

# Servant of India

Editor : S. G. VAZE.

Office : SERVANTS OF INDIA SOCIETY, POONA 4.

VOL. XXII, No. 12. }

POONA — THURSDAY, MARCH 23, 1939.

{ INDIAN SUBSN. Rs. 6.  
FOREIGN 15s.

## CONTENTS.

	Page
TOPICS OF THE WEEK ... ..	145
ARTICLES :—	
Segregation in South Africa. By P. Kondanda Rao. ... ..	148
Heil, Hitler! ... ..	149
Tenancy Laws of India. — General Principles. By Principal D. R. Gadgil. ... ..	151
REVIEWS :—	
Drift to War. By K. E. Matthews. ... ..	154
Limits of Land Settlement. By B. D. ... ..	454
Floating Debt of U. S. A. By D. G. K. ... ..	155
Women in Hindu Society. By Professor Mrs. Irawati Karve, Ph. D. ... ..	155
CORRESPONDENCE :	
Land Mortgage Banks. By P. J. Taleyarkhan. ... ..	156

## Topics of the Week.

### Dutch Tenancy Law.

IN the Netherlands a new law on tenancies was brought into force on 1st November last year, a law to which the Hon. Mr. Morarji Desai will do well to pay some attention, as we are convinced that he is eager to do all he can to improve the worthless Bill which he has been made to sponsor by Sardar Vallabhbhai Patel. The Dutch law does not confer permanent occupancy right on tenants; its approach in this direction is somewhat indirect. It does not fix, except in rare cases, the length of the lease. It only provides that the contract cannot be dissolved till after ten years, and only at one and a half years' notice. This means that the minimum period of the lease must be ten years. But there is something more. "In the event of notice to quit being given by the landlord, the tenant may apply to the court for annulment of the notice; the magistrate will refuse such application only under certain conditions. Compensation may also be granted." The tenant will in most cases be allowed to hold on to his land, and where he is ousted, the landlord will be made to pay compensation for disturbance, as in Ireland. The law thus recognises the principle of dual ownership, the principle, that is to say, of the landlord's legal and the tenant's equitable ownership of land.

BY this law "the landlord is required to deliver to the competent magistrate a signed copy of the lease. If the magistrate considers that the rent is too high to ensure a reasonable standard of

living for the tenant and if he does not succeed in obtaining the consent of both parties to a reduction, he can annul the lease." Mr. Morarji Desai might give particular attention to this point. In the Bill which passes under his name, the first place, among the criteria for fair rent, is given to the rental value, which means that the rents will be stabilised all over the province at the present level. It affords no means of reducing the existing too high pitch of rent. The proper principle to follow in determining fair rent is what is embodied in the law of Holland, viz it should be such as "to ensure a reasonable standard of living for the tenant." This will of course entail a survey of the whole province, field after field; and it will take time. For these practical difficulties allowance will have to be made. But the authors of the Bill—and we do not include Mr. Morarji among them—seem to be wholly unaware of the fact that "fair rent" has anything to do with a living wage for the tenant.

### "Helots of the World."

UNUSUALLY indignant speeches were made in so staid a house as the Council of State at Delhi on the Hon. Dr. H. N. Kunzru's resolution giving expression to India's indignation and resentment against the British Government's Order-in-Council regarding the Highlands in Kenya. The measure of indignation was indicated by the characterization by Mr. Kunzru himself that Indians were treated not only as helots of the empire but of the world! There can be no doubt that the Order-in-Council is one of the wickedest pieces of legislation that the British Government has perpetrated in recent times.

HITHERTO there was no law prohibiting the transfer of land in the Highland to Indians. By administrative action Government gave grants of land only to Europeans but not to Indians, and the Governor alone had the power of vote on transfers of land from Europeans to Indians, which power was always used against such transfers. Indians and the Government of India have always protested against this administrative discrimination, as well as against proposals to legalise the discrimination. The Carter Commission was asked by the British Government to define the limits of the Highlands, in which Europeans were to have a "privileged position". The Commission defined the Highlands and in doing so enlarged the boundaries of the Highlands as hitherto understood by some 5,000 sq. miles. It went further and recommended that the enlarged Highlands should be reserved for European occupation by legal enactment, namely, an Order-in-Council.

NOTWITHSTANDING that there was no need for an Order-in-Council in view of administrative practice, the British Government went out of its way to pass such an Order-in-Council, but refrained from mentioning therein that the Highlands would be reserved for Europeans only. It secured the same purpose even more effectively by creating a Board consisting very largely of local Europeans who are among the most determined anti-Indians and transferring to them the power of veto which has so far reposed only in the Governor, a changing British official. The Board is to consist of four representatives of the European elected members of the Kenya Legislative Council, two officials who are always Europeans, and one member to be nominated by the Governor. Even if the nominated member should be an Indian—a very remote contingency, unless the Government of India exerts its maximum pressure—he is one against four, possibly six. In any event, the local unofficial Europeans have an absolute majority in the Board over the official and nominated members. Worse still, the Board is given much more extensive powers than the veto on land transfers. The local Europeans have thus been given local autonomy, and a state within the state has been created. It is true that the Board is advisory, but it is no secret that the advice of the Europeans in Kenya is as good as an order.

\* \* \*

#### The Madras Sales Tax.

SPEAKING about the taxation policy of the Madras Government, Mr. Rajagopalachari said: "It has to follow a policy of easing the burden of taxation on the poorer sections of the Community, transferring it to shoulders better able to bear it". The general sales tax proposed by the Madras Government clearly violates this excellent principle laid down by the Premier. Firstly, the tax being general, the dealers will easily be able to shift a considerable portion of it to the class of consumers. Indeed, when a deputation of businessmen waited on the Premier of Madras to appraise him of the undesirability of the imposition of a Sales Tax, the Premier is reported to have advised them to shift the whole burden of the tax to the class of consumers. The traders will of course do it; but who are these consumers, who the Premier of Madras thinks can easily bear the tax-burden? Are they not the poor people whose consumption of salt is proved to have gone down because of the imposition of the salt excise duty? Does the Premier of Madras think that this class of people are the best fitted to bear the burden of taxation and is it in this way that he wants "to ease the burdens of taxation on the poorer section of the community?"

\* \* \*

WE should like to emphasise again that we are not at all opposed to a tax being levied on the consumption of the luxury goods. But a general sales tax is imposed on every commodity—on food grains, household furniture and clothing which are the indispensable necessities of even the poorest section of the community. There is no doubt that a tax imposed on such necessities of life will raise the price of these necessities, for the demand for these necessities being very rigid and inelastic, a slight rise in price will not materially affect the demand for them. Thus the traders who will pay the tax in the first instance will easily shift the burden of the tax on to the consumers with the result that the tax will

weigh heavily on the poorest section of the community.

\* \* \*

APART from its highly regressive character, we are sure that the tax, if imposed, will nearly kill the export trade of the Madras Presidency. Both in the inter-provincial and international markets, the Madras goods, being more highly priced, will suffer in competition with goods from other parts of the world, and the export trade of Madras is sure to decline as a result of this. Mainly because of this fear, all the Merchants Associations of the Madras Presidency have urged on the Government the desirability of exempting the export trade of Madras at least from the scope of this taxation. But the administrative conveniences of collecting the sales tax will wholly disappear if the tax is to be levied only upon articles of internal consumption. Elaborate arrangements will have to be made to distinguish the goods meant for export from the goods which are not so meant.

