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Topics of the Week.

Sir Jagadish Chandra Bose.

THE sudden death by heart failure of Sir Jagadish Chandra Bose at the age of 79 has deprived the world of a scientist whose place is almost unique in the history of scientific research, while India loses in him a man who first placed her on the map in the world of science by his research in the electrical branches of science. He shared, with Marconi we believe, the credit of being one of the very first who foresaw the possibilities of the wireless. He did not follow up this lucrative line of research on account of his interest in what we might call plant-psychology. His discoveries in this sphere astounded the world. He proved, through delicate instruments of his own making, that plants have emotions and feelings and that their reflexes to joy, pain, affection, etc., are almost identical with human reflexes. By scientific proofs Sir Jagadish can be said to have established the Hindu concept of unity of life in the universe.

Release of Bengal Detenues.

THE Bengal Government gave a promise in the last session of the Assembly that it would review the question of the release of detenues as early as possible. The meeting of the A.I.C.C. and the visit of Mahatma Gandhi to Calcutta gave a filip to the intentions of the Government after a series of personal interviews between Mahatma Gandhi and the Governor and Ministers of Bengal. A majority of Bengal's political sufferers have been released by Government unconditionally, with the exception of an injunction to communicate their change of address. Mahatma Gandhi and Sir John Anderson between them have taken a bold step, the former in taking upon himself the responsibility of preventing any recrudescence of terrorism as a result of this and the latter by taking an important decision on the eve of his Governorship. The Government communique on the subject says that the step has been prompted

by "definite indications of a change for the better in the general atmosphere" and the recent statements by certain leaders that they are "exerting themselves to discredit the methods of violence".

THERE is no doubt, however, that more than fall the assurances of leaders, it is the personal efforts of Mahatma Gandhi and his guarantee that "he would do his best to improve the political situation by preaching his cult of non-violence" and would meet the detenues personally with a view to persuading them in favour of it, which have put courage into the heart of the Bengal Government to undertake the wholesale release of eleven hundred out of two thousand detenues under duress. In taking this step the Government hope that—

The steady development of the policy now set forth will result in the ultimate solution of this perplexing and difficult problem. Its success must, however, depend on the co-operation of public opinion in maintaining an atmosphere in which a subversive movement will find no encouragement. Government, who have throughout been most anxious to carry out a policy of release of detenues as rapidly as possible consistently with public safety, cordially welcome Mahatma Gandhi's offer of assistance in creating the favourable atmosphere that is essential for the success of this policy.

The co-operation and help demanded by the Government from the public, it seems to us, would have come more readily if the gesture had not been marred by the condition regarding the change of address. There is general dissatisfaction in regard to this as well as the hesitancy of Government to show similar courage in the case of the 450 detenues still under restrictions.

REFERRING to the condition attached to their release, the *Tribune* observes :

If the Bengal Government could not release all prisoners at the same time the least it should have done was to let off those whom it has decided to release without imposing any condition on them. The failure of the Government to do this is all the more regrettable as the cult of violence has at no time had so few devotees as to-day. Those who believed in this cult have openly renounced it. Congress leaders have declared a crusade against violence. Mahatma Gandhi has assured the Bengal Government that he would do his best to create public opinion in favour of non-violence. The Government itself recognises this; still it has not the wisdom to strengthen the hands of Mahatma Gandhi and bring peace to its province. The Bengal Government has missed a great opportunity. It has betrayed a lamentable lack of statesmanship.

Even the Mahatma who gives unstinted praise to the Bengal Government for their action could not help wishing that they had shown less of this "timidity" and not allowed this mere formality to rob the release "of some of its grace". However, there will be general agreement with the Mahatma that the

release is to be welcomed as "an earnest of much more to come."

THE release of such a large number of detenus has naturally concentrated attention on those who have been not so fortunate although their number is small in proportion. The *Tribune*, while giving the Bengal Government its due meed of praise for what it has done, could not but wonder at the fact that

The Government cannot still make up its mind to give up the policy of pick and choose and release the whole lot of prisoners at the same time. This is all the more incomprehensible as what the Government propose to do is anything but niggardly. The action of the Government is something like that of a man who pays 15 annas instead of 16 annas in a rupee. The failure to pay that little nickel coin has been the cause of many broken friendships, and this failure on the part of the Bengal Government will keep the embers of bitterness burning.

And the *Bombay Chronicle* can only receive the decision with "subdued and mixed feelings" for

The most disappointing feature of the Bengal Government's decision is that it makes no mention of 500 detenus who are not yet to be released or of the prisoners convicted of terrorism. The non-release of the former is a continuation of the gross injustice done to them through incarceration without a trial. For the Government to plead that they are not yet convinced of detenus abandoning violence is, as we have said before, merely begging the question, as the assumption that they are or were terrorists is still unproved in a court of law.

Notwithstanding this marring feature of the generous policy of the Government, it deserves well of the public. It has taken a bold decision. The Mahatma, on his part, has taken upon himself a heavy responsibility and the whole country is behind him in his efforts to win over the misguided youth of Bengal to saner political warfare.

Mysore's Challenge.

THE Congress leaders in the Mysore State have issued what amounts to a challenge to Mahatma Gandhi who denounced the A.I.C.C. resolution on Mysore and to the President of the Congress who has indirectly lent his support to Gandhiji's denunciation. Mahatmaj's complaint is that the resolution is not based on verified facts, and that an inquiry should have been held before it was adopted. These leaders, while maintaining that there is a whole series of undoubted and incontrovertible acts of repression of the Government which fully justify the resolution without a preliminary inquiry, welcome a detailed investigation into the administration of Mysore, and they ask for such an investigation to be held as speedily as possible. Gandhiji and Pandit Jawaharlal now owe it to the Congress workers in Mysore to hold the inquiry. Let a Committee of prominent Congressmen be appointed for the purpose, and it would be well if the Mahatma himself be a member of it to ensure that truth is not put in the least peril by men who do not understand the supreme need of being conscientious to a fault in State matters and who are apt to apply to States the canons of rough and ready justice which they are in the habit of applying in British Indian politics. This is the Mysore people's challenge, which we do not see how the Mahatma, with his utter devotion to truth, can set aside.

THERE is one point in the statement of the leaders of the Congress movement in Mysore which deserves particular attention. Gandhiji says that the A.I.C.C. resolution offends against the non-interference policy of the Congress. The Mysore leaders raise the question—a vital question—whether non-

interference is to be practised by all Congressmen in State affairs, by State peoples as well as British Indians. These leaders do not ask for, and do not expect, any assistance in their struggle from those Congressmen who are inhabitants of British India or other States than Mysore; but they inquire whether the subjects of Mysore State who are enrolled as members by the Congress are entitled to carry on an agitation in the State or not. This is a very pertinent inquiry. If they are disqualified from carrying on such agitation, those States' people who join the Congress will be placed in a most unpleasant position. They are encouraged and instigated to take part in the Congress agitation in British India, which to them, according to the Mahatma, is foreign territory. What is the reward that they get? British Indian help on the basis of reciprocity? No; that is strictly forbidden. But a disability from carrying on lawful political activities in their own State.

PERHAPS Gandhiji and Pandit Jawaharlal will be inclined very graciously to extend to them, in return for their participation in British Indian politics, the great privilege of giving them freedom to carry on an agitation in their State, though as a body the Congress is debarred from State politics. But see what follows if such freedom is given. The Mysore State Congress Committee passes a resolution condemning the Mysore Government for its repression, as *ex hypothesi* it is within their right to do. Then the Karnatak Provincial Congress Committee, to which it is affiliated, cannot refuse to take cognisance of the matter and must endorse the Mysore Committee's resolution provided, of course, it is just. And if the Karnatak Provincial Committee passes a confirmatory resolution, the All-India Congress Committee cannot but follow suit. How then can Gandhiji sustain his thesis that an A.I.C.C. resolution condemning repression in a State partakes of interference with States and is thus ultra vires of the Congress constitution?

THE logical conclusion is that if non-interference is to be made a reality, not only all the Congress Committees in British India but the Congress Committees in Indian States also must be prohibited from having anything to do with any State. Thus the result of the Congress throwing its doors open to the States' people will be that they will be called upon to sacrifice their all in matters which do not belong to them and will be deprived of the right to exercise their inherent rights in regard to matters which belong to them and to them alone. Let Gandhiji and Pandit Jawaharlal answer the Mysore leaders' inquiry with a full realisation of the implications of what they say.

Rajendra Babu and the Kisans.

WE had thought that the Congress Ministry in Bihar had resolved to make two bites of even a tiny cherry of modest tenancy reforms and had for the present left salami and the certificate procedure intact with the object of not giving too much alarm to the zamindars. But it now appears that it was on account of Babu Rajendra Prasad that the Ministry is going slow. The *Searchlight* has vented its wrath against the waspish Kisan Sabha in an article which at this distance appears to us to be too warm and colourful. In the course of this article it says:

A Congressman, who does not know the limitations under which the Ministers have to work, is either foolish or mischievous. And any sane person, who cannot distinguish between the licence of an irresponsible free lance and the obligations of a responsible Minister, must have pawned his judgment in the bureau of prejudice. Surely, it

is the height of unfairness to denounce the Ministry because of legitimate differences over an item here or an item there, specially when they occur over matters on which there is not only room for such differences but in regard to which strong opinions are held by, say, such men as Babu Rajendra Prasad whose honour at least must be above the reproach of even those who were babes when he sacrificed a career to identify himself with the suffering kisans.

We can understand the indignation of our contemporary in a matter in which Rajendra Babu is concerned, but we should like to know what Rajendra Babu has to say in the matter.

The League.

