# Servant of India

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Editor : S. G. VAZE.

Office: SERVANTS OF INDIA SOCIETY, POONA 4.

INDIAN

15s.

POONA-THURSDAY, JANUARY 5, 1939. Vol. XXII, No. 1. CONTENTS Page TOPICS OF THE WEEK ... ARTICLES: Liberals and Federation. Prison Reform. SHORT NOTICE. MISCELLANEA Textile Labour Organisation .-Mr. N. M. Joshi's Speech.

## Topics of the Aveck.

The Liberal Federation.—Resolutions.

#### Liberal Federation.

THE presidential address of Mr. P. N. Sapru to the Liberal Federation covered a wide field and dealt exhaustively and with complete knowledge with most of the important topics that agitate Indians to-day. But no part of the address was more inspiring than that in which he emphasised that it was the primary duty of the Liberals to be continually striving for social justice. He said:

It (Liberalism) visualises a social order, a political and economic system, which will provide every individual with a decent standard of life. It stands for the reign of law as against the reign of discretion, and proclaims that freedom of thought, speech and association are vital for the growth of the individual..... It works for social justice by diminishing through State action—such for example as the development of social services and the method of taxation—those grosser inequalities of fortune which constitute a blot on modern civilisation and make a harmonious growth of human personality impossible. It believes in placing the burden of taxation on those who are best able to bear it, but not so as to be unfair or oppressive. It opposes privilege and monopoly, wherever they may be found to exist. It asserts that poverty and all that goes with it-slums, dirt, vice, disease, misery, ignorance and superstition—is revolting to the social conscience and that it is the imperative duty of the community to eradicate it. It stands for equality of opportunity, for a social system in which it shall be possible for all to start life without avoidable handicaps. It endeavours to break down the rigidity of class barriers and maintains that it is the duty of Government to be fair to all sections of the community.

FOREIGN SUBSN. IF the President called the Liberals to a high endeavour for social justice, the Chairman of the Reception Committee, Sir Cowasji Jehangir, elected to give them a warning against communism, a school of thought, according to him, "which con-demns imperialism and misinterprets its meaning as domination of one country over another"! He urged upon the Congress Governments the urgent and immediate necessity of taking "strong" and severe "measures against the propagandists of communism. He did not enlighten Congress Governments as to what those ' and "severe" measures should be; nor did he audience whether he and others who tell his thought with him had exhausted all their resources in carrying on a counter propaganda which it is certainly not his complaint that they are fettered in carrying on. Social justice apparently means to some people nothing more than putting a forcible end to communism.

AT this point we would like to correct a misconception about the Liberal Party's attitude to the federal constitution which we have noticed in the Times of India and which, we believe, is general. This misconception is due to the fact that the comments in the Times and some other papers are based solely upon the speeches of the President and the Chairman of the Reception Committee. It is true that Mr. Sapru, a severe critic of federation as he is, expressed the view, with very great misgivings, that the Liberals might still work the federation. Sir Cowasji Jehangir expressed this view without any misgivings; he seemed to think that it was almost a cardinal tenet of Liberalism loyally to accept any law that is passed, however objectionable it might be, without considering whether an attempt should not be made either to get round it or have it repealed.

BUT these opinions of Mr. Sapru and Sir Cowasji were not endorsed by the Conference. We have printed on another page the text of the resolution passed by the Conference on the subject of federation. It was adopted with very great deliberation, and it will be found on a careful study of this text that the advice given reluctantly by Mr. Sapru and with conviction by Sir Cowasji does not find a place in the resolution. We have dealt at some length with the implications of this omission in a leader, to which we would invite a reference. It would be sufficient to say here that the Liberal Party is not prepared at this stage to work the federal constitution and that it will define its attitude later in the light of the circumstances that will be found to exist at the time when a decision can rightly be taken.

so far as the large organised industries are concerned, but the primary task of the proposed Department is to collect accurate data about each and every, small or large, business, that is operating in the nook and corner of that particular Province or State, and to make available the results of the work in the form of a monthly or an annual Journal, on the lines of the Board of Trade Journal in England.

- (2) It should take advantage of the forthcoming census of population survey, and with the help of the officials of the survey, they should secure the following information of employment in the Province or the State:
- (a) How many people are actually employed in the sense that they have to work to earn their living?
- (b) How many people are unearning dependants?
- (c) How many women are actually employed in work for a payment or a salary, and how many devote their time to domestic work?

If the Department succeeds in collecting the above data, in co-operation with the Census Survey, which merely collects data such as the number of population and so on, the Department should try to keep this Employment Data up-to-date.

- (3) Having collected the Employment Data in the Province or the State, the Department should act as a Labour Exchange, and, with the help of the Advisory Council, circulate the record describing the Employment needs and the qualifications of the workers seeking employment, on the one hand, and the kinds of employment that are available, on the other. Co-operation between the proposed Department, Organisations and Chambers of Commerce will prove helpful in the task.
- (4) They should compile an index of the wholesale prices of important agricultural crops and of products of important industries, and compile the price-data about various commodities in various markets, so as to help the commercial community in their attempt to secure the internal market.
- (5) They should also, if the resources and the time of the Departments permit, publish such data as the productive efficiency and the labour efficiency in various countries which have a direct bearing on the staple industries in the Province, and also, from time to time, hold inquiries, through expert bodies, about the efficiency of production of the large-scale established industries within the province.
- (6) Finally, the Department should watch the progress of the schemes that may be inaugurated under the auspices of any Economic Plan.

In short, a Data and Information-Collecting Body which acts, so to speak, as a permanent Royal Commission of Inquiry, is what is sought to be done by the proposed Economic Development Department. CERTAIN OTHER REQUIREMENTS OF THE PLAN

One of the evils against which the advocates of Planning in this country have to guard, is the growth of inter-provincial jealousy, and while formulating any broad Plan, they must take effective steps to prevent the growth of any kind of inter-provincial rivalry and jealousy. One fundamental condition which should not be departed from, under any circumstances, is that there should be no inter-provincial barriers so far as inter-provincial trade is concerned. The U.S.A. have a vast free-trade area, and the largeness of the market has contributed to the development of large-scale mass production in U.S.A. The lesson of the U.S.A. should not be lost sight of by the Planning Authorities in the country.

