2).

A provision on the lines of Mr. Muhammad Shafi's amendment which the Bihar Legislative Assembly rejected is in contemplation in Bengal. The Bengal Moneylenders Bill, which is at present before the Bengal legislature, had originally a clause enacting the *dam dupat* rule in the usual form. It was in the following words:

Notwithstanding anything contained in any law for the time being in force or in any agreement, no court shall, in any suit in respect of a loan whether such suit was instituted before or after the commencement

of this Act, decree on account of arrears of interest a sum greater than the principal of the original loan. But the Select Committee has amended this clause as follows:

Notwithstanding anything contained in any law for the time being in force or in any agreement,

(1) no borrower shall be liable to pay after the commencement of this Act—

(a) any sum in respect of principal and interest which together with any amount already paid or included in any decree in respect of a loan exceeds twice the principal of the original loan;

(b) on account of interest, a sum greater than the principal of the loan outstanding on the date up to which such liability is computed.

The purport of sub-clause (a) above seems to provide that if a debtor has paid as interest more than the loan advanced, the excess will be treated as payment of part of the principal. In Assam too, the Bill amending the Assam Moneylenders Act of 1934 contains a new clause as follows; after the section embodying the *dam dupat* rule of the usual type.

No moneylender shall, in respect of a loan made before or after the commencement of this Act, recover on account of interest and principal, whether through court or otherwise or by way of usufruct of lands in usufructuary mortgages a sum greater in aggregate than double the principal of the loan.

The Bill has been passed by the legislature but has not yet received the assent of the Governor.

The Act fixes the maximum rate of interest that can be decreed in suits at 9 per cent. on secured loans and 12 per cent. on unsecured loans. This interest is simple, all agreements for payment of compound interest being declared void. These provisions apply to future transactions, but by another section in the Act they are made applicable to past transactions also. This section reads as follows:

In any suit brought by a moneylender before or after the commencement of this Act in respect of a loan advanced before the commencement of this Act or in any appeal or proceedings in revision arising out of such suit, the court may exercise all or any of the following powers:

(a) re-open the transaction, take an account between the parties, and relieve the debtor of all liability in respect of any interest in excess of 9 per cent. simple per annum in the case of a secured loan and 12 per cent. simple per annum in the case of an unsecured loan;

(b) notwithstanding any agreement purporting to close previous dealings and to create a new obligation, re-open any account already taken between them and relieve the debtor of all liability in respect of any interest in excess of 9 per cent. simple per annum in the case of a secured and 12 per cent. simple per annum in the case of an unsecured loan;

(c) ...

The use of the word "may" in this section was thought by some to confer a discretionary power on the courts instead of laying a mandatory obligation on them. There was ground for this apprehension, as the Joint Committee in its report had said: "We agreed that the rates of interest

fixed by clause 11 for loans made after the commencement of this Act were sufficiently fair and should apply to loans made before the commencement of this Act *subject to the discretionary powers of the court.*" But the Advocate General explained that it was mandatory and not discretionary. He said: "The word 'may' has got to be retained on account of the rule of grammar that where more than one power has been given to a court, the language can only be 'may' and never 'shall.' It is not discretionary; it is as imperative as anything; and if, at any time, any court would take the view that it is discretionary, the next moment Government would be bound to introduce another Bill making it clear that the court has got to exercise one or other of the powers that we have provided."

The Act gives power to the court, when passing a decree, to order payment of the amount due on mortgage by instalments; or afterwards, on application of a judgment-debtor, to direct payment of the amount due in respect of a loan or on mortgage by instalments; or, when executing the decree, estimate the value of the judgment-debtor's property, to permit only a sufficient portion of the judgment-debtor's property to be sold. The section relating to this last matter says: "The proclamation of the intended sale of property in execution of a decree passed in respect of a loan or the interest on a loan shall include only so much of the property of the judgment-debtor the proceeds of the sale of which the court considers will be sufficient to satisfy the decree, and such property shall not be sold at a price lower than the price specified in the said proclamation." Another section provides for the exemption of a minimum of an acre of the judgment-debtor's land from attachment or sale in execution of a decree. This section runs as follows:

- (1) Notwithstanding anything to the contrary contained in any other law or anything having the force of law, where a decree is passed before or after the commencement of this Act for the payment

by an agricultural debtor of the amount due on any loan advanced to him by a moneylender, the court executing the decree —

- (i) shall exempt from sale one acre of the land comprised in the holding or holdings of the judgment-debtor, if the area of such land does not exceed three acres; and
- (ii) shall exempt one acre, and may exempt any further portion of such land if the area of such land exceeds three acres; provided that the total area exempted from the sale does not exceed one-third of the total area of such land.

