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Topics of the Week

Federation Prospects

THE time for the rulers of Indian States to express their willingness or unwillingness to accede to federation is up, but it was found by the end of the interval given to them that most rulers were still in two minds. A majority of them could only say: Yes, if this or that was done in their favour; or rather: No, unless the conditions were altered to their advantage. In this state of uncertainty the Viceroy could only extend the time within which the Princes are to give a final reply, and he has extended it till the end of September, and he hopes that within the next two months they will be able to give a categorical answer, yes or no, without any qualifications. It is also believed that he has given them to understand that they can in no case expect any radical alteration in the terms of the Instruments of Accession, implying that in minor matters there is room for improvement, understanding the expression in a sense favoured by them.

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The Princes, it is understood, have been told that if they choose to stay out of federation, they cannot expect by their abstention to hold up the progress of constitutional reform in British India; that if British India moves on to a further stage, as very likely it will, her pressure on them will be greater than now; that the Crown itself will be in a worse position to resist this pressure; and that the protection that the Crown can extend to them from outside if they are members of a federation will be more effective, apart from what they do can do for themselves from within, than if they were to stand aloof. All which points

irresistibly to the conclusion that the Princes have been strongly advised to join the federation. If this is what the Princes were told, there is only one thing that might have been made more explicit, viz. that the British Government will also be doing itself a good turn if it can bring about federation on the present lines. It will well serve the mutual interests of the Princes and the Paramount Power, though British India—but she is not to be considered.

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There is only one thing which stands out prominently from the *tete-a-tete* between the Princes and the Crown Representative or his agents as it has come to the ears of the public, which the leaders of British India should carefully note. They were told before that no responsible government would be possible for British India alone, never mind the Irwin statement which referred only to British India. This was in fact the lever used for getting British India to acquiesce in what she regarded as a very bad type of federation. That the lever did not in fact work quite as expected is another story. But now that there is unwillingness on the part of the Princes, it is being said to them: "You must be fools to think that British India's forward march can be stopped indefinitely for your sake. Federation or no federation, British India is determined to go ahead, and she will. From us you will now get better terms than from a self-governing India in future. Take them or leave them." If the proposed federation will help Princely autocracy and British bureaucracy, the lesson will not be lost, we hope, on the British Indian democracy.

* * *

Minimum Price of Petrol ?

IT is reported that at an interview which the Finance Minister of Bombay, Mr. Latthe, had with representatives of the oil companies which sell petrol in this Presidency that the Government contemplates bringing forward legislation for the purpose of fixing maximum and minimum prices of petrol. The proposed legislation arises out of the tax, which is already in force, on the sales of petrol. The Government's natural and laudable desire is to prevent, if possible, this tax being passed on to the consumer and to make the oil companies pay it out of their profits, as it has tried to do in the case of the electricity tax. The need for the regulation of the price of oil was clearly indicated by the Finance Minister in the Legislative Council in the following words:

For some time past the Government have been considering the question of controlling and regulating the prices of petrol in our provinces. We have reasons to believe that the prices are not really based on any reasonable data. They are, in some cases, at least

based on the conditions prevailing in the petrol market, and irrespective of taxation very high prices are in some cases recovered from certain areas in our province only because no other competing company can bring petrol to this area at a cheaper cost. All I can say just at the moment is that we have been investigating our own legal position in the matter. I do not feel any doubt that we have ample powers to control and regulate the petrol trade as we have been exercising the power of controlling the price of electricity or things of that kind, or as we are shortly to control the price of gas. In the same way we can take powers from the legislature to control the price of a commodity, of which practically there is a monopoly. That is a reference which I made only in order to show that we have been going into the question of making it possible for the public to be free from attempts at exploitation by those who hold control over the petrol trade, though it is not very closely connected with the Bill before us.

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If petrol trade is completely in the hands of a combine of foreign companies, it is difficult to understand how the Government can impose an effective upper limit on the price of oil. The companies will easily be able, one fears, to withhold a part of the supply and cause a serious block in transport on the plea that their supplies are diverted to other parts on account of the tax in conjunction with the limitation of the price. Till other sources are available, the Government may prove powerless to keep down the price, however desirable it is to do so. But assuming that a maximum limit can be made effective, what reason is there, it may be asked, for placing also a minimum limit on the price of petrol? The answer is furnished by the remarks that Prof. S. R. Davar made in the Council. He said:

I have always felt that there is a great deal of profiteering by these who import petrol. Petrol should be very cheap indeed, but the importers form a clique and keep up the prices. One enterprising Parsi started importing petrol from Russia, and the price of petrol in the market went down. Because that company sold at a less price, it did not go into bankruptcy. I should very much like that my hon. friend should take steps to see that the price of petrol is kept down as he levies the tax, as he has done in the case of the electricity duty.

Probably what the Finance Minister has in mind in fixing the minimum price is that a company such as that to which Prof. Davar referred, which may be able to sell petrol at a cheaper rate but which may be driven out of the field by the other companies lowering the rate still further in that tract and thus undercutting the new one, should be allowed to live and carry on its trade, thus offering some competition to the octopus concerns which encounter no competition at all at present. This result can be achieved by preventing these companies from reducing the price below that at which a rival company offers to sell its oil. The consumer does not suffer from pegging the price at that figure, as this price is already less than the price which ruled in the market before the competitor arrived on the scene. Since the attempted reduction in price is only for the purpose of snuffing out competition and since the rate is restored to the old level as soon as the competition is removed, it is obvious that the rate war does not benefit but only harms the consumer in the long run.

* * *

IT will be agreed on all hands that the monopolist companies' stranglehold on the users of oil must be broken by all possible means, but one may doubt whether the plan that the Government favours is best adapted to the end in view. The recognised mode of preventing unfair competition such as that which these companies indulge in would be to compel these companies, when they lower the price of petrol in one particular area with the only object of beating off competition in that area, to lower the price to the same level all over the province (allowing only for differences in transport charges) and further to compel them to keep the prices at that level over a sufficiently long period (here again allowing for any abnormal developments which can be proved to be beyond the control of the companies concerned). This would not involve any fixation of prices which, in the absence of any data, can only be arbitrary. Prices are left to be adjusted ultimately by competition; the State only comes in when the price is brought down in any area to a level which would be too low for a new competitor operating in that area to remain in business. Since the price would be lowered ostensibly on the ground that it is a fair competitive price, the State will be entitled to ask that the same lower price be maintained all over the province, making due allowance for local differences other than the non-existence of competition in other areas. This course entails minimum interference with the play of economic forces. Even this method will succeed only if the new rival has resources enough to hold out for some time; granting that it has no such resources nothing that the Government can do will be of any avail. If the Government feels strong enough to break the power of the oil cartel even to a small extent, it will have the warm support of every well-wisher of the country in any attempt that it may put forth in this direction which has a promise of success.