Another fruitful suggestion that may be experimented by the popular Governments in the provinces is the possibility of organising some kind of Holiday Labour Camps, on the lines of Holiday Camps in Nazi Germany. Clearly, for political reasons, such an attempt cannot be made compulsory in any province, and it must begin as an experiment based on voluntary co-operation. For example, the Rural Development Officer should start by each district and compile a list of all the village craftsmen, such as village carpenters, brick-layers, unemployed village labour, and so on. The Government, on their part, should appeal to the University students to join the Holiday Rural Labour Camps in each district, annually. The Holiday Labour Camp may last from a period of one month to three months, which would approximately equal the University holidays. The Government would have to bear the cost of this experiment, which should be confined to meeting the railway fares and providing meals to the workers in the Labour Camp during the period when the Camps are held, on the same lines as the annual camps of the University Training Corps. The main function of such Camps should be to utilise the voluntary services of each worker, according to his own individual inclinations, for the purpose of improvement of rural dwellings, improvement of rural roads, the spread of literacy, sanitation and so on. A combination of students from Engineering, Medical and Arts Colleges, including ladystudents who can freely approach the womenfolk in the villages, would be of great help in giving guidance as well as of help to the village-folk in all matters described above. The Plan should begin in a few experimental districts, in the first instance, and if it proves successful, then it should be extended to other districts. If the attempt proves successful, the Government can also appeal to responsible citizens in theprovince to donate funds for the purposes of carrying on this healthy Rural Areas' work. The proposed Holiday Camps are essentially an attempt to utilise the services of enthusiastic undergraduates and unemployed village-folk in. the summer holidays for practical tasks which: may result in improvement of the conditions of the rural areas.

N. G. ABHYANKAR

(Concluded)

answer: "If you are going to do this, we shall see that you do not grow in power at all; we shall treat you as Hitler is treating the Jews in Germany, so that you will be deprived of the power of mischief.

This is evidently a retort provoked by Muslim aggressiveness. But the real normal attitude of the Hindu Mahasabha was thus described by Mr. Savarkar: "Granting on the one hand every equitable treatment which an Indian citizen can claim on a footing of equality with others, we must sternly refuse to the Moslems any the least preferential treatment in any sphere of life, religious, cultural or political." If in Bengal 60% of the posts are reserved for Muslims, Hindu provinces containing an 80% majority of Hindus must forthwith reserve 90% of the posts for the Hindu community." It is difficult to see how this policy can be challenged, seeing that it is the direct result of Muslim intransigence and has for its basis the unexceptionable principle of "fair field and no favour." The Muslim League questions the motives of the satyagraghis in Hyderabad merely because Hyderabad happens to be governed by a Muslim ruler, and the moment a threat was held out that the Muslim League would intervene in Hindu States if the Hyderabad struggle were continued, the Hyderabad State Congress was persuaded to withdraw its satyagraha. The effect of this aggressiveness on the part of the Muslim League joined to the submissiveness on the part of the Congress is that the Hindu Mahasabha is led not only to be more vigilant in its attitude of self-defence but even to take the offensive. It has decided to carry on satyagraha in Hyderabad even though the State Congress has decided from reasons of expediency to drop it. A large fund has been collected, and hundreds of volunteers are being enlisted, some volunteers signing on in blood at the conference of the Mahasabha. This continual communal strife is very much to be deplored, but no impartial observer can blame the Hindu Mahasabha for originating it.

#### Aundh State Reform.

THE ruler of Aundh State has earned the heartiest congratulations of all progressives in the country by the new constitution proposed by him, in which he practically relinquishes all political power and hands it over to the elected representatives of his people. At the bottom there will be village punchayats, to which will be given all the revenue of the State with which to manage all local concerns. Among these will be civil and criminal justice of a simple kind, and the specially noteworthy feature of this is that the administration of justice by panchayats will be free of all charge to the litigants, the State appointing, with a Public Prosecutor, a Public Defender whose business it will be to take up all private cases and fight them in the village courts as a public official. The panchayats will be composed of five regular and two "reserve" members, all elected by the votes of all literates, it being the aim of the State to liquidate adult illiteracy within a year by providing facilities for adult education. The villages in the State will be grouped in five talukas, at the head of which will be Taluka Councils consisting of the presidents of all the panchayats comprised within the talukas.

consist of 15 members, each Taluka Council contributing three. One of these must be the president of the Taluka Council, and the other two will be elected by the Council, and of these two one must necessarily be elected from the sitting members of the Council. The number of Ministers is limited to a maximum of four, and the power of nominating them from among the elected members of the Assembly is vested in the ruler. The Ministers will hold office so long as they retain the confidence of the Assembly, which has been given the power of voting supply and passing legislation. In both these matters, however, the ruler can interpose delay. He can send a Bill passed by the Assembly for its recommendations thrice, and if all the three times the Assembly holds to its view then it is to prevail over the ruler's own view. The same holds good in the case of appropriations.

THE proposed constitution departs from the normal constitution of a responsibly governed State in several respects, and in each of these respects we believe without any justification to be found in local circumstances. There will first be indirect election to the Legislative Assembly. This provision is open to all the objections which have been urged, and rightly urged, against the indirect election provided for in the Government of India Act for the Federal Assembly. The principle of responsibility cannot be fully given effect to unless an opportunity is given to the voters to have a direct say on the questions at issue. In fact it would appear that it is not intended to have responsibility as we understand it in full force. The Assembly is not subject to dissolution at any time, but will be a perpetual body to be renewed every year as to a one-third part. There are constitutions in which one chamber of a bi-cameral legislature is such a perpetual body, but that chamber is invariably the body to which the Government is not responsible. Here the Government is supposed to be responsible to a unicameral legislature, and yet the legislature is made indissoluble. Similarly, by providing that all the Ministers will individually be appointed by the ruler it is obviously intended that, in the event of a no-confidence motion being carried against a Minister, it will be incumbent only upon that Minister to resign and not upon the whole Ministry. The principle of collective responsibility, so vital to all constitutions based upon the system of ins and outs, is thus given the go-bye. None of these features can be commended.