\* \* \*

THERE are other inequities of the proposed Sales Tax to which we should invite the reader's attention. Firstly, the rates of the tax as proposed by the Madras Government appear to be regressive in their incidence. For instance, a dealer with Rs. 10,000 turnover is required to pay as tax Rs. 75 per annum, which is  $\frac{3}{4}\%$  on the turnover, whereas a dealer with a turnover exceeding Rs. 40,000 is required to pay only  $\frac{1}{8}\%$  of the amount of such turnover. Secondly, the tax being a turnover tax, there is no knowing how many times the same Commodity will be taxed over and over again. It appears to us that, taking the present practice of business in Madras into consideration, the same commodity will be taxed at least thrice. Thus the price of the commodity will mount up a good deal before it reaches the hands of the consumers. This, as we have already pointed out, will be a terrible burden on the poorer class of the consumers. Thirdly, the tax, being a tax on turnover and not on profits is not correlated to the paying capacity of the dealer. Viewed in this light, the proposed Sales Tax of Madras violates one of the fundamental principles of taxation. Lastly, for the collection of the Sales Tax, the Madras Revenue staff has been vested with powers, which, if abused, will mean a grave danger to the rights and liberties of the business community of the province. Our readers will remember that when the amended income-tax law vested the income-tax authorities with the power of entering the premises of businessmen and examining their accounts, the Congress members of the Central Assembly raised the cry that these powers would be abused and would endanger the rights and liberties of the business community. The proposed tax of the Congress government of Madras lays itself open to the same objection.

\* \* \*

#### The C. P. Budget.

THE financial statement made by the Finance Minister, the Hon'ble Mr. D. K. Mehta, in the C. P. Legislative Assembly, while presenting the budget for the year 1939-40, discloses a deficit of Rs. 34-18 lakhs for the current year instead of the budgeted surplus of Rs. 82,000. The deficiency of Rs. 35 lakhs is accounted for mainly by a short-fall in land revenue to the extent of Rs. 31 lakhs owing to the partial failure of crops, especially cotton, and consequent suspensions on a large scale. There is also a shrink-

age of revenue of Rs. 6-61 lakhs from stamps on account of the economic depression and also, it is claimed, on account of fall in litigation attributed to the activities of debt conciliation boards. The tax on trade, professions, callings and employment, being introduced in July, was collected for nine months, and the tax on petrol was collected only for three months after it was sanctioned by the Federal Court. The delay in levying these taxes accounted for a shortage of Rs. 2.25 lakhs. Provincial excise, however, yielded about a lakh more than was anticipated. The coming year's budget shows a small surplus of Rs. 1.26 lakhs (revenue Rs. 4,84.74 lakhs and expenditure Rs. 4,83.48 lakhs), but this circumstance is due to the fact that fresh taxation calculated in all to yield Rs. 9.64 lakhs is sought to be imposed upon the Province. The new taxation proposals include enhancement of the rates of stamp duties on non-judicial stamps (Rs. 4.50 lakhs); the levy of licence fees and an ad valorem tax on the sale of tobacco (Rs. 3 lakhs); enhancement of the rate of the sales tax on motor spirit and lubricants from 5 to 8 per cent. (Rs. 1.50 lakhs); and enhancement of the rates of fees on private motor vehicles (Rs. 64 lakhs). To explore the possibilities of further taxation the C. P. Government have appointed a committee which will review the whole financial position and is expected in its recommendations to indicate "the reserve taxable capacity of the province and the most prudent and equitable way of tapping it." Pending the report of this committee, the Finance Minister considers it "premature to ask for the approval of the House to any ambitious plans of new taxation or to any bold experiments in governance and public finance such as have been announced elsewhere and have evoked just admiration."

THE Finance Minister states that the Ministry since it came into office, made revenue concessions to the tune of Rs. 23.43 lakhs consisting of Rs. 10.25 lakhs abatement of land revenue; Rs. 10 lakhs fall in stamp revenue due to debt conciliation; Rs. 2 lakhs reduction in water-rates and Rs. 1.18 lakhs loss due to grazing and other forest concessions. Similarly, the Ministry forewent a revenue of Rs. 8 lakhs, on account of the policy of prohibition. At the beginning of 1938 prohibition was introduced, as a result of which Narsinghpur sub-division, Saugor district, Akot taluq and the Badnera, Hinganghat and Katni industrial areas were declared dry. Next prohibition was extended to the districts of Akola and Wardha. In the current year an excess of nearly a lakh over the budgeted excise revenue is estimated "as the measures of prohibition actually introduced were not so extensive as was anticipated at the time the budget was framed." Further, consumption of liquor increased "in non-prohibited areas on account of measures adopted to counteract the consumption of illicit liquor." The next year's estimate of excise revenue is less by Rs. 5.28 lakhs than the current year's, and this represents the further extension of prohibition that is contemplated. The progress achieved so far may be gauged from the figures of excise revenue for eight years: 1932-33 Rs. 57.61 lakhs; 1933-34 Rs. 57.04 lakhs; 1934-35 Rs. 58.80 lakhs; 1935-36 Rs. 60.22 lakhs; 1936-37 Rs. 63.80 lakhs; 1937-38 Rs. 67.36 lakhs; 1938-39 (revised) Rs. 64.50 lakhs and 1939-40 (budget) Rs. 58.34 lakhs. Thus, speaking broadly, consumption of liquor is proposed next year to be brought down to the level of 1934-35 and will even then be more than that in 1932-33

and 1933-34. The prohibition area is now one-fourth of the total non-aboriginal country, and the Finance Minister says: "Of the total recurrent loss of revenue amounting to Rs. 33 lakhs which we anticipate as a result of the prohibition of liquor in the non-aboriginal area, we shall have incurred Rs. 8½ lakhs, and we entertain hopes of being able to complete the programme in three or four instalments. . . . Whether the necessary financial readjustment will prove feasible or not, the event alone can show; but even in our present financial predicament we do not regard this obstacle as insurmountable." We are glad to find him mentioning "village reconstruction" as one of the necessary factors conducive to the success of prohibition.

THE Government has effected economies of Rs. 15 lakhs in total expenditure and on the other hand has made an addition of Rs. 8.27 lakhs to recurring expenditure. On the nation-building departments it spent Rs. 95.35 lakhs in 1937-38 and Rs. 99.02 lakhs (revised) in 1938-39 and proposes to spend Rs. 1,02.30 lakhs in 1939-40. For education these figures are Rs. 54.64 lakhs, Rs. 56.35 lakhs and Rs. 56.89 lakhs respectively. The provision in the budget for new education schemes is only Rs. 1.31 lakhs, but the Vidya Mandir scheme is being pushed on. It is estimated that nearly a hundred Vidya Mandirs will be opened on plots donated by private people, and the public expenditure that will be required on account of these Mandirs will be Rs. 2.66 lakhs. In the Medical Department provision of Rs. 58,000 is made for grants to the Dufferin Fund Hospitals, of Rs. 52,000 for the promotion of Ayurvedic and Unani medicine and of Rs. 64,000 for a skeleton Public Health Service. Berar gets back its fair share of revenue. "While the proportion of divisible revenue contributed by Berar has fallen from 36.7 to 35.5 per cent., the percentage of divisible expenditure allotted to Berar has risen from 30.8 to 33.7, of the real new expenditure as much as 41 per cent. having been allotted to it."