WEEK before last we defended the "National" Government of Great Britain against the attacks made on it by Mr. Lloyd George, Sir Archibald Sinclair, Mr. Philip Noel-Baker and others on the ground that the King's Speech contained no reference to the League of Nations. The Government has no

faith in the League and does not want to use it as an instrument of international politics. It is best, therefore, that the Government does not hypocritically profess adherence to it. We find the same sentiment expressed by Mr. Mander, the well-known League man. He said:

Some reference has been made to the omission from the King's Speech of all mention of the League of Nations. I commend the Government for omitting reference to it, because I think they are being honest and straightforward. They do not believe in the League. They have abandoned it, and they are quite right not to try and represent themselves to the country as having any interest in it. I think that it may be truly put in this way, that the Members of the Government sincerely believe in the League of Nations as an ultimate ideal to be attained in some dim and distant future. I fully believe that the difference between us is that while they hold that view, we on this side believe in the League of Nations as a working institution for the saving of the world here and now in 1937.

ARMY MECHANISATION.

IN his address to the Central Legislature on 13th September last, the Viceroy said:

In consultation with the Commander-in-Chief, I have been giving the closest consideration to the question of Army organisation and equipment of the Army in India so as to maintain its efficiency at the highest possible pitch, having regard to recent developments elsewhere in the matter of mechanisation and the like. The expenditure involved is inevitably considerable. I have caused representations to be made in the matter to His Majesty's Government for assistance in carrying out the reorganisation owing to the very heavy cost involved, and it is my hope that we shall receive a favourable reply.

The reply to these representations is to be found in the announcement made by the Under Secretary of State for India, Lord Stanely, in the House of Commons on the 17th inst, that His Majesty's Government will make a special grant of £600,000 to India to cover part of the capital expense that will be involved in carrying out the proposed mechanisation. This grant will be completed in three years, but the process of mechanisation will take, we are told by Reuter, four to five years. Reuter further informs us that "the plan to equip four out of the five British cavalry regiments with light tanks should be under way by spring. The contribution is also intended to cover the provision of four machine-gun battalions. This will take a year to organise. As yet there is no suggestion that any Indian cavalry will be mechanised, though the question has been considered." We neither know what the mechanisation will be that will be introduced in the Indian Army—or rather the British Army in India, for it is that that will be mechanised and not the Indian troops—nor what the total cost of mechanisation will be when it is completed. We have thus no means of knowing what proportion the Imperial grant of £600,000 represents to the total expenditure that will be entailed.

The decision about mechanising the Army was taken in Great Britain by the British Government, and as the Army in India is only a counterpart of the British Army under the linked battalion system the decision applies automatically to India. The Viceroy speaks as if the initiative in considering reorganisation

of the Army is his. It is buncum. He is under orders which he has to carry out. The determining factor in the British Government's decision in favour of a high degree of mechanisation was the need for the Army having to provide for a prompt expeditionary force for continental land warfare in the hour of danger. The White Paper of March, 1936, on rearmament (Cmd. 5107) defined the functions of the Army thus: "It has to maintain garrisons overseas in various parts of the Empire, to provide the military share in Home Defence . . . and, lastly, in time of emergency or war to provide a properly equipped force ready to proceed overseas wherever it may be wanted." The War Secretary, Mr. Duff Cooper, repeated this in the House of Commons on 16th March this year. He impressed on the House "the ever present need of retaining in England a force of a certain size, which may be required, when and where we cannot say and against whom we cannot say, but, of course, sufficiently strong and sufficiently well equipped to be dispatched at a moment's notice to take on any adversary in any part of the world." And for this purpose, he said, "We are engaged in making a tremendous change in the equipment of our Army. We are mechanising the Army throughout. We are applying to it in a very few years all the advance in mechanical and scientific invention that has taken place since the War. We are trying to produce in a very short time an Army as it would have been if during the last fifteen years no expense had been spared upon it, and if we had been equipping it with modern equipment instead of cutting it down the whole of that time. We are doing in two or three years the work of fifteen years."

The need for a highly mechanised Army arises because the British Government is contemplating (though Mr. Cooper does not refer to it and speaks as if the matter is still left open) that the land forces may at any time be called upon to make a decisive contribution in a continental war in which they will have to meet equally highly mechanised armies of European countries. Opinion in military circles differs as to how far such mechanisation would be

advantageous. But one thing is clear, viz. that it is not needed, at any rate to the same degree, in an Army charged with the task of protecting India. The Army in India is being mechanised merely because it forms part of the British Army. The *Round Table* of December, 1936, says :

While an army for continental warfare must be highly mechanised, that is not necessarily true of an army in India, Egypt or colonial stations. (The lessons of the Italian campaign in Abyssinia have still to be fully studied by the military experts, but contemporary reports did not suggest that mechanisation of force on the ground was a decisive factor.) It is not merely a question of different terrain or different weapons to counter, but also, most probably, one of a totally different objective of the fighting—not to compel the submission of the Government of a highly organised enemy State, but to quell factional disorder, or to keep turbulent tribesmen beyond an unsettled frontier, or essentially to defend rather than to attack (as in the garrisoning of island strongholds). Different conditions and different objectives dictate different kinds of arms and armour. *An army trained and equipped for continental warfare in Europe is ill adapted for controlling the North-West Frontier, stemming communal riots, or garrisoning Cairo, Ismalia, Cyprus or Malta. An army trained and equipped for service in India is ill adapted for European mechanised warfare.* This conclusion is obviously an indictment of the Cardwell system, which assimilates the Indian and other oversea units of the army with the home units—the potential expeditionary force.

The Cardwell system, introduced 70 years ago, abolished the long service of 21 years then existing and substituted for it, in view of the needs of India, a short, or what is called a middle-term, service, under which men sign on for seven years with the colours and five with the reserve. Under the old system there could be no reserves, and thus the Army could not be expanded. The new system was established chiefly for the reason that it provided reserves and made expansion possible in time of danger. Half of the service was to be spent at home, and half in India or in other Imperial possessions, the units in India and other countries abroad, receiving drafts each from a unit at home, which was to be both a training establishment and on mobilisation to provide a new army available for expeditionary or other purposes. The Cardwell system has become recently a target for attack in all quarters, and it was severely criticised in the last Army Estimates Debate on 16th March by members belonging to all political parties. Mr. Amery thus pointed out the defects of the system :

The whole basis of the system was a rigid parity between the peace strength overseas and the force at home, which would give you an expedition for war. But there is no connection between these two things. We may well contemplate a period of years of considerable unrest and difficulty in many parts of the Empire—Palestine, the Indian Frontier and the Far East—coinciding with a period of major peace in the world outside. Yet under the Cardwell system, for every additional battalion required for policing the Empire, we have to create an extra battalion here for the purpose of mobilisation. There may be peace throughout the Empire and a serious situation facing us on the Continent or in the Mediterranean. Yet under the present system there is no flexibility, no power of adjusting our expeditionary force to its strategical needs. It takes no regard for our strategical requirements. It does not provide us with a small permanent mobile reserve available to quench the flames before they get serious in any part of the world. It is a system which is almost Gilbertian in its

inapplicability to the conditions of war. We must recognise the danger of war, and we have reached a time when our organisation should be such as to meet war conditions.

Mr. Lees-Smith on behalf of the Labour Party also put in a plea for the abandonment of the Cardwell system, which, he said, had already broken down. Two of the four purposes of the Army, mentioned by the War Secretary, are: to serve as an Imperial police and to serve with such an expeditionary force as might be needed in Europe. And, referring to these, Mr. Lees-Smith said: "The point which is perfectly plain to me is that you cannot have one Army which is to perform both these functions by any sort of linked battalion system. For the Indian frontier you must, obviously, have infantry, whereas the force that is contemplated on the Continent... is a compact, highly mechanised force consisting of mobile divisions... consisting of tank brigades and infantry brigades of some type... In any case, there you have two armies of an entirely different type, and it is quite out-of-date to imagine that you can link them up in one such system as the Cardwell scheme always assumes." Accordingly, in this debate an amendment was moved, urging Government "to reorganise conditions of service to provide a full career for those who desire service in imperial garrisons, a short-term service for those who desire to be reservists and full facilities for those who desire to join the Territorial Army." The amendment asked that a distinction be made between service in the Imperial garrisons and service at home for defence purposes, the former to constitute an Imperial gendarmerie on a long-term service of 21 or 25 years for those who are attracted by adventure and glamour of strange countries and who seek service as a career and the latter to provide reserves on a short-term service of 15 months, somewhat on the lines of the plan that was put forward by Mr. Arnold Forster. Mr. Cooper himself touched on the subject. He said :

It may be questioned, seeing how different are the obligations that our Army may be called upon to fulfil, whether it is wise to maintain only one Army for so many and such diverse purposes, whether the same force could possibly be equally well adapted to fight with tribesmen in the mountains of Asia and with a modern mechanised force on the plains of Europe. Of course that is a very pertinent and far-reaching inquiry, and it is impossible to reply in the affirmative that such a force, that one force, is equally well adapted to meet these two contingencies. We are limited by material considerations, in the amount of military equipment that we can maintain. Whether it would be possible to divide that equipment into two parts, one for Imperial services and another for short service at home and the possibility of taking part in a European war—if such a thing ever occurred, and should it be decided that we could take any part on land at all—that is an inquiry which, I can assure the House, is being closely considered by the War Office.

One of the two reasons which the War Secretary gave as forbidding the immediate inauguration of such a revolutionary change, if it were decided upon, has reference to India and may, therefore, be quoted here in full.