* * *

Relief of Indebtedness in C. P.

THE Government of the Central Provinces has announced the establishment of Debt Relief Courts in several places in accordance with the provisions of the Relief of Indebtedness Bill which was passed by the Assembly in April and which received the assent of the Governor-General this month. The Act provides for the scaling down of both principal and interest due from an agriculturist debtor (and agricultural labourers and artisans also come within the definition of "agriculturist" for the purposes of this Act). The scaling down is to be carried out in view of the fall in the prices of agricultural produce that took place in recent years and the process is to be applied only to those debts which were incurred before 1932. The Act is temporary, its duration being limited to three years, but during these three years the Debt Conciliation Act, which provides for a voluntary conciliation of debts as distinguished from the method of compulsory reduction followed in the present Act, will be under suspension, fresh applications for debt conciliation not being entertained by Conciliation Boards and all proceedings of the Boards being transferred to Debt Relief Courts in places where such Courts are established. The benefit of this compulsory reduction of debt will accrue only to those agriculturists whose debts do not exceed Rs. 25,000.

* * *

THE scaling down will be effected in two stages by the Courts. They will re-open all transactions made 12 years before the last transaction or before 1st January 1932, whichever is earlier. In taking account of interest on the loans, the Courts will allow interest at the following rate if the contractual rate is greater: 5 per cent. compound interest with yearly rests, or 7 per cent. simple interest on secured and 10 per cent. simple interest on unsecured loans. The rule of *danduput* will be followed in calculating interest, and this rule will be applicable only to arrears of interest and not to interest that has already been paid. If the loan was advanced before 1st January 1932, the Court will also reduce the principal. The scale of reduction will vary according to the date on which the loan was advanced. It will be 30 per cent. if the loan was advanced before 1925, 20 per cent. if the loan was advanced between 1926 and 1929, and 15 per cent. if the loan was advanced in 1930 or 1931. It is claimed that this scale is not arbitrarily fixed but follows closely the fall in the prices of commodities and in the values of land. The Revenue Minister, Mr. S. V. Gokhale, said: "The figures of price index for Nagpur and Jubbulpore districts show that during the last 10 years the respective index figures have gone down from 96 to 60 and from 93 to 57. Similarly, in regard to private sales the figure shows a variation from 19 per cent. in 1932-33 to 38 per cent. in 1936-37 in the Central Provinces and in Berar; it shows a variation from 22 per cent. to 43 per cent. during the same period." From the debts thus subjected to a process of scaling down are to be excluded debts due to co-operative societies, banks, etc.

AFTER the debts are thus scaled down, the Courts are to draw up schemes for the repayment of the debts. If the debtor has any property which he is willing to transfer to his creditors, the Court may allow such transfer under certain conditions. The debt that remains after this transfer or the whole debt in case of a debtor who has either no property to transfer or is unwilling to transfer it, may be ordered by the Court to be paid in instalments. In fixing the instalments the Court shall have regard to the extent of the transferable

property in the possession of the debtor and his paying capacity to be determined by rules made by the Provincial Government in this behalf." It is provided that, in case the land revenue or rent payable by a debtor is suspended or remitted in whole or in part, the instalment due from him shall also be automatically suspended. Such a provision is also inserted by an amendment in the Debt Conciliation Act. Except for such suspension, the instalments as fixed by the Court must be regularly paid; otherwise they will be recovered as an arrear of land revenue. The sums thus recovered will be applied towards the repayment of instalments, either in whole or rateably, on the debts due. The Bill also provides for a review by the Courts of the instalments fixed by the Debt Conciliation Boards if such instalments are too high; and if, in the opinion of the Court, the instalments are beyond the repaying capacity of the debtor the Court may readjust the instalments so as to bring them within his repaying capacity, without affecting the total amount payable by him.

THE Relief of Indebtedness Act is thus intended to supplement and not to replace the Debt Conciliation Act. Its object is to liquidate all debt which has become irrecoverable. The Government seems to be alive to the reaction which may follow in the form of restriction of credit and is apparently contemplating measures to reduce its effect. But relief of the debtor from debt which is beyond the debtor's ability to pay is the first necessary step, in the Government's opinion, to the taking of these measures. In this connection the Revenue Minister remarked: "I am conscious of the shrinkage of credit. To provide cheap and easy credit, forgetting the heritage of the old debts from the past, ultimately ruins the debtor. So where, in total disregard of past indebtedness, attempts were made to create cheap credit facilities by pushing on the co-operative movement, those attempts failed to relieve the peasant of his old debts. The burden of debts only increased in proportion to the increasing credit facilities. Thus redemption of old debt is the fundamental condition precedent to the launching of any scheme of rural reconstruction."

HYDERABAD REFORMS

THE present political constitution of the Hyderabad State is so unregenerate that any change must necessarily be an advance. It is only in that sense that the new Constitution announced on the 19th July is an improvement. But, judged by its approximation to the goal of political evolution or to the more modest immediate requirements as formulated by the progressive and yet realist of the politically-conscious people of the State, it is most disappointing and in some respects very reactionary.

Public interest naturally centres on the political philosophy underlying the new constitution and the composition and powers of the legislature and its relation to the executive. The goal of politically-minded India is responsible government both in British India and the Indian States. It has been accepted by the British Government for

India. The Indian Princes themselves stipulated at the first Round Table Conference that they would join British India in a federation only if the central government was made a responsible government. The subjects of the Indian States, including those of Hyderabad, have, through their various organisations, been demanding responsible government in the States. Some Indian States have already accepted responsible government as the goal of their political evolution. And now comes along the Hyderabad Government to assert, and rub it home, that unmitigated autocracy shall continue to be the political philosophy of the State! With amazing effrontery the Iyengar Constitution Committee and the Hyderabad Government have thus formulated the fundamental law of the Hyderabad Constitution:

The Head of the State represents the people directly in his own person, and his connection with them, therefore, is more natural and abiding than that of any passing elected representative. He is both the supreme Head of the State and an embodiment of the People's sovereignty.

If the Government was not willing, as is apparent now, to accept responsible government as the ultimate goal, they might at least have refrained from making any positive statement on the subject and professed that the discussion of political philosophy was not essential to the practical politics of the day. But the unabashed avowal of the philosophy of unmitigated autocracy in the person of the Nizam is so provocative that it is a challenge to all progressive thinkers to repudiate it in the most emphatic and effective manner possible.

