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TOPICS OF THE WEEK.

THE Education Minister for Bombay has incurred the displeasure of the non-Brahmans assembled at Belgaum in their provincial conference for what, they were told, was the enunciation by him of a wrong principle. The principle, in the words of the resolution passed at the conference was that "the problem of spreading primary education should be held over until the existing system of education is improved and consolidated." A reference to the published proceedings of the Council shows that this is a distortion of his remarks. A staunch advocate of primary education, he keenly regretted that the Government was not able this year to do much for the expansion of primary education. This was due to the fact that the problem of the improvement in the salaries of primary teachers was a legacy left by the old Council for the urgent attention of the new Government and any delay in its settlement would perhaps have almost certainly led to a break-down with far graver consequences than a temporary suspension of the programme of expansion may entail. There was therefore no alternative but to secure it against this mishap by means of consolidation, at the same time not altogether neglecting expansion. This is of course very far from saying that expansion should only follow consolidation. Mr. Paranjpye's actual words are—

"While expansion is all right, we must at the same time see that the ground that we have gained has got to be consolidated firmly, and it is because we felt that in the present state of increased prices unless we spend the money on consolidation even the ground we have made would be altogether lost that we gave up the programme of expansion for the year."

We are sure the Conference would not have fallen into the above error if a sufficient number of copies of Mr. Paranjpye's budget speech had been available at Belgaum.

* * *

LALA LAJPATRAI, speaking at a recent Simla meeting at which Mr. Gandhi was the principal speaker, was reported to have sounded a note of warning that "no Gandhi-Reading compromise would be acceptable unless it conceded the principles for which non-co-operation stood." The *Indian Social Reformer* thus comments on the same :—

"The Lala was not the originator of non-co-operation. He was not even an enthusiastic supporter of it from the outset. It was after much groping and groaning that he adopted non-co-operation. The zeal of a convert is proverbial; but it is not a little ridiculous when the Lalaji presumes to teach the originator of non-co-operation as to what will and what will not be in conformity with its principles. Pandit Madan Mohan Malaviya therefore quite naturally begged the Lala to be more explicit as to what he meant, and the Lalaji responded by saying that the country would not follow even Mahatma Gandhi if he did not stand for *swarajya*. This seems to be rather lame in view of the fact that Mahatma Gandhi himself had spoken of *swarajya*. It was certainly impertinent of the Lala to suppose that Mahatma Gandhi would, under any conceivable circumstances, not stand for *swarajya*, for which he, more than any other man, has obtained recognition as the goal of Indian evolution by the highest authority."

* * *

MR. GANDHI'S candid utterance at Bassein about the part played by Maharashtra in his non-co-operation movement hardly admitted of more than one interpretation. His remarks gave unmistakable evidence of the fact that he was disappointed at the response so far made by Maharashtra and he administered a rather sharp rebuke to it for its want of faith in the movement. The local Nationalist daily, edited by a gentleman whose suspension of practice was announced shortly after the Nagpur Congress, and who can therefore not be suspected to have anti-non-co-operation sympathies, has in a recent issue taken Mr. Gandhi to task for his having remonstrated with the Deccan Nationalists for their want of faith in his movement. And yet we find in Nationalist papers serious attempts made to convert this rebuke into a tribute of praise! This is all the more surprising in view of the fact that it would be difficult to find a speech more clearly and unambiguously worded. But where all that is aimed at is the creation of a favourable impression by a mere show of faith, all these dodges are only to be expected.

WE were recently blamed in some Nationalist quarters for making the grave error of taking Mr. Gandhi seriously when he promised to bring *swaraj* in a year. It is therefore a relief to find that if we have erred, we have erred in excellent company. Nobody can dare call into question Mr. Patel's wholehearted support of the non-co-operation movement; but even he in common with a large and influential section of the Nationalist party was guilty of the same blunder as ourselves. He has, however, now been disillusioned and made the following confession at the Satara District Conference over which he presided :—

"At one time I thought it was possible for us to have *swaraj* within one year as contemplated by the Nagpur Congress resolution. I confess I am not so hopeful now as I was then. The progress made by us so far, though satisfactory, cannot be regarded as sufficient to bring us *swaraj* within one year. Time is not yet ripe for embarking on other and further stages of the non-co-operation movement. The Malegaon tragedy has contributed not a little to the upsetting of our calculations. Repetition of such exhibition of our folly at two or three other places and the whole movement is doomed to destruction."

It is noteworthy that he also deprecated the "holding out of hopes to the people, which, if not realised, might result in reaction and damage instead of advancing our cause."

THE *Kesari* has shown commendable enterprise in placing before the world certain correspondence of His Highness the Maharaja of Kolhapur. It shows what a wide field his objectionable activities cover. There had always been lurking in the public mind a suspicion that in their campaign of repression of the anti-partition period, the Bombay Government found in him a valuable helpmate; and the correspondence in question fully bears it out. An inciting is furnished by the correspondence as to the genesis of some of the press prosecutions and those of other public men both in Kolhapur and in British India during the period, and the impression is left on one's mind that in some cases at any rate unadulterated justice was far from being the result. The cringing manner in which the Maharaja has addressed his official friends gives one a very low idea of his sense of self-respect. No wonder he allowed himself to be used as a mere tool in the hands of the bureaucracy—a tool that could be relied upon in any emergency to do their bidding. Some of the officers mentioned in the correspondence have either retired or have left the country for good. But there are some who are still in the service of Government. They owe it to themselves to clear up their position, in the absence of which the public will be justified in looking upon them as enemies of Indian progress. Native States are generally regarded as a drag on the wheel of India's progress. Never was this truer than in the case of Kolhapur. We hope that the correspondence will awaken the Government to the dangers of allowing their officers to be in such close relations with a ruling prince of the character and antecedents of the Maharaja of Kolhapur.

THE publication of the Government of India's despatch of October last on the position of Indians in East Africa took place in December last. We have not been told as to what the Government has since done to press for a solution of the problem. In the meanwhile the announcement is made that the recent conference between the officials as represented by the Governor of the Colony on the one hand and local Indian leaders on the other has resulted in a deadlock. This is most unfortunate. It is true the operation of the much hated policy of compulsory segregation has been suspended; but it is also true that the last of it has not been heard. And even were it so, what about the other disabilities relating to purchase of land, municipal and legislative franchise, etc. under which Indians settled in the Colony are at present labouring? While the despatch as a whole was in accord with Indian sentiment on the subject, the attitude of the Government remains to be defined as to the demand for the inclusion of Indians in the Executive Council of the Colony. We hope the Government have been emphasising the Indian view-point in this as in other connected matters in their communications to the Imperial authorities.