The system upon which our Army works, necessitates probably the greater part of it at most times, being out of this country—an Army for foreign service. The greater part of the Army out of this country is always in India. Any such change could only be carried out with the close

co-operation, assistance and good will of the Indian Government. The Indian Government at this moment is entering upon the first stages of a great constitutional experiment, and to ask them now to consider and to set in motion a vast change of their defence system, would hardly be fair to a country which has so much with which to occupy her mind at present.

The British Government thus decided to mechanise the whole Army, though perhaps there is need for mechanising only a part of it, and realising probably that the British Army in India does not require a high degree of mechanisation, if purely India's needs are consulted, it has offered to contribute £60,000 to the cost of this mechanisation. We do not know whether the establishment of a separate long-term foreign-service Army, as was proposed in the amendment, would cost less. Sir Victor Warrender, Finan-

cial Secretary to the War Office, apparently does not think so. For he said: "If this scheme is to be successful, the conditions of service in the foreign-service Army would have to be made sufficiently attractive in order to get the recruits that would be required, and without such inducements as extra pensions, gratuities, increase in the married quarters roll, and leave facilities, not to mention increased rates of pay, it would be idle to expect men to be willing to join the Service on terms of this kind." In either case, India appears to be faced with a large increase in her already crushing burden of military expenditure, unless the Army of Occupation in India were replaced by a really Indian Army consisting of Indian soldiers, which of course the British Government will never consider, if they can help it.

BOMBAY GOVERNMENT AND LABOUR.

III*

OF the four problems, namely, stability and security of employment, housing, minimum wage and social insurance, on the prompt solution of which, as I said in the last article, the *bona fides*, sincerity and earnestness of the Bombay Government will be tested, I attach by far the greatest importance to minimum wage and social insurance. These are the problems which the Congress is committed to tackle in its election manifesto and these are the fields on which the Congress Governments have to break new ground. However much they may do to redress the day-to-day grievances, and whatever the number of strikes and other industrial disputes they may be able to settle, their labour policy cannot but be considered a partial success if they fail or neglect to deal adequately and effectively with the questions of minimum wage and social insurance. It is, therefore, disappointing to find that the attitude of the Government of Bombay towards these two issues is not only halting but betrays a lack of faith in any effort that may be made towards their solution.

In his speech during the general discussion of the budget, Mr. Gulzarilal Nanda, Parliamentary Secretary for Labour in the Bombay Government, made a statement that "with regard to the question of wages they (Government) have taken the issue a stage further and in very definite language have assured the working class that they will set up a minimum wage fixing machinery to meet the requirement". Mr. Nanda evidently had in mind, when he spoke, the press note of his Government when he referred to the "very definite language." And what does the press note say? It says that "Government are examining the possibility of devising measures for setting up minimum wage fixing machinery". Every word of this sentence is worth noting; and if there is any definiteness about it, all that can be said is that in Mr. Nanda's view definiteness and indefiniteness have become interchangeable words. Since the press note was issued and Mr. Nanda's speech delivered, the public have heard nothing of any measures being

devised, or their possibility being considered or the examination of such a possibility being undertaken. And yet Congress leaders are crying from house-tops that workers should have patience, and abiding confidence in the Congress and its Governments.

No elaborate arguments are needed to establish the necessity of setting up suitable machinery for fixing minimum wage for industrial workers in this Presidency. The conditions in respect of wages are so chaotic that even Sir Robert Bell of the old bureaucratic generation was constrained to exclaim in the now defunct Bombay Legislative Council that his Government would be compelled to take legislative measures if the wage chaos in the Bombay Textile industry persisted. Nowhere do the minimum conditions of service prevail; in fact, no attempt has so far been made to fix what the minimum conditions of service in the industries should be. In many a trade and industry unduly low wages prevail and unfair competition between employers with regard to wage payments has been proved to exist by the recent indiscriminate wage reductions in the textile industry. It cannot be said that there is no material available for fixing the basis of minimum wage legislation. Wage census after wage census has been undertaken by the Bombay Labour Office not only in the textile industry but in other industries as well; and reports have been published; working class cost of living, index numbers on a reconstructed basis are given in the *Labour Gazette* every month; reports on working class family budgets have been issued from time to time by the same authority; and investigations of the economic conditions of industries like the textile industry have been periodically undertaken by the tariff boards and other official agencies. It is also common knowledge that the strength of the working class organisation is so poor and anaemic that it cannot successfully resist the employers' attacks on wages and the workers' standard of life. These facts are so obvious, patent and undisputed that no Government worth its salt, and not certainly a Congress Government whose heart professes to overflow with

* Previous articles on this subject appeared in the issues of 11th and 18th November.

unbounded sympathies for the poor, can afford to indulge in the language of vagueness and indefiniteness, as the Bombay Government has done, unless it wants to play on the ignorance of the people.

The industrial conditions in the Bombay Presidency are such that they easily satisfy the objects for which legislation for fixing minimum wage is generally undertaken. The main objects of such legislation are: (1) to secure minimum conditions in the industries to which it applies; (2) to prevent the payment of unduly low wages to the workers; and (3) to eliminate unfair competition between employers and employers with regard to wages. The results of the working of the minimum wage fixing machinery in different countries show that the application of such machinery has tended to increase the number of organised workers and contributed to the maintenance of industrial peace by preventing unrest which results from the payment of unduly low wages and, where employers and workers are represented on the wage-fixing bodies, by improving industrial relations. The scope of the minimum wage laws in force in different countries varies greatly, as do also the methods of their application. The legislation of some countries provides for the minimum rates in almost all industries; some legislation applies only to certain occupations; and yet some other laws provide for the fixing of minimum rates of wages for certain specified categories of workers such as women or home workers. The modern tendency, however, is, as will be seen from the provisions of the National Industrial Recovery Act of the U. S. A., to widen the scope of such laws so as to cover as many industries as possible. As regards the methods of fixing the minimum rates, they are in some cases specified in the law itself. Usually, however, the law makes provision for the setting up of machinery to fix the rates of wages from time to time. Some laws indicate the basis on which the minimum rates are to be fixed; others leave the wage-fixing machinery free in this respect. The most important types of machinery for the regular fixing of minimum rates are the trade boards and general boards. Where a trade board system is adopted, a separate board is established in each trade or industry. Each board, acting independently of other boards, fixes minimum rates in its own trade or industry. In the case of the general board system a single board fixes minimum rates for a number of different industries. Sometimes a general board fixes rates which apply uniformly to a number of industries; in other cases different minima are fixed for each industry. Thus the trade board and the general board systems may closely resemble each other in practice.

This brief description of the machinery for wage fixing and the objects with which it is established, I ventured to give in order to show that there is no

dearth of material, on the basis of which a well-thought out piece of legislation can be prepared with such modifications as may be necessary to suit the local conditions. I have also shown that there is a clear case for instituting such machinery without further loss of time. What more do the Bombay Government want so that they may come out from the realms of exploration, consideration and examination and begin seriously to tackle the problem of minimum wage, it is difficult to understand. Perhaps some difficulties may be staring them in the face; and I may deal with such of them as I can anticipate. It should, however, be remembered that Mr. Nanda would not have committed his Government in the way in which he has actually done in his budget speech, if they had thought that the difficulties in the way of instituting a minimum wage fixing machinery were insuperable. In the first place, the cost of setting up such machinery and running it may not be heavy; it may prove to be only a flea-bite to the Government treasury. Secondly, it may be argued that the fixation of minimum wage may increase the wage costs and to that extent may put the Bombay industries at a disadvantage in comparison with the industries outside the Presidency and in the Indian States. The argument about the Indian States loses its force when it is remembered that even to-day the wage and other conditions therein are inferior to those in British India and that, in spite of this, progressive labour legislation has to some extent developed in the latter. It is true that industries are growing in the Indian States. But this growth cannot be checked even if the present industrial conditions in British India are not allowed to improve. With regard to the element of inter-provincial competition, I am inclined to take the view that it will not be affected by the minimum wage legislation. The effect of such legislation, in my opinion, will be to remove the existing disparity between wages and equalise the wage level. Wages in some factories where they are excessively low, will no doubt increase; but I am not sure that the total wage bill of an industry will necessarily increase. It cannot be denied that the present weak links have weakened the entire chain of industrial development; and if by the minimum wage legislation such links drop down, it is an undoubted advantage to the industry and the community. Besides it should not be difficult for the Bombay Government to induce other Congress Governments, and perhaps even non-Congress Governments, to institute wage fixing machinery in their respective provinces. I, therefore, think that the difficulties in the way of the Bombay Government are not insuperable and that, if they are earnest, they should take immediate steps and introduce the necessary legislation.

R. R. BAKHALE.

"THE BASEST FRAUD" OF NON-INTERVENTION

"THIS Committee of Non-Intervention is the greatest and the basest fraud and deception ever perpetrated by great nations upon a weak people," said Mr. Lloyd George in the House of

Commons on 28th October, when there appeared to be some chance of the Committee which had been, as was observed by Mr. Eden, waterlogged for two months being bailed out and refloated. The chances have now

considerably improved, and in fact it seems almost certain that, notwithstanding the past history of international non-intervention in the Spanish civil war—a history which, in Mr. George's words, "is definitely dishonourable in so far as the nations who have broken faith are concerned and discreditable to the intelligence of those who permitted them to do so and still remain members of that body"—the Committee will set to work soon. The deadlock that had threatened this Committee is now removed. The Italian Government itself had originally proposed, in the matter of withdrawal of non-Spanish "volunteers", that the nations represented on the Committee should undertake in advance to agree to proportions based on the figures of the Commission to be sent to Spain, but at the meeting of the Committee, Italy's representative, Count Grandi, announced that his Government could not be bound by these figures, and Italy's henchman, Portugal, supported this objection. Russia, fed up with the course which this policy of so-called non-intervention has run, objected to the proposal that belligerent status should be granted to General Franco when a substantial withdrawal had taken place of foreign soldiers serving with the two sides. The Soviet Government's position was that, after the bulk of foreign combatants had been actually withdrawn, "it might perhaps consent to consider the question of granting belligerent rights". Count Grandi further insisted that the plan of non-intervention, to be effective, should be accepted with unanimity by all the countries represented on the Committee. But the objections raised both by Italy and Russia have been waived and the desired unanimity has been established. The prospect of the British plan going forward in its entirety has thus very much brightened.