Under the new Constitution the size and the powers of the legislature are enlarged. At present there are 4 elected members in a Council of 21 members. Under the new Constitution, there will be 42 elected members in an Assembly of 85 members. The new legislature will have power to discuss, but not vote on, the budget, and to move resolutions and bills and ask interpellations, but not ask supplementary questions, on matters of public interest, subject to certain limitations. These limitations are that in certain matters the members of the Legislative Assembly may initiate proceedings without the previous sanction of the Government; in certain others, they can do so only with the previous sanction; while they may not at all discuss yet another set of subjects. It is worthy of note that among the last category is included the question of the State language, which is now Urdu! The Legislative Assembly is to be an advisory body and the executive is not responsible to it in the least.

The most conspicuous departure from the democratic tradition is the abandonment of territorial constituencies in favour of so-called "economic interests." The relative merits of representation by territorial constituencies and by "economic interests" is still a matter of speculation by political philosophers. The historical fact that the functional system was evolved by the fascist State of Italy under Mussolini does not recommend it to the democratically-minded people. In any event, it is not what the people in Hyderabad asked for. In this matter again, the Government have rubbed the people the wrong way.

The recognition of only 13 categories among "economic interests" and their relative representation in the legislature is neither comprehensive nor equitable. It is hard to find the basis for the limited classification of "interests" or the uneven allotment of seats.

The most objectional feature of the new Constitution is the position allotted to Muslims as such. The Muslims form about 11 per cent. of the population, while the Hindus form 87. The Muslims claimed that they should have a majority of seats and by separate electorates. The Iyengar Committee recommended representation by functional, instead of territorial, constituencies in order to recommend joint electorates and avoid separate electorates and weightages and other "safeguards." The Government, while nominally favouring joint electorates, have, however, introduced separate electorates by insisting that a Hindu or Muslim candidate should secure at least 40 per cent. of the votes of his community in a functional constituency. While the Iyengar Committee did not fix any definite number of seats to be reserved to Muslims as such, the Government have decided that the Muslims shall have 50 per cent. of the seats. This proportion is to apply to the 14 nominated seats as well. Considering that the great majority of the 7 members of the Government are inevitably bound to be Muslims, it follows that Muslims, who form but 11 per cent. of the population of the State, will have an absolute majority in the Legislative Assembly. And the Hindus, who form over 87 per cent. of the population, will have less than 50 per cent. of the total strength of the Legislature, for the representation of Christians and Parsees has to come out of the 50 per cent. non-Muslim seats.

Here, too, the Government have gone about the business in the most untenable and offensive manner possible. They have attempted to buttress their partiality for the Muslims by inventing a justification for it. They say:

The importance of the Muslim community in the State, by virtue of its historic position and its status in the body politic, is so obvious that it cannot be reduced to the status of a minority in the Assembly.

The new Constitution is but an affirmation of Muslim theocratic autocracy in Hyderabad. It is calculated to promote conflict rather than concord.

SCRAPS OF PAPER

IN the previous issue we have seen how there was no case made out for the enactment of the restrictive clauses of the Asiatics (Transvaal Land and Trading) Bill, which is now an Act. They are *reactionary* inasmuch as they take away from the existing rights of Indians. The Minister professed that his intention was merely to "peg" the existing situation and no more. In reality, the Bill worsens it. It has already

been stated that there was never any prohibition of *occupation* of land, other than proclaimed land, in the Transvaal, and the Murray Commission has testified that such occupation was not opposed to the letter or the spirit of any law. Now the present Bill prohibits any *new* occupation. It takes away an existing right. Further, as Messrs. Hofmeyr and Blackwell pointed out, prohibition of all new occupation will confine within existing

areas the normally increasing Indian population, and accentuate over-crowding and cause real hardship in an increasing measure.

The Minister replied that he had taken power under clause 4 to give relief in special cases. He was repeatedly asked by Mr. Hofmeyr to give an assurance that he would use his discretionary power "in the spirit of the last section of the uplift part of the Round Table Agreement dealing with trading licenses, and having due regard to the necessity of providing for the annual increase of the Indian population." It will be recalled that the Cape Town Agreement, among other things, called for the relaxation of the restrictions on Indian trading. The Minister replied :

The hon. member for Johannesburg (North) (Mr. Hofmeyr) wants me to say whether I will carry out clause 4 in the spirit of the 1927 statement as confirmed in the 1932 statement. Now I have read that statement; it is the kind of windy statement so dear to the hearts of my two predecessors. I don't mean that in any nasty sense, but I mean it in the sense that the ordinary man does not know exactly what all these words mean. There are words and words and words, and as far as I can take it, what it means is, you shall give these fellows a fair deal provided that in doing that you don't give anybody else an unfair deal. That is the spirit in which I shall carry out clause 4, but if you ask me to give you a categorical statement that I am prepared to stand up to every line of that statement and to accept the interpretation of either of my two predecessors, I say, no. I cannot.

But this is not all. Far from maintaining the *status quo*, as the Minister professed, the Bill threatens to worsen the existing position of the Indians. The Minister agreed with Mr. Blackwell that by "pegging" he had meant that "all existing businesses are to be protected, but no new businesses are to be allowed to come into existence." Under the trade licensing laws of the Transvaal, however, an *existing* business ceases to be so if it changes its manager or a partner or moves from one place to another—changes which, as Mr. Goldberg remarked, are ordinary rights that accrue to any trader. Thus, under the licensing laws, every such change makes a new business of an old one, and under the Bill no new business is permitted, except with the permission of the Minister, who is not bound to give it in all cases. In practice, the Indian who wants, for instance, to change the name of his business, has to do so without knowing in advance whether the Minister would give his permission or not. As Mr. Goldberg said :

He is called upon to take this step when he does not know the ultimate fate of his application. The Minister, influenced perhaps by the statement that there has been a great deal of evasion, may refuse to sanction the change of name, leaving the applicant in this position, that he has done what is open to any commercial trader, and notwithstanding that, he suffers the possibility of losing his license. He has got to take the step first and then find out whether it meets with the approval of the Minister. The

provision in section 4 does not enable him to test the view of the Minister on any such proposed step. If that were the case, if the Minister did not sanction the proposed step, the man could forego it; but he has to take the step first at the risk of losing his license. That should indicate to those who attach so much importance to the safeguards in this Act by virtue of section 4, how little in fact there is in such a safeguard.

Mr. Burnside lifted the veil when he said :

I realise the hypocrisy of stating that this Bill is intended to peg down the existing position, whereas among the reactionaries it is realised that it contains all the possibilities and probably all the probabilities of reducing to a very considerable extent within the next two years Asiatic licenses before any kind of conference is held with the Indian Government, if such a thing can ever be held.