#### Dufferin Cadets.

SIR THOMAS STEWART, the Communications Member of the Government of India, replying to Mr. K. Santhanam in the central Legislative Assembly stated that the Government of India had entered into a contract with the British India Steam Navigation Company for the carriage of mails "between certain ports in India as well as between certain ports in India and ports in Burma, the Persian Gulf, Africa, etc." A sum of Rs. 8,68,275 per annum is to be paid to the B. I. S. N. Company by the Government of India for these services. The contract which began in October 1938 and which will continue for ten years is a consolidated one for all lines.

UNFORTUNATELY no member of the Assembly asked the Communications Member whether, as a consideration for this patronage from the Government of India, the B. I. S. N. Company has agreed to employ on its ships a proportion of Dufferin cadets unemployment among whose ranks is growing. During the budget session of the Council of State in 1936 the Hon'ble Mr. Sapru had raised a debate on this question and the then Commerce Secretary to the Government of India had informed the House that the Government of India had "very forcibly" addressed all the companies

operating on the Indian coast on this subject. We had pointed out then that as suggested by the Mercantile Marine Committee "effective pressure could be brought to bear upon the companies at the time of renewing mail contracts." We had also pointed out that in the case of the B. I. S. N. Company such an opportunity would arise within three years from then. The opportunity arose. The contract has been renewed for another decade. But we wonder whether the occasion has been availed of by the Government of India to insist upon the employment of the Dufferin cadets by the Company to a greater extent.

\* \* \*

#### The Seva Samiti, Allahabad.

THE report of the Seva Samiti at Allahabad for 1937-38 is, as usual, a record of much useful public activity in different fields, educational, medical, social and humanitarian. The Samiti's work is too varied to permit of any detailed notice within the limits of a note. Nor is this necessary, because our yearly reviews of the Samiti's work have familiarised our readers with its work. It will, however, not be out of place to make a brief reference to its humanitarian services at the time of the Kumbha Mela at Hardwar.

\* \* \*

THOUGH the Mela took place in April it took months of previous preparation on the part of the Seva Samiti. In point of fact the Samiti started work in October and had to continue its beneficent activities for some time after the Mela was over. For financing its work in connection with the Mela, an appeal of Rs. 20,000 was issued, in response to which a sum of Rs. 17,534 was collected including a grant of Rs. 10,000 from the U. P. Government. It may be added that as many as 150 organisations collaborated with the Samiti in giving succour and help to the vast concourse of ignorant and illiterate pilgrims that gathered at Hardwar. The report draws pointed attention to the fact that the work of social service done by the Samiti was on this occasion done from one central office and under the direction of one chief director. Need it be added that the Samiti's work has drawn high encomiums from all quarters?

\* \* \*

THE Samiti has been for long feeling the need of a volunteer corps of its own which, permeated with the Samiti spirit of service and discipline, would act as a homogeneous unit and could be put into action at once in cases of sudden and unforeseen calamities like epidemics, earthquakes, floods, etc. It is to be hoped that the Samiti will be able to put this idea into effect in the near future. It is a pity that the Samiti with its long and creditable record of highly useful public work should suffer from want of funds. With successive yearly deficits it is forced to draw on its reserves—a highly unsatisfactory state of things and one to which an end must be put as soon as possible. Its financial troubles were also aggravated by a reduction in Government grant, and with its expenditure cut down to the minimum further economies are out of the question. Help is thus urgently needed, not for any expansion of its work, which, however necessary, cannot be thought of in the present circumstances but even for its existing activities being maintained at their present level. We hope financial support in adequate measure will be made available to the Samiti by those who value its work.

\* \* \*

## Articles.

### SEGREGATION IN SOUTH AFRICA.

WITH admirable patriotism and courage Mr. Jan H. Hofmeyr and the South African Institute of Race Relations have revealed the inwardness of the race segregation policies advocated in South Africa and dangers thereof. In his articles in the *Forum* Mr. Hofmeyr has discussed not only the problem of colour prejudice in South Africa generally, but also the proposed measures of segregation, with particular reference to Indians. "The appeal to colour prejudice is to-day one of the most frequently-used of all political weapons", and "its stimulation has come to be a primary political objective." He recounts how political parties outbid each other in their unfriendliness to the non-Europeans, and how the Government, in order to anticipate and outbid the Opposition, had on occasions sponsored measures of a repressive character which it never approved. The Nationalist Party has made Asiatic segregation, as the segregation of all non-Europeans, a political creed. Lest the Nationalist Opposition in Parliament should get in first with such a measure, the Government itself has introduced measures, much against its grain, its honour and its international obligation.

The Government has been under a solemn obligation to give effect to the recommendations of the Feetham Commission by which certain Indians in the Transvaal will be permitted to own land in the otherwise prohibited area. This is but a microscopic mitigation of the denial of a major fundamental civic right. But even this small concession was unacceptable to certain anti-Asiatics, and the Government had to postpone its proposal to give effect to the recommendations of the Feetham Commission last year. This year Mr. Shoeman has a proposal that the recommendations should be rejected. In fact, the Nationalist Party was seeking support of white people to its "Colour Petition," which demands, for the first time in the history of South Africa, according to the South African Race Relations Institute, "the application of the principle of segregation uniformly to all non-Europeans whatever and in every sphere of life—political, economic, residential, social. Moreover, it demands this application in the name of the "domination of the European race", promising to the segregated non-Europeans in return the benefits of an undefined "guardianship". Segregation first, all else afterwards, is the policy of the Nationalist Party.

To outbid the Nationalist Party in its segregation policy, the Government itself sponsored segregation proposals of a wide and dangerous character. In the first place, Mr. Friend, a Government whip, gave notice of a bill to segregate non-Europeans all over the Union. It is inconceivable that he would have done so without the

consent of the Government. Next, the Minister of the Interior himself sponsored a proposal under which residential segregation of Asiatics can be enforced at the instance of 60 or 75 per cent of the European residents in a local area. This measure was to apply to the whole Union and not merely to the provinces wherein the rights of Indians are now restricted. In justification of his measure, the Minister related it to his proposal to give effect to the Feetham recommendations. When the Indian Deputation waited on him on the 10th February last,

The Minister informed the Congress that in order to facilitate the passing of the Feetham resolutions it would be necessary to place before his Party Caucus a definite scheme to deal with the occupation and ownership of land by Indians all over the Union, and the proposed scheme of his was to meet the outcry against penetration of Asiatics into European areas. The Minister repeated the scheme as outlined by him to the representatives of the anti-Indian Transvaal Rate-payers Association, increasing his 60 p. c. to 75 p. c.