(2) For the purposes of this section "agricultural debtor" means a raiyat, the total area of whose holding or holdings does not exceed such area as the Provincial Government may fix for the district in which such holding or holdings are situate.

In commending this provision to the legislature, the Advocate General explained it thus:

This provides an answer to the criticism that has so long been made not only in this part of the country but in the whole of it. As a matter of fact, the other day—a few months ago—even in the Central Assembly an agitation was raised that although in section 60 of the Civil Procedure Code, the legislature provided long, long ago that some consideration should be given to agriculturist debtors by providing for exemption in their favour of some subsistence allowance and in favour of dwelling houses being made free from attachment or sale, no province has yet made any definite attempt to solve this difficulty; and this deficiency still remains in the laws of the country. The demand for special treatment of agriculturist debtors went on increasing. Although this Government has not yet found it possible to assure every man either a living wage, or even less than that, something to save himself against starvation, this is an attempt in that direction. It may mean an encroachment, to that extent, upon the rights of the creditor to have his pound of flesh, but we have provided in this clause that at least a slice or a bit of the holding must be left to the agriculturist debtor so that, if possible, he may prolong his agony, if he cannot altogether save himself. Just as in the Bihar Tenancy Act we have spared the agriculturist's right in his hut with which to hide his head, we propose to leave him something with which, if he cannot save himself for all time, he might, as I say, prolong the agony of life.

COMPULSORY PRIMARY EDUCATION IN U. P. AND BOMBAY.

THE Reports on Public Instruction just published by the Governments of the United Provinces and the Bombay Presidency for the year 1937-38 afford a suitable opportunity for considering the results achieved by compulsory primary education in these two provinces. In the United Provinces compulsion is in force in 36 urban areas under the municipal boards and in 1,224 villages (including 5 town areas and 4 notified areas) in 25 districts under district boards. Compulsion is enforced mostly in the case of boys in all these areas; and it is enforced also in the case of girls in selected areas of three municipalities and two district boards. There are 64,751 boys enrolled

in compulsory areas within municipalities, and as it is said that "about 10 per cent. of the children under instruction in primary schools are in compulsory areas," it would appear that about 55,500 boys are enrolled in compulsory areas within district boards, the number of scholars on roll in primary schools being 1,20,158. The U. P. Primary Education Act of 1919, which empowers municipalities to introduce compulsion, provides for a grant of two-thirds of the additional cost involved, subject to a maximum of 60 per cent. Compulsion in rural areas is governed by the U. P. District Boards Primary Education Act of 1926, under which district boards receive

a total grant of two-thirds of the total expenditure (in case they were formerly receiving less than this) or a grant of two-thirds of the extra recurring cost (in case they had already received two-thirds or more than two-thirds). The recurring cost of compulsory primary education schemes in municipalities in 1936-37 was Rs. 5,07,134, to which Government contributed Rs. 3,43,653, and that in rural areas Rs. 3,76,600, Government's contribution being Rs. 3,55,970. Thus the Government grant works out at 67.76 per cent. in the former case and 89.75 per cent. in the latter.

The success of compulsion is measured by two tests: (1) percentage of admissions and attendance to the number of scholars of school-going age, and (2) percentage of scholars who, starting in the infant class, go up to Class III and who may thus be presumed to have attained permanent literacy. The latter test is even more important than the former. Compulsion is valued not only because it brings more children to school, and keeps them there in regular attendance, but even more because it keeps them in school right up to the end of the primary course, thus preventing the terrific waste that is going on at present in schools run on the voluntary basis. Compulsion cannot be regarded as successful unless at least 80 per cent. of the scholars within the compulsory age limit attend school (which minimum percentage must be reached in order to avoid prosecutions); and unless a large percentage of these scholars (the percentage is unspecified) reach the top class by regular stages. As to the first test, only Naini Tal municipality exceeds the minimum percentage of attendance that is considered necessary, it being 86 there, while only in six others it ranges between 70 and 80, whereas in rural areas the percentage does not reach the requisite mark in any district, while it is above 70 in only four districts. If the other test is applied, compulsion must be pronounced to be a dismal failure. The percentage of scholars in ordinary, i. e., non-compulsory primary schools who go up without a break from the lowest to the highest class is 26.7. But in urban areas where compulsion is introduced the percentage is only 20.7 and in rural areas it is half of this, i. e. 10.3. That is to say, 79 per cent. of the boys who start in the infants class fall out by the way in urban areas and nearly 90 per cent. in rural areas. "In other words," as the Report for 1936-37 says, "compulsion in municipal areas has so far proved to be a failure," and that in rural areas "a worse failure."