THE privy purse of the ruler is fixed at Rs. 36,000 a year for the first five years (it used to be a little over Rs. 60,000 excluding the Paga and Rs. 72,000 including the Paga), and thereafter it is to be determined by the Legislative Assembly every year. As the ruler under the constitution reserves to himself only a cer-tain veto power over the Assembly's disposal of revenue, the decision of the Assembly in the matter of the privy purse cannot be altered by the ruler to his own advantage. This is a big step in advance as it disposes, once for all, of the current notion that even in democratic countries the privy purse of the ruler is fixed by him at his discretion without reference to Parliament. This notion is of course entirely unfounded, for the privy purse in such countries differs THE affairs of the State at the top will be administered by Ministers under the control of a Legislative Assembly. The Assembly itself will are equally under the control of Parliament. from other allocations only in the fact that

Similarly the expenditure from the privy purse like all other expenditure is audited by the Accountant-General and is laid before Parliament for scrutiny—in the latter case not every year but at the close of the reign.

THE Aundh constitution being drawn up under the advice of Mahatma Gandhi, one must necessarily look for some Gandhi touches in it; and they are to be found in abundance. Freedom of speech, freedom of worship and such other civil liber-ties are declared to be "subject to the principles of non-violence and public morality." In every other constitution these principles are assumed. No country gives the right to free speech to any one who commits or incites to violence; but in this constitution they are put into words. The is declared to be "the first servant The ruler the bearer of conscience of the people". The organic laws of other constitutional monarchies are so devised as to have the effect of making the ruler "the first servant" of the people; here it is inscribed in the constitution itself. We do not understand what exactly is meant by the ruler being "the bearer of the conscience of the people." If a constitution means anything, it means that the people exercise their own conscience and do not entrust it to the safe-keeping of their ruler. But perhaps these words in the Aundh constitution do not signify anything in particular. "Self-supporting basic education," "unemployment relief through spinning", are some of the other Gandhi touches.

For small States like Aundh it becomes difficult to make effective the independent position of an auditor or a high-court judge, however excellent may be the provisions in the constitution in this behalf. In the Aundh constitution it is provided that the High-Court Judge "shall hold office during good behaviour within the limit of his tenure to be fixed at the time of his appointment." It is easy to see how it would be possible to undermine the independence of the Judge by making his tenure of office short. We grant, however, that any such attempt is inconceivable under the present regime. If responsible government will become successful in Aundh, small States can endure. It is often felt that States of the size of Aundh cannot from the nature of the case have a viable existence, economically and politically. Aundh itself has a population of three quarters of a lakh and a revenue of a little over three lakhs and a half. It has only 72 villages under its jurisdiction, and even these villages are so scattered as to form 18 different groups. If Aundh can last, then many other States can, about whose continuity people have often expressed doubts.

#### The All-India Christian Conference.

THE proceedings of the All-India Christian Conference were in happy contrast to the proceedings of the other sectional organisations which were characterised throughout by bitter communal rancour. It is encouraging to find at least one sectional organisation of India pleading for democracy on the widest national basis, irrespective of its repercussions on the weal and woe of the minority communities. The spokesmen of the Indian Christians, though representing one of the smallest minorities of the country, have all along stood against communal representation and have never put forward a plea for preferential treatment. In this respect, again, the attitude of the Indian Christians is in refreshing contrast to the attitude

man Sir Henry Gidney. The president of this year's Christian Conference, Dr. H. C. Mookerjee, pleaded fervently for the sinking of all communal differences for the establishment of a united and democratic government in the country. His advice to his community in this respect is wellworth being followed. He says:

We have to show by our example that we are really desirous of so comporting ourselves as to make the gradual emergence of a united India a possibility. We have to give up, of our own accord, all claims to preferential treatment as a minority. ... In other words, we have to merge our interests in the larger interests of India as a whole. We have to demonstrate by our actions that we have such confidence in the sense of justice of our countrymen that we refuse the special protection offered by our rulers, and that in order to occupy our rightful position we rely solely on our efficiency.

Noble sentiments these and very much welcome specially when India is torn by communal animosities. We hope that the leaders of the other larger minorities of India will take a lesson from the proceedings of this Conference and, instead of putting obstacles on India's attainment of freedom. will so shape their conduct as will make them pillars of the Indian national movement. centripetal tendencies in India have never been strong. The religious and the provincial differences have unfortunately attracted much greater notice than they deserve and these differences have been utilised by our foreign rulers to strengthen their control over the country. Let us hope that the wise leaders of the different communities will realise this point and sink their differences if not for anything else, at least to save the country from foreign domination.

#### The All-India Women's Conference

A RIGHT lead was given to the women of India by Rani Laxmibai Rajwade in her presidential address to the All-India Women's Conference. She confessed with refreshing candour that so far as the women's movement in India was concerned, it was confined to the higher and the upper middle-classes and made little attempt to ameliorate the condition of lower-class women. But she pleaded that, after all, the women's move-ment in India was in its cradle and could not possibly accomplish what the more ardent sections of the country would have it do. If, after fifty years of existence, the Congress has remained mostly a bourgeois body, how could the Women's Conference be expected to be fully national in character within a period of 13 years only? We think there is much force in this argument. Instead of blaming an organisation for its low vitality and slow expansion, attempts should be made to revitalise and strengthen it. Nothing can be gained by destructive criticism. It is true that the Women's Conference as we see it to-day is predominantly a middle-class organisation, but if the advice tendered by Rani Rajwade be acted upon sincerely, we have no doubt that it will have a proud record of service in the fulness of time.

RANI RAJWADE'S appeal to the Women's Conference can conveniently be classified under four categories. Firstly, with regard to politics, Rani Rajwade holds that though the Women's Conference cannot take active part in the hurly burly of party politics, the time has come for it to enunciate its political goal. Rani Rajwade thinks of the Anglo-Indians as represented by their spokes- | that this should be the achievement of complete

independence for India. The Women's Conference should carry on a country-wide campaign to explain to its constituents the drawbacks of the present constitution of India and suggest ways and means by which these defects can be remedied. With regard to the educational programme of the Women's Conference, which ought to form the most important part of its activity, Rani Rajwade suggests that educated young women, specially widows, should be persuaded to take to determined teaching as a profession and a attempt should be made to remove illiteracy of the women of India, of whom only 21/2 per cent. are literate at present. With regard to raising the legal status of women in both the Hindu and the Muslim communities, Rani Rajwade thinks that mere piece-meal legislation to better the conditions of women will not meet with their requirements. A thorough over-hauling of both the Hindu and Muslim laws should be undertaken for this purpose. But as any rapid and radical reform is out of question under the present circumstances of Indian society, piece-meal reform should be encouraged though it may not meet with the full requirements of Indian women. With regard to sanitation and social reform, the problem being vast and almost baffling, Rani Rajwade had not many concrete proposals to make. Progress in this direction must necessarily be slow and Rani Rajwade suggests that educated women should come in direct contact with the poorer section of their community and try to ameliorate their condition as far as practicable.