Here, however, it would be well to contrast the British proposal, put forward in July and now accepted, with the resolution passed by the League of Nations Assembly on 30th September with the support of 32 countries. This resolution, being opposed by two nations, is not going to be given effect to by the Assembly, but nonetheless it is certainly binding on those nations, like Great Britain, who supported the resolution. The declaration which the Assembly made in this resolution is that it—

Trusts that the diplomatic action recently initiated by certain Powers will be successful in securing the immediate and complete withdrawal of the non-Spanish combatants taking part in the conflict in Spain; and

Notes that, if such a result cannot be obtained in the near future (interpreted by the French and British Foreign Ministers to be ten days), the members of the League which are parties to the Non-Intervention Agreement will consider ending the policy of non-intervention.

It should be noted that at this meeting the British representative agreed that unless by 10th October complete—not substantial—withdrawal was accepted non-intervention would be brought to an end, and the resolution did not contemplate the granting of belligerent rights to Franco, even after this withdrawal had been effected. The present plan, however, is to require only substantial withdrawal of volunteers within an unspecified period and then to grant belligerent rights. Nor is the task of ascer-

taining the number of foreigners in the two armies—not to speak of evacuating them from Spain—going to be an easy one. The Duchess of Atholl said in the Commons debate on 1st November: "As long ago as August last year the correspondent of a British newspaper found German air officers at Seville, by then in insurgent hands in the white overalls which are the uniforms of the Spanish airmen; that is to say, that even before German intervention in Spain was a month old, German air officers who had been sent to Spain to help the insurgents were being camouflaged as members of the Spanish Air Force... Skilled linguists will therefore require to be stationed in various places in Spain who could talk to the officers and men as they travelled up and down the insurgent lines to find out whether they could speak Spanish, or whether they spoke it with a German or Italian accent. It might be necessary to know Spanish extremely well in order to be able to tell whether Spanish was being spoken by Spaniards." After the number of foreign combatants is ascertained, then would come the question of their removal, which would also be an equally slow and difficult affair, "because there must be railway schedules, which must obviously take considerable time to arrange." Sir Archibald Sinclair, therefore, suggested that if troops could not be evacuated out of the country, they should at least be withdrawn "from the front line to the rear out of reach of the fighting. Obviously, that can be carried out much more quickly than evacuated." But this suggestion was not even considered.

The process of actual removal of foreign troops will be a matter, not of weeks, but of months, and while this is going on, surely unhurriedly on the part of Italy and Germany, "a desperate battle will probably be in progress, unless impeded by bad weather, between men who are outranged in artillery and who have to fight (almost with bare hands and in sandshoes for lack of proper footwear) against men who have been liberally and plentifully supplied by their foreign allies with everything in the way of guns, tanks and aeroplanes." It is the ambition of Italy to bring the war to a successful conclusion within the next two months, and Signor Mussolini hopes that by the time the Commissions of the Non-Intervention Committee go out to Spain and complete their work he would have won the war for Franco. When, by Italy's eleventh-hour intervention, the Non-Intervention Committee turned a corner, everyone felt surprise. The Rome correspondent of the *Daily Telegraph and Morning Post*, however, offered an explanation. "It is suggested," he wrote, "that the Italian Government wishes to avert a break in the non-intervention talks because it believes that the French Government is now prepared to open its Spanish frontier unless agreement is reached. It is also considered here that General Franco will have a decisive victory before the Commission has finished its task in Spain." The war situation in Spain is very critical. The fall of Gijon has freed 100,000 troops engaged in the north of Spain to turn south for an attack on Madrid and Barcelona on the Aragon front. "I am told," said Sir A. Sinclair, "there are five Italian divisions concentrated now at

Saragossa." The *Sunday Times* of 24th October reported that there were 80,000 Italians and 10,000 Germans fighting on the side of the insurgents besides a large number of foreign legionaries and the Moors, who certainly are foreigners. It also reported that on the side of the Spanish Government were fighting 20,000 foreigners, but "most of these were employed on work behind the lines and were not in the fighting line"; and of these foreigners only 2,000 were Russians. This last fact is important, because the bogey of communist aid is always put forward by those who want to see Franco win. Let us assume that Italy withdraws a large portion of her forces. Perhaps they will be reduced to 40,000; even Mussolini now admits there are as many Italian troops in Spain. The reduction will probably consist mostly of infantry units. As the *Manchester Guardian* says: "General Franco has for months past been prepared to do without Italian infantry, though not without efficient Italian artillery, engineers and air force." When the great battle begins within the next few weeks, the decisive factor will be not so much the number of men on both sides—probably, as Mr. Lloyd George said, they will be equal—but the number of trained officers and, still more, the amount and quality of war material.

But the Non-Intervention Agreement makes no provision about war material, though that is the most important factor in the war. Mr. Lloyd George said:

The victories won by General Franco have been victories which are almost attributable to an overwhelming supply of war material. If you had agreement to-morrow to withdraw every volunteer on both sides, non-intervention would have accorded a superiority to the insurgents which might make the difference between victory and defeat. Bilbao, Santander, Gijon, the Asturias, were all defended by as brave men as ever went into battle—traditionally so, historically so and, if I may say so, racially so. But they had no munitions; they had no guns. On the other side you had every modern machine manufactured since the war—machines in the air, heavy guns and abundance of ammunition, and they just crashed their way through, and there was practically no defence except the bare bodies of gallant men. That is what won there.

Yet the non-intervention plan concerns itself only with the withdrawal of foreigners, but not with the withdrawal of important war material such as aeroplanes, tanks and guns. Foreign Secretary Eden agreed that material "was the most important element to be considered," more important than men, but he contended that the Spanish Government had been receiving material from Russia. This, of course, is, or rather was, quite true, but the insurgents had an overwhelming superiority in the quantities which came from Germany and Italy in comparison with what came from Soviet Russia to the Valencia Government. However Mr. Eden is not prepared to concede this. War material has now almost ceased to come from Russia, and the important point to remember is, as the Duchess of Atholl remarked, that "Italy and Germany are in a much more favourable position for sending planes to Spain than is Russia. With the possession of Sardinia by Italy and the Italian occupation, in part at least, of Majorca, Italian planes can fly quite easily to Spain by night

and so can German planes whereas, of course, Russian planes have to come by sea and risk capture." And Col. Wedgwood said, "shells, heavy guns, aeroplanes, all the things they most want in Spain at the present time in order to defend their liberties are shut out by our one-sided intervention." It is true that the Spanish Government is now able to manufacture material in Catalonia; and it is believed that it will be able to put into the field twice as many men now as at the beginning of the year. But the Spanish Government cannot make heavy guns. Their artillery is of the lighter kind, which is outranged by the heavy artillery of the insurgents. It is feared that the rebel artillery will shatter the Government's defences on the Aragon front as it did on other fronts. If this happens, "if fascism is triumphant in this battle, His Majesty's Government can claim that victory for themselves," said Mr. Lloyd George, because of their persistence with this non-intervention, which aims only at withdrawal of foreign combatants (whether they succeed in it or not), but not at withdrawal of foreign arms.

What is really wanted is not further playing with non-intervention which has had such tragic results, but putting an end to it altogether. Mr. Noel-Baker suggested that the right policy "would be to have a League plan, drawn up in public, impartial and fair to all, administered by impartial League agents responsible to no Government but to the League alone, and to present it to the two parties. If either refused it, let it take the consequences of that refusal. Cut off arms supplies to that side by more effective measures of control; give arms to the side which accepted the plan; and supplement that action by whatever other economic measures might be required." This would mean stopping arms supply to the insurgents and restoring to the Spanish Government the right to defend themselves by importing arms. If only the French frontier were opened to the supply of arms to the loyalists, that would be sufficient to enable them to win the war. And it is necessary that the Spanish Government must win the war. Not because the Government is democratic and the insurgents are fascists, but because the Spanish Government is clearly a victim of foreign aggression, and aggression must not be allowed to succeed. What happens in Spain affects the whole of Europe and the world. Franco's success obtained through Italian help will of course be a serious threat to vital British or French interests. For, as Mr. Lloyd George said, "Spain is one of the most dangerous bastions for an Empire like ours or for France;" and "Gibraltar is vital to the protection of the route to the British Empire from the centre, through to India and to Australia." Mr. Herbert Morrison remarked: "The Spanish situation is imperilling British and French security in the Eastern Mediterranean and the situation in Gibraltar in relation to Spain is imperilling British and French security in the Western Mediterranean." But more than British interests is involved in the Spanish conflict. The question that will be decided on Spanish soil is, in the words of Mr. Lloyd George, "whether Europe is

going to be controlled by democracy or by dictatorships." The Duchess of Atholl said: "I believe that the Spanish people, in fighting to defend their liberties, are fighting a preliminary battle to defend the liberties of other countries."

BANGALORE INCIDENTS.