This contingency of *reducing* the trading licenses of Indians had not escaped the attention of the Minister when he said that his object was to peg the existing position and to protect existing businesses. He had counted on the licensing laws to bring about that effect, for he declined to accept an amendment to the effect that a mere change of name or management or partnership should not be a change in the existing business, needing his special permission to continue. He opined that that would not be "pegging" the existing position. Since the ulterior motive of the Minister was to prevent the occupation of *new* areas by Indians and so facilitate ultimate segregation, it is easy to understand why he wished to prohibit any change of *place* of existing business to an area not hitherto occupied by Asiatics. But there was no need to penalise changes in managership or partnership or of place within areas already under Indian occupation. They do not create new businesses.

Furthermore, as Messrs. Hofmeyr and Blackwell pointed out, the Bill abrogates certain *positive rights conferred* on certain Indians by the law of 1919. As a consequence of the Gandhi-Smuts Agreement of 1914, the Act of 1919 condoned all illegal occupation of proclaimed land by Asiatics and protected their "vested rights" as defined by Mr. Gandhi. That definition, which was embodied in the Act of 1919, said that an Indian was free to *shift his place of residence or business within the same township*. The present Bill, by a special clause, prohibits even such limited change of place of business without the permission of the Minister. This is a positive infringement of a vested right granted by Parliament in 1919. The Minister defended it on the ground that, while he was taking away the right of unrestricted occupation of unproclaimed land which all Indians had ever since they had been in the Transvaal, he was not going to respect the more limited right of free movement, within the same township on proclaimed land, of Indians who had once been guilty of violating the law and were subsequently condoned. It was unfair to protect a minor right while taking away a major one.

The critics of the Act also contended that it was a violation of the Cape Town Agreement, which was still in operation and had not been terminated. Dr. Malan, who suggested at the third reading that the Agreement should be terminated, admitted however that it was at the moment in operation. Nobody was prepared to assert that the Agreement was not then in operation, though Mr. Nicholls from Natal charged the Government of India with having failed to carry out its part of the bargain and opined that in consequence the Agreement had lapsed. Messrs. Hofmeyr and Blackwell reiterated that as long as the Agreement was in operation, such legislation was wholly out of order.

Dr. Malan suggested that the Agreement did not stand in the way of anti-Asiatic legislation, for in announcing the Agreement in 1927 he had stated that the Union Government did not surrender its liberty to deal with the Indian problem by legislative means as and when it thought fit, Mr. Blackwell countered this argument. "As long as that Agreement stands," he said, "we are in the position that we have agreed not to legislate in a harsh and oppressive manner against the Indian" and he called specific attention to the subsection of the uplift section of the Agreement which referred to the relaxation of restrictions in the licensing laws. He then continued:

If language has any meaning at all, it means that so far from the licensing laws that existed in 1926 being made harsher in their operation on the Asiatic community, they should be made lighter. But here we have a Minister admitting in effect that this Bill is intended to act more harshly on the Asiatic community.

The Minister evaded the issue, and took cover under the proviso to the Agreement which said:

It is difficult for the Union Government to take action which is considerably in advance of public opinion.

He said that Dr. Malan left the uplift clause severely alone because he was not prepared to act in considerable advance of public opinion, and Messrs. Hofmeyr and Blackwell wished the Minister to take action much in advance of public opinion, and he himself wished to push on a little ahead of public opinion, and that it was all a question of interpretation! He thus fenced the direct question whether his Bill was or was not in contravention of the Cape Town Agreement.

While suggesting that compulsory segregation was the only solution of the Indian problem in South Africa, the Minister contended that the Bill under consideration did not commit anybody to the policy. At the second reading of the Bill on the 4th May he said:

Now I want to emphasise that this Bill is purely an interim measure, and it does not prejudice the main issue in any way or in any direction.

Not without misgivings on the subject, Mr. Hofmeyr repeatedly underlined this statement of the Minister in order to peg him down to it. He said:

Because this Bill is so clearly interim legislation, it cannot be regarded as committing the House to the acceptance of the principle of segregation based on legislative compulsion. The Minister said this Bill is purely an interim measure. It does not prejudice the main issue in any way or in any direction. This Bill, therefore, does not commit the House in any way to the principle of segregation.

There were other members, however, who realised that the Bill did prejudice the issue and commit the House to a policy of legislative segregation. Mr. B. J. Schoeman, an ardent segregationist from the Transvaal, supported the Bill precisely because it not only held up the Feetham resolutions but it embodied "an entirely new principle"; for the first time it segregated the Asiatics on non-proclaimed land in the Transvaal. Speaking from the opposite point of view, Mrs. Ballingers said:

I am entirely opposed to the further classes for the reasons which the hon. member for Fordsburg (Mr. Schoeman) advanced for his support, viz., that they introduce a new principle into our methods of dealing with non-Europeans, and let me say I fail to follow the careful reasoning of the hon. member for Johannesburg (North) (Mr. Hofmeyr) in the matter. He faced the fact that the implication of the clauses in this Bill amount in actual fact to segregation, but he agrees to support the Bill because, he says, the Government is not explicitly committed to segregation... I feel that if the Government takes its stand on what is in effect a segregation measure, it has, in spite of the assurances of the Minister, prejudiced the issue. The issue is fully and completely prejudiced by the assumption in this Bill... I maintain that no interim legislation should prejudice any future consideration of an issue when it is considered, by laying down certain new principles in regard to that issue.

Mr. S. C. Quinlan of the Transvaal, who supported the Bill and claimed credit to his party for it, admitted that Mrs. Ballinger's view was correct. He said:

For the first time in the Transvaal in rural areas we are discriminating against Asiatics because they are Asiatics and for no other reason.

Later in his speech, he said:

There has never been any discrimination against the Asiatics in rural areas... Then if there is room for a license, as the law stands today, there is no discrimination on account of colour, and the magistrate must grant the license. This Bill terminates that, and for that we are taking credit.

Thus, notwithstanding the Minister's protestations to the contrary, and Mr. Hofmeyer pinning down the Minister to his protestation, it is beyond doubt that compulsory segregation is today in operation even in the rural areas of the Transvaal, and the issue of segregation has been prejudged already.