The reason for this is that attendance committees do not use their powers. "In many cases they do not meet regularly and thus cases are not considered, or, if they meet regularly, they do not issue notices or, even if they issue notices they will not sanction prosecutions and finally even if prosecutions are sanctioned, the magistracy are reluctant to impose fines. (When fines are imposed, they are not deterrent.)... In fact, there are

universal complaints that the magistrates do not treat these cases seriously, and the law is brought into contempt. The reply often given is that the poverty of the parents makes the imposition of fines mere pretence as they cannot be paid in any case.... Some inspectors state that the parents will pay the small fine rather than lose their children's labour which brings in, say, Rs. 4 per mensem while the fines only four or eight annas and, as the machinery of compulsion is so cumbrous, once a month is the most they are likely to be brought up." "In municipalities everything is in favour of success. The area is concentrated and there are facilities for census taking, and evasion should be difficult. But the percentage of admissions is much below what it should be and large numbers escape compulsion altogether. Further, the figures of attendance are poor and without regular attendance little result may be expected. The municipal boards, having made the gesture of imposing compulsion, make little attempt to enforce it. They do not seem to realise the waste involved. The attendance committees often do not meet for months on end. When they do meet they do not authorise prosecutions or even the issue of notices; thus children can be as irregular in attending as they like.... The attendance officers do not do their duty, or if they do, no action is taken on their reports. The municipal boards themselves are supremely uninterested in the progress of compulsion."

The first remedy to be applied is "a revision of the Act and the placing of the machinery of compulsion in the hands of those who may be expected to carry it out." The attendance committees appear to be quite incapable of improvement and the issuing of notices and deciding of prosecutions will have to be handed over as in England to the attendance officer, either the deputy or a sub-deputy inspector. The next two remedies are a revised curriculum and improved teaching. "The full primary curriculum is too literary and too extensive for compulsory areas where instruction in the three R's for a maximum period of three hours daily is all that is required by the Act." More trained teachers will have to be employed to improve teaching. Of the 72 per cent. of the total untrained teachers in primary schools in the province, a majority are in compulsory areas. The Report suggests that before improvement is effected in the existing conditions in the compulsory areas, no attempt should be made at expansion. "It will be vain to waste more money by extending the scheme (of compulsory primary education) under the present conditions." "At present," the Report for 1937-38 states, "compulsory primary education is giving practically no return for the money spent on it," as on account of frightful wastage the whole object of compulsion, namely, to impart literacy to the masses, is almost entirely frustrated.

In the Bombay Presidency compulsory primary education has been introduced only by five municipalities and one district local board (and only last year by another local board in a small village). Three municipalities have introduced it only in some wards and four only for boys. The district local board of West Khandesh, which alone has introduced it in a large rural area, has again introduced it only for boys. Altogether 35,973 boys and 7,663 girls come under the compulsory scheme, apart from Bombay City where the number of boys subject to compulsion is 12,252 and that of girls is 8,596. The financial provision made by Government for compulsory primary education is now governed by the Bombay Primary Education Act of 1923, under which municipalities receive a grant of one-half and district local boards two-thirds of the cost. "Boards are given as annual datum line grant the amount paid as annual grant in the year preceding the year of the transfer of control of primary education and two-thirds of the excess of approved expenditure over the total expenditure of that year." Figures of expenditure on compulsory primary education and the Government grants are not shown separately in the Reports, but financial stringency has been the main reason why the compulsory system has been practically stagnating in the province. In 1931-32 a cut of 5 per cent. was made in the Government grant and was increased to 19.25 per cent. the following year; the size of the cut was later reduced till it was 8 per cent. in 1936-37. The Bombay Municipality receives at present Rs. 2,35,413 out of its full quota of Rs. 2,70,000 as a grant for the compulsory scheme.