PROFESSOR A. B. Keith thinks that the term Imperial Cabinet is a misnomer and likely to prove a stumbling-block in the development of Imperial co-operation. He explains his meaning in a letter to the *Times*, in which he says :—

In the Dominions as in the United Kingdom, the term "Cabinet" carries with it, as a result of constant usage, the suggestion of a body of Ministers who (1) owe a common responsibility to a single Legislature; (2) are united by loyalty to a Prime Minister; and (3) are wont to decide policy by majority votes, the minority being bound to accept and faithfully execute majority decisions.

He thinks these criteria do not apply to the Imperial Cabinet because,

There is no Imperial Legislature it could be responsible. The British Prime Minister may preside; but only as Sir R. Borden insists as *primus inter pares*. But what is still more important, it cannot take a majority decision If a Dominion Premier dissents from a line of policy proposed by the majority of the Imperial Cabinet, the decision of the majority is null as regards his Dominion. Even, however, if he accepts it, he is under no obligation of any sort to resign office if his colleagues or Parliament will not honour his acceptance.

THE report for 1920-21 of the Bradley Night High School in Bombay is a praiseworthy record of the year's work of the School. It has been started with the object of affording facilities for receiving instruction at night to those who on account of their circumstances cannot do so during the day. It is the intention of the management of the School, to spread the movement of night schools by starting similar institutions elsewhere. This can be possible only if sufficient funds are forthcoming, but as it is, its deficit for the year under report amounts to nearly three thousand! A mere mention of these facts is enough in our opinion to appeal to the generous instincts of the public in the cause of the school.

THE EXCHANGE AGAIN!

THE sterling value of the rupee has fallen to the neighbourhood of 15d. and the Indian markets have been thrown into a state of consternation. Import merchants do not know where they stand, and the utter instability of exchange and the baffling uncertainty about the immediate future of the value of the rupee have worse confounded the confusion already prevailing in the country's trade. It is needful to recall that after its vain efforts to prop up the exchange by means of the sales of reverse councils, the Government of India decided practically to leave the rupee to itself and to wait for a turn in the tide of the country's foreign trade before resuming its old gold exchange policy. The country's sterling resources, which had accumulated in London during the time of war, were swept clean away in the mad pursuit of the phantom of stability and the Government was constrained to witness the humiliating sight of the collapse of its exchange system which came down like a castle of cards. Government started with a determination to carry out the principal recommendation of the Babington-Smith Committee, *viz.* the maintenance of the exchange value of the rupee at 24d. (gold); and with a doggedness worthy of a better cause, persisted in the sale of reverse councils at rates higher than those prevailing in the market from day to day. Undaunted by failure, Government substituted 24d. sterling for 24d. gold. But with London resources exhausted and with the exchange obstinately refusing to rise to the necessary height, it was found impossible to carry out even this policy. Nothing was left for it, therefore, except quietly to retire from the scene and to allow exchange to find its own level.

The Finance Member has made his budget calculations for the current year on the basis of an average exchange rate of 18d. and he has been building on the hope that with a good monsoon and with a favourable turn in the export trade of the country the rupee will once more look up and the normal financial conditions will be restored. Put in a nutshell, the present currency and exchange position is this. The statutory value of the rupee is 24d. (gold), as fixed by the Indian Coinage Amendment Act of last year. The market rate of exchange, on the other hand, is to-day 15d. sterling. The policy of the gold exchange standard to which the Government is committed and which it has persistently refused to abandon or to modify, is in abeyance. The country has no definite monetary standard for the moment. Government has refused to try to pull up exchange and to maintain it even at the old rate of 16d. The dispute between Indian dealers in imported goods and British manufacturers and importing houses regarding the exchange rate at which delivery of goods is to be taken, still remains unsettled. The attitude of Government in that connection has been that of indifferent spectators of a private quarrel between individual traders. Explaining their policy with reference to the 7 per

cent. sterling loan, the Government of India observe with regard to this point:—"They regard the matter as one for settlement between the individuals concerned, and consider that the matter should be settled in consonance with commercial practice." The process of this settlement must naturally be hampered by the recent fall of the exchange to 15d. and the situation is not likely to improve with Government's refusal to move a finger in the face of a declining rupee.

It may be recollected that in March last the Hon'ble Prof. Kale moved a resolution in the Council of State, urging, among other things, the appointment of a commission of inquiry for the purpose of examining the Indian system of currency and exchange with a view to recommend a correct permanent policy for this country. The suggestion was deprecated at the time by Government as premature and unnecessary and did not seem to evoke much enthusiasm in the press at the time. Prof. Kale had assailed the whole of the gold exchange policy of Government, had demonstrated how the system had utterly broken down and demanded a wholesale reconstruction thereof. The well-known writer of the weekly financial notes in the Saturday issue of the *Times of India* has now come forward with that very suggestion. The decline of the exchange to the low depth of 15d. has alarmed him, especially the prospect of a further fall if something is not immediately done to arrest the decline. He says:—"Grave danger is confronting India and the general feeling here is that the Secretary of State wants a new set of competent financial advisers and that the deferring of appointing immediately a new currency committee may lead to disaster." The writer wants that Government should support exchange with the assistance of the gold standard reserve. Why was it built up, he asks, out of Indian people's money, if it is not to be used for the purpose for which it is primarily intended?

This very argument was urged in the course of his speech in the Council of State by the Hon'ble Prof. Kale who laid stress on the fact that the gold standard reserve, the very foundation and essence of the much-belauded gold exchange standard system, had not been functioning and that, therefore, a re-consideration of the whole currency system of the country had become necessary. He quoted the words of Mr. Hailey relating to the future exchange policy of Government, in which the Finance Member had stated that when, with the revival of export trade and with the rise of a demand for the Secretary of State's council drafts, exchange would go up "then and not till then, will, in our opinion, be the psychological moment to make full use of our sterling reserves, rather than dissipate these now in efforts to stabilise exchange at some rate which, from the very nature of the existing conditions of the world's trade, could not be made permanent." The comment of the writer in the *Times* on this is precisely the one Prof. Kale made in his speech in the Council of State. The gist of the line of argu-

ment adopted by the Finance Member is that Government is determined to give effect to its declared policy of the 24d. exchange and practical steps in that direction will be taken when the rupee rises on the crest of the heaving waves of a prosperous export trade and a little push may be expected to establish permanently the value of the rupee at the desired level. For the moment, Government has made up its mind that as the existing abnormal economic conditions steadily disappear, export trade of the country is bound to revive and create a demand for remittances to India, as a result of which exchange may be stabilized at any rate. It is not prepared to reconsider the rate of exchange it fixed last year and is content to drift along in the hope of reaching the port of stability in course of time.