P. KODANDA RAO

THOSE XB ENGINES

IT will be recalled that a railway accident of an almost unprecedentedly serious character during the last 30 years or so in Indian railway history occurred on July 17, 1937, near Bihta on the East Indian Railway involving not only extensive damage to rolling stock but, what is more deplorable, the loss of as many as 107 souls, and injury to 117 persons serious enough to detain them in hospital, while an undisclosed number sustained injuries which did not necessitate such detention. The Hon'ble Sir John Thom was appointed to enquire into and determine the cause of the accident. As a result of this enquiry, Sir John recorded his opinion and conclusions as follows:

From the evidence it is abundantly clear that the (XB) engines have been even as modified and improved far from satisfactory. The Superintendent of Power, Dinapore, admitted in evidence that he wished they were "dead and buried." The Chief Operating Superintendent noted his view that their purchase was not justified. The Divisional Superintendent of Dinapore in March 1936 in his letter Exhibit 277 declared that they were obviously faulty in design. They have continued to hunt and to distort the track; they have been involved on the East Indian Railway in three accidents; they have been involved in accidents and given trouble on other Railways. In these circumstances, I am of the opinion that in the interests of the public the design, the purchase and the continued purchase of these engines should be the subject of a thorough, searching and independent enquiry. (Para. 182.)

I now record my conclusions.

I find:—(1) That the derailment of the 18 Down near Bihta on July 17, 1937 resulted from distortion of the track which was caused by XB class engine No. 1916 running at excessive speed and hunting, and

(2) That the accident is directly attributable to negligence on the part of the Railway Company, and the Railway Company are accordingly liable in damages to those who were injured and the dependants of those who were killed in the accident. (Para. 183.)

In pursuance of the recommendation made at the end of paragraph 182 above, the Government of India appointed a Committee consisting of four Europeans from abroad and one Indian. The results of the labours of this Committee have now been published in the form of a report. This contains a bewildering mass of information and discussion, largely of a technical character, which will probably frighten the layman out of reading it and will possibly also confuse outside technicians with a similar result.

In describing its activities the Committee states that "During the months of July and August, 7 meetings were held in London, and 10 persons in all were interviewed, including representatives of Consulting Engineers and certain serving and retired officers of Indian Railways." We wonder whether these included Sir Guthrie Russell, Chief Commissioner of Railways, who was probably then in London on leave and also Mr. D. M. S. Robertson, a former Head of the Operating Department on the E. I. Ry., who, though deeply involved,

did not appear to give evidence before Sir John Thom as he was permitted, strangely enough *after* the accident, to leave the country on leave preparatory to retirement.

On arrival in India the Committee toured the country for six weeks from 2nd September till 14th October, 1938, and interviewed 63 officers, representing the Railway Board, the Central Standards Office, and the nine Railway Administration concerned. The Committee state: "The limited time available and the circumstances of the investigation made it impossible to record verbatim the proceedings of the 36 meetings and of the many other discussions which we held; but, so far as was practicable, agreed notes were made of all important statements." We find nothing in the Terms of Reference fixing any time limit. We consider it unfortunate that the public has been denied the advantage of a verbatim record of the proceedings and is now asked to accept in substitution what is perhaps euphemistically called "agreed" notes of all important statements. Our experience of a verbatim record is—cf. Acworth Committee's Report, 1920-21, on the future administration of Indian Railways—that the evidence is no less an important part of the report. It not only reveals many unknown truths but also many irregularities and many wild notions held by different witnesses which cannot all find a place in the report proper. But perhaps the explanation of this action or inaction is to be found in a later paragraph (No. 49) where the Committee says: "Having regard to the mass of information before us, the references must necessarily be brief, and this is emphasised because we do not wish any of the matter recorded to be misinterpreted, or to give rise to unnecessary criticism and contention." In addition to the denial of record of evidence, the public was also denied the advantage of even a public hearing of the evidence. No reason is assigned for what looks very much like hush-hush policy. If, however, the report itself was worth publishing, it is not clear why the evidence on which the report was to be based was not, with equal propriety, thought fit to be heard in public. This was all the more necessary if the Committee had themselves decided not to take down this evidence so as to permit of its being published, but to content themselves with merely 'agreed' notes and expect the outside public here who are vitally interested in the matter to be equally contented without either the evidence recorded by them or the "agreed" notes of the evidence being published. We do not also quite understand the significance of the sentence, "we are satisfied that generally no preparations were made to present conditions, either in respect of engine or track, in an unduly favourable light." Is it a compliment to the honesty or to the intelligence of the people in whose power it was

to do otherwise, i. e., to present conditions in an unduly favourable light?

The subsequent paragraphs of Chapter I are calculated to impress or oppress the layman with the tremendous difficulties attending a delicate balancing of all the forces coming into play and demanding to be taken into consideration when a locomotive engine—mind you, not a mere power-unit such as a stationary engine forming an item of Workshop Plant—acts as a *vehicle* and governs and is in turn governed by the track on which it runs. We may have something to say about this later.

Chapter II purports to give a history of Pacific Locomotives in India. It is based on information obtained by the Committee from a number of sources, chiefly the Railway Board, the Consulting Engineers and the Administrations, and is intended to depict the circumstances in which this type of locomotive was brought into use in India. This history does not stop at the date—10-12-1925—when the Railway Board authorized the purchase of the first lot of 68 locomotives but goes much further down to a more recent date until the conclusion is reached that, "if the matters on which we have been asked to report are to be viewed in their proper perspective, it should be borne in mind that the planning of the X class Pacific engines, and their operation and maintenance belong in effect to two different periods of financial outlook." We are not concerned with what happened subsequent to the placing of the huge part-order of 68 locomotives. Right upto February 1924 the Railway Board insisted that arrangements should be made "for two engines of each type or classes of a type to be built for each administration requiring them, and these engines should be thoroughly tried out for at least two years." The introduction of six preliminary Pacific engines (the precursors of the X type engine) was allowed for trial purposes, and the Railway Board accordingly refused to permit the Railways concerned to purchase more than two, pending trial for at least a year.

It appears from paragraph 30 of the Report that the specification and diagrams of the XB type engines, of which 30 were authorized in December 1925, were largely based on the information available regarding the first four British built Pacifics, which by then had been constructed, but had not even reached India. Thus the type was decided upon without waiting for the results of an actual trial of the first four British built Pacifics.

It is not clear from the Report why the two faithful and reliable pilots of sanity and prudence who were with the Railway Board up to February 1924 were suddenly dropped by the latter and what new dangers had made their sudden appearance on the horizon between this date and December 1925 to precipitate a huge part-order of as many as 68 X type locomotives without

previous trials. In paragraph 185 they observe: "It should be borne in mind that previous instances were not lacking of bulk purchases of new types of locomotives for India without previous trials." The Committee have not specified any instances to prove that the previous bulk purchases without trials related to engines in connection with which, as in the present case, "there appears to have been lack of appreciation regarding the design as a vehicle" (i. e., as a locomotive as opposed to a stationary engine) or in connection with which the design could be described (or perhaps condemned) as of 'border line nature.' We are not much impressed by the laboured extenuations offered in Chapter II, and in Chapter VIII beginning with paragraph 180 which conclude with the remark, "It can hardly be said, in view of what we now know to be the state of knowledge at that time, that adherence to their policy (of trial before bulk order) would have materially altered the conditions of operation which have led to this Inquiry." It is technical experts alone who can indulge with impunity or with comparative freedom from contradiction in such cheap retrospective prophecy in regard to engines built as power units rather than as vehicles and that to a design described as of 'border line' nature.