It is apparent that the Government wishes to show that it is as anti-Asiatic as the Opposition and at the same time wants to buy off the opposition of the Opposition to the Feetham recommendations. If the Government's tactics succeed, it follows that it will have secured ownership rights to a few Indians in the Transvaal while imposing segregation on all Indians in the Union. While a microscopic wrong will be righted a microscopic wrong will be inflicted!

Commenting on the policy of the Government and in particular of Mr. Suttaford, the Minister of the Interior, Mr. Hofmeyr says: "It will be an unpleasant commentary on the nature of our political life if such legislation is to be sponsored by a Minister who has been reared in the old Cape Liberal tradition." It is an even more unpleasant commentary because of the Cape Town Agreement, to which even the leader of the Nationalists was a consenting party. In referring to this aspect, Mr. Hofmeyr says:

If there is one thing on which the Indian community in South Africa is sensitive, it is the stigma of segregation . . . . Dr. Malan's Class Areas Bill of 1925 roused intense feeling among them. As a consequence the Indian Government intervened and the first Round Table Conference met in 1926. That in turn led to the dropping of the Bill and the adoption by our

Government of the policy of "uplift" as set forth in the Agreement. A further Round Table Conference in 1932 confirmed the Agreement. It is still in force. Some time ago our Government appointed the Munev Commission to investigate the question of alleged evasion by Indians of the law restricting Asiatic ownership and occupation. It specifically and in terms refused to extend the reference of the Commission so as to include the question of segregation. The obvious inference was that it regarded that matter in the light of the Round Table Agreement as a *chose jugée*—not even to be discussed. It is not difficult to foresee some of the reactions to segregation legislation at this stage from the Indian community in South Africa and from the Government of India.

Apart from the Indian aspect of the question, the consequences to South Africa and to the white population itself of racial segregation is thus envisaged by the South African Institute of Race Relations:

The white community, we dare not forget, constitutes barely one-fifth of the total population of the Union (without the Protectorates). To apply to the non-European four-fifths a policy of totalitarian segregation, over-riding traditional differentiations in the positions of different sections of the non-European population, can have in the long run but one effect, viz., to force together all non-Europeans into a single anti-European bloc . . . . No thoughtful white South African can conscientiously vote for a policy that must have this effect. Vague promises of "guardianship" cannot stave off this hostility; non-Europeans cannot be blamed if they see in "domination" and "segregation" nothing but the exclusive advantage of white South Africa and the permanent disadvantage of non-white South Africa.

It is hard to improve on the verdict of the Asiatic Enquiry Committee, of 1920, appointed by the South African Government itself, on segregation of Indians:

We find ourselves wholly unable to support the policy of repression which was advocated by some of the witnesses. Indiscriminate segregation of Asiatics in locations and similar restrictive measures would result in eventually reducing them to helotry. Such measures, apart from their injustice and inhumanity, would degrade the Asiatic and react upon the European.

The present international situation is certainly not the occasion to rouse bitter inter-racial animosities in South Africa and strained relations between South Africa and India.

F. KODANDA RAO.

## HEIL HITLER!

**M**UNICH has thoroughly justified itself; and Mr. Chamberlain who claimed, on the dismemberment of Czechoslovakia in September last, to have saved Great Britain and the world from a general war, may now well claim, on the total disappearance of what remained of Czechoslovakia, to have saved once again Great Britain and all other peaceful countries from a disastrous world war. Peace reigns supreme. Territorial readjust-

ments have come about, but they must come about. That is the law of nature. But changes are wrought peacefully, not by force or even by threat of force. At the last reshuffling in Europe Czechoslovakia lost a third of her population. But who could help it? The loss was not merely justified but required by the principle of racial self-determination, which the Versailles folks had so completely disregarded twenty years ago; and Mr.

Chamberlain's boast was that he had for the first time given a reality to the provision in the League Covenant for peaceful change which had for so many years lain dormant and the non-operation of which had threatened to explode into a terrible conflagration. When Hitler prepared to take by force what was his by rights, Mr. Chamberlain asked him to be ready for war. But Hitler became willing to listen to reason, particularly when to Mr. Chamberlain's persuasion was added that of Mussolini; and to Hitler in such a reasonable frame of mind Mr. Chamberlain gave more than what Hitler himself had first asked for. Territorial integrity is an utterly wrong concept in this changing world; so also political independence. Some people must lose their territory and their independence; but all this should be brought about by negotiation, not by force. Thanks to Mr. Chamberlain's mediation in the last Czechoslovakian crisis, negotiation prevailed over force; and the momentum he gave to this process then was so great that, once again, in the crisis of last week, sweet reason has triumphed over brute force, without Mr. Chamberlain, the saviour of peace, having to mediate at all.

Slovakia even under the federal government was unhappy; she felt that she had not enough autonomy under the new arrangement and wanted to detach herself altogether from the new State. There was room here for a further application for the principle of racial self-determination. This time Slovakia did not turn to Mr. Chamberlain. There was no need for another Runciman Mission. Slovakia went direct to Hitler who after Munich had agreed to abjure force. Hitler pondered the matter for a time, and, in order to prevent a civil war arising in a neighbouring country and the civil war spreading afterwards to other countries, he graciously promised to give Slovakia national independence and to take her under the Reich's protection. The president of Czecho-Slovakia also approached Hitler for protection of the Czech country, and to this also he gave protection. Ruthenia too pressed for the benefit of self-determination, and Hitler, withdrawing his earlier veto, allowed her to divide herself between Hungary and Poland or to attach herself to Hungary as she would like. In this latter act Hitler has shown himself capable of utter self-abnegation and might have expected to obtain a good testimonial from Mr. Chamberlain. But such is the way of the world that Mr. Chamberlain, instead of rejoicing at this turn of events, seems to be a trifle sad about it. The cause of his sadness is, however, hard to find. He is told that the German army was already on the move into Czecho-Slovakia before the Czecho-Slovak President entreated him to settle the matter. But if the army had a peaceful intent, Mr. Chamberlain need not be too censorious. And, after all, the final action was in accordance with the wishes of the head of the State. Mr. Chamberlain even seems to doubt whether Dr. Emil Hacha's solicitation was genuine. But surely Dr. Hacha

did not act under duress any more than when Dr. Benesh agreed to Mr. Chamberlain's own proposals for the cession of Sudetenland. It is said that, in accepting non-Germans in his territory, Hitler is going against the Nazi principle of racism. But the Czechs and Slovaks do not become his subjects; they become merely his wards, and what objection can Mr. Chamberlain have to this arrangement when the British Government has made itself a trustee to so many peoples? What could poor Hitler do when he was besieged on every side by requests to take non-Germans under his benign protection? Even Hitler's strait-laced moral code has to adapt itself to such unforeseen circumstances. Objection is also taken on the ground that Hitler's conduct is opposed to his previous declaration that he wants no more territory. This objection is puerile since Hitler is not annexing the Czech or Slovakian country to the German Empire, but is only having it under his protectorate.