The writer in the *Times* assumes that the reasonable course for the Government to follow at this juncture is to use the gold reserve for preventing the exchange from going lower than 16d. per rupee, as it was the old rate and as it was to maintain that rate that the gold reserve was built up. There is precedence for this in the fact that Government did try to steady exchange at 24d. sterling when it had declared its intention to persevere in the maintenance of the rupee at 24d. gold. This assumption is, however, opposed to the idea of Government that the higher rate is the proper rate for India and is the one which it ought to strive at any cost to attain. It is, to our mind, necessary, therefore, that the public should press for the wholesale reconstruction of the country's currency system and should not tolerate Government's persistence in the retention of the gold exchange standard system which, after all, has not saved the country from the evil of instability from which it was supposed to be immune. Government stands helpless to-day in the face of a steadily declining exchange though it is the proud possessor of about £38,000,000 accumulated out of the profits of rupee coinage. We ought not to be put off with the plea that the currency system must not be touched at this time of abnormal economic conditions prevailing all the world over. The time has come for demanding that India's currency policy shall be determined in this country, according to the views of its people and solely in their interests. The writer in the *Times* complains that at the bottom of the whole thing is the fact that "the interests of India and of the people of India are placed at the mercy of the autocrats sitting in the India Office." The financial and the exchange problem of India cannot be satisfactorily solved until all grounds for such complaints are removed and no official explanations and extenuations will serve to allay the public feeling and set the people's mind at rest.

PURCHASE OF STORES.

ONE of the grounds of complaint against the trend of British policy in India in the past has been that whenever a clash occurred between British and Indian interests, the latter were invariably allowed

to go to the wall. The instance most frequently quoted in support of the above statement is the way in which the Government's fiscal policy had until a few years ago been moulded. As is a matter of common knowledge, it was shaped not with a view solely to the interests of this country, but in the interests of Lancashire. It has to be admitted that a change in their fiscal policy in the desired direction has latterly become visible. But so long as the excise duty on manufactured articles in India has not been abolished, there will be good ground for the above reproach. Another instance which attracts less notice, but is not on that account less important, is the policy so far pursued in regard to the purchase of stores, machinery etc., required by Government. It may be pointed out that the conclusions of the Committee based on a review of the stores purchase policy of the Government of India since 1862 go a long way in strengthening the above complaint. Let us give the Committee's conclusions in its own words:—

(1) That the Government of India have not been generally successful in the efforts made by them, from time to time, to procure the relaxation of the Stores Rules in respect of the encouragement of local industries and of the local purchase of imported stores; and

(2) That this failure has been contributed to largely by the influence of the Store Department of, and the Consulting Engineers to the India Office.

Large quantities of Government stores, though obtainable in India perhaps with a little effort, are under existing arrangements ordered from England and other foreign countries. The magnitude of such purchases can be easily imagined when it is remembered that the value of the Stores held in stock by the three State Railway Administrations and by the principal railway companies in India at the end of March 1919 alone exceeded twelve crores and a half! If orders for these stores are placed with foreign commercial houses in a large measure, so much Indian money goes out of the country. It would have been some consolation to India if the English firms that usually tender for the supply of these stores had come forward to afford to Indian students the necessary facilities for study in their workshops. But it is a matter for regret that while they continue to receive these orders, they have consistently denied to young Indians a first hand knowledge of their methods of work, which would greatly help them in starting similar industries in India. It may be human on their part to do so; but it is equally human on India's part to refuse to be exploited in their interests. She has every right to demand that her stores purchase policy should be framed with a view solely to the encouragement of her indigenous industries. She will not tolerate any subordination of her interests to those of any body of merchants of whatever nationality. The idea underlying the demand so effectively pressed by the Indian Industrial Conference all these years and by different speakers at the Indian National Congress that Government stores should as far as possible be purchased in India itself and should as a rule be of

indigenous origin is that it would act as a stimulus to Swadeshi industries. Nobody believed that every kind of Government requirement could be satisfied in India all at once. That would be possible only with the lapse of time and as the provision for the manufacture of the requisite quality and quantity of Government stores would be made. This itself would, it was hoped, be facilitated a good deal by the Government declaring it to be their goal to make India self-contained in regard at any rate to their own requirements. What India desires is the power to frame her Stores Purchase policy in a way to hasten her industrial regeneration.

There will be wide-spread satisfaction therefore that this point of view has at last appealed to the Government; and the war has contributed not a little in bringing about this result. Conscious of the difficulties which they had to encounter during its continuance in the matter of getting their supplies from abroad, the Government have realised the unwisdom of having to depend upon foreign countries for the fulfilment of their requirements. The recognition has also dawned upon them that they could do a great deal to promote the industrial expansion of the country if only they made it a point to purchase all their stores in India itself, and the Committee that they appointed towards the close of 1919 with Mr. F. D. Couchman as president and six Europeans and only two Indians as members was charged with the duty of making proposals as to how this object could best be achieved. Dissatisfaction is likely to be felt at the inclusion of such a small Indian element in the personnel of the Committee; but its recommendations do not in any way appear to have suffered as a result of its insufficiency. The Committee have virtually admitted the justice of the Indian demand and recommend for adoption by the Government of India as a definite policy of the principle "that all articles required for the public service shall be obtained in India whenever they are procurable in the local market of suitable quality and reasonable price as well as that preference shall be given in all cases to indigenous articles or to those of local manufacture, except where it is manifestly disadvantageous to do so." It classifies the purchases made by or for the Indian Government under two heads: (1) Imported Stores and (2) Stores of indigenous origin or local manufacture for provincial requirements. It is the Committee's view that the former should be a Central subject and the latter a provincial and transferred subject. This will generally be regarded as a step in the right direction, and as a matter connected with provincial industries, it should in the fitness of things be in charge of the Minister of Industries. While the Committee would have local Governments enjoy "complete freedom of action" in regard to the purchases of indigenous stores for its own requirements, they would be expected to conform to the rules framed by the Indian Stores Department in the matter of the purchase of imported stores. It is the present practice that all indents for imported stores are to be sent to the Stores de-

partment of the India Office, which is responsible only to the Secretary of State for India. The scheme outlined in the report of the Stores Purchase Committee contemplates the reduction of that branch of the India Office to the position of an agent. The influence of this department has in the past been exercised in a manner prejudicial to the interests of Indian industries and the step proposed by the Committee ought therefore to be welcomed.