THE women's movement in India is a necessary adjunct to the movements of men for realisation of a higher and nobler life for the citizens of India. It owes its origin to the fact that the women-folk of India are much more backward than Indian men and they will have to make up a great leeway before they can march together with their more advanced brethren. This, it seems, is the sole raison d'etre for a separate organisation for the Women of India. Let us hope that the All-India women's Conference will realise this and try its level best to bring the womenfolk of India on a par with Indian men in the shortest possible time.

## Articles.

#### LIBERALS AND FEDERATION.

THE Liberal Party which met in annual conference in Bombay at the last week-end made a very important change in its policy in respect of the federal constitution. Every year for the last eight years it has declared the federal scheme, as embodied first in the Bill and then in the Act, as wholly unacceptable; it has throughout expressed the opinion that the Government would serve the interests of the country better by refraining from bringing the scheme into operation, and that the imposition of the scheme upon India in spite of the unanimous opposition of all sections and interests would lead to disaster. Notwithstanding such declarations, however, the British Government has always misunderstood the Liberal attitude towards federation. It continues to reckon the Liberal Party among the friends rather than among Party to take this line. The Constitution Act has

the opponents of its federal scheme. This was borne in upon the Liberal Party in a particular manner when in March last year it was stated on behalf of the Government in the House of Commons that the Liberal Party desired acceleration in the pace of the execution of the federal part of the constitution. This answer was so complete a travesty of the Liberal Party's position in the matter that, as President of the Liberal Federation for the year, Sir Chimanlal Setalvad deemed it necessary to issue a public statement forthwith pointing out the misrepresentation contained in the British Government's answer. He showed, by reference to the resolutions passed year after year, that the Liberal Party not only did not desire an early establishment of federation, but that it did not desire the establishment of federation at all, if the federation was to be of the type contemplated by the Government of India Act.

The Liberal Party, on the contrary, is pledged to resist this federation. It does not indulge, it is true, in a language of bluff. It concedes the possibility of the British Government being able, by resort to force majeure, to impose even this hated constitution upon India. But it would be the duty of the Liberal Party, as of other parties which are opposed to federation, to do its utmost to turn the boomerang in every possible way upon the Government which humiliates and wrongs the nation by thrusting upon it a constitution which every section has declared it would be better without. The Liberal Party has consistently taken up this attitude, and was naturally astonished to find that the British Government should have so completely misunderstood it. At the recent Conference the Party took care to see that no room should any longer be left for such a gross misconception. It reflected within itself that the misconception was probably due to the fact that although in its resolution it condemned federation in uncompromising terms, it did not advise the country to keep itself aloof from the operation of the federal constitution and adopt a policy of passive resistance, and, indeed in order to dis-. countenance such a move, it advised the country to operate the constitution, hoping thereby to confine the anti-constitution activity within the traditional limits favoured by the Liberals. It saw that so long as the operative part of its resolution consisted of advice to work the constitution, no matter in what spirit, its attitude was easily open to a misunderstanding. The Liberal Party at its last session, therefore, scored out the end-part of its resolution advising the country to operate the constitution and substituted another in which it warned the Government that, however eager any group of politicians might be to operate, no one would be able to operate the constitution successfully unless some radical alterations were introduced into the scheme.

been passed, but the constitution itself may still be supposed to be the subject of negotiation. It may be made even worse than it is by the offer of still more concessions to the States in the Instruments of Accession; there is also a possibility of its being made slightly better in order to conciliate the opposition of British India. When things have yet to take a final shape, it would be wrong for any party to commit itself to any decision, either to work or not to work the constitution. To declare in advance that the constitution should be worked would very likely have the effect of strengthening the British Government's disinclination to meet the British Indians' demands even half-way and its readiness to meet in full the ever-growing demands of the States. This must be avoided at all costs, and we are glad that the Liberal Party has avoided it. There has never been any question as to the Party's implacable hostility to the federal scheme. In what way this hostility could be shown most effectively the Party has not made up its mind. The action to be taken will depend upon various factors which have yet to come fully into view. A great deal will depend upon the final picture of the constitution as it will be presented to the country; a great deal will similarly depend upon what other parties do to resist the constitution. But whatever action is finally decided upon, the Party cannot but do its best to resist the constitution in all ways open to it; it cannot certainly work the constitution in the way in which apparently the British Government supposes it would be willing to work it.

It would therefore be well for the British Government to cease wrapping itself up in a mantle of self-complacency. Even if the various parties in the country should ultimately take different roads to the upsetting of this constitution. the Government should understand that they are all equally resolved in doing whatever is in their power to upset it; and it should think a hundred times before it proceeds to impose such a constitution upon the country. If any statesmanship is still left in the British Government, it should immediately convene an India Conference as it is convening a Palestine Conference. It is true that no outrages have taken place in India as in Palestine, but the situation here is no less grave; and surely the British Government does not want Indians to commit acts of violence to prove the gravity of the situation. Nor is the Indian problem more insoluble than the Palestinian problem; on the contrary, it is much easier of solution. If the British Government can hope to find a modus vivendi when the Jews are brought to meet the Arabs face to face, it will surely succeed in finding a solution when it meets representative British Indians and State rulers. To impose a solution by force and to try to make it work would be as hopeless in India as it has proved in Palestine. At a truly representative conference a way out can easily be found, and this will be about the last chance the British Government will have. If it misses this chance, the prospect is very dark indeed—as well for it as for this country.

#### PRISON REFORM.

THE great work of John Howard, Jeremy Bentham, Elizabeth Fry and Evelyn Ruggles Brise of humanising the treatment of criminals in gaols has been carried forward another stage by Elizabeth Fry's great-great nephew, Sir Samuel Hoare. He introduced on 29th November In the House of Commons a Bill for the purpose of giving effect to several penal reforms. The historical development in this respect has been, as was observed by Mr. Harold Nicolson, along the line of introducing discrimination in the administration of prisons suited to the treatment of each class of criminal. Originally, there was a broad aggregation of criminals, all subjected more or less to the same kind of discipline; later, these methods varied according to the large variety of criminals. The gist of the reforms now proposed consists in a still greater flexibility introduced into the criminal law and penal practices so that individual treatment of offenders will become possible. Prisoners are now to be divided into several categories and subjected to different modes of treatment, and, what is more, elastic provisions are to be made "for personal treatment | racter, and that no summary court should send to

who find themselves in gaols. "Not only do we abolish the feeling that there is a criminal class and abolish the idea of once a gaol bird always a gaol bird," said Mr. Nicolson, "but we have got slowly, and I think for the first time in actual legislation, to the conception that every delinquent must be treated as a human individual and, if possible, watched in his development."