In this connection we desire to invite attention to the fact that in no portion of the Report—not even in the professedly historical portion of it—is any reference made to the proceedings of the Imperial Economic Conference in which Sir Charles Innes—Member of the Viceroy's Executive Council in charge of Indian Railways—is reported to have held out hopes that something like 70 million sterling would be spent on imported stores during the quinquennium ending 1929-1930 for the Railways and other development schemes. He added:

As in the past, so in the future, I have no doubt that the skill and enterprise of the British manufacturer will see to it that the vast bulk of their moneys will be spent in this country. . . . I do not mean to suggest for a moment that we have embarked upon our development programme in order to help His Majesty's Government in their present time of trouble. . . . The Government of India are very anxious to co-operate in whatever measures may be necessary, consistently with the interests of India, to relieve unemployment in the United Kingdom, and they have expressly authorised me to say that, with this object in view, they will endeavour to push on the execution of schemes which are projected or are in progress and which will involve considerable purchases outside of India. . . . We are prepared to examine such schemes as we have got in hand and to see whether they can be accelerated or expedited.

Prof. Sapre in his *Economics of Agricultural Progress* writes that, curiously enough, the period of our requirements of foreign materials somehow or other coincides with the period of unemployment and industrial depression in England. But, as Sir J. Thom would say, the arm of coincidence is long! This aspect of the question was also em-

phasized by Mr. K. C. Neogy during the general discussion of the Railway Budget for 1927-1928. By November 1929, before the end of the quinquennium referred to above, the Railway Board had already authorized the purchase of as many as 245 X type engines. The Pacific Locomotive Enquiry Committee say that the engines were designed and the Railway Board was "committed" to obtain them in large numbers at a time when the spirit of optimism was abroad and ideas of development were expansive. This appears

to us to be poor defence, and we still find it difficult to resist the conclusion that at the back of all this indecent haste in purchasing these high-powered engines built to undigested design was the anxiety to oblige the British manufacturer and favour the British unemployed. If, as is probable, the Railway Board is the precursor of the higher-powered Railway Authority to be established under the Government of India Act, 1935, we honestly dread its advent when it does occur.

"NEW ORDER IN THE EAST"

IT has become manifest for a long time that the blockade of the British Concession in Tientsin by the Japanese Army has a much wider objective than to starve the Concession into submission to the immediate demand that the four Chinese accused of murdering a customs official appointed by the Japanese-sponsored "Provisional Government" be surrendered to the Government for trial. Even if the objective were limited, the demand could not possibly be acceded to. The British authorities in Tientsin have very rightly refused to hand over these four suspects until a *prima facie* case was made out to prove their guilt. They even offered to submit the matter to an international advisory committee and to accept beforehand whatever conclusion the committee might arrive at. But the Japanese authorities in Tientsin would neither produce sufficient evidence against the accused nor agree to the judgment of an independent committee. For Britain to agree to the surrender of the accused, whether they are innocent or guilty, would amount to a recognition on her part of Japanese sovereignty in China, and however weak-kneed her policy in the East may be, she is not yet prepared for so much loss of face as to acknowledge to the world that she is willing to give *de facto* recognition to Japan's conquests. Her attempt, therefore, is to do everything in her power to localise the issue by giving assurances to the Japanese Government that she would maintain order and prevent hostile acts on the part of the Chinese in the Concession.

But the Japanese have not concealed their determination to drive Britain out of China unless she becomes their active or at least passive ally in their subjugation of the Chinese nation. Military commanders have already formulated their demands, and these are of a sweeping nature; but the British Government has so far taken comfort in the fact that the Japanese Government has not yet formally endorsed them. But unless Britain is wilfully blind to facts which leap into everyone's eyes, she can derive very little comfort from the Japanese Government's reserve. For the Prime Minister of Japan, Baron Hiranuma, stated as early as April last

what Japanese policy was in regard to foreign Concessions. He said that Japan would not interfere with the economic activities and interests of third Powers in China only so long as Japanese national defence was not threatened thereby, and it is the opinion of all Japanese now that, in the present state of the Sino-Japanese hostilities, Japan's defence is seriously jeopardised by the existence of these third Powers, and particularly Britain. The Japanese Prime Minister's statement was quickly given an official interpretation by the Government-controlled press that it was the intention of Government to bring drastic diplomatic pressure to bear on Britain and other Powers known to sympathise with the Chinese National Government of Marshal Chiang Kai-Shek. It is obvious that in Tientsin this diplomatic pressure is being exercised, and it will be exercised in a greater measure and in a more open manner at the Anglo-Japanese Round Table Conference that has opened in Tokio. It aims at the elimination of foreign interests in China and through it at the establishment of Japanese hegemony over Chinese territory. The spokesmen of the Japanese Army have in fact already demanded British co-operation in the construction of "a New Order in East Asia," which has been interpreted as Japan's domination of China, by the abandonment of a "pro-Chiang Kai-Shek" policy. They have demanded British co-operation in their plans to end Chinese national resistance, foreign support for the puppet Governments they have set up in China and the end of foreign financial aid to the Chinese National Government.

This last question of foreign financial aid to China may be dealt with here at some length as at the moment it forms the crux of the situation. Last year the Japanese-controlled Provincial Government of Peking established a Federal Reserve Bank and declared this Bank's dollar notes to be the legal tender for North China. These notes were valued at 14d. a dollar, but being inconvertible except into the paper yen, which itself is inconvertible, and not being backed by a sufficient specie reserve, they have no exchange value. The Japanese Government is wholly unable to force

these notes into circulation, and that is because of the existence of the Tientsin Concession, an enclave into which, being beyond the reach of the Japanese Government, Chinese merchants have flocked and in which they have accumulated their wealth. The Chinese dollar has held its own against the F.R.B. dollar, owing mainly to the financial backing of the British banks and to the £5 million guarantee of the British Government to the Chinese Exchange Stabilisation Fund. This financial aid was forthcoming from Britain primarily with a view to protecting British commercial interests; it had very little to do, if at all, with the desire to help the National Government of China. But it has had the indirect result of enabling the national dollar to keep its end up and through it of enabling the National Government to prolong its resistance to Japanese aggression. The Japanese had hoped, and hope still, to undermine the economic and financial position of China by ruining her dollar, and thereby to establish first a commercial and then a political stranglehold over her. They are themselves in such financial straits that they cannot possibly continue the war for long unless they obtain foreign exchange which it was their hope to obtain through the F.R.B. dollar. But all these schemes have, at any rate for the present, gone awry. The Chinese dollar, which stands at 8d., is the currency in actual circulation, and it has helped the Chinese Government to some extent not only in defeating the trade control schemes of Japan but also in putting up a stiff resistance to her brutal aggression.