Wide powers of purchase in regard to indigenous articles having been transferred to the provinces, provision for their inspection by an expert agency becomes a necessity. This is especially so, in view of the fact that Government officers are averse to making purchases in India owing to their want of knowledge of the location of different factories and "the absence of an expert purchasing and inspecting agency." It is therefore proposed by the Committee to establish in this country an expert agency which "shall be so equipped that it will know what are the manufacturing resources throughout the country and keep pace with their developments; which will be able to purchase efficiently within the country, utilising the most appropriate market for particular demands; which will be able to carry out such inspection of goods under manufacture or supply as may be required." One of the additional duties of this department will be to prevent orders which could be conveniently executed in the country from being placed outside.

But the recommendations of the Committee would be looked upon as mere counsel of perfection if they had been unaccompanied by practical suggestions as to the way the Government should proceed in giving encouragement to indigenous industries. It mentions three remedies for effecting this purpose:—(1) Guaranteeing orders for a definite period; (2) Placing orders at specially favourable rates for a limited time; and (3) securing favourable railway rates. It is obvious that the protection thus afforded need not be of a permanent nature, but should be in force until such time as Indian industries find that they can well do without it. But the most effective way to protect local industries against foreign competition is by devising a suitable system of tariffs. The Committee have pressed this view in the following words:—

"The most obvious remedy is the adoption of such fiscal measures as will achieve the end in view; and some members of the Committee are emphatically of the opinion that this solution should be pressed upon the attention of Government. They urge that such excise duties as are at present imposed on manufactured articles in India should be removed, and that import duties should be levied on manufactured articles imported from outside India."

As regards imported stores, the Committee leaves wide discretion to Government officers to satisfy their requirements by the substitution of articles of Indian manufacture for imported stores and by the purchase in India instead of in the United Kingdom of such articles. But articles which cannot be obtained in India will have to be ordered through the agency of the stores depart-

ment of the India office which will henceforth imply be a branch of the Indian Stores Department.

Thus secured against foreign competition, Indian industries might display a tendency towards self-sufficiency and a dislike for reform in their methods of manufacture and in the quality of their goods. This would be detrimental to their growth. Few would doubt the wisdom of the suggestion therefore that goods manufactured in India should be subject to a thorough inspection by the inspecting staff of the Indian Stores Department, either during manufacture or before acceptance. This branch will be responsible not only for the detection of faults, but also for making suggestions as to the methods of removing them—a step that will place expert assistance and guidance within the easy reach of even the small factory owners. The Committee have recommended that “whenever suitably qualified men can be obtained in India to fill vacancies, preference shall be given to statutory natives of India.” But we are afraid that this will not be enough. The members of the inspecting branch of the Indian Stores Department, if they are to be really useful, must be men who would approach their task in a missionary spirit. A good deal of the success of the proposed step will depend on the way they behave with the public. They should be easily accessible and by their unfailing courtesy and kindness and their readiness to be of service with help and advice should teach the public to look upon themselves as their sincere friends. There can be no doubt that a service composed of the right kind of men will be a powerful instrument in bringing new industries into existence.

AN INDUSTRIALIST.

THE ORIYA PROBLEM.—II.

SINCE I wrote last two fresh events have happened. The Oriyas of Vizagapatnam, Ganjam and Orissa, in the meantime, met His Excellency Lord Sinha at Puri in a deputation headed by Babu Brajasundar Das M. L. A. Lord Sinha expressed his full sympathy with the idea of linguistic divisions, though he cannot, according to the Government of India Act of 1919, take the initiative in the matter. This is one event. The other is the appointment of Mr. Sachhidananda Sinha to the Executive Council of Bihar and Orissa in lieu of Rao Bahadur Krishna Sahay on leave. It was Mr. Sachhidananda Sinha who, as already noticed in my first article, brought forward a resolution re: amalgamation of the Oriya-speaking tracts in the Imperial Legislative Council on February 20, 1920. It is important on this occasion to quote a sentence or two from his speech on the subject. He said:

“Speaking on this subject, sir, I may claim to have some personal knowledge, for when the province of Bihar and Orissa was formed, I went myself at the request of Lord Hardinge to the Orissa division and even to

The first article in this series appeared in our issue of May 19.

Ganjam to talk over matters with the representatives of the people there I do say that, detached as they are from the parent body, a small community living in the midst of a large non-Oriya population, their condition is certainly far from happy or enviable.”

These words will count when a resolution relating to the Oriya problem will be moved in the Bihar and Orissa Council.

Besides Hon. Mr. Sinha, there is in the Bihar and Orissa Council the Grand Old Man of Orissa, the father of the Oriya Movement. It is the Hon. Mr. M. S. Das who is now a Minister. The Utkal Union Conference is the child of Mr. Das. It was brought into being first in 1903 by him. Mr. Das's love for his people is vast, deep and sincere. Mr. H. W. Nevinson in his book called the *New Spirit in India* has rightly observed that Mr. Das is “a man well known throughout India for his unlimited generosity and devotion to his own people, whose rights he had often vindicated against aggression.” Mr. Das is a patriot; and it is because he ever played the role of a true ardent patriot whose interests generally clash with those of the officials, he, as Mr. Nevinson has put it, “appeared to act on official minds much as a hedgehog would on a naked man who was found rolled up in his bed.” (P. 148 of *The New Spirit in India*). The Raja of Kanika who fought so ably in the Imperial Council while supporting the resolution on the Oriya problem moved by Mr. Sinha is also today in the Bihar and Orissa Council. It is well to remember on this occasion some words of his also. He said:

“ Oriya national interests are always sacrificed, involving the loss of their solidarity as a distinct community and the loss of their social, ethnological and political identity. As the Darbar Despatch of 1911 pointed out, ‘Orissa has long felt uneasiness at a possible loss of identity as a distinct community.’ The national characteristics and the national aspirations of the Oriyas are always sacrificed to those of the predominant races In these outlying tracts Oriya is sacrificed either as a medium of instruction in schools or of administration in courts, with the result that very great inconvenience is caused to millions of Oriya people. This persecution of our language is one of our great national calamities. . . . As a consequence of the above, the Oriyas suffer from a loss of position, power, privilege and prestige.”