The Bombay Report suffers from the disadvantage that it does not give, as the U. P. Report gives, the figures of population in the areas to which compulsion is made applicable, the number of children that are liable to compulsion in them, the actual number of children enrolled, the average attendance, and the number of those who achieve what is regarded as complete literacy. But from the remarks made in the Report it would appear that in all these respects the conditions are unsatisfactory. Compulsion has not helped materially either in bringing more children to school or keeping them in school. Since the introduction of compulsion the number of scholars has gone up, naturally as some of the schemes were put in force as early as 1920. "It is difficult, however, to say how far this is due to the introduction of compulsion and how far this is due to natural expansion, and, in this connection, it would be well to bear in mind similar figures for those areas where compulsion has not been introduced. Although accurate figures giving the increase in the number of children of compulsory age in those areas are not available, it is to be noted that the number of children, studying in infants' classes and standards I to IV of all primary schools on the 31st March, 1922, was 5,84,311 as compared with 9,31,418, which was

the number studying on the 31st of March, 1937. These figures will show, therefore that, when areas without compulsion are included, the increase in the number of children studying in these standards was 59.4 per cent. during the period, whereas the average percentage increase in the number of children of compulsory age studying in schools in compulsory areas is 56.6 per cent. It must, however, be noted that (1) these figures are exclusive of Bombay City, and (2) that some of the compulsory schemes have only been in existence for eight years. For a full understanding of the position it is necessary to bear in mind that the total number of children of compulsory school-going age in the areas under compulsion is 52,991, and thus it will be seen that even in compulsory areas the percentage of children enrolled to the children of school-going age is only 85.5."

So far about admissions in schools. As to attendance, even the Department can give no correct figures. It has only now issued instructions that the attendance should be carefully marked. Some time hence we shall certainly be in a position to say how attendance in schools on a compulsory system compares with that in other schools. But the figures that are available are not very encouraging; they "reveal very clearly that compulsion is only compulsion on paper and not in practice." Even in Bombay City, where things should have been better, they are not. "Although compulsion has been introduced it has not been seriously enforced, and the average attendance of even those enrolled is no better than the attendance in voluntary areas." As to other places, the Report says: "Very few Local Authorities are taking serious steps to enforce compulsion where it has been introduced. Although definite instructions as to the procedure to be followed in the matter of introducing compulsion have been laid down, only as recently as 1937 one Local Authority, which had nominally introduced compulsion in 1920, asked the Department for instructions as to how to enforce compulsion! This shows fairly plainly that for 17 years this Local Authority had taken no serious steps to enforce compulsion. In other Local Authorities until the latter part of the quinquennium (1932-37) no coercive measures beyond warning the parents were taken against the defaulting guardians or parents. The only conclusion that can be arrived at, therefore, is that the public as a whole, that is to say, the parents are not 'educated up to' compulsion, and that considerable propaganda is necessary before the public will co-operate willingly with the authorities in its enforcement." Not only are parents apathetic, but attendance committees. The wastage in ordinary schools is tremendous, and there is nothing to show that it is less in compulsory schools. "Of every 100 boys in a primary school, 30 are in the infant class, of whom a little less than half stagnate in that class and about 12 reach standard IV. The wastage in the case of girls'

education is still greater." Therefore, the permanent literacy figure, which is 26.7 per cent. in the U. P., appears to be round about 25 in the Bombay Presidency, and, as we have said, no figures are given to show whether the percentage is higher in compulsory areas. One need that is constantly emphasised in the Bombay Reports in recent years is that of strengthening the control of Government by taking over the inspectorate. This need has now been supplied.

Reviews.

DEMOCRACY.

A DEMOCRATIC PHILOSOPHY. By WENDELL THOMAS. (Correlated Enterprises, 1107, Broadway, New York.) 1938. 21cm. 148p. \$ 1.50.

MR. WENDELL THOMAS, author of "Hinduism Invades America", has written a thoughtful little book of some 122 pages "on the goal and method of democracy through a study of John Dewey, Karl Marx and Sankara" and has given us a beautiful picture of the world organized on a true democratic basis.

The three essays on Dewey, Marx and Sankara in the first three Chapters of the book bring out clearly the essential contributions of the three thinkers both in their historical setting and with reference to the needs of the present-day world and the future of humanity. In their own way they are masterpieces in short biography. However, the chief interest of the book lies in the fourth and the final chapter—which attempts a synthesis of the views of the three thinkers and carefully builds a democratic society of the future.

Mr. Wendell Thomas has selected the three great thinkers because each of them aims at maximum freedom of the people, and their methods, shorn of unsuitable elements, are complementary. "Dewey stresses experimental method, cultural unity, socialised education and political action. Marx preaches working class consciousness, unionisation, dynamic leadership, and direct as well as political action. Sankara recommends control of attention, boundless sympathy, solitary meditation and pacific social organisation." Mr. Thomas pleads that all these are needed and they all work towards the goal of freedom—"individuality, or the quality of life in which an endless society of individual capacities are developed harmoniously as means to a rich enjoyment of nature."