Abandonment by foreign banks of the Chinese dollar in favour of the paper currency of the F.R.B. is a demand which, if granted, would infringe the rights not only of Britishers but of all foreigners, guaranteed to them by the Open Door policy and the Nine Power Treaty, and this is the point that is emphasised in the statement issued by the British Foreign Office on 6th June. This was done with the object of enlisting American support. It is out of the question for Britain to engage in naval action against Japan in the present circumstances. All that is open to her is to employ economic sanctions like severance of trade relations, and in this U.S.A. can give most substantial assistance. American trade has suffered almost as much as British in North China; and U.S.A. has a very large stake in that country. But if the issue is merely one of protecting interests of trade and finance, it would be

extremely difficult for Britain to persuade U.S.A. to fall into line. What would possibly persuade her to do so is to take up the fundamental question of Japan's aggression against China. Her co-operation might be secured in such a cause, but not in what looks very much like "pulling British chestnuts out of the Oriental flame." And how much can Great Britain and U. S. A. together do to stop Japan's march in China by taking purely economic measures! They account between themselves for 70 per cent. of Japan's total trade, and if they refuse to trade with her she will be unable to get the wherewithal to buy war materials required for putting her expansionist policy in force.

What is morally much worse than general trade which indirectly helps an aggressor country, Great Britain and U.S.A. themselves supply a large part of strategic raw materials or war materials to Japan. Mr. A. Edwards said in the House of Commons on 3rd April:

If the English-speaking peoples stand together, then, in view of the supplies of raw materials which they control, it is not possible for any combination of Powers to make war for any length of time. Why should we not at least consider the question of controlling our own supplies of raw materials? It seems almost providential that they happen to be in the control of the English-speaking peoples. We have 75 per cent. of all raw materials controlled by the British Empire, and yet we have to see nations building up vast armaments with which to threaten the entire world just because we will not say: "If you behave like this we shall not let you have the materials with which to build up these armaments."

America has taken a stand in refusing to allow certain materials to go abroad. What was the situation in America last year? The President was sending Notes to Japan protesting against the brutal murder of the Chinese people; the American Red Cross was sending cargoes of medical equipment to succour the wounded Chinese; and at the same time the industrialists were sending cargoes of munitions to Japan to keep up the supply of wounded Chinese. That is happening also in this country.

If American help is essential, as undoubtedly it is, the British Government would be well advised not to shove the fundamental issues into the background as it is trying to do, but to force them into the foreground and to meet them squarely. Japan has already raised them, and Britain must be ready with her answer. Moral considerations may not weigh much with her; but the Japanese attack on her material interests also dictates the course suggested by these considerations. She can starve Japan militarily. Will she?

THE COMMUNAL AWARD ! AND ITS AFTERMATH

IT was on the 1st October, 1906, when Lord Minto received a deputation of Indian Muslims that the British Government, through the Governor-General, committed itself to the demand for separate communal electorates. It is

now known that the deputation was not altogether spontaneous and that the inspiration had really come from Simla. It is held by national India that the Home Department was aware that the reforms were bound to come and that it sought to

counter them by creating division between the two largest communities in India. The position of the unofficial Englishmen was summed up in the statement: "If Hindus and Muslims unite, where should we be?"

Lord Morley, in his celebrated despatch of 1908, tried to minimise the evil by suggesting joint electorates with reservation of seats, but agitation against his proposal was immediately engineered in India. The Government of India found this proposal unacceptable and defined its policy on the question through Sir Herbert Risley, one of the ablest and most reactionary of officials. In the Mussalman community men were not wanting who aimed at securing an advantage to their community by organising communal agitation against the proposal of Lord Morley and thus strengthening the hands of its official opponents. This opposition found spokesmen in the House of Commons, the most conspicuous among whom were the Earl of Ronaldshay, the present Lord Zetland, and the late Sir William Joynson-Hicks, afterwards Viscount Brentford. Lord Morley had to yield, probably because he felt that if he resisted his bill would be wrecked in Parliament.

The Montagu-Chelmsford Report discussed the principle of separate electorates fully and accepted it. On the plea of securing just representation to all communities, this pernicious system, so destructive of Indian nationalism, was recommended by the framers of the present Indian constitution. It was in reality the decision of the British Government. It was very unfair to the Hindus and most so to the Hindus of Bengal and the Punjab, where they form minorities. Sir Samuel Hoare, the then Secretary of State for India, thrust the communal award on us. Following in his footsteps, the Viceroy-in-Council gave a communal award with regard to recruitment to the public services.

The acceptance of the principle of separate electorates by the Lucknow Congress, probably in the hope of winning over the Muslims, might have been a good move from the point of view of expediency, but I contend that it has produced evil consequences of a far-reaching character, and no one can say to-day to what further evil it will ultimately lead. It is likely that if, from the beginning, a national organisation like the Congress had put up a vigorous fight, we would have, if not joint electorates, at least something which, though a sort of compromise, would not have established the cleavage among Indian nationals we see in our country to-day.

We in India are reaping to-day the fruits of this most objectionable of political measures. I propose to deal with the evil effects of this measure in some only of its many aspects.

TYRANNY OF THE COMMUNAL-MINDED MAJORITY

One of the most objectionable effects of the Communal Award has been that separate electorates have made it feasible for many people to

get into the different legislatures by appealing to or rousing the communal passions of the groups from which they come. In order to ensure political support, such people have been compelled to make large promises which they are trying to carry out. Naturally, there is a difference of opinion between these narrow-minded people, whose only aim is the immediate benefit of the groups they represent, and the more liberal-minded, who would advance the country as a whole.

This clash of opposing ideals has taken many forms. The one proposed to be dealt with here is the tyranny which is exercised by the majority over the minority when the former desire to carry through their plans without paying any heed to the protests of the latter.

Where the majority community is unreasonable and is determined to break down all opposition, it can, if it so desires, prevent discussion of controversial matters in public meetings. For instance, the Calcutta Municipal Amendment Bill, which has lately gone through the Legislative Assembly and the Legislative Council, has been strenuously opposed by the Hindus of Calcutta and the nationalist section of the Mussalman community. A number of public meetings were called in order to discuss this highly controversial piece of legislation. Many of those could not be held on account of the disturbance created by a certain section of the Muslim community which favours it on communal grounds.