With such great champions both on the official and non-official benches of the Bihar and Orissa Council, the task of getting a committee of inquiry appointed will no doubt be very smooth. In the Madras Council, on the official benches no such supporters of the movement are to be seen. But what does it matter? The Oriyas there will surely claim to move a similar resolution, as the opinion of the Joint Committee on this matter is quite clear. “It should not be a bar to the appointment of such a commission that the majority of the Legislative Council of the province in question is opposed to the request of the minority.” Let the Oriyas agitate. Should any kind-hearted and broad-minded councillors in the C. P. and Bengal councils also move similar resolutions for the well-being of a brother race in India, no doubt Orissa may be seen to have been constituted as a sub-province with all its outlying tracts drawn together soon. It will not

be a satisfaction to the Oriyas to see only a portion of their Oriya-speaking tracts dovetailed with Bihar and Orisa. On the other hand it will be a source of greater unrest. The Oriyas everywhere should be first brought together and then a separate administration of their own set up. Nothing less than this will ever satisfy them. Let a race half suffocated to death be fully freed now to grow to its full height. India's glory will be complete when all her races will be able to march nobly in the path of self-government. Inequalities and injustices should at once be banished from our mind.

The Oriyas have for a very long time grinned and borne the injustice of political vivisection. "But for the opposition of Lord Ampthill, the officiating Viceroy of India," says the paper, the *Oriya*, the only English weekly of the Oriyas published from Cuttack, "the amalgamation of the Oriya-speaking tracts would have been an accomplished fact." The people of Orissa are therefore now looking up to the new justice-loving Viceroy who like the 'angel of the moon' has brought, it is believed, the 'gift of hope' to the whole of India in the time of her soreness. Should Oriyas fail in getting their long-standing grievance redressed? The solution of the problem ultimately rests much on the attitude of the Governor-General. Whoever will help the Oriyas in their struggle for getting the injustice redressed will have the blessings of two crores of people. Help is much needed; for the Oriyas, left to themselves, will not be able to fight their battle so well.

AN INDIAN.

A LETTER FROM LONDON.

(FROM OUR OWN CORRESPONDENT.)

LONDON, MAY 5.

MAJOR ORMSBY-GORE ON MANDATES.

IN view of the fact that India is an original member of the League of Nations and in theory, at least, an equal member of the Assembly of the League, and of the further fact that Indian nationals are seriously affected by the mandates issued under the authority of the League, as is evidenced by the remarks of the Government of India in their despatch on the position in Tanganyika Territory and by what has happened in respect of the class C mandates, it is essential that people in India should endeavour to understand the main features of the mandate system. In a notable letter appearing in the *Times* this week, Major Ormsby-Gore endeavours to throw light on the subject. He recalls the statement of Sir Eric Drummond, the Secretary-General of the League, that in regard to the contents of the various mandates, "which are in effect the terms under which a mandatory Power will exercise its trusteeship," the Council of the League exercises pure judicial functions. The mandatories are chosen not by the League but, under the different War Treaties, by the principal Allied and Associated Powers. When the drafts have been agreed to by those Powers, they are submitted to the

the Council of the League, which will examine them solely to ascertain that they conform to the prescription of Article 22 of the Covenant. Except to establish such conformity, the Council of the League has no authority to make alterations in the draft mandates, and the responsibility for the contents of the drafts rests upon the Governments and Parliaments of the principal Allied and Associated Powers.

Further, he says, there is nothing in the Covenant of the League which gives power to the Council to make any subsequent amendments or alterations in the terms of the mandates. Consequently there has been inserted by the Governments of the principal Allied and Associated Powers in each draft mandate an article providing that the consent of the Council is required for any modification of the terms. Where a modification is proposed by the Power exercising the mandate, it is understood that the Council can proceed by majority vote; but where a modification is proposed by other than the mandatory Power, the decision of the Council must be unanimous. In effect, this gives to the mandatory Power concerned the right to veto any subsequent modification. The effect of this in respect of the class C mandates, which have been granted to some of the British self-governing Dominions is clear.

A further article has been inserted in each draft mandate laying down—and this may prove to be of the utmost importance to India—that "the mandatory power agrees that if any dispute whatever should arise between the mandatory and another member of the League relating to the interpretation or the application of the provisions of the mandate, such dispute, if it cannot be settled by negotiation, shall be submitted to the permanent Court of International Justice provided for by Article 14 of the Covenant of the League of Nations." It will have to be considered carefully how far this provision covers questions affecting India under the Tanganyika and class C mandates.

The Permanent Mandates Commission, established by Article 22 of the Covenant has, Major Ormsby-Gore reminds us, no executive functions and no power to order a mandatory to do, or refrain from doing anything. It will, however, have the duty of pointing out any failure on the part of a mandatory to act up to the obligations it has entered into by the terms of the mandate. It will be for the Council, therefore, and not the Permanent Mandates Commission (of which Major Ormsby-Gore is the chairman of the British Committee), to take action upon any matter arising out of the annual reports to be laid before the League by the mandatories, under Article 22, or the Permanent Commission's remarks thereon.

Without expressly mentioning the matter, Major Ormsby-Gore draws attention to what may be a very real danger to India. At present, mandates are exercised by Great Britain, France, Japan, Belgium, and the self-governing Dominions of Australia, New Zealand, and South Africa. The

first three are permanently represented on the Council of the League. Belgium is temporarily so represented, and the Council has power to add to its own numbers representatives of the States not already represented for the discussion and consideration of any question where a State not already represented on the Council is concerned. Such a procedure, he remarks, will doubtless be adopted in the event of any question arising affecting the exercise of a mandate by any of the three British self-governing Dominions who have accepted the obligations of a mandatory. If this means that, in the event of a dispute between any one of them and India, both will for the purpose of discussion and adjudication, be admitted to temporary membership of the Council, well and good; but the situation will be a very serious one for India if she were, in such a case, to have to appear as the accusing party before the Council, upon which the offending Dominion was sitting as a temporary member, because of her being a mandatory Power.