Mr. Wendell Thomas defines Democracy as "government of nature, by the people, for the realisation of beauty" and he is anxious to build local communities—neighbourhood groups—each inspired by a common purpose and organised through an educational centre. The local groups are integrated in national groups which are brought under a super-natural co-operative organisation. Great emphasis is laid upon releasing the creative capacity and increasing it through scientific research of the individual for social service. The society outlined is the communistic society in which God has not been banished and the Church plays its own part along with other institutions which are to assume social leadership and which is reached not through a bloody revolution but by non-violent means—"force breeds counter-force." "If a peace-

ful democratic society is our end, we must use peaceful means to achieve it."

Such is the dream of the author! Whether it can ever materialise and that, too peacefully many will doubt but who is there who would not like to see such a "kingdom of god" on earth?

At this stage in India the book is bound to make a special appeal and it deserves careful study.

GURMUKH NIHAL SINGH.

ENGLISH BANKING.

THE BANKERS OF LONDON. By PERCY ARNOLD. (Hogarth Press.) 1938. 20cm. 108p. 4/6.

THIS small book covering 108 pages gives an interesting account of the financial institutions of the City of London and of the personalities controlling these institutions. The author discusses the subject under the six main heads: 1. The Court of the Bank of England 2. The Financiers 3. The Largest Private Bank 4. The Discount House 5. The Big Five and 6. The Money Barons. In spite of the high degree of specialisation in the work of the London money market the author's analysis of the personalities directing the different institutions brings out the important truth that "acting through the mechanism of banks and finance houses those who direct the policy of the different institutions are very often the same men". Thus the directors of the Bank of England who do not meet any director of the Big Five at their Court will often adjourn from the Court to sit side by side with those very directors at the board of a finance house or an investment trust. This financial integration has both its bright and dark sides. It makes for the smooth and co-ordinated working of the financial machinery; but it is also associated with the dangers of a money trust. The author points out that the number of active London bankers directing the more important London banks and finance houses is only about 300, of which about half are the directors of the Big Five banks.

Dealing with the Bank of England the author notes the circumstances leading to the change from a two-year Governorship going to each director in turn, to a permanent Governorship only vacated on attaining the age of 70. Another important change, that of electing employees holding important offices in the Bank to the Court as directors, is also noticed. Though the Court of the Bank consists of 26 directors, the Bank is really directed by an inner cabinet, the Treasury Committee, composed of 9 directors including the Governor and Deputy-Governor. In a response to the criticism that the Bank directors are more interested in overseas trade than in trade or industry carried on mainly within the United Kingdom, the practice is growing up of electing industrialists like Cadbury or economists like Stamp to the Court. The Bank has also in recent years created two subsidiaries, Bankers Industrial Development Co. Ltd., and Securities Management Trust, Ltd., for the purpose of assisting industries in the U. K.

The finance houses are closely associated with the Bank of England; the more important among them have their representatives on the Court of the Bank. These are mainly of foreign origin and started as merchanting houses but now con-

fine themselves mainly to issue and acceptance business, though even in this field they are finding important competitors in the joint stock banks. The restriction on foreign lending in recent years has also curtailed their business somewhat. There is, however, no hard and fast rule as to the kind of business which finance houses are prepared to consider. The discount houses are another class of specialised institutions closely connected with the Bank of England on the one hand, and the joint stock banks on the other. Though their business too is being progressively invaded by the joint stock banks, many of their representatives are also the directors of the joint stock banks.

The Big Five (or Big Eight) banks, though not directly associated with the Bank of England, are yet in close touch with it through the London Clearing Banks Committee and in other ways. They are usually ready to follow the lead of the Bank of England, yet, we are told, Mr. McKenna, the Chairman of the Midland Bank, is reported to be the only chairman of the Big Five banks who does not always follow the requests of the Bank of England, but is quite prepared to pursue a policy of his own if he thinks fit. The Big Five are also following the practice of the Central Bank in promoting their staff to the board of directors. The book under review is concerned more with personalities than with the working of the institutions of which they hold the controlling reins. Yet the author's study clearly reveals the existence of a hereditary oligarchy of money barons which controls the destiny of British democracy or, shall we say, the capitalistic world. The merits of the publication are, however, marred by quite a number of printing mistakes examples of which are to be found on pages 41, 43, 46, 48, and 65.