THE SERVANT OF INDIA has in a recent article (4th November) given a version of the recent unhappy occurrences in Bangalore City and commented on it in a manner which, to say the least of it, invites examination. Both for the reason that it is a highly responsible organ of public opinion and for the fact that its criticism carries the added weight of the great and respected Society which it represents, it is necessary that its suggestions and remarks should be closely, though only briefly, examined. One would think from the manner in which the case is put in the SERVANT that the gagging order on Mr. Nariman came to be applied to him all at once, without any reason for it and without his knowing the probable cause for it. As a matter of fact that order had been earned by him as the result of the speeches he had delivered in Mysore. It was, indeed, the culminating point of his visit—the final scene in his tragic tour of the chief cities of Mysore. Of his speeches in Mysore, it would be difficult to speak with restraint, especially remembering as we should that he had been invited in connection with a non-political function and that, as a guest of a non-political body, it was his duty, in a foreign tract, to give as little occasion as possible for complaint or grumble against him. Mr. Nariman, as a leader holding high office in the Congress organisation, was treated as a gentleman visitor should be and he ought to have remembered that there is danger of his views being taken by the populace as that of the Congress itself. And he ought to have remembered also that the Congress as a constitutional body has publicly declared that it does not desire, as a matter of principle and policy, to extend the Congress agitation into Indian States under its own imprimatur. But he neither remembered the one thing nor cared for the other with the result that he let himself go freely and what followed could not but follow. If the speeches he made mean anything, they suggest antipathy of a highly dangerous type to the Mysore Raj and an affront to its highly and universally respected Ruler. If the SERVANT had inquired into the matter and endeavoured to know facts, it would not have found itself in the unenviable position of championing the very bad cause of Mr. Nariman which it has, in its unfortunate ignorance, made its own. It would not do to soil its respected—and may I add its responsible—pages with extracts from these malodorous speeches of Mr. Nariman. It would do no good to it either as the defender of Mr. Nariman or as the friend of public rights alleged to have been suppressed by a Government that is bent on ruining its reputation as a "progressive and enlightened State" and which it would take long years of public-spirited Government to retrieve! It ought to suffice if it is said that the SERVANT would be the last to waste a tear on Mr. Nariman if it had been aware of what all he is alleged to have given utterance to. The Mysore Government *communiqué* refers to these utterances of his and some of the papers have published fairly long reports of them and what is more the SERVANT itself refers to them. Being thus put on guard, it has failed to duly acquaint itself. It would not do, therefore, for the SERVANT, as an honoured organ of public opinion, to disown responsibility for not knowing what these utterances were before it took on itself the very onerous task of defending Mr. Nariman.

Mr. Nariman proved himself neither the innocent nor the cautious critic who tries to learn things about a State on the spot before venturing to criticise it. Nor did he even care to pass for the good-natured gentleman who tenders respect as much as he receives it. The less said the better on this aspect of the matter. Mr. Nariman was treated with courtesy, including a personal invitation for an interview with the head of the Administration of the State. Courtesy was his due and he was shown it so far and so long as it was possible. The SERVANT itself agrees, he was allowed to address big meetings; he was permitted full freedom to go anywhere he chose; and he was conceded the right of free association. But when he transgressed the limits of true citizenship, even in a free State, no Government which had regard for itself could stand still. At any rate, there can be no question that that is one possible view. The SERVANT would, perhaps, be the first to allow that amount of freedom even to an Indian State Government. Mr. Nariman, in a word, had earned prohibition to address further meetings after he made the speeches he is alleged to have prior to his reaching Bangalore City. It is significant that in all his subsequent statements and sayings he has never sought to deny the delivery of his unfortunate speeches.

The SERVANT, writing after the events, is of course capable of taking the view that it has heard "for the first time that the addition of a few more sentences to a speech would have a disastrous effect on a powerful State". This would be truly astounding if it were not so appallingly ineffective even as a joke. It is not the few sentences that Mr. Nariman desired to add before he would agree to be taken over by the Police that mattered in the case, but the electrical character of the atmosphere and the greater danger that confronted the Police—according to those capable of judging such tense situations—if they delayed arresting him at the psychological moment. The SERVANT ought to know that it is dangerous ground to take in a case of this nature that the man who infringes the law is more in the right than the one who seeks to arrest the consequences of such infringement. The point to remember is that in cases of this nature it is the duty of the person sought to be arrested—if he cares to do his duty by the public and by the police as well, as representing authority for the moment—to yield to law at once. Mahatma Gandhi has laid down the safe dictum that you must await the police and when they come yield at once to them. Resistance is wrong both from the point of view of principle and from the point of view of probable consequences to the public. We may not agree with many of the precepts and principles of Mahatma Gandhi, but with this principle of his—resist not when you are asked to surrender for arrest—we may very well entirely, because it is so sound. It is the surest way to avoid the breach of peace that is bound in such circumstances to follow. If Mr. Nariman had not debated with the Police but had quietly surrendered himself, as a Congressman and a leader like himself should have, and if after that he had called on the assembled populace to disperse peacefully at once, he would have set a splendid example to all and sundry amidst whom he had been moving for some days together. But he failed to do that with—just the consequences that he should have envisaged. It will not do to defend Mr. Nariman, or any other public leader, who seeks to break the law—avowedly and openly against the injunctions of his own organization—in a case of this nature. Mr. Nariman had let himself go for some days and he could not evidently resist the temptation of letting himself go a little further on the last occasion open to him. That way danger lay and the fact that Mr. Nariman later confessed that he had no idea,

that the crowd would behave in the manner it did—including a smart and ugly shower of slippers on the devoted heads of police officials—shows that he had entirely misjudged the situation. After this it would be difficult to blame "the authorities on the spot" as the SERVANT does.

The SERVANT should remember that the offence must be committed before the person could be arrested in a case of this nature and that the offence is not committed until the speech had been made. And Mr. Nariman was allowed time to go on and when he was told he was under arrest, it was his duty to have stopped. For arrest *after he finished* would be an impossible task and a *more risky affair than before*. For a dispersing crowd is known to be more dangerous than one in a static condition. Judged from any point of view, Mr. Nariman must be held to have done three wrongs at one stroke: first, addressing a meeting prohibited, rightly or wrongly; secondly, addressing it in violation of an injunction laid on him by his own organization; and, thirdly, addressing it after he was declared to have been under arrest. To suggest after this that Mr. Nariman was right and the Police authorities were in the wrong, is to put forth something that would not bear examination, whether from a commonsense, legal or moral point of view. Mr. Nariman's subsequent contribution of heart shows that he holds himself blameworthy. And the SERVANT will perhaps choose to leave it at that.

To suggest after what has been stated above in regard to the previous speeches of Mr. Nariman that the authorities were either wrong or unjust in the exercise of their discretion in prohibiting the meeting or the showing of the Congress flag would be to ask the Government not to govern. A Government which did that would have earned not the praise of the SERVANT but its well-merited condemnation. Mr. Nariman failed to play cricket. He took hold of the opportunity of his stay in Mysore and let loose the floodgates of his eloquence in a manner that made his friends and foes alike wonder in despair. Possibly, this was the effect of the "mental condition" induced by the Patel controversy to which the SERVANT in such a friendly spirit sets down his other failings. Whether this is so or not, there is no gainsaying the fact that Mr. Nariman neither did himself nor the Congress any good by these speeches in Mysore. As for Mysore itself, it would have been well if he had, with a little forethought, declined the proffered honour of presidency over a Civic Conference. He would have spared himself and Mysore much trouble and annoyance.

One other point in this connection should be noted. The SERVANT suggests that Mr. Nariman should have been warned of the nature of the speeches made by him before leaving Mysore and that it was "an extremely deceptive attitude" to adopt to have omitted doing this but to have, "on the other hand, shown him every courtesy, including an invitation to meet the Dewan, which is generally shown to a welcome guest." The connection sought to be established between the two facts mentioned in juxtaposition cannot well be sustained. Nor can it bear the meaning sought to be put on it. The phrase "deceptive attitude," especially as applied to the distinguished person who temperamentally and by upbringing should be thought to be incapable of it, is too much to be regretted. It is a pity it did not occur to the writer in the SERVANT that it is not in keeping with its own high traditions of journalism. This particular writer deserves to be kept, for a fortnight at least, a hundred miles off from his pen so that he might learn not to run away with it like an arrant motor car down-hill. To state the actual fact, the invitation to Mr. Nariman came earlier than the contretemps created by his

speeches; it had nothing to do with his speeches. It was unknown whether he would make such speeches at all at the time it was sent to him. The further fact that the public authorities had conversations with Mr. Nariman at *Bangalore*—at which the breach of peace took place and whose authorities and not those of *Mysore* had to protect the public against such breach of peace—shows that Mr. Nariman acted despite the warning given *well in advance* to him and in fact despite the advice of responsible officials and and even despite himself. Why, in fact, once at the meeting, he was so overcome with emotion that he practically started his speech by declaring that he had—with apologies to the Congress High Command—determined to break the injunction of the Congress itself, of which he was a professed leader of some standing!