Similarly, the Jamait-ul Ulema Conference of Bengal, which was due to meet at the Calcutta University Institute on the 3rd June 1939, could not hold its sittings on account of the rowdiness of their political opponents. This Conference is composed of Mussalmans holding progressive views and its opponents are said to consist of members of the Muslim League. Cries of "Muslim League Zindabad" and similar other slogans were shouted for hours at a stretch so that, in spite of loud speakers, the audience could not hear a single word of what the speakers said.

It may be that ordinary heckling at meetings has come to be recognised as permissible, but even then the public has the right to expect that the audience should preserve a certain standard of decorum. In all these cases, police had to intervene in order to prevent serious clashes between the organisers of the meetings and their sympathisers and the rowdier elements of the Muslim League. The growing tendency to deny the minority party freedom of speech and discussion is coming to be a very disquieting feature of public life. And this is one result of the Communal Award under which rowdiness of this type is permitted, if not encouraged, by leaders who prefer to keep in the background while enjoying to the full the advantages contingent on this kind of behaviour on the part of their followers.

It has been stated in the papers that those Muslims of Sind who are communal in their outlook are displeased with the Allah-Bux Ministry because it has failed to carry out a resolution accepted unanimously at the Sind Muslim League Conference which met at Karachi in October 1938. This resolution recommended that about 70 per cent. of all appointments under Government should be reserved for Mussalmans, and, further, that Hindu recruitment should be stopped till this percentage was reached. This percentage was fixed because in this newly created province the Muslims constitute about 70 per cent. of the total population.

In the Punjab, where the proportion of Muslims to the total population is about 56 per cent. in 1931, the Cabinet of Sir Sikandar Hayat Khan has reserved 50 per cent. of all Government posts for Muslims and the balance for non-Muslims. But even here occasional complaints are heard about the way in which the highly-paid posts are supposed to be kept out of the reach of non-Muslims. In the local self-governing bodies the communalist Mussalmans have often taken advantage of their majority to get rid of non-Muslim employees on the plea of retrenchment and, after keeping the posts in abeyance for some time, to fill them up by engaging the services of their brothers in faith. This became such a scandal as to draw forth a communique from the Punjab Government, to which I refer my readers for fuller details.

In Bengal, the Communal Award has given a statutory majority to our Mussalman brethren who, in 1931, constituted about 56 per cent. of the total population. They passed a resolution reserving 60 per cent. of all Government appointments for Mussalmans, 20 per cent. for members of the Scheduled Castes and 20 per cent. for the rest. The Cabinet, it is said under pressure, has reserved 50 per cent. for Muslims, 15 per cent. for members of the Scheduled Castes and the rest for members of other communities. It has been stated officially that the principle to be adopted in recruitment from the Mussalman and Scheduled communities will be the possession of minimum qualifications, though in the case of those who are neither Muslims nor members of the Scheduled Castes this principle will not be followed. As a justification for the employment of less educated and less qualified candidates, it was stated that the Muslim masses could expect fairer treatment from Muslim than from non-Muslim officers—a charge never brought before against this class of hard-working, honest Government officials. One would like to know how Mussalman officials, who will be in a majority in the future, would relish a similar charge of undue partiality towards their brothers in faith if any such is brought forward by the vocal Hindu minority.

The matter, however, has not ended here. The Hindus form about 74 per cent. of the total population of Calcutta, contribute about 78 per cent. of the total taxes and constitute more than 75 per cent. of the total number of qualified voters. Mussalmans constitute about 24 per cent. of the total population, contribute 5.41 per cent. of the taxes and form 13 per cent. of the qualified voters. Under the Calcutta Municipal Amendment Bill passed by the majority Muslim party in our provincial Assembly, the Hindus have been artificially reduced to a minority and have been given about 48 per cent. of the seats in the Corporation. And this has been done on the plea that the Municipal Congress Party has been mismanaging municipal affairs. The Muslims, on the other hand, have been given a slight weightage. It was openly stated in the House that the only reason for the introduction of the Amendment Bill was to reduce the power of the Congress in the civic administration of the capital of Bengal.

The above examples taken, more or less at random, from different parts of India, merely prove that, in actual working, the Communal

Award tends to produce very mischievous results, specially when it places political power in the hands of persons not accustomed or trained to use it with wisdom and discretion.

It is possible that such interference with freedom of discussion, injustice in the distribution of Government patronage and similar other matters are also to be found in some at least of the Congress provinces. Age has taught me that not every Congressman is an angel and that there must be undesirable persons in this large all-India organisation with a membership of over 45 lakhs in just the same way as there are similar people in other organisations. My contention is that such things, whenever found, become possible on account of the operation of the Communal Award and, further, that the most satisfactory method for eliminating them is to abolish it.

DEMANDS OF BARBERS AND BENGAL

MAHISHYAS

On the 12th October, 1938, a largely attended meeting of the barber caste was held at the Hazra Park, Calcutta, in which a resolution was passed urging Government "to give the barbers adequate representation in the legislature," while another drew the attention both of the Government and of the Corporation to "the necessity for providing free education to barbers' children."

On the 14th December, 1938, a member of the Mahishya community wrote a letter to the *Statesman* in which he stated that the claims of his community to Government patronage in the shape of reservation of seats have been overlooked. Quoting figures from the Bengal Census of 1931, he pointed out how his community, which constitutes about 5 per cent. of the total population of Bengal and the highest among all Hindu communities, is very backward both economically and educationally. He, therefore, claimed special and favourable treatment in order to stimulate education among the members of his community by creating definite opportunities for the educated among them for entering Government services.

I cannot find anything to make me feel amused at such meetings, resolutions or requests. To my mind they merely point the way the wind is blowing. These poor and probably ignorant people have learnt the lesson of selfishness from their social superiors and former leaders, and it is likely that they will be better than their teachers at this game. And so, unless something is done, India will degenerate into a battle-ground where questions will be decided, not on their merits but on communal grounds only. I shudder to think of the time when, instead of only caste Hindus and Scheduled Caste Hindus and Mussalmans, we shall have two dozen parties, all out to get as much they can in the struggle for the spoils of office. It may be that our countrymen are constitutionally more selfish than, for instance, the Englishman, the Frenchman or the American. I am, however, certain that their appetite has been more keenly whetted by the Communal Award than could have been done by any other device. And I am also equally certain that this cannot but lead to disunion which can be profitable only to interested third parties.

H. C. MOOKERJEE

(To be continued)