S. R. BOSE.

FOUNDATIONS OF PEACE.

ECONOMIC POLICIES AND PEACE.

By ARTHUR SALTER. [Day to Day Pamphlets' No. 34.] (The Hogarth Press.) 1936. 18cm. 38p. 1/-.

THIS is the title of the 1936 Merttens lecture delivered by Sir Arthur Salter. Here Sir Arthur attempts to explore the causes of war and the means to eliminate them. "It is useless under present conditions to try to understand politics without economics or economics without politics. The core of the problem is the very subtle relation and interaction of political and economic factors in causing the conditions from which wars originate" (p. 7). Then he proceeds to enumerate the causes of war. "International anarchy was the fundamental cause of the last Great War and it will be the cause of the next one too. Unless some system of international government peacefully to settle conflicting claims of the nations is built up wars cannot be eliminated" (p. 17). He gives a vivid picture of the present menace of national prestige and the scramble for power in world politics. He has no illusions about the League of Nations. "It has not yet replaced and it cannot yet control the competitive power-scramble" (p. 17). Besides, new but very dangerous factors have come to prominence in

the post-war world. Firstly, there is the feverish recklessness, which characterises the psychology of almost every nation developed under the stress of crises like mass unemployment or developed in a nation at a time of transition from inferiority to one of equal strength. Secondly, economic enterprise and organisation is no longer the concern of individuals but of States. Economic quarrels, therefore, are no longer the quarrels of individuals but of governments with armed forces at their command. Thirdly, we have the impending clash between democracies and dictatorships, between the ideologies of the Rightists and of the Leftists. Beyond a point, this leads inevitably either to a civil war (as in Spain) or an international war which is imminent. The task of the statesmen is to secure that these sets of opposing forces counteract each other rather than coincide (p. 21).

In this political context which is highly combustible, we have an increasing number of measures equally highly inflammable in the shape of provocative economic policies which are of doubtful national advantage but of certain impairment to international relations. Sir Arthur Salter rightly draws our particular attention to the colonial economic policy. The reservation of the markets and resources of non-self-governing colonies for the benefit of the metropolitan countries has rightly evoked resentment and envy. The use of diplomatic machinery to push the competitive interests of nationals in world markets, export bounties and subsidies, private foreign loans and investments negotiated through governments are just the fields of irritating State intervention; and a change in policy in these fields is most urgent. Sir Arthur suggests that Great Britain as the chief Imperial power should set an example by placing her non-self-governing colonies under an international mandate system and promote a policy of 'equal opportunity' (p. 30). He concludes that "foundations of peace can be laid by promoting prosperity and by economic appeasement. But that is not enough. It must be re-inforced by political appeasement and a system of international government. Efforts must proceed simultaneously along all the three lines; success in any one will help with the others; failure in one will impede or prevent progress with the rest" (p. 25). The reader, while admiring this searching analysis of the problem of peace is left in wonderment as to how to establish the system of international government in the ever expanding pernumbra of nationalism and race chauvinism of to-day.

K. S. VENKATARAMAN.

CATTLE BREEDING AND DAIRY FARMING.

THE CATTLE WEALTH OF INDIA.

By E. V. S. MANIAM. (Patt & Co., Cawnpore.) 1938. 24cm. 123p. Rs. 3.

IN this small book, the author has made a general survey of the present plight of the Indian peasantry and has endeavoured to make constructive suggestions for their amelioration. Agriculture, besides cultivation of food crops, must include cattle breeding and dairy farming. If pursued properly, this one factor alone can elevate the economic

condition of the peasant class. The peasant's earthly belongings are no more than a plot of land, a plough and some cattle. With the growth of population, pasture grounds for the cattle have been gradually encroached upon and the acreage left for grazing is quickly diminishing. Every inch of available land is being brought under the plough and the animals have to go far to find anything worth nibbling. The consumption of milk in India is very great and the demand steadily growing. But it requires systematic organisation. The book deals with the importance of milk and milk products and a special chapter is devoted to practical aspects of cattle breeding and dairy farming. The chapter on India and Denmark points out the similar natural conditions for the dairy trade in both the countries and emphasizes the importance of co-operative efforts to ensure success in cattle breeding and dairy farming. The last chapter dealing with the various systems of co-operation concludes that co-operation is the only cure for saving the peasant from the present plight.