Should, continues Major Ormsby-Gore, the Permanent Mandates Commission advise the Council that, in the consideration of one or other of the annual reports, they have discovered a breach of obligation, the Council will doubtless proceed to draw the attention of the mandatory Power concerned to the breach of obligation, where the Council are satisfied that the advice given by the Commission is correct, and in doing so they will have to rely mainly upon the support of public opinion in the country of the mandatory Power concerned. It will be for the Parliaments and public opinion in the respective countries to support the Council of the League in any representations which it may make in connexion with the administration of mandates. It is for this reason, he urges, if for no other, that it is so important to organize public opinion in every country by means of such bodies as the League of Nations Union in this country. The League depends for its effectiveness in all matters, and not least in regard to the mandatory system, on the active and informed support of public opinion.

Major Ormsby-Gore holds strongly the view that the mandatory system will be in a very real sense a test of the effectiveness or ineffectiveness of the League. If the mandatory system degenerates into mere camouflaged annexation and the international obligations entered into are allowed to fall into desuetude, the whole position and future of the League will be imperilled. On the other hand, he concludes, if the system is worked both in spirit and in letter, not only will the mandated territories immediately concerned be benefited, but one of the greatest advances ever attempted by the collective aspiration of mankind will be shown to be practicable. I make no apology at all for having quoted Major Ormsby-Gore at such length, for I feel that unless India is alert to her opportunities under the League, which, as Professor Gilbert Murray said a few weeks ago, is of even greater consequence to

India than to many of the European countries, she will suffer both in prestige and in material consequences. India cannot stand outside the League of Nations, and among the means by which she should seek to take a greater part in bringing about its success is that she should be adequately represented upon the Secretariat of the League. This should be done by the selection of one or more competent Indian members of the Indian Public Services, for the Secretariat must be inter-racial as well as international.

THE DUKE OF CONNAUGHT'S RETURN.

The return of the Duke of Connaught to London last Saturday was made the occasion of a great welcome both by His Majesty and the public. The Duke's great services in India were recognised in customary British fashion, and the responsible press has made adequate comment upon the manner in which he carried out his great mission of conciliation. That is a fine word of which we might see a much more frequent use. It is only by familiarising ourselves with words of this kind that we are likely to make a part of ourselves the ideas that they are designed to convey.

ARRIVAL OF MR. SASTRI.

The Hon. Mr. Sastri arrived here on Sunday evening last, and was welcomed by a representative of the India Office on behalf of the Secretary of State. I do not know whether Mr. Montagu has yet been able to meet him personally, as the Minister has been wholly absorbed, with other members of the Cabinet, in devising means of bringing Germany to a reckoning. The London sittings of the Railway Commission opened yesterday, but I learn that only matters of procedure were dealt with. Mr. Sastri, whose return here is welcomed by his many friends, will have a full programme of work before him, in which he will have a number of willing helpers.

EAST AFRICAN INDIANS.

Yesterday the Joint Parliamentary Committee took up the examination of the Indian case in East Africa. I believe that it will regard itself as constitutionally precluded from dealing officially with the South African Indian dispute, which, to judge from the cables that appear in to-day's papers, threatens, with the formal adoption by the Union Government of the principle of racial segregation, to take a very acute turn. The Colonial Office, I have reason to know, are already attempting to queer the pitch for the Joint Committee in regard to East Africa on the ground that it is outside its jurisdiction to deal with matters affecting other Departments than the India Office. I have no doubt but that this special plea will meet with short shrift at the hands of the Chairman, who, I know, feels rather strongly that some urgent attempt must be made to give effect to the Government of India's request for a Royal Commission to report at an early date.

REDUCTIONS IN THE INDIAN ARMY.

In the House of Lords yesterday, Lord Sydenham, with characteristic lugubriousness.

drew attention to the reductions in the Indian Army. Lord Chelmsford, who created a good impression, intervened in support of the action of his Government, and Lord Lytton pointed out that a reduction of military expenditure was urgently called for in India by reason of the heavy burden of taxation which was one of the many causes of the unrest of which Lord Sydenham complained. But the matter, he said, must be decided, in the opinion of the Secretary of State, on the basis of security and not on that of economy alone. With regard to further reductions, that would be referred to the Committee of Imperial Defence, which would decide after hearing all parties. I think that non-official opinion might well be heard on this matter by the Committee, and Mr. Sastri may find that this will be an added responsibility unexpectedly thrust upon him.

INDIA IN PARLIAMENT.

In Parliament, Indian affairs have otherwise not bulked largely this week. Yesterday Mr. Montagu gave the annual figures in regard to excise revenue and potable spirits that have been periodically asked for by a representative of the Anglo-Indian Temperance Association. Legislation in regard to Indian diverse decrees will shortly be introduced in the House of Lords. The Governor of Fiji is watching every opportunity for promoting conciliation between the two parties to the Indian strike there. Meanwhile a Sadhu has been deported for having, it is alleged, endeavoured to incite the Indians against the Fijians. Eighty-six persons are still in durance vile as a result of the 1919 disorders in the Punjab, and the Viceroy is considering the question of the further exercise of clemency. India's claim to a share of the indemnity to be exacted from Germany has been allowed by His Majesty's Government, the amount being under consideration. Inquiries are being made with regard to "free travelling" on trains by non-co-operating crowds and as to Mr. Mahomed Ali's Madras speech.

CORRESPONDENCE.

COMPULSORY RELIGIOUS INSTRUCTION.

TO THE EDITOR OF THE SERVANT OF INDIA.

SIR.—It was with very great pleasure that I read Mr. Hoyland's letter in your issue of 12th inst. regarding the compulsory religious instruction in schools and colleges. Mr. Hoyland's views in this matter have a peculiar importance as he is a member of a Scotch Mission which has developed a cluster of fine educational institutions in Nagpur. We admire Mr. Hoyland for the breadth of his views, but only hope that his charity will begin at home. Surely nobody would like to make education purely secular and "give brains to Devil" if he can help it; but at the same time making students compulsorily take an unpalatable dose of Christian teaching for that sake is the height of absurdity. What has Mr. Hoyland himself done to impress his idea on his other colleagues conjointly with whom he is at present guiding the destinies of the above-mentioned institutions? Do they not, unlike him, think that giving such scope to Hindu and Islamic instruction is heathen-like? Are they themselves prepared to open Hindu and Islamic scripture classes along with Bible ones

and leave the compulsory attendance at the respective classes according either to the religion or taste of the students or their guardians? By taking such a bold step not only will they be giving lead in this matter to the other educational institutions under similar control but they will also be encouraging genuine love for the comparative study of religions among the youths of this province. Certainly the truths of one religion are no monopoly of merely the persons who belong to it and making them available to all in this way is to give the most liberal kind of education. This is a matter that affects the moral well-being of a number of students and, it is only hoped that Mr. Hoyland's idea will not remain only as his pious desire but that he will take immediate steps to put it into practice.