Dealing in his speech with the chief provisions of the Bill, Sir Samuel Hoare explained that one of the main objects of the Bill was to effect an immediate reduction in the number of young people received into prison and to provide for the ultimate abolition of imprisonment as a method of treatment for young offenders convicted of offences which are dealt with by courts of summary jurisdiction. In order to achieve this objective, it is provided in the Bill that no child below the age of sixteen years should be sent to prison on conviction, that no young person between sixteen and seventeen should be sentenced to imprisonment without a certificate from the court that the offender is of depraved or unruly chaand for the consideration of individuality" of those prison any young person between seventeen and

twenty-one years unless a special investigation has been made into the circumstances of the Individual case.

The Bill further provides for the setting up of some new institutions for dealing with young offenders. Two kinds of new Remand Homes are proposed for the young before they are convicted. A State Remand Home for children and young persons under seventeen years of age is proposed to deal with what are called problem cases, that is to say, abnormal cases that need medical investigation and mental observation. Secondly, Remand Centres are provided for young people between seventeen and twenty-three. The present Remand Centres are meant only for the very young children; their use will now be extended and consequently their number will have to be increased. The result will be that the young people, who are now required to go to prison during the period between the enquiry of the court of summary jurisdiction and the disposal of their cases by quarter sessions, will now be kept at these new Remand Centres. Thus the evil influences of prison life even before conviction will be kept out in their case.

The Bill seeks to reduce the possibility of imprisonment and to abolish corporal punishment for the young. In order to achieve the former ebjective two types of new institutions are proposed. These are the Compulsory Attendance Centres and the Howard Houses, as they are called. Young offenders up to the age of twenty-three are proposed to be sent to these Compulsory Attendance Centres for a limited number of hours. the maximum being sixty hours over a period of six months. They will be ordered to attend these Centres for a given number of hours a day, the number never to exceed three. As Sir Samuel Hoare put it, "The idea is that they should be ordered to attend these Centres on Saturday afternoons or in the evenings when they would be deprived of their leisure and not have the fun of going to a foot-ball match or to the films when they would be made to look ridiculous in the eyes of their friends." The Howard Houses are meant for a different type of young offenders. There is a great deal of evidence to show that an enormous amount of crime is committed by young persons who have either no home or whose domestic conditions are extremely undesirable. A "new form of hostel," therefore, is proposed to be set up. The offender can be ordered to reside in this hostel for a period not exceeding six months. "He will be able to go on with his normal work during the day time, he will go on earning his full wages outside during the week, but he will have to be in the Howard House at a given time in the evening."

Sir Samuel Hoare remarked that he was approaching these problems from the angles of

provides for the abolition of "the remnants of former dispensations, now little more than the stage properties of Victorian melodrama": penal servitude and hard labour. The Bill also seeks to abolish corporal punishment except in cases of mutiny and gross assaults in prisons.

A good deal of discussion centred round the Sir Samuel question of corporal punishment. Hoare, in his own speech, made out a very convincing case for the abolition of corporal punishment. He said:

I am proposing the abolition of corporal punishment for the following reasons: I believe that it is out of date and that it does not deter the particular individual upon whom it is inflicted from offending again. I believe further that it does not protect society from similar orimes in future. These beliefs are not grounded on vague sentiments, but on facts. They are founded upon the great body of evidence which was collected by the Committee presided over by a former and highly-respected Member of this House, Mr. Edward Cadogan.

The Cadogan Committee recommended that an exception should be made in the case of the offence of gross assault or mutiny in prison on the ground that since prisoners had already suffered loss of their liberty, some other punishment must be provided for, which would act as a deterrent against the commission of the further offence of mutiny or assault. But this argument becomes untenable unless it can be proved, and it has not been proved, that corporal punishment does in fact act as a deterrent. Several members, therefore, like Mr. George Lansbury and Sir Stafford Cripps, pressed for the removal of this exception. Mr. Lansbury said: "The fact that people may be flogged does not deter them from doing it, because nearly always the very brutal, terrible crimes that are committed are committed, not when a person is thinking that if he is caught he will be flogged, but because of the circumstances in which he finds himself at that particular moment. That is what happens in prison.... If you are not going to thrash a man because he has outraged a little girl or a defenceless woman, I think you can do without it inside the prison, when possibly it may mean only an assault on a warder or a governor." Mr. Lansbury made the further point that in these cases justice is not likely to be done as between the prison official and the alleged assailant; the tendency will be to rely upon the former, since no outside evidence can be obtained. Sir Samuel Hoare mentioned that a safeguard was provided in the Bill inasmuch as the final decision would be arrived at by the visiting justices and the Prison Commissioners and would have to be confirmed by the Secretary of State before it was enforced. But the fact remains that all these authorities can only judge as between the official and the prisoner without having any other prevention and reformation and not from those of evidence to go upon. Sir Stafford Cripps stressed retribution and deterrence. The Bill, therefore, the point that no claim had been made that corporal punishment would have a deterrent effect in these exceptional cases. He said:

So far as the problem of corporal punishment is concerned, I must say that I think the Home Secretary has spoiled an almost unassailable case by retaining corporal punishment for prison offences. If corporal punishment will not deter, and has not in experience deterred, in cases of robbery with violence, what conceivable evidence or argument can there be that it will have a deterrent effect in case of prison offences? The vast majority of such crimes are committed in fits of almost insane temper, and at such a time no man counts the cost of his actions. He does it in spite of all deterrents, and once it is established that flogging does not alter people outside prison I can see no argument whatsoever for its maintenance inside prison. It is a brutal method, and brutal methods will never drive out insanity. I think that, on all the statistics, the Home Secretary and the Attorney-General, and indeed the Lord Advocate, made out a complete case for the abolition of corporal punishment, but that must surely mean its complete abolition, if the case made out is a good one.