Denmark's prosperity can be traced through the co-operative machinery. The Danish peasants took up to cattle breeding seriously only when driven by despair. Similar is the condition of our peasants today. Danish people found that co-operation alone could save them. Therefore, they hung together and formed co-operative societies and started cattle breeding and dairy institutions. Their government helped them a lot, financially and otherwise. Although India has a large number of co-operative institutions working for several years past, there are very few cattle breeding or dairy farming associations organised on co-operative basis. The co-operative unions enable the members to do away with the middleman (who generally consumes all the profits) and to benefit the consumer by supplying him with things at moderate rates. The Danish Government besides giving financial help to the peasants, makes arrangements for quick transport of their products both by rail and steamer. The Government also gives to the manufacturers of dairy products certificates and marks of recognition as to the genuineness of quality. For the butter trade, for example, they have given the name of "Lur Brand." The Government maintains a laboratory where samples of various dairy products privileged to use this name are frequently brought and examined.

One can share the author's optimistic outlook and immense faith in co-operation throughout the discussion. But in India the co-operative movement, having taken root for several years past, has neither been popular nor very helpful to the peasant class. This might be due to an alien government machinery and the upper hand of the middle-man even in the co-operative movement. Unless the educated youth becomes rural-minded and makes the village the field of his future career with self-sacrifice and service as his motto, we cannot hope to create Denmark in India. Popular Provincial Governments have pledged themselves to rural development. Without substantial help and concessions from them, the problem of reorganising the country-side for the salvation of the peasants cannot be solved. The impetus has already been given. The present book is sure to encourage and guide the rural workers in their task.

S. G. NAVATHE

SHORT NOTICES.

CO-OPERATION IN INDIA. A Student's Manual.
3rd Edition. By C. F. STRICKLAND. 1938.
18cm. 112p. Rs. 1-8-0.

MR. STRICKLAND combines in him both experience and expert knowledge of the subject. He had worked as a registrar of the co-operative societies in the Punjab. In the treatment of such topics as 'Co-operation' a man of experience has an advantage over a pure academician. Mr. Strickland's book, therefore, is characterised by its lucidity and can certainly be read with advantage not only by the student but even by those laymen who wish to understand the working of the co-operative movement in India which comprises over 1,07,957 societies having a membership of over 45 lakhs. Before dealing with co-operation in India the writer deals in chapter I with the economic problems which co-operation seeks to solve. The economic conditions of the world as now governed by capitalism and the proposals made by the socialists and others for their improvement have been discussed and then the 'co-operative solution' is illustrated in the chapter following. Treatment of such a complicated subject within a limited space of 25 pages would not do even a superficial justice to it, particularly when views of no two eminent economists agree on the point. The chapter therefore, leaves much to be desired. We may however agree with the writer when he says that there are three evils of the capitalistic society, viz. waste, adulteration and discontent which co-operation can go a long way to minimise without seeking to bring about a wholesale revolution in the society. The whole treatment of the subject has been woven round this theme and we can say that the author has succeeded in explaining the working and the merits of the co-operative movement in a satisfactory manner. The reading of this book, however, leaves an impression that the author looks upon co-operation as a panacea for all ailments in the economic world. For nowhere has he clearly explained the limits to the success of co-operation. He has again failed to explain clearly the difficulties through which the co-operative movement had to pass on account of the period of depression of 1931-33 and the consequent slump of prices. Dealing with Indian co-operative movement, the author has made no mention of the possibility of the Reserve Bank coming to its help by giving facilities for the expansion of agricultural credit.

R. V. O.

AGRICULTURAL STATISTICS OF THE (BRITISH) PUNJAB. By GULSHAN RAI (Board of Economic Inquiry, Punjab, Lahore.) 1938. 24cm. 14p. As. 4.

THIS is the first supplement to the "Agricultural Statistics of the Punjab, 1901-2 to 1935-36" issued as publication No. 52 last year. Useful data are compiled in this volume from different sources. It is a praiseworthy attempt and will meet the long-felt need of research workers, officers and all those interested in agricultural and vital statistics of the Punjab.

K. M. SHAH.

LIFE'S SHADOWS. By KUMARA GURU.
(Taraporevala.) 1938. 19cm. 166p. Rs. 2.

THERE is much that is beautiful in this book. The author gives us more of the tragedy of Hindu life. This theme can be and is overdone. There is no doubt that the four sketches contained in this book are products of much reflection and thought over a period of years. It has all the negative qualities of criticism, the hollowness of certain aspects of Indian life. It is very true in the retrospective value of life. But I wish such a thinker could have put in more constructive work in giving us the dynamics of future Indian Society. Hindu Society is sailing between the stupid and life-breaking literal following of much of Hindu Shastras in moral life and base imitation of the vices of the West. We want a dynamic Hindu moral code and ethics.