The SERVANT regrets that it is not clear what parts of Mr. Nariman's speeches were objected to and enquires what was the urgent necessity which would have induced the authorities to "precipitate a first class crisis in the State." The nature of Mr. Nariman's speeches at Mysore being what they were—and this has been made clear above—it could not be suggested with any show of reason that with these speeches before them, the public authorities at *Bangalore* should go to sleep. A Magistrate could only neglect his duty at the risk of his name and reputation and at the risk of his job and, worse than all, at the risk of the peace and order of the charge entrusted to him. The suggestion that the flag hoisting was unjustly objected to in Bangalore and that the interpretation put on the Dewan's declaration in the Assembly is a "narrow" one and an "after-thought" is not only wide of the mark, but also it would seem wholly unfair. What is worse, it seeks by a singular lapse from high standards to attribute a motive which is palpably wrong, for it is fundamentally baseless. A critic may be fearless, but need not necessarily be offensive or lacking in common fairness. The function at Bangalore did not fall within the exceptions mentioned in the Dewan's declaration. It has to be remembered that the meeting itself was not in pursuance of "legitimate party activities," that it had been banned and, that as such it had been declared illegal. Why it was banned adds only to the gravity of the offence committed by Mr. Nariman and does not detract from the action taken by the authorities to prevent a breach of the peace. Mr. Nariman's great fault, as he appears to have realized afterwards, when it was too late, lay in the fact that he did not appreciate the gravity of the step he was unfortunately determined on taking. One mistake led to another on his part and he was down the Gadarene slopes to the utter dismay of all Bangalore. It is to be feared that he was really in a "depressed mental condition" at the time and failed to see the fatal blunder he was committing. That, at any rate, seems the most charitable way of putting the case for him.

The SERVANT suggests an inquiry to satisfy the public that "its apprehensions that a reactionary orientation in Mysore's policy is heralded by this and similar incidents are baseless". Is such an inquiry necessary for such a purpose as is adumbrated here? If it is conceded—as is done in this sentence—that Mysore sets a high store by its public policy and has something to lose by turning it into a reactionary one, where is the necessity for proving the obvious? There has been neither "repression" nor the need for proving that there has been "no reactionary" policy at work. The facts are far otherwise. It is common ground that the Mysore authorities have no objection to the local people carrying on their ordinary legitimate activities without let or hindrance; the Congress as such is not *taboo*; many of its constructive activities are allowed; to some of these the Government them-

selves have given the lead; and there has been no objection taken to the right to speak, write, or foregather except for avoiding imminent breeches of peace. The steps taken to prevent *individual* wrong acts or attempts at breeches of the law cannot make a "policy of repression" nor require an enquiry to disprove the existence of such a policy. The fact of the matter is there is neither repression nor suppression nor even obstruction of any kind in regard to constitutional activity of any kind. The legal limits to action are the same to-day—as this article is being written—as ever they were or have been in recent years. A progressive policy such as Mysore has been pursuing requires for its consummation not only the goodwill of the people but also the goodwill of the authorities. If the authorities did not cordially require the goodwill of the people, the *raison d'être* of its progressive policy would be gone. A Government cannot become bad all at once any more than it can become suddenly good or progressive in a second. The policy of the Government during the past decade, if not half a century and more, has been such as to reflect a policy of growing confidence and trust in the people and not, as seems to be unfortunately suggested in the SERVANT, of distrust or lack of faith in them. What makes the charge of becoming "reactionary" so grotesque is that it is so utterly devoid of foundation. The rub to-day is not that the Government is "reactionary" but the so-called leaders are rudderless. They want outside aid, outside agency, outside leadership, in fact outside everything. The curse of Mysore is—the curse of Madras and the curse of Bombay. If the Prime Minister of Madras not long ago wanted his Province to be let alone, and only a few days ago the Bombay Government (*pace* the Sholapur communique) deplored "the outside agency" that has been at work to the detriment of public peace in its own territorial area, why Mysore alone should bear such outside interference to its *detriment*—and not to its good—and grin and keep quiet, it is not very clear, especially where it is likely to retard local progress. The Congress principle of the States developing their own consciousness may be right or wrong, but so long as it is part of Congress policy, should not Congressmen and Congress leaders obey it? That is a simple question and it can only admit of one answer. That is a question too to which the SERVANT should address itself. No wonder Mahatma Gandhi is amazed at the doings of these very people who were in Mysore in the A.I.C.C. No wonder too he has declared with relentless logic that they have stamped the A.I.C.C. into action which means a definite "departure from truth and non-violence." Here is truly something to ponder on for all who would like to offer advice to Mysore just now. To Mr. Nariman himself, by now no doubt a wiser though a sadder man, only one word can be suggested 'peccavi'.

C. HAYAVADANA RAO.

[We print this lengthy correspondence in full only to give no ground for the charge that our columns are not open to views differing from ours; but there is nothing in Rao Sahib C. Hayavadana Rao's letter which refutes our main argument. The correspondent seems to think that Mr. Nariman who went to Mysore to preside over the Local Government Conference should not have made political speeches. We cannot understand the logic of this. If one who goes to address political gatherings can also speak at non-political meetings, why not *vice versa*? Mr. Rao takes it for granted that Mr. Nariman's speeches were objectionable. We do not accept this for a moment. His speeches are always forceful and may have hurt the tender susceptibilities of the Mysore Government, but that is not the criterion by which we judge the right of public speech.

There was not the least justification for the prohibitory order, which we understand, was shown to Mr. Nariman, but was not served on him. Mr. Rao makes great play with the fact that the Congress has abandoned civil disobedience and argues that, Mr. Nariman being a Congress leader, he should have obeyed the order. What his duty is, as a Congressman, is a matter between him and the Congress and neither Mr. Nariman nor the Mysore Government has anything to do with it. Mr. Rao exploits to the full the disfavour into which Mr. Nariman has fallen with the Congress. This is reprehensible and certainly does not effect the merits of the controversy. A crowd of 15,000 students having assembled, Mr. Nariman felt unable to disappoint them particularly as the subject of the lecture was a non-political one. He spoke for about 15 minutes, stressing the importance of character-building. Police officers came with a posse of lathi police. Mr. Nariman immediately stopped and offered to surrender. But the crowd became excited and he appealed to it to keep discipline and to allow him to go peacefully. At the same time, in order to avoid trouble, he suggested to the police officers that they might depart quietly and assured them that he would follow and surrender himself at whatever police station they wanted him to go. But the police were anxious to assert their authority and formed a lathi cordon round Mr. Nariman and took him in their custody. Upon this the crowd lost control and there was a general scuffle, the police freely using lathis and batons and the crowd pelting stones and shoes. Whatever one may think about Mr. Nariman speaking to the meeting in defiance of the prohibitory order, everyone must come to the conclusion, first, that the order itself was unjustifiable and, second, that the police mishandled the whole affair. The Mysore Government's contention that it has a moral as well as a legal right to keep out all outsiders from the State is a contention that no progressive State will care to put forward, and let not Mysore put too high a value on its being called progressive. It is progressive administratively, but it is backward politically, as recent events have shown all too clearly.—Ed., S. o. I.]

SHORT NOTICE.

THE FIRST PRINCIPLES OF POLITICS. By ILYAS AHMAD. (The Indian Press, Allahabad.) 1937. 23cm. 392p. Rs. 5.

DURING the last ten years Indian universities have been giving increasing importance to the study of Political Science. The book under review is a teacher's attempt to present political theories to Indian students. In doing so, a teacher naturally seeks examples from Indian political life to illustrate the principles. For this reason Mr. Ilyas Ahmad's book would certainly be helpful to the teachers as well as to the students. Besides, such examples create special interest in the principles discussed. In discussing the right to commit suicide, for instance, the author has reviewed the position of Mahatma Gandhi regarding fasting unto death, which is thought-provoking. Another merit of the book is that it conveniently summarises the ideas of modern and contemporary political thinker on various topics. One feels that more books should be written along these lines.

P. J. JAGIRDAR.

Miscellanea.

NON-INTERVENTION IN SPAIN.

The following is an extract from the speech made by Mr. Philip Noel-Baker in the House of Commons on 28th October, describing the way in which the policy of international non-intervention has in fact been working out.

THROUGHOUT the last 12 months, all the Governments have paid lip-service to non-intervention and all have been applying it in their different ways. Non-intervention ought to mean leaving Spaniards to settle Spanish affairs in their own manner, and creating equal conditions for both sides without help to either. But, under the cover of our much-advertised negotiations in the Foreign Office, Signor Mussolini has been applying non-intervention in his own way, and we have been doing so in ours. On 22nd December last we began to talk about the prohibition of volunteers in the Non-Intervention Committee. On that day 6,500 Italians left for Spain. On 2nd January the Gentlemen's Agreement was concluded; 4,000 more Italians landed in Spain. On 7th January an Italian note agreed in principle to the prohibition of volunteers; ten days later 10,000 more Italians landed in Spain. On 25th January there was a further Italian note agreeing to a joint prohibition of "volunteers"; two days later a further great number of Italians arrived in Spain. And within a few more days Malaga had fallen. The first big offensive has succeeded.

After Malaga, there followed the attack against Bilbao. There, General Franco had 20,000 casualties, mostly Italians. Aircraft was the decisive weapon. The Basques captured 12 of Franco's airmen, dead or alive. Eleven of them were German, one was Italian—100 per cent. proof of non-intervention. On our side we applied non-intervention, we equalised conditions to such effect that the Basques had no aircraft, one anti-aircraft gun, two anti-tank guns. We tried to stop the food ships, too, until British public opinion refused to allow it to go on. All that time the Government were full of hope that non-intervention had succeeded. They were negotiating the setting up of control by land and sea, and bringing that control into full effect—that wonderful control under which not a single shipment of arms has ever yet been found, although everybody knows the war has been conducted with foreign arms.

After Bilbao, there followed Santander. Signor Mussolini was still applying his methods of non-intervention. I have here a photostatic copy of an Italian paper *Il Popolo*. There is a great black heading:

Santander—Splendida Vittoria Italiana.

No translation needed. It goes on:

The contribution of the Italian people in 10 days's battle has been 16 officers and 325 soldiers killed.

Three hundred and forty Italians killed in 10 days; and the battle lasted 10 weeks and more. It goes on:

General Teruzzi (the General in charge) telegraphs to Rome: "La consegna del Duce e stata eseguita." The orders of the Duce have been carried out.