In fact, Mr. Chamberlain seems to entertain a vague suspicion that Hitler is not a man of his words, that he says one thing while he means another. *Et tu Brute?* When such dark suspicions were uttered in September and October, did not Mr. Chamberlain himself stand up for the German Fuehrer? What has happened since to make even Mr. Chamberlain mistrust Hitler, except that the latter has chosen to oblige the Czechs and Slovaks? Since when has generosity become such a black crime? If, as Mr. Chamberlain appears now to believe, Czecho-Slovakia has been forcibly seized by Hitler, then this seizure is unprovoked aggression, and the international guarantee of September must come into force. Is Mr. Chamberlain prepared now to carry out his duty as a guarantor? Or, is he going to plead that he is only one of the guarantors, the others being Hitler and Mussolini, and that since they will not carry out their part of the obligation, one being the author and the other an accomplice of the act of aggression, he too will not carry out his? If he is going to carry it out, will he not lay himself open to the charge which he flung wildly at Mr. Attlee, Sir Archibald Sinclair and others that they were war-mongers while he stood for undisturbed peace? To try to wrest Czecho-Slovakia back from Hitler might kindle world conflagration, while leaving him alone will preserve peace, even if it be the peace of the grave. Which would Mr. Chamberlain, who had brought "peace for our time", prefer? And, assuming he prefers a just war to an unjust peace, what is the war going to achieve? If Great Britain, France, Russia and Czechoslovakia, with the latter's mountain fortresses, were unequal to cope with Hitler's aggression in September, what is Great Britain going to do now? Czecho-Slovakia as a military force is wiped out; and if the rest were to combine why would they be more successful now than they were likely to be

when? If inaction was justified then, it is equally justified now. The *Statesman* of Calcutta truly says:

The time when we could have restrained Herr Hitler in Central Europe has passed and no reasonable being would suggest that we should now challenge the Fuehrer to what, on this occasion, would mean certain war when the magnificent Czech Army and Air Force, a whole gold reserve, the Skoda armament

works on a scale comparable to Krupps, and with surrounding sources of raw materials, famous textile, glass, and other industries have passed over to the enemy's keeping. "Thunder" and "shock" are at present entirely misplaced. Let us reap what we have sown quietly and not add to the contempt to which we have exposed ourselves.

Mr. Chamberlain's instinct is right; let him not allow himself to be troubled by second thoughts.

## TENANCY LAWS IN INDIA.

### GENERAL PRINCIPLES.

THE first land revenue settlement carried out by the British in India was the permanent settlement of Bengal made by Lord Cornwallis in 1790. The main object of the settlement was the introduction of the English landlord system which the Governor-General, in ignorance of the actual conditions of the country had determined was the panacea for all agricultural evils. Accordingly, individuals—some with perhaps some sort of title, others without any sort of title whatever—were sought for and set up as landlords of estates, the land revenue of which was then settled in perpetuity. It was expected by the Governor-General that the result of his system would be the creation of a body of loyal, contented and intelligent landowners who would be not only a source of strength to the Government but would, also like their English counterparts, take an interest in their estates, resulting in an improvement of the condition of their lands and the lands of their tenants. But these anticipations were doomed to early disappointment. The new landlords, so far from making improvements, proceeded to rackrent their tenants. At the same time the Government, having no direct interest in the land and the cultivators, found it difficult to obtain any real and detailed information regarding the condition of the agricultural population or the resources of the country. It was as a reaction to the permanent landlord system that the rayatwari system was adopted in some districts of the Madras Presidency, and thence spread over first that Presidency and was later carried on to Bombay.

In North India, though the principle of the permanent settlement of revenue was early discredited, the landlord system retained its hold. India can broadly be divided to-day by systems of tenure in the following manner. The landlord system, i. e., of settlements for single estates under one landlord, holds sway in the provinces of Bengal, Bihar, Orissa and the United Provinces. A variant of the landlord system "the malguzari", is predominant in the Central Provinces. Settlement of estates of proprietary bodies, usually village communities, is the rule in the Punjab; while settlements for individual occupants, i. e., rayatwari, obtains in the provinces of Madras and Bombay.

The aim of those who introduced the rayatwari system was to settle directly with the occupant of land. Hence, problems of tenancy could not, at least in the early stages, arise in these tracts. It is notable how these early ideas have continued to persist to this day. Thus the Bombay Survey and Settlement Manual differentiates between the landlord and the rayatwari systems in the following manner. The former system has to face the main difficulty of tenancy legislation, but on the other hand Government saved a vast amount of troublesome and detailed work by the fact that responsibility for the collection of land revenue lies in the hands of a comparatively small body of persons. The latter, while escaping the problems connected with tenancy legislation, has to solve the difficulties inherent in a system under which the officers of a Government have to deal direct with the small revenue accounts of a large body of individual cultivators.

As Bengal was the province in which the landlord system originated, it was also the province which first faced the problem of the protection of the tenant. It would be wrong to suppose that Lord Cornwallis left the tenants entirely unprotected at the hands of the landlords. The two methods which he thought would provide for the protection of the tenant were the compulsory delivery of Pattas or leases by the landlord to the tenant and the proper maintenance of accounts by the "Kanungo". Both of these, however, proved illusory for a variety of reasons, and in actual fact the Patta regulations were utilised by the zamindars for the destruction of the rights of the tenants. The duty of maintaining the record of rights being also thrown on an agency paid by the landlord, the record soon became utterly worthless for purposes of defining tenant rights or even for ordinary statistical purposes. Modifications of the revenue system made during the first half of the 19th century all had the effect of further worsening the position of the tenantry. Thus in order to help landlords in the collection of rent so that they may promptly pay the land revenue, the landlords were armed with powers of distraint and even in some cases of arrest. In the same way legislation inaugurated by Government—from the revenue

point of view again—in the interests of the purchasers at revenue sales, had the effect of further destroying the rights of the rayats. The landlords had in this period, except for a few cases, absolute rights of eviction and enhancement of rent.

The year 1859 marks the turning point. In this year the first modern tenancy law in India—the Bengal Tenancy Act—was passed. This Act, though scrappy and in a large measure ineffective, contains a number of ideas developed in later legislation. It recognised for the first time explicitly a series of grades of tenants with varying rights. The three chief classes of the 1859 law were: (i) tenants holding at a fixed rent since the permanent settlement; (ii) tenants holding for twelve years or more, whether at fixed rent or not; and (iii) tenants holding for less than 12 years. The Act further laid down definite rules for the enhancement and reduction of rent. It also amended the law of distraint. The main service of the Act was the bestowal of the right of occupancy on those who had held the same land continuously for 12 years and protection of this class of occupancy tenants against arbitrary enhancement of rent. The chief defect of the 1859 Act was that under it, it was very difficult for the tenant to prove 12 years' occupation and thus acquire the tenancy right. The conditions, therefore, were not improved much after 1859, and there were riots and a detailed Government inquiry. The next stage is the Bengal Tenancy Act of 1885. This Act defined and classified the body of tenants more scientifically and accurately. By it the acquisition of tenancy rights was simplified. If a tenant had held any land for 12 years in a village he was raised to the status of a "settled tenant" and he acquired occupancy rights in all the lands which he may hold in the village. The burden of proof was also thrown on the landlord. Distinct provisions were made stating the grounds for the enhancement of rent and at the same time imposing restrictions on capricious and frequent enhancements. It was presumed that the existing rents were fair. Rules were also made for possible reductions of rent. Occupancy tenants and other superior tenants were given the right to construct works of improvement on the land. Provision was made for grant of formal receipts for rent, etc. For the first time also the non-occupancy tenant was given some consideration. The most important provision in his favour was that he could get a fair rent fixed by the court in the event of a dispute over a proposed enhancement. A very important feature of the 1885 Act was also that it marked the beginning of the provision for a proper record of rights.