R. K. THOMBER.

Tajnapeth, Akola,
May 17, 1921.

MIRZAPUR RELIEF FUND.

TO THE EDITOR OF THE SERVANT OF INDIA.

SIR.—The extensive southern portion of the district of Mirzapur (U. P.) is in the grip of a severe famine which has already caused intense misery and levied the toll of many a life. The inhabitants, largely aboriginal Kols, and Bhills, always poor, are utterly destitute of means to withstand the natural calamities. Many famished persons have immigrated from the neighbouring Rewah State. The Government is doing much to relieve the distress but there is only too much room for the philanthropic activities of the general public. The Seva Samiti proposes to relieve some six thousand persons. Relief will be distributed from the three stations of Robertsgunj, Dudhi and Sikrauli. It is also proposed to supply rough clothing to the utterly destitute. It is estimated that at least one lac of rupees will be required for the relief operations which are bound to extend over several months.

The famine-stricken area is full of mountains and valleys and is converted by the rains into a net-work of rapid rivers and rills which are always difficult and sometimes impossible to cross. Hence it is essential to store the grain at the distribution centres before the commencement of the rains, that is before the third week of June 1921. We therefore earnestly request the public to subscribe Rs. 1,00,000, within a month. The need is urgent, the time is short, but we trust that our countrymen will generously respond to the call of humanity and patriotism.

All subscriptions should be sent to L. Man Mohan Das, Treasurer, Seva Samiti, Rani Mandi, Allahabad. All offers of voluntary service should be made to the General Secretary, Seva Samiti, 2 Bank Road, Allahabad.

HIRDAY NATH KUNZRU,
General Secretary, Seva Samiti, Allahabad.

SELECTION.

THE INDIAN PRESS LAW.

The following is the concluding portion of the representation submitted by the Poona Press-Owners' Association to the Committee appointed by the Government of India to consider the Indian Press Law:—

From all this it will be clear that Act I of 1910 has no merits in it that will make it acceptable even after radical modifications are introduced into it. The late Hon'ble Mr. Gokhale while speaking on the "Continuing Bill" (i. e. the Seditious Meetings Bill) on 6th August 1910 said: "If ever there was a measure which should have been administered with the utmost care and tact and restraint, it was the Press Act passed last session at Calcutta. This was necessary to avoid all irritation. It was also due to those non-official members of this Council, who in their desire not to add to the difficulties and anxieties with which the Government was then confronted, tried to go as far as they could, in support of the measure. I grieve to say, however, that in most provinces, these

obvious considerations have not been kept in view in working the Act." Mr. Gokhale enumerated cases of the abuse of the Press Act in this speech of his. This Act was meant for 'both the European and Indian press in India' but it has not been set in motion in the case of the Anglo-Indian press or newspapers though there have been deplorable lapses on their part. The Government of India Act, 1919, has brought into existence a new constitution of Government in the country and the country has been set on the road to *Swaraj*. At this time it is but proper that all repressive laws should be removed from the Statute Book. By the Act of 1919 the new Indian Legislature has been brought into existence and it is but natural that the administration should be very largely influenced and guided by the non-official Indian opinion in the Indian Legislature. Therefore to give the new era a fair beginning, repressive laws should be repealed all at once. The Indian Legislature may be relied upon to pass new Acts of repression if a case is made out for them. The proceedings of the first session of Indian Legislatures, both central and provincial, have been regarded as a success both by the officials and non-officials, Indians and Europeans. The repeal of repressive laws will create a general feeling of confidence. By Act I of 1910 the press-owners and press keepers were hard hit. This calling is not a very profitable one. People take to it, not so much for private gain, but for serving the country in an indirect way.

Under the provisions of Act I of 1910 various books were confiscated without pointing out the offending passages or words. By this the use of various good books has been denied to the public. The late Mr. Gokhale in his speech on the "Continuing Bill" pointed out the case of Mr. Mackarness's pamphlet. In the Bombay Presidency we have many instances of very good books being proscribed. The proscription of one essay from the 'Nibandhamala' of Vishnushastri Chiplunkar and the life of Socrates are instances in point. The Press Committee should in its report make a recommendation to appoint provincial committees in different provinces to review the proscription orders as regards various books and pamphlets.

The only suggestions that have to be made as regards Act XXV of 1867 are the following:—(a) Local Governments should be required to publish the draft rules before finally promulgating them under section 20, (b) these draft rules should be supplied to all the keepers of presses and publishers of newspapers for their information, (c) the penalties provided for by sections 12, 13, 14, and 15 are heavy and therefore they should be reduced substantially and should be varied according to the gravity of the default and (d) there should be no need of a new declaration in cases where there is a change of a location in the same town or village as is required by Section 5 (2) (e). The keeper of the press should be required to notify the change of premises to the officer who receives the declarations or the District Magistrate of the District.

The Government of Bombay by Press Note No. 5444 dated 30th July 1915, have published some rules for the information of the printers etc. The Government has given a new interpretation of the word "Printer" therein, so as to bring the keeper of a press within the purview of Act I of 1910. Before this, for years together, the name of the person who gave the "Print order," was put as the printer of the said newspaper and it was in keeping with the provisions of section 5 of the said Act and therefore the old interpretation should be replaced.

In Act XXV of 1867, Part III a section similar to 16 of Act I of 1910 may be inserted so as to make it obligatory on publishers of newspapers to send by post two copies of a newspaper to such officer as the local Government may direct. Under the present provisions publishers of periodicals are required to send three copies under section 9 of Act XXV of 1867 and two copies under section 16 of Act I of 1910. This is very hard on the publishers and a provision should be introduced for payment for more than three copies whenever supplied.

JUVENILE COURTS IN AMERICA.