Non-intervention! And we too applied non-interven-

tion. We stopped arms. The unhappy Asturians had hardly enough rounds of ammunition to sustain an action. We stopped their food. The First Lord refused to bring the women and children out, to save them from the methods of Guernica, because if he brought them away there would be fewer mouths to feed and General Franco might not win so quickly. And all that time the Government were negotiating about withdrawal of volunteers. They had a sub-committee set up; they produced a British plan; and so they spent May, June and July while Santander was falling. After Santander, there came the offensive against Gijon. Mussolini still applied non-intervention. There were three Italian divisions, each division with three times the artillery that a British division would take into action if we went to war to-day. There were 160 German and Italian aircraft. We too applied non-intervention. We stopped the arms, the food and the evacuation of the refugees. We would not even let our ships pick them up when they were drowning in the sea. This time there was no need for a negotiation, because Parliament was not sitting; so the Non-Intervention Committee also had a rest. But now Signor Mussolini is preparing to win the war, preparing for a new attack on Madrid or in Aragon. He has concentrated five Italian divisions near Saragossa. One hundred and sixty German and Italian aircraft have crossed over from Gijon. New supplies and reinforcements are still arriving. And we ask the Government whether they think that their negotiation is really to bring the foreigners out or to cover up this new offensive, to give them what they call "a ray of hope" the Government's "rays of hopes" always fill me with black despair—to keep us quiet. I ask them: Are they going to allow their new International Commissions to control the movements of those invading troops? The League of Nations has often done it in previous disputes. Better still, are the Government going to ask for a suspension of hostilities while the foreigners come away? The League has done that, too. If these negotiations are to be serious at all, there must be a very strict time limit for making an agreement. There must be a strict time-limit for its execution. There must be absolutely impartial commissions; there must be effective measures to prevent the invaders from carrying out their present intention of winning the war. If the Government tell us they cannot get these things accepted, then at least let them tell us also that they are going to change their methods of non-intervening; their own methods of keeping the balance equal between the parties. Let them tell us that they are going to give the legitimate Government of Spain the arms to defend themselves against invaders; let them propose the opening of the French frontier, not as a French but as an international decision; let them tell the French that they will support them; let them lift their own embargo on the sale of arms to the legitimate Government of Spain; and let them encourage other nations to do the same. If they do, they will use what is, perhaps, their last opportunity to do something to redress some of the manifold injustices we have done to Spain.

BOOKS RECEIVED.

- ORDINARY FOODS. (Compiled and published by J. C. BASAK, 363, Upper Chitpore Road, Calcutta.) 1937. 18cm, 134p. As. 4.
- NO-MAN'S LAND. (Theosophy Co., Ltd., 51, Esplanade Road, Bombay.) 1937. 17cm, 91p. As. 8.

LIQUIDATION OF DEBTS.

By K. G. SIVASWAMY,

(Member, Servants of India Society,)

BOTH the Madras and Bombay Governments are shortly undertaking legislation for the adjustment and liquidation of debts. It is hoped that they will benefit by the experience of other provinces and not simply copy the legislation elsewhere, repeating the same defects from which this legislation suffers elsewhere.

State Aid for Agricultural Credit.—We are not dealing with any special situation like a slump in prices. We are concerned with removing the load of debt that is heavily oppressing the small rayat. The simple principle that should be adopted in liquidating such debts is that they should be reduced to such a figure as would be repayable by a rayat. But liquidation of past debts is interconnected with supplying the needs of running credit for agriculture in the future. The State has not done anything for organising credit machinery for agriculture. Some kind of haphazard system has grown up, which partially meets the requirements of agriculturists. It would be unwise to disturb the arrangement unless the State is prepared to shoulder the responsibility for financing agriculture.

Deficit Holdings.—The problem would be simple enough if the majority of rayats had more than an economic holding; but an overwhelming majority do not possess even a subsistence holding. The debts on such holdings cannot be repaid at all. Or rather they can be repaid only by a transfer of the holding to the creditors. The latter may have no interest in the land except as a means of investing their surplus capital. By such transfer the landless proletariat will largely increase.

Non-transferable Subsistence Holding.—The creditor is to blame if he lends more than the capacity of the debtor to repay. The insolvency law permits the setting apart of a portion of land for the maintenance of the judgment debtor and his family. A subsistence holding should be defined and exempted from attachment and sale in insolvency. If a holding is to be exempted only in insolvency, but if a future creditor can bring it to sale, the value of setting apart a portion of the land in the process of liquidation of past debts will be lost. The subsistence holding should, therefore, be exempted as a non-saleable property under the civil law. But even then there may be voluntary sales. Such sales may be made to a money-lender or an absentee landlord. To avoid the same, Local Governments should be enabled to restrict sales for bonafide purposes to working agriculturists.

Attachment of Produce of the Subsistence Holding.—If the holding is exempt from attachment, the alternative security for the creditor is produce. Produce from a subsistence holding will be barely sufficient to maintain the cultivator, his family and his cattle till

the next harvest. Then again there should be some produce on whose security the subsistence holder should be enabled to raise the necessary credit required for running and unforeseen expenses. The Deccan Agriculturists' Relief Act provides in the case of insolvents that produce from land shall be adjusted to debts up to a period of 7 years after making provision for the debtor and his family. This will amount to nothing in the case of the subsistence holder. The same Act provides for repayment from the income from land in 20 years in the case of the secured creditor, in default of which the land shall be sold to the latter. The Bengal Agriculturists' Relief of Indebtedness Act goes further and provides for not more than half the surplus produce to be left over for the insolvent. Any provision for instalments, as is done in the C. P. in the case of the subsistence holder, or for transfer of a portion of the surplus produce will defeat its object as subsistence holders cannot afford to repay instalments for past debts, lay by the necessary food grains till the next harvest, and have sufficient margin to raise future credit. A portion of the produce not more in value than a sum equivalent to land revenue on the land may be handed over to the secured creditor by recognising him as the superior landlord entitled to receive rent. This is the utmost that a subsistence holder can be called upon to pay in the way of instalments. But such proprietary interest should be recognised only for a temporary period, the period varying in proportion to the amounts due to the different creditors.

The Nominal Agriculturist.—While debts are scaled down in the case of the subsistence holder with the object of saving his holding, are the same principles to be applied in the case of nominal agriculturists who own bits of land, who could never hope to own an economic holding at any time in their lives and whose major income is from sources other than land? Their disappearance as owners of land will in no way affect agricultural economy. Their lands may be sold and adjusted to what is owed by them to their creditors. Such sales may be regulated by the Local Government so that the lands pass to working cultivators, preferably to those whose holdings may become economic ones as a result of the purchase. Government might also consider the desirability of buying off such lands and selling them to subsistence holders, fixing easy instalments and long periods for repayment.

Class of Debts.—When once it is decided to liquidate past debts, it is better to embark on a comprehensive and bold programme. Debts due to Government and debts due to landlords either as arrears of rent or on promissory notes should also come under settlement. The C. P. Conciliation Boards have always

felt a difficulty in the matter of knowing the exact amounts due to Government under taccavi loans, and it is doubtful how far the instalments due on conciliated debts can be paid along with the arrears due to Government. Then again debts due to companies, banks and co-operative societies should also be conciliated or else they will be in a privileged position to collect their dues even in preference to settled debts. In C. P. settled debts carry no interest, while co-operative debts, even if settled, have to be paid with interest. The present provision of obtaining the final approval of the Registrar for conciliation of co-operative debts may be retained, but a better method would be to arrange for the composition of co-operative debts on the same principles as are followed in composition of other debts.

Class of Debtors.—By no twisting of argument is it fair to exclude tenants from the question of a scheme of liquidation of debts. Inefficiency of agriculture is mainly due to the existence of a tenantry who have neither resources nor freedom on account of their indebtedness to the landlords. Unpaid rental arrears accumulate into debts of tenants. Both such debts and rental arrears should come under any scheme of debt liquidation. Some of the existing Acts include under conciliation all those whose primary source of livelihood is agriculture. Such a provision will include tenants and labourers whose incomes are mainly from land. Composition of debts alone will release these classes from their thralldom to the landlords. It is said that they are sufficiently protected by the Civil Procedure Code and by the absence of any assets owned by them.

Exemption of Moveables.—But civil law should in the first place be made more definite. A certain portion of the produce necessary for subsistence should be exempted from attachment. A cow or a buffalo kept by a tenant or a labourer should be exempted. A minimum number of sheep necessary for agriculture should be exempt. The dwelling house should be exempt. Even with a modification of the civil law on these lines, the great evil of indebtedness of the tenant and the labourer consists of the hold it gives to the employer over them, and the consequent growth of agricultural servitude in various forms. Not only should the debts of all classes living mainly by agriculture be composed, but the debts of all those rural workers who are cart drivers, cattle rearers, artisans and other manual labourers should equally be liquidated.

Definition of Insolvents.—Every holder of a subsistence holding or a smaller holding should be treated as an insolvent. Where the debts of a debtor, even after scaling them down, cannot be repaid from his assets except by a sale of the subsistence holding or by attachment of a portion of produce larger in value than a sum equivalent to the land revenue on the same land for a period of 20 years, he should be regarded as fit to be declared insolvent.