The next important landmark in the history of Bengal tenancy legislation is the amendment of 1928. Between 1885 and 1928, however, a number of important changes were made. For

example, the Act of 1898 considerably modified the system of the record of rights. The Amending Act of 1907 gave greater authority to entries in the record of rights and prohibited the practice of landlords of obtaining illegal enhancements of rent through unfair and inequitable compromises with their tenants. It also enabled landlords to recover arrears of rent by the summary "certificate" procedure. An amendment of 1919 declared the realisation of more cesses than those allowed by the Cess Act of 1880 illegal. The amendment of 1928 made certain notable changes. It made the occupancy right completely transferable. Before 1928 the occupancy right could be transferred by a tenant only with the landlord's consent except in districts or on estates where by custom or usage transfers could be made without the consent of the landlord. But even more important than this was the recognition for the first time of the under-rayat. In Bengal a network of complex customary rights, added to the fairly common transfer of occupancy rights, had carried the process of subinfeudation to considerable lengths. The actual cultivator was, therefore, in a very large number of cases a sub-tenant or under-rayat who had hitherto been given no protection at law. The 1928 amendments prevented the ejection of under-rayats except on certain specified grounds which included personal cultivation by the superior holder. In the case of under-rayats holding land continuously for 12 years or having a homestead thereon eviction was, however, not allowed except for non-payment of rent. Similarly, the conditions under which the under-rayat's rent could be enhanced were defined. In case the under-rayat did not agree to an enhancement the court had power to determine the fair rent, and once this was done the under-rayat was entitled to hold land at that rent for 15 years. Further, under-rayats who were customarily regarded as occupancy under-rayats were statutorily recognised as such.

Such in brief is the history of Bengal tenancy legislation until the very recent efforts at further improvements. Bihar was till comparatively recent times a part of the Presidency of Bengal. The tenancy legislation in U. P. also began with the application of the 1859 Bengal Act to the Province of Agra. The conditions in the other division of U. P.—the Province of Oudh—are highly peculiar. (For a short historical sketch of Oudh tenancy, see the *Servant of India*, May 12, 1938.) The application of the Bengal Act to Agra created a class of fixed rent tenants, whose rights were heritable and transferable, and another class of the 12 years occupancy tenants. Later in 1876 a new class of ex-proprietary tenants was also created by allowing ex-proprietors to retain privileged tenancy rights in their "Sir" land. The provision regarding the accrual of occupancy rights was generally evaded as in Bengal, and the Act of 1901

tried to stop a number of loopholes. The 1901 legislation was only partially successful in its objective. In 1926 after deliberations of a committee, therefore, an entirely novel step was taken in U. P. The non-occupancy tenant had hitherto no protection either against eviction or against undue enhancement of rent. This class of non-occupancy tenants-in-chief other than tenants on the "Sir" was declared as having statutory life-tenure with the right to the heir to hold on for another five years. On the other hand, as a concession to the landlords, the old 12 years' rule was abrogated so that no new occupancy rights could accrue, and it was provided that the "Sir" land of the landlord on which there could be no statutory life tenants would be considerably extended in area. The 1926 Act also elaborated the regulations regarding enhancement of rent. The enormous extension under the 1926 Act of the "Sir", tenants of which had no protection against either eviction or undue enhancement of rent, is one of the problems tackled by the recent U. P. legislation. The 1926 U. P. Act also dealt with the question of sub-letting and gave some protection to sub-tenants of the fixed rent tenants.

The history of tenancy legislation in the C. P. follows a somewhat different path. Here also the beginning was made by the extension of the Bengal Act of 1859 in the first instance. This created the three-fold division in tenant ranks of (i) specially privileged old tenants, (ii) 12 years' occupancy tenants, and (iii) non-protected non-occupancy tenants. The first C. P. reform of 1883, however, diverged materially from this scheme of things. It abrogated the 12 years rule so that no new occupancy rights could be created. But it gave protection to the whole class of tenants-at-will by fixing their rent for a seven-year period and by providing compensation for disturbance. It was also provided that occupancy rights could not be sold in execution of a decree. The legislation of 1898 still further strengthened the position of the ordinary tenant and made provisions regarding eviction and enhancement more stringent. At the same time the rights of the occupancy tenant and the ordinary tenant were made inalienable. The 1920 law carried the evolution to its logical end and abolished the distinction between ordinary and occupancy tenants. The C. P. laws have also been very strict about sub-letting. The result has been that in C. P. there is the least variety and diversity of forms of tenure and a larger body of tenantry is effectively protected than in any other province. There are only three classes of tenants to-day in C. P. : (i) absolute occupancy tenants, (ii) occupancy tenants, and (iii) sub-tenants. Occupancy tenants are liable to eviction only for non-payment of rent or misuse of land. Their rents are regulated by provisions relating to enhancement and by the jurisdiction of the revenue courts. The sub-tenants—a small class—is not protected a good deal. But there is an important provision which, when applied to any area, gives powers

to revenue authorities to declare the sub-tenants of a habitual rent-receiver to have the status of occupancy tenants. This provision can effectively keep in check any large extension of sub-tenants who are mere tenants-at-will.

Even this summary account of the main tenancy laws will show how certain common problems arise. Before regular tenancy laws were passed the only privileges and rights that the tenant body had were such rights according to custom and usage as the courts recognised. Sec. 83 of the Bombay Land Revenue Act does not take us beyond this stage. Regular tenancy legislation tried in a variety of ways to achieve the two objectives of fixity of tenure and fair rent. For giving fixity of tenure a particular class of tenants was sought to be marked out. And this was initially done everywhere along lines of the 12 years occupancy rule. Experience showed that the 12 years occupancy rule could be evaded, that it led to litigation and did not, after all, give protection to the entire body of the tenantry. Hence we have two different ways of dealing with the problem. In C. P. occupancy rights have been generalised. In U. P. a new experiment has been tried with the creation of a new class of statutory life-tenants. In provinces where there have been since old times many layers of holders of rights in land the protection of the top tenant has still left the actual cultivator unprotected. Hence the problem of the protection of the under-rayat. In C. P. this has been avoided by making occupancy rights inalienable and by strict regulation of sub-letting. Other important provisions of tenancy legislation have been: prohibition of illegal or extra cesses and other payments, determination of periods between permissible enhancements and setting up of independent outside bodies for determining fair and equitable rent. And most of this legislation has been made possible only by making various concessions periodically to landlords. These concessions have mostly had connection with ease of recovery of rent or in connection with "Sir" land on which no tenant rights could accrue. In the old landlord provinces even the determination of tenant holdings or tenancy terms of agreement and their recording meant an up-hill fight.