A plea was also made for placing political prisoners in a separate category. Discrimination among criminals was the basis of the Bill, and therefore it was maintained that the Bill should provide that prisoners charged with political offences shall not be dealt with in the same way as ordinary offenders against the law. In the Bill an attempt is made to improve conditions of prisoners as a whole, but there is no attempt to offer any special concessions to political prisoners, and Mr. Lansbury pleaded earnestly for making this distinction. He said: "We have treated political offences as a crime in the same sense that robbery is. I know the judges in these cases say, 'You have broken the law and that is an end of it, and therefore you must submit to punishment.' Other countries have never been quite so severe as we have in this matter—some of them, anyhow. Even in Russia I have seen the separation of political prisoners from the other prisoners, and those I saw-perhaps they were a special lot, I am not surewere certainly treated very differently from the way that my colleagues and I were treated in Brixton until we went on strike."

A very important point was made by Mr. Lansbury, Sir Stafford Cripps and others that while the Bill would greatly improve prison conditions of those who had committed crimes, it would do nothing to reduce crime inasmuch as there was nothing in the Bill which would do away with the causes of crime, which were largely poverty and unemployment. Mr. Lansbury said:

I believe that nearly all the orime of this country starts with poverty, or the denial of the sort of material development which a man or woman claims because of his or her position in life. I am fortified in that by my experience while on the way home from America. I happened to travel with the delegation that was coming to this country to attend the International Conference in London of those connected with prisons and police authorities throughout the world. Those to whom I spoke were unanimous in their opinion that the genesis of crime was to be

found in the social conditions of life—poverty-destitution, unemployment, and so on. I have spoken to the heads of police in various parts of this country, and I believe from what they say that the crime of young men arises during the periods of unemployment. We shall never really get rid of the necessity for prisons until we get rid of the causes of poverty of mind and body.... Men and women want to get away from this grinding poverty. Love is bought and honour is sold, and everything is degraded, because somehow or other we have not learned how to share the world and its potential advantages, and to use the great gifts which nature and God have provided.

Sir Stafford Cripps made the same point. He said: "I regard the measures in this Bill as wholly desirable and necessary in the circumstances of to-day but as not touching the real and basic problem of crime prevention, with which we ought to be dealing to-day by measures which will bring a degree of justice and equality to all the people, especially to the younger people, of which to-day they are so patently being deprived." Paraphrasing what Mr. Lansbury had said, he remarked:

It is fantastic that we should make every effort, go to every expense, to find a young person suitable-employment when he has committed a crime and we desire to redeem him from a oriminal life, and yet, before he has committed a crime, we leave him on the streets with no occupation or with a dead-end occupation from which he will shortly be thrown out. Surely it is the height of illogicality to wait till the disease has been created in the body politic and then to try to devise humane methods for its cure, rather than extirpating the disease at its source, which is largely unemployment and poverty.

#### SHORT NOTICE.

THE POSITION OF WOMEN IN INDIAN SOCIETY, By KRISHNA PRASAD KAUL. (The Leader Press, Allahabad.) 1938. 24cm. 31p. As. 4.

"THE position of Women in Indian Society" is a pamphlet both interesting and instructive. It deals with the education of women right from 1887, the problem of infant marriages among women, widow marriage, dissolution of Hindu marriage women's right of inheritance. In the discussion of each of these problems, the writer shows a depth of feeling and catholicity of outlook which are not very common even among the educated sections of the Indian community. The publication is a timely one, for just at present a number of social-reform legislations are engaging the attention of both the central and the provincial legislatures. We shall be very happy if the warm advocacy of Mr. Kaul bears fruit in his own province and succeeds in bettering the position of women there.

S. S. MISRA.

### TEXTILE LABOUR ORGANISATION.

MR. N. M. JOSHI'S SPEECH.

Following is the text of the speech delivered by Mr. N. M. Joshi as President of the second session of the All-India Textile Workers' Conference held at Caumpore on 24th and 25th December.

THANK you very sincerely, for having done me the honour of asking me to preside over the 2nd All-India Textile Workers' Conference. Campore being a very important centre of textile industry, it is only right that this All-India organisation of the textile workers should meet in this place; and I congratulate the workers of Cawnpore for having been given the honour of holding this Conference here.

It is a great pity that the Ahmedabad Labour Association, which is an important organisation of textile workers, cannot participate in this Conference on account of its not being affiliated to the Trade Union Congress. I hope they will see eye to eye with us one day and make common cause with the other textile workers in the country.

The need for an All-India organisation of the textile workers has been felt for many years. The textile industry is an extremely competitive industry. Conditions obtaining in one place, province or country affect the conditions in another place, province or country. In our country the industry has been established more or less in all the provinces. It is an industry not only of national but of international importance as textile articles are necessary for all people. Taking the world as a whole, fourteen million workers are employed in this industry, out of whom ten millions are employed in factory industry and four millions in home or cottage industry. In India, including the hand-loom weavers and the hand-spinners, three million workers find employ-ment in this industry, out of whom eight lakhs are engaged in textile factories. The industry is divided into several branches according to the raw material used such as cotton, wool, rayon, silk or jute, or according to various manufacturing processes such as spinning, weaving, dyeing and bleaching, or according to the nature of the articles woven. Although the textile industry is thus divided into many branches, it must be regarded as a unified entity in considering the labour conditions or even in considering the other aspects of its economics and both for national or international action.

The different textile fibres or raw materials, generally speaking, fulfil the same purpose and are therefore interchangeable and compete with each other. Their manufacturing processes are not very different. They require similar labour force. These factors clearly point out the necessity of having one united organisation for textile workers engaged in all the branches of this industry. I therefore hope that this organisation will not only include workers in all provinces but also workers in all branches of the industry such as cotton, jute, wool and silk.

If the interests of all the workers in the textile industry in our country are to be protected fully, it is necessary that the hand-loom weaver and the hand-spinner should be brought within the scope of this organisation and of the Trade Union the present Trade Union Movement does not extend beyond the limits of the organised machine industry.

In considering the problems that face the textile workers in our country, either as regards the conditions under which they live and work or as regards organising the workers engaged in the industry, it will be useful if we survey the position as regards the number of workers engaged in the industry. At present in India there are 370 cotton factories in working order, in which 417,200 workers are employed. Out of these 354,380 are men, 59,830 are women, 8,975 are adolescents, and 4,740 are children. There are 100 jute factories in working order in which about 289,000 workers are employed. Out of these 246,740 are men, 39,670 are women, 2,380 are adolescents and 250 are children. The silk, woollen and hosiery branches of the industry are not much developed in our country. There are 57 hosiery factories, employing about 5,000 workers, 24 silk factories employing about 2,000 workers and 9 woollen mills employing 4,700 workers.