THE following extract from an American publication is full of interest to the students of Indian Social problems:—

Twenty years ago the Illinois Legislature passed a law authorising the establishment of a special kind of court for the hearing and disposition of children's cases. This law, in accordance with which a juvenile court was established in the city of Chicago in July 1899, marked the beginning of the juvenile court movement in this country. Previous to that time certain States, following the lead of Massachusetts, had provided for the hearing of children's cases apart from those of adults and had made some progress in developing other special features. But the Illinois law was the first attempt at serious modification of court procedure so far as it related to children. In 1901 the system under which the Denver Juvenile Court operates was established in part under the authority of the school law of 1899. In 1903 the Colorado Legislature passed a special juvenile court law. Since then a great body of legislation affecting children who come before the courts has been enacted, and in communities representing every section of the country special courts have been created or special divisions have been established, and new methods have been introduced for the treatment of children's cases under existing court systems.

The jurisdiction of the juvenile court covers neglected and, in many States, dependent or destitute children, as well as children whose conduct is in conflict with the law. It is in regard to the latter class that the juvenile court movement introduced a new legal concept to the effect that the delinquent child is not to be proceeded against as one who has committed an offence against the State for which the State must mete out punishment, but it is a subject for the State's special protection, care, and guardianship in exactly the same degree as the child who is neglected or homeless. The power of the court to extend this protection to the delinquent child is the same power which the courts in England and the United States have long exercised in respect to destitute or neglected children and is derived from the capacity of the State to act as the ultimate parents of its children.

Since the fundamental purpose of juvenile court procedure is not to determine whether or not a child has committed a specific offence, but to discover whether he is in a condition requiring the special care of the State, it follows that the chancery or civil, rather than the criminal, procedure is best adapted to the end in view. Under the criminal procedure—with apprehension by warrant and arrest, trial on specific charges, strict application of the rules of evidence, conviction, and sentence—the punitive aspects of the process are repeatedly emphasized. The judgment must depend upon the technical evidence presented, and the vital social facts of home and environmental conditions and the child's physical and mental make-up can be given, at best only a limited consideration. In contrast to this complicated legal machine is the simple chancery procedure, under which the judge in an informal hearing can utilize all the information that has been obtained about the child and his family, decide whether or not the child is in a condition of delinquency or neglect, and apply the remedies best suited to the correction of the condition.

In some jurisdictions the essential features of the juvenile court have been developed under a procedure which remains in form but which is in substance a chancery proceeding, the strict limitations of the criminal process having been relaxed. Most authorities agree, however, that the true chancery proceeding is preferable.

The special modifications of court methods and court procedure which have been necessary in the development of juvenile courts have been designed to make possible the practical application of the fundamental principle that the child is a ward of the court, to be protected and safeguarded. The modifications may be grouped under three headings:—(1) Methods of hearing and detention; (2) evidence; (3) judgment and disposition.

The first step in the special organization of courts for hearing children's cases was the provision that hearings for

children should be separate from those for adults. As before stated, this measure preceded in some States the enactment of more complete laws for the protection of children before the courts. In modern juvenile court procedure of the best type children are given the advantage not only of separate hearings but also of hearings from which persons not having a legitimate interest are excluded. Proceedings in chancery, including the use of petition and summons; a method of detention, separate from adults for such children as cannot remain in their own homes pending the disposition of their cases; and special attention to cases of delinquent girls; these are essential to the fullest realization of the protective ideal of the court.

One of the fundamental distinctions between the juvenile court procedure and the usual criminal procedure lies in the matter of evidence. Since the youthful offender is not considered a criminal but a child in need of protection, the problem of the judge is not fundamental to decide whether or not the child has committed a specific wrong, but in the words of a former juvenile court judge, is to determine; "What is he, how has he become what he is, and what would best be done in his interest and in the interest of the State to save him from a downward career?" Hence, legal evidence must be accompanied by complete social evidence, the result of a thoroughgoing investigation of the child's family history and circumstances, personal history and characteristics, and examination of his physical and mental condition. In order to utilize the results of the investigations and examinations, a system for recording and filing social as well as legal information is necessary.

Since the purpose of court action is protective rather than penal, purely punitive dispositions, such as fines, are done away with under the best practice. The judge must determine whether the child is in need of special care, and if the decision is in the affirmative, what provision would be best suited to his needs. A probation service equipped to give careful supervision to children in family homes is the essential feature of adequate juvenile court organization.

The co-operation of the court with other agencies in the community is of great assistance, particularly in the supervision of children through the probation department. Probation or supervision is not a negative force designed merely to prevent the recurrence of anti social conduct, but a constructive effort to secure for the child the fulfilment of those essentials of physical well-being, mental health, home life education, and social activities which may be lacking. This effort can result in successful accomplishment only through the fullest utilization of the resources of the community.

Juvenile court acts and similar statutes have been upheld by the courts as against various constitutional objections such as deprivation of liberty without due process of law denial of the right of trial by jury, and violation of the guarantee of a public trial.

The fundamental principles of the juvenile court, as expressed in the first juvenile court law, have been sustained by a large number of judicial decisions. That the proceedings instituted under juvenile court acts and similar statutes are not criminal in their nature has frequently been affirmed by the courts. In an Illinois decision the court said: Our Statutes and those of a similar character treat children coming within their provisions as wards of the State to be protected rather than as criminals to be punished, and their purpose is to save them from possible effects of delinquency and neglect liable to result in their leading a criminal career.

In a Utah case it was held that such laws are most salutary and are in no sense criminal and intended as a punishment, but are calculated to save the child from becoming a criminal. The whole and only object of such laws is to provide the child with an environment such as will save him to the State and society as a useful and law-abiding citizen, and to give him the educational requirements necessary to attain that end.

The supreme court of Pennsylvania has stated:

The act is not for the trial of a child charged with crime, but is mercifully to save it from an ordeal, with the prison or

penitentiary in its wake, if the child's own good and the best interests of the State justify such salvation. The act is but an exercise by the State of its supreme power over the welfare of its children.

As summarizing the main features usually considered essential to the organization of a juvenile court, the following may be specified:

1. Special hearings for children's cases.
2. Informal or chancery procedure, including the use of petition of summons.
3. Regular probation service, both for investigation and for supervisory care.
4. Detention separate from adults.
5. Special court and probation records, both legal and social.
6. Provision for mental and physical examinations.

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