So far as Bombay is concerned, the problems of tenancy legislation here are somewhat different from provinces of big landlord estates. But the principles underlying are essentially similar. Sub-letting of land is a departure from the rayatwari system, and the moment permanent sub-letting comes in on a considerable scale, fixity of tenure and fair rent determination for the tenant must logically follow.

D. R. GADGIL.

## Reviews.

### DRIFT TO WAR.

#### GENEVA AND THE DRIFT TO WAR.

Lectures by NORMAN ANGELL and others.

(Allen & Unwin.) 1938. 19cm. 234p. 7/6.

THE probability of war is the obsession of the moment. "Geneva and the Drift to War," the publication under review is therefore a topical book, dealing as it does with the principal factors in the international situation which make for war to-day, and the efforts made under the auspices of Geneva for neutralising the forces tending to war, or at any rate sterilising their potentialities for mischief.

The volume consists of a series of twelve papers on various aspects of international politics, based on the discussions at the 1937 session of the Geneva Institute of International Relations, and is the twelfth to be published by the Institute under the general title "Problems of Peace". The essays contributed by acknowledged authorities on international, political, economic and social problems, like Sir Norman Angell, Dr. G. P. Gooch, Mr. Carter Goodrich and others, are characterised by a vigorous realism which stands out in marked contrast to the facile optimism of a certain type of wisby-washy sentimentalist with which we are only too familiar in India. Thus, Captain Walters, the Under Secretary General of the League of Nations, in his admirable introduction to the volume frankly admits that the European situation even in 1937 was more serious than at any time since the end of the Great War, and boldly tackles the question whether the League in its present form can be maintained. The other essays in the volume also are illumined by the same objectivity and wholesome absence of make-belief. The various contributions examine the contemporary world—the international repercussions of the Spanish conflict, the breakdown of the system of collective security, the implications of the New Deal in America, the new trends in Soviet economic and political policy—impartially and in such a manner as to pool the results of their studies in international affairs, their experience of international administration or their personal knowledge of international politics.

The net impression produced is that, despite the threatening nature of the international situation, the peace front is not so weak as it looks to superficial observers. In particular, the book has a message for those arm-chair critics of the League who would condemn it out of hand for its temporary lapses. International problems of war and peace, viewed along different perspectives and from different angles, all lead to the conclusion that any real system of organised and stable international relations must take approximately the form which the League takes under the Covenant though the relative weight and influence of the member-countries, are subject to intelligent adjustments.

The world cannot get along without a constitutional system for dealing with disputes between countries, some form of international assistance organised beforehand for countries which are the victims of aggression, some kind of a fixed centre, fixed constitution, a Council and Assembly and regular meetings. Critics of the League in India and elsewhere are reminded by the book that these

essential features, furnishing the backbone of the present League, are the minimum which any real international system organised for peace must include.

K. E. MATTHEW.

### LIMITS OF LAND SETTLEMENT.

LIMITS OF LAND SETTLEMENT. PREPARED UNDER THE DIRECTION OF ISAIAH BOWMAN. (Council of Foreign Relations, New York) 1937. 24cm. 380p. \$3.50.

THIS is, in the words of the publishers, an authoritative survey of the settlement possibilities of the remaining under-developed or frontier areas of the world and is of special importance in view of the present demand of certain World Powers for colonies and other new territory to relieve the pressure on their means of subsistence. The volume consists of ten chapters contributed by ten recognized experts in their subjects one of whom, President Isaiah Bowman of the Johns Hopkins University, has written the Introduction summarising very briefly the conclusions arrived at.

The principal conclusions may with advantage be recapitulated as follows. New land will accommodate too slow and small a stream of population to be of real social importance to the countries of origin. Migration is no answer to economic and social strain induced by so-called overpopulation. Nor is military conquest either a practical or a rational answer. No discernible or practicable stream of migration can keep pace with the birth rates of conspicuously over-crowded countries. Today the limitations of a new environment interest both the settler and the country to which he comes. Most of the pioneer lands that remain are 'marginal' in climate, fertility and transport. No ready-made scheme of settlement can be set up that nicely balances the factors of race, religion, climate, diet and trade. In most of the pioneer fringes of the world experts are now required to plan out measures in advance, if colonization is to be rational. Such fringes, however, do occur in South Africa and Inner Asia, possibly in the polar-margins including parts of Canada and Siberia and to a small extent in the tropical forests and Australia.

The distinguished authors have brought to bear in their task their specialised knowledge acquired after long, careful and painstaking study of the various aspects of the problem affecting the area dealt with by each, and have presented their conclusions amply supported by incontrovertible facts and figures and reinforced by opinions of eminent authorities. As is to be expected in a work of this type, the papers abound with statistical and factual details but the numerous maps in which they have been so admirably and successfully embodied constitute an invaluable help to a proper understanding of the subject discussed. We offer our warm congratulations to the authors on the production of a really valuable book of reference useful alike to the general reader and to administrators engaged in finding a solution of the problem of overpopulation.

The articles have been written mainly from the point of view of the colonization of white races except in so far as some of them treat the question of migration of the Chinese and Japanese

nto the islands in the Pacific Ocean. There is, however, enough material on record to justify the inference that, although vast areas in Australia, Brazil and Africa may be unsuitable for white settlement, they would, but for the restriction imposed, be eminently suitable for colonization by Indians. Unfortunately, natives under political subjection exist for being exploited by others claiming for themselves superior culture and a higher standard of living and can have no place under the sun for natural expansion.

B. D.

### THE FLOATING DEBT OF U. S. A.

**THE FLOATING DEBT OF THE FEDERAL GOVERNMENT. 1919-1936.** By EDWARD RAGUET VAN SANT (The Johns Hopkins Press, Baltimore) 1937. 24cm. 88p. \$ 1.00.

THE book under review constitutes an attempt to analyse the role played by floating debt in the borrowing operations of the American Treasury during the period from the close of the World War to the end of the fiscal year 1936. The whole period is divided into two epochs, period of treasury surpluses, 1919-1930, and period of treasury deficits, 1931-36. The operations of the Federal Treasury in the short term market and their repercussions on the total national indebtedness are carefully and exhaustively outlined.

The author does not favour the policy of keeping a high proportion of public debt in the shape of short term borrowing. He admits the validity of the reasoning of Mr. J. M. Keynes that the criterion of the amount of debt to be held in a short-dated form should be provided by the appetite of the investment market for that type of security, and that it would be sound policy to maintain the short-dated debt permanently at a high figure if that high figure could be kept afloat at a rate of interest lower (on the average) than the rate on long term debt." His criticism, however, is aimed at the artificial methods by which the appetite of the investment market for the short term government loans is whetted by such means as tax exemptions and expansion of bank credit.

The practices of the American Treasury in this last respect have been known to be a bit more unorthodox than those followed in countries like U. K. In the matter of public borrowing each country must adapt its methods to its requirements and possibilities. There is, however, great truth in the attitude of caution taken up by the author. The temptation in comparatively unstable finance markets and political administrations to exploit their joint resources by all available means is so great that, unless a special precaution is taken, the government may expose its long term debt position to great risk. As public borrowing is likely to figure more prominently in future Indian finance than in the past, a perusal of this book is bound to benefit careful students of the subject.