It is needless to describe in detail the conditions under which the working classes in India live and work. The wages are low, the hours are long, sickness, unemployment and old age are unprovided for. Most of the working classes in the country live in one room tenements. There is hardly any education for them. The textile industry being one of the most competitive, the workers in it have gone through very severe exploitation. The conditions which obtained in the industry when it was first established have to some extent been improved. The Factory Act, which was first passed in 1881, has gone through important stages of changes. The hours of work, for which there was no limit till 1911, are now fixed at 54 hours per week and 10 hours a day. Conditions regarding sanitation and lighting have also been improved. The development of the Trade Union Movement has been very helpful in securing this improvement. Though the conditions in factories have undergone a change for the better, there is very little change as regards security of employment and life. We have still no beginning of either a scheme for health insurance, unemployment insurance or provision for old age.

In spite of the improvements effected in the Factories Act and some other matters, the conditions of life and work in which the working classes in India live and work are much inferior to those that obtain in other countries.

We have met here in this Conference to-day to consider questions affecting the life and work of the textile workers, especially of workers in the cotton textile industry and in the jute textile industry. Wages are the chief factor which determine the conditions under which the working classes live. It will be readily admitted that the present wages in the textile industry are extremely low. The wages prevailing in India are one quarter of those in Great Britain. The low standard of life which the textile workers of India lead is proof of the inadequacy of the wages. Heavy indebtedness of the textile workers is another proof of the wages being inadequate, even for a poor Movement in the country. It is a great pity that standard of life. Wages of the textile workers. especially of the cotton textile workers, vary so much, that it is difficult to describe them in brief. They vary in the different centres of the textile industry, to some extent due to the cost of living of the place. The rates of wages vary according to the quality of cotton and yarn used and the kind and pattern of cloth woven. The wages in the textile industry are on the whole lower than in any other big and organised industry in the country. Apart from the fact that the wages are low, their variation itself is a natural cause of discontent. There is no standardisation of wages either in the industry as a whole or even in the industry at different centres.

During the last two decades the economic position of the textile industry has gone through general movements of prosperity and depression with consequent movements in the wages of workers. During the latter part of the War and in early post-War period the industry was prosperous and the wages consequently rose, though not to the extent to which they ought to have risen. The boom was followed by severe depression and the wages consequently fell. Between 1925-29 the economic condition of the industry improved, but the wages were not increased. The industry again suffered depression from 1929 to the end of 1935 and the wages continued to go down. We must remember that since 1927 the industry has been receiving protection, but the protection has not helped the working classes. Since 1934 the hours of work have been reduced from 60 to 54 a week, but the reduction of production due to shorter hours has been made good.

It reflects credit on the recently established Congress Governments that at least three of them appointed committees of enquiry to consider the question of wages in the cotton textile industry, with the result that recently wages have been increased, on the average by about ten per cent, in Bombay, C. P. and U. P. I feel that there is a need for further improvement in the wages of the textile workers at all centres of the industry, The reduction of wages that has taken place since the first post-war depression is not yet made up. Not only must the reduction be made good, but the wages must still further go up in order that the present low standard of life may be raised, and the textile workers may be able to lead a little better, human existence. I feel that India needs a minimum living wage legislation, providing a fair machinery for fixing wages. It is true that when minimum wage legislation was introduced in Europe, it was first applied to unorganised industries, but that position has now changed and even in Europe the legislation is now applied to several well-organised industries. Moreover, in India, although the industry may be well-organised, the workers in the industry are not wellorganised and need the help of a wage-fixing machinery.

The question of hours of work also needs early solution. The present hours of work are too long and must be immediately reduced in the interests of the health of workers and in order to give them leisure to live a better family life and to have an opportunity for recreation and for being able to do their duties as citizens.

what I have said about the wages in the cotton industry applies to the jute industry also, except that wages in the jute industry are lower

Bengal where the jute industry is situated, improvement in labour conditions is more difficult than in other provinces. The Jute Owners' Association in Calcutta is a very reactionary but a very powerful organisation. It had a very great influence with the Government of Bengal which it still continues to possess under the new regime, on account of the fact that the present Government of Bengal depends upon the Europeans' vote for its very existence.

Another important reform which is urgently needed is the provision against sickness, unemployment and old age. It is common belief that industrial workers in India, when they become sick or old or when they are unemployed, can go back to their villages where their land is supposed to provide sufficient resources to maintain them during their difficulties. But this is a myth. When the industrial workers go back to their villages as they have to, they only add to the financial difficulties of their already starving relatives. I, therefore, feel that schemes for health insurance, unemployment insurance and old age pensions should be immediately established. These schemes must be statutory and under the control of the State. Schemes under the control of the employers are not in the interest of the working classes as they make it difficult for the workers to leave employment under an employer who does not offer satisfactory conditions of work, as regards wages and other matters. Central legislation is preferable to provincial legislation on the subject of social insurance. However, as under the present constitution the Central Government hesitates to act before securing a general consent of the provincial Governments, I would prefer provincial legislation to inaction. Fortunately, as in many provinces the Governments belong to the Congress Party it should not be difficult for them to act in concert.

As most of the industries of the country are competitive, fear is sometimes expressed that if labour conditions are improved their cost will throw an unbearable burden on the industries which have to compete with foreign imports. I feel that the industrial workers in India have a right to ask for the same conditions of life and work which exist in other advanced countries. The conditions in India are very backward and they must be brought to the higher level prevailing in other countries. The disadvantage of competition where disadvantages exist can be removed by international agreements in labour matters. The International Labour Organisation has been working in this direction and it should be supported by the Governments and employers in India in its work. Unfortunately they are not giving sufficient support to that international organisation. Moreover, labour costs form a small part of the cost of production. In the textile industry it is between 20 to 22 per cent. of the total cost of production. Improvement in labour conditions, therefore, will increase the cost of production to a much smaller extent. The productivity and efficiency of the industry can also be still further improved by better management and better organisation. As Government are giving protection to this industry, they have a right to insist upon better management and better organisation and also to exercise control over the industry to see that better organisation and greater efficiency are enforced. The efficiency of the workers is also steadily going up, but unfortunately they are not given the full benefit of their increased efficiency. Moreover, there is still great room. than in the cotton industry. Unfortunately in for increased consumption of cloth. Commercially