Effectiveness of Conciliation Methods.—Those holding lands which are larger than a subsistence holding

have certainly some assets to repay the creditors with. In their case conciliation is possible. But the methods of conciliation should be such as to bring before the conciliation tribunals all cases of rural debts. In the Central Provinces the Conciliation Board cannot deal with debtors of a joint family, or with those who are joint debtors or joint heirs unless all the parties join in the application. It cannot deal under the law with creditors to whom less than 40% of the debt is owing. It may settle debts in the case of creditors to whom 40% is owing. It may issue certificates to debtors which can be filed in courts, which will prevent only non-agreeing *unsecured* creditors from suing for their dues until the settled debts are collected according to the instalments fixed. But non-agreeing secured creditors can only be penalised to the extent of disallowing costs of the suit. They can get 6 per cent. interest on the amounts due to them. They can bring mortgaged land to sale. Creditors holding usufructuary mortgages or mortgages of conditional sale cannot be prevented from taking possession of land. What else is the conciliation machinery for if secured debts of these types cannot be redeemed?

Conciliation in Bengal.—The Bengal Act goes further. When a certificate is issued to a debtor, any creditor can be prevented thereby from collecting his dues for ten years. When a certificate is issued to a debtor in cases in which there is a partial settlement of debts between the debtor and one or more creditors, the non-agreeing creditors, whether secured or unsecured, cannot collect the amounts until the instalments fixed for settled debts are collected by the agreeing creditors. But in Bengal such certificates can be issued only when a fair offer is rejected. A fair offer is one in which the principal amount can be reduced only if creditors to whom 60% is owing agree to a reduction of the principal. But joint debts, debts of partners in a joint family and debts of co-heirs can be conciliated, even when all the parties do not join in the application. Awards may be issued on the basis of settlements between a debtor and a single creditor. There is no stipulation that creditors to whom 40% is owing should join in the agreement, if it is to be recorded.

Some Snags.—But even the Bengal Act has some snags. The security of a secured creditor subsists when he does not join in an agreement. Only the date of collection is postponed. He can, therefore, sue for the amount after ten years or when the agreement has ceased to subsist. Secured creditors are of three kinds. Those holding usufructuary mortgages with long possession will hardly care to appear before the board. Their security is the income from the secured land. The income will be in their possession and a certificate is valueless in their case. There are again those holding documents of conditional sales. They are entitled to possession of the land in default of payment. They may afford to wait during the period in which the agreement subsists. The third class consists of those holding lands in simple mortgage. They may be prevented by a certificate to the debtor from bringing the land to sale during the pendency of the agreement. But they can do so after the agree-

ment ceases to subsist. Even an unsecured creditor can sue after the period of the agreement is over.

The loss to the creditor who does not agree to an agreement should be something which would put some pressure on him to join in conciliation. Every Act provides that, if a creditor does not file a statement of debts within two months of notice, such debts shall be deemed to have been discharged. It also provides that documents not produced before the conciliation machinery shall be inadmissible in evidence. Thirdly, it provides that in the case of certificated debts, court costs will be disallowed, and interest can be collected only at 6 per cent. A creditor may well afford to forego costs and will in no way be affected by the fixation of the rate of interest at 6 per cent.

The 40% rule for agreement is probably taken from the insolvency law. In Roumania the creditor not agreeing to conciliation must allow 15 years' moratorium to the debtor and the rate of interest which he can collect is only 1 per cent. "Further the creditor exposes himself in this case to the expropriation of his claims in conformity with the law on expropriations for public utility." We have no such provisions in India. The most severe deterrents we have to-day against the recalcitrant creditor are: (1) the reduction of interest to 4 per cent, under the Cochin Act; (2) the provision in the Travancore Relief Act that a creditor who does not appear before a board should be deemed to have joined in the agreement; and (3) moratorium up to ten years for debtors in cases where creditors do not agree to a fair offer (Bengal Act).

Principles of Fair Offer.—The better method of applying a mild pressure on creditors will be the settlement of debts on certain well-defined principles of a fair offer. This is a time-honoured procedure adopted in India. Both older and recent legislations offer valuable guides to us in this respect. The Deccan Agriculturists' Relief Act permits courts to revise terms of all mortgages even before the due date on the application of the debtor. The instalments may be revised by the court. Interest may or may not be decreed. The principal due will be judicially determined. The Punjab Land Alienation Act fixes 20 years for mortgage with possession as the maximum limit. The U. P. Agriculturists' Relief Act fixes 20 years for instalments. The Encumbered Estates Act has elaborate rules for fixing instalments. It provides that due provision should be made for cost of management, short collections, agricultural calamities, and the maintenance of the debtor and his family. A conciliation machinery should have the powers of scaling down the debts as provided in these Acts. Transfer of land on the basis of a fair price is provided for both in the Deccan Agriculturists' Relief Act and the recent legislation in U. P. Further, some of the provinces have amended the Usurious Loans Act defining a usurious rate and permitting courts to investigate the whole transaction from 1918. Rates of interest too have been fixed definitely in law. No interest is allowed on the conciliated debt in the C. P.

These, then, will be the principles of a fair offer: (1) Fixing of instalments with a definite charge on the land after leaving over a subsistence holding for the debtor; (2) Fixing the period of instalments and of temporary alienation of land in favour of the creditor to a maximum period of 20 years; (3) Remission of interest on the amount of conciliated debt; (4) Fixation of sale price of the transferred land by the conciliation officer at a certain multiple of net profits; (5) Investigation of the amount due and its determination by separating the principal from the accumulated interest; (6) Allowing interest according to a special Act which will provide a maximum rate for loans so that they can be repaid from the surplus income of a land.

Permanent legislation should be passed on these lines, and it should be made applicable to the liquidation of past debts. Armed with these powers in the matter of fixing the lower limit for scaling down debts, the conciliation officer should fix instalments, make temporary alienations of land and transfer lands to creditors in his scheme of liquidation of debts. The amount determined on the basis of a fair offer should have the same value as a civil court decree.

The Class of Holders to whom Fair Offer should Apply.—According to this procedure debts are scaled down to an amount equivalent to the net income from land up to a period of 20 years. When a land is transferred, the mortgagee is asked to take the land at a fair price fixed according to definite principles. A subsistence holding is exempt from attachment. Produce from such a holding may be adjusted to debts only for a period of 20 years and for a sum annually equivalent to the land revenue on the land. The only justification for the application of these principles to past debts is that the small holder cannot repay the amount unless it is reduced to this repayable size. We want the small holder to part with as little of his land as possible to the creditor in the interest of agricultural economy. A small holder may be defined as one who will have just enough to meet his current expenses and will be left a portion of the produce for his subsistence and cultivation expenses till the next harvest. Those holders who cultivate lands paying a land revenue of Rs. 100 and below may be defined as small holders. They will ordinarily have a surplus income of between Rs. 500 and Rs. 700. We have already referred to the subsistence holder who can under no circumstances repay his debts. Such holders may be defined as those paying a land revenue of Rs. 30 and below and who supplement their incomes from sources other than land.

The Large Holder.—The courts should deal with holders paying a land revenue above Rs. 100 in the ordinary way. It will be unfair to bring down the debts of large holders to the net income from land payable up to a maximum period of 20 years. For they have surplus lands to pay off the creditors with. Neither will it be fair to transfer only just enough of land of which the price is fixed by the conciliation officer, in lieu of the debts of an equivalent amount.

due to a creditor. The ordinary civil law should apply in their case, but permanent legislation making the granting of instalments obligatory on courts, fixing the rate of interest, and clearly defining if usurious rates should benefit all agriculturists.

If it be considered necessary to conciliate the debts of large holders, a limit of exclusion of bigger holders on the basis of the land revenue paid by them may be inserted in the Act. Those who pay a land tax below Rs. 250 may be brought under the provisions of conciliation. The methods of conciliation adopted in the C. P. and Bengal may be followed in their case. Awards may be issued on the basis of agreements between single creditors and a debtor or between creditors to whom 40% is owing and the debtor. Where the principal is reduced, 60% of the creditors should agree. Certificates may be issued preventing non-agreeing creditors from suing for their dues only when awards are issued in the case of agreed debts. Non-agreeing creditors should not be entitled to more than 4 per cent. interest during the period when the amounts settled in the award are being repaid. The existing provision of disallowing costs of a suit to these creditors may be followed.

Repayments.—As provided in the C. P. and Bengal Acts, the recoveries of instalments fixed in respect of settled debts might be done by the Revenue Department.

The State may aid mortgage banks which will recover the instalments from the debtors and pay off the creditors. Or it may issue long-dated bonds to creditors in the case of larger holders. In the case of small holders it may recover the instalments on behalf of the creditors.

Where there are defaults in instalments due by small holders, their lands may be brought to sale on

the basis of a fair price or they may be declared insolvent. The awards may be made negotiable, as provided in the Bengal Relief Act.

Machinery for Conciliation.—Experience in the C.P. shows that, while the paid chairmen of boards have done efficient work, it is not so easy to find equally efficient persons as members of boards. There may be no harm in constituting boards for settling the debts of small holders. It would be preferable to separate schemes of conciliation from those of insolvency. Insolvency boards might be separately constituted. They will first take up the composition of debts of those owning subsistence holdings and below, tenants and labourers. Cases of small holders whose debts cannot be scaled down to a repayable size will also be transferred to the insolvency boards.

Conciliation boards might take up applications of debts of small holders and settle them on the basis of the principles of fair offer. Applications of large holders might be left to the ordinary courts for conciliation. The benefit of reduced stamp and registration fees will apply only to the small holders, i.e., those holding lands paying a land revenue below Rs. 100, tenants and labourers. There should be some appellate authority which will have powers of reviewing and revising the decisions of those boards.

Future Credit Needs of Settled Debtors.—Provision has been already suggested for exempting a certain portion of the produce of subsistence holdings as necessary for raising future credit. The existing Acts provide that no civil court shall grant a decree for debts incurred subsequent to an agreement until the instalments agreed upon have been repaid. There should be no need for such a general prohibition under the proposals herein outlined, as it will unduly restrict what little credit the small holder has to-day.

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