D. G. K.

### WOMEN IN HINDU SOCIETY.

**THE POSITION OF WOMEN IN HINDU CIVILISATION.** By A. S. ALTEKAR. (The Culture Publication House, Benares Hindu University, Benares.) 1938. 23cm. 468p. Rs. 6.

DR. ALTEKAR has written a very interesting and thought-provoking book. The field covered is indeed vast and the chapter on women's dress could well have been omitted without any detriment to the value of the work. Dr. Altekar shows that in the early Vedic times the position of woman was good and that women had rights similar to those of men. This position was lost gradually by initiation rites being denied to women and mostly owing to the practice of early marriage. The Deccan as a whole was more liberal towards women than northern India and that in all ages the most enlightened men had always advocated a liberal attitude towards women. In recent times, the liberal attitude is coming to the foreground and new laws are being enacted which will greatly improve the position of Hindu women.

The author undoubtedly shows his scholarship, but the reader wishes for greater sociological insight in treating the available data. Thus the author mentions the fact of the more liberal attitude towards women in the Deccan and south India but does not try to find the sociological-historical causes of this very interesting phenomenon.

Also on p.406, in the course of a summary of the author's investigations, we find the following sentence: "The position of women in the Vedic age was far from being analogous to what it usually is in early civilised societies." A comparative study would show however that the opposite is the case, and that there is no such contrast between the Hindu society in Vedic times and other primitive societies. Thus initiation rites are undergone by both boys and girls in many primitive societies and singing of religious songs and getting sacred visions is a privilege shared by women with men in northern America and other parts of the world and is not a speciality of women of the Vedic period.

Far-reaching conclusions are drawn by the author from Vedic passages, which he himself declares to be obscure (p. 286). The interpretation of certain Vedic passages does not appear to be very happy. Thus on p. 281 नहि प्रभाय अरणः सुशेवः etc., a prayer for an own son and a reluctance to adopt a son is made to mean "for all religious purposes the Vedic father could thus regard a daughter to be as good as a son," especially as, "he had a strong prejudice against adopting a son."

The chapter on dress, as noted above, is not only redundant but highly unsatisfactory. Plate IV is given as an example of the "Vikaccha" fashion of wearing the sari. From the front view, the folds do suggest a "Kaccha", though the back view is plain, as in the "Vikaccha" fashion. But it is quite possible that the "Kaccha" is worn in the south Indian style, so that this particular back view is possible. The fact of more ways of wearing the "kaccha" than one is apparently not recognised by the author.

On the whole, Dr. Altekar has written a thought-provoking book and one only wishes that he could have dealt with certain questions in a more exhaustive fashion.

IRAWATI KARVE.

**KUNDALINI, OR UNIVERSAL LOVE RE-FOUND.** By T. S. RAMANUJAM. (The Author, All-India Tutorial College, Madras.) 1938. 19cm. 110p. Rs. 2.

THIS is not an orthodox treatise on Kundalini but a dream written round one idea of life force. The drama is too laborious. The whole idea could have been better written in an essay. The author's preface is most confusing. I feel that authors should be prohibited from using great ideas in a cheap way.

SWAMI YESUDAS.  
C. P. S. S.

## Correspondence.

### LAND MORTGAGE BANKS.

TO THE EDITOR OF THE SERVANT OF INDIA.

SIR,—In my previous communication on the Bombay Agricultural Debtors Relief Bill, I remarked that the Bill contains no provision for utilizing land mortgage banks for liquidation of debts through their agency as it should have done. This requires some further elucidation. Although by clause 76 Government propose to authorize these banks to advance loans to debtors in respect of whose debts an adjustment has been made, clause 50 well-nigh makes it impossible for such advances to be arranged. That clause provides that after making the adjustment the Board shall make an award stating the amount to be paid to each creditor, the instalments in which it shall be paid, the rate at which future interest shall be paid &c. &c. The possibilities of liquidation of the adjusted debts through the agency of a land mortgage bank in suitable cases are not even to be investigated by the Board, nor is an opportunity to be given to the parties for the purpose before the award is made.

The chief benefit to be obtained for debtors through the agency of land mortgage banks is the remission or rebate that can always be secured from their creditors in consideration of their receiving their dues forthwith in cash instead of in instalments extending over a long term of years and the uncertainty of recovering them in full. This is by no means a small benefit, and the possibilities of securing it for the debtors should in my opinion be investigated by the Board before it proceeds to make an award. If all the creditors agree to give a rebate acceptable to the debtor and the latter is desirous of liquidating his debts through a land mortgage bank, he should be given an opportunity to apply to the bank. Where some of the creditors agree to give a rebate acceptable to the debtor, but others do not, the rebate to be given by the latter should be calculated by the Board on a certain basis that should be specified in the Act. If, however, it is left to the creditors to agree to give a fair rebate acceptable to the debtor, it will be possible in a very few cases only to get all the creditors to

agree to give rebate at a uniform rate, and unless all of them agree, liquidation through a bank cannot be brought about. I have, therefore, suggested in my previous communication that the rate of rebate should be fixed in the Act itself. Sowcars do not generally lend money at less than 6 per cent. interest per annum, so it will not be unfair to them if the percentage at which rebate is to be allowed is calculated on that basis in the case of unsecured debts, and on a 5 per cent. basis in the case of secured debts. Such a rate would be also fair to debtors. But in order to make it worth the while of debtors to liquidate their debts through land mortgage banks, the latter will have to reduce their rate of interest to 5½ per cent. Even then it may not be worth the while of debtors to do so if the Boards are directed to award interest to their creditors at a very low rate. The maximum rate is fixed in the bill at 6 per cent. That is the rate at which interest is generally awarded by the courts when instalments extending over a number of years are allowed to debtors. If that is to be taken as the standard of fairness, Government will not be able to go much below it in view of the fact that the debts will have been drastically scaled down and their payments will have been spread over a long term of years. Creditors will, in fairness, have to be allowed nearly as much interest as they would be likely to earn on their money if it was paid to them forthwith. Even if debtors have to pay interest to the banks at a rate a little higher than what they would have paid to their creditors, they would be amply compensated for it by the remissions in the principal amounts that they would be getting, and by the other advantages I have mentioned in my previous communication.

After all, they need have recourse to the banks only if they think it will benefit them to do so. Nobody is going to force them. They will have a choice between two alternatives where they had none before.

But I am positive that once an award in the nature of a decree is made, the prospects of arranging liquidation through a land mortgage bank will have vanished almost as surely as a court's decree extinguishes any chance of a settlement between the parties that may have existed before. The favourable moment will have gone, and in that case land mortgage banks in the Province of Bombay may as well close their doors.

P. J. TALEYARKHAN.

Surat.

**JUST OUT!** **JUST OUT!!**  
**Primary Education In India**  
From the Poor Man's Point of View  
By **DINKAR DESAI, M.A., LL.B.**  
Member, Servants of India Society  
Fine get-up :: Antique Paper :: Pages 128  
Price Re. 1/4 net.

Can be had of:—

- (1) Servants of India Society, Bombay 4.
- (2) International Book Service, Poona 4.