SWAMI YESUDAS.
C. P. S. S.

Miscellaneous.

INDIANS AND THE EMPIRE.

WRITING on the deterioration of the *status* of Indians in the Commonwealth in a letter to *The Manchester Guardian*, Mr. H. S. L. Polak, Honorary Secretary, Indians Overseas Association, says:

I recall listening at a public meeting in London a couple of years ago to Sir S. Radhakrishnan, who is now on his way back from a lecturing tour in South Africa, where he must have opened the eyes, as Mr. Sastri did a decade ago, of the race-conscious white South Africans. He was speaking of India and the Commonwealth to a British audience, and prefaced his address with a remark to the effect that, unlike his hearers, who belonged to the "Commonwealth", he and his countrymen belonged to the "Empire." And what Indians are feeling is that so long as they do not enjoy self-government at home, their status abroad will be that of "second-class citizens," to quote a phrase of another Indian expert, Dr. H. N. Kunzru, president of the Servants of India Society.

India is accustomed to being told that Britain cannot interfere with the Union of South Africa, a self-governing Dominion, to prevent injustice to the Indian community there, 85 per cent. of which is South African born. The excuse does not satisfy her, because she remembers that, though the ill-treatment of Indians was given as one of the aggravating causes of the Boer War, we did nothing during the Crown colony period to remove the particular disabilities against which we had to protest to the Republican Government, but rather added to them. It is not unnatural, therefore, that we should be blamed in India for the steady deterioration that has taken place in the years that have passed since the Transvaal received self-government (during which Mr. Gandhi had gained the love and admiration of his countrymen even before his return to India in 1915) in the conditions affecting South African Indians.

But what possible excuse has this country to offer to India for first establishing, then maintaining over a period of thirty years, and now extending the area in which is operative in Kenya the administrative practice of excluding all non-Europeans from the ownership and occupation of agricultural land in the Highlands? When one recalls the tributes paid by Sir John Kirk, Lord Lugard, Mr. Winston Churchill, Lord Hailey, and other eminent authorities to the pioneer work of Indians in various activities that made possible the incorporation of Kenya in the British Empire and its subsequent development as a Crown colony, what base ingratitude it is to continue to tell Indians that not even the Aga Khan can own or occupy a square yard of agricultural land in the enlarged Highlands, though any European, worthy or unworthy, British or foreign, friendly or hostile, may do so. Nor is it any consolation to India to know that this discrimination is made by methods of administrative practice and not by statute. The race and colour bar is there, nevertheless, and, as Mr. C. F. Andrews has repeatedly pointed out, nothing has done so much to embitter Indo-British relations as this spectacle of Indian helplessness overseas and the seeming impotence of the Government of India to obtain redress from the home Government.

BOOKS RECEIVED.

- CENT PER CENT. SWADESHI OR THE ECONOMICS OF VILLAGE INDUSTRIES. (Navajivan Press, Ahmedabad.) 1938. 22cm. 212p. Re. 1-8.
- CONTEMPORARY NEW ZEALAND. A Survey of Domestic and Foreign Policy. (New Zealand Institute of International Affairs.) 1938. 22cm. 276p. 10/6.
- ORDEAL AT LUCKNOW. THE DEFENCE OF THE RESIDENCY. By Michael Joyee. (Murray.) 1938. 21cm. 396p. 8/6.
- THE BRITISH APPROACH TO POLITICS. By MICHAEL STEWART. (Allen and Unwin.) 1938. 20cm. 426p. 7/6.
- HIMSELF, THE AUTOBIOGRAPHY OF A HINDU LADY. Trs. and adapted by Katherine Van Akin Gates from a book written in the Marathi Language by Mrs. Ramabai Ranade.
- THE COLONIAL PROBLEM. An Economic Analysis. By GINSEPPE UGO PAFL. (King.) 1938. 20cm. 70p. 4/6.
- THE CONDITION OF BRITAIN. By G. D. H. and M. L. GOLE. (Victor Gollancz.) 1937. 20cm. 471p. 7/6.
- ELEMENTS OF THE INDIAN CONSTITUTION. By B. P. ADARKAR. (Swastik Publishing House, 6, Kalewadi, Bombay, No. 4.) 1938. 20cm. 110p. Re.1.

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