\*there may sometimes appear to be over-production in textile goods, but socially, and considering the needs of the people, there is certainly under-consumption, especially in India. We consume only 16 yards of cloth per head in India while in England they consume more than double our quantity and in the U.S.A. more than four times. If the conditions under which the masses of people live are improved they will purchase more textile goods and the industry will be more prosperous. The experiment of reducing the hours of work to 40 and of increasing the wages has been tried in the U.S.A. for more than six years. On account of these reforms they had expected an increase in labour costs by 37½ per cent, while the actual increase was only 12 per cent. This result was brought about by the utilisation of improved machinery, a better arrangement of processes, application of skilled labour and more adequate scheduling of flow of production and a better selection of raw material. In spite of these reforms in the IT S A the dividends paid by the industry remained the same. It is thus clear that even substantial improvement in labour conditions in India will do no harm to the industry; on the other hand, it will not only place the industry on a more human but also on a more stable foundation.

It is necessary to say a word about industrial disputes and strikes. It is natural that we all should desire industrial peace, but it must be remembered that the present economic structure which is based upon the foundation of competition involves struggle as a method of adjustment of claims between the employers and employees. Industrial disputes and strikes are, therefore, inevitable under the present system though they may be deplorable. It is the duty of Government to try to help the parties to a dispute to come to a settlement. This help they can best render by placing the machinery for conciliation at the disposal of both the parties on all occasions. The services of a conciliation officer should in the first place be made available, both before the disputes develop and strikes take place, as well as afterwards. If this fails, a more formal enquiry should be instituted immediately and a report on the merits of the dispute should be published, so that both the Government and the public will know on which side there is fairness and justice and to what extent. It is wrong to penalize strikes, as under the present circumstances a strike is the only ultimate weapon in the hands of working classes to protect their interests. If Government make the machinery of conciliation and impartial enquiry available on all occasions of disputes, I have no doubt that the number of disputes and strikes will be reduced. Government can even go a step further and announce it as their policy that if strikes and lock-outs occur before any negotiations take place between the two parties and before approaching the Government for conciliation, their help will not be so readily available as in the case of disputes that take place after all efforts of negotiations and mediation by Government had failed. The Government of Bombay have made a great mistake in passing the Industrial Disputes Bill recently in an indecent haste. I hope the Governments of other provinces will not follow the example of the Government of Bombay.

In conclusion, I would like to say a word about the organisation of textile workers in our country. At present there are 20 Unions of cotton textile able. The Federation is further of opinion that workers with a membership of about 40,000 and these modifications are essential for the successful six unions in the jute industry with a membership working of the federal constitution.

of about 11,000. Considering the total number of workers employed in this industry, the number of organised workers is still small, and a great effort must be made to strengthen the organisation. Moreover, some of these unions are overlapping and an effort must be made to bring about their amalgamation. The strength of the unions also depends upon their financial resources, and it is necessary that the organisers of the movement should pay adequate attention to this matter. Not only must the local organisations be strengthened, but if the labour organisation is to be effective the All-India or national organisation must also be placed upon a better footing than that of a loose All-India Conference. It is time that an All-India Federation of a permanent character is brought into existence and made an effective organ for protecting the workers in the Indian textile industry. I would go a step further and suggest that the textile workers' organisation in India should build up a contact with the international organisation of the textile workers. It must be remembered that the textile industry is an industry of an international character, and the organisations of the workers must also take on an international character in order that the textile workers of the world should enjoy a comfortable and happy human existence.

#### THE LIBERAL FEDERATION.

#### RESOLUTIONS PASSED.

Following are some of the resolutions passed at the last session of the National Liberal Federation of India held in Bombay on 30th and 31st December:

#### THE FEDERAL CONSTITUTION.

THE National Liberal Federation reiterates its opinion that the constitution, especially as regards the Centre, as embodied in the Government of India Act 1935, is utterly unsatisfactory and in several respects retrograde. While the National Liberal-Federation accepts a federal form of government for India as the only natural ideal for our country, the Federation considers that vital changes are required in the form of the federation as laid down in the Act, especially in the direction of (a) clearing up the position of the Princes and securing for the subjects of States the right of election of States' representatives, (b) doing away with the safeguards regarding monetary policy and commercial discrimination, (c) introducing direct election for the members of the Federal Assembly by the Provinces, and, (d) making the constitution sufficiently elastic so as to enable India to attain Dominion Status within a reasonable period of time.

The National Liberal Federation considers that the present position when there is an irresponsible government in the centre coupled with responsible governments in the Provinces is altogether untenable and earnestly urges on Parliament to make immediate changes in the federal part of the constitution so as to make it generally acceptable. The Federation is further of opinion that

#### DEFENCE.

- 1. The National Liberal Federation of India records its protest that the Government of India Act of 1935 does not provide for a close association of the responsible part of the Federal Government with the defence of the country.
- 2. The Federation strongly deprecates the exclusion of Indians from membership of the Chatfield Committee.
- 3. In spite of the huge and intolerable burden of military expenditure borns by the country since the inception of British rule, the Government have utterly failed in their duty to equip the country adequately for defensive purposes. The Federation reiterates its demand for (a) the rapid nationalisation of the defence forces of India involving the replacement of British troops and the Royal Air Force by Indian Land and Air Forces and the substitution of the Indian for European officers in the Army, Navy and Air Forces of the country; (b) the redistribution of the existing defence expenditure so as to provide more money for the rapid development of the Indian Air Force and the Indian Army; (c) the removal of provincial and communal restrictions regarding recruitment of the Army; (d) a wider expansion of the University Training Corps and the selection of cadets from that Corps for admission to the Indian Military Academy; (e) the introduction of military drill and the establishment of a Cadet Corps in the cade of t schools in accordance with the recommendations of the Shea Committee; and (f) taking all necessary steps to make the people of this country more self-reliant in the matter of defence.
- 4. In view of the tense international situation suggesting possibilities of a European War, which may render Indian ports and coastal towns liable to air raids by hostile sea-borne aircraft, involving the use of explosive, incendiary and

gas bombs against the civil population of this country, this Federation urges upon the Govern ment the need to undertake a more systematic organisation of Air Raid Precaution measures including anti-gas training, protection against incendiary and gas bombs, organisation of firefighting squads and other allied Air Raid Precaution services.

## BHULABHAI DESAI'S SPEECHES

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