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CONTENTS.

	PAGE
TOPICS OF THE WEEK	85
ARTICLES:—	
Excise Reform in U. P.	87
Separation of Judicial and Executive Functions	88
SPECIAL ARTICLE:—	
Gopal Krishna Gokhale. By V. N. Naik, M. A.	89
The Non-Brahmans Under the Hindu Law. By A. B. Latthe, M. L. A.	91
A LETTER FROM LONDON	92
CORRESPONDENCE:—	
Revision of the Famine Code. By A. V. Thakkar, L. C. E.	94
SELECTIONS:—	
Retrenchment in Education	94
Russian Budgets	95

TOPICS OF THE WEEK.

Six Years. MR. GANDHI'S arrest has in due course led to his conviction and a sentence of six years' simple imprisonment, which however the Judge himself hoped the Executive would see its way to curtail, as soon as circumstances would permit. Last week we explained already why in our opinion the circumstances ought to have permitted, nay demanded, a *nolle prosequi*. However, the deed has been done now and there is complete unanimity that a bad job has at least been done extremely well. Mr. Gandhi's praise of the consideration with which he was treated—in jail or in court—was well deserved and the whole procedure has shown that, at least on this occasion, the Government was most decidedly not "satanic", even if guilty of an error of judgment. It is indeed tragic that so supremely good a man, as Mr. Gandhi is, should to-day be in prison: but it is hardly fair to say, as some of our N.-O.-O. friends do, that under the present system there is no place for the Mahatma except in an English jail. The fact is that if Mr. Gandhi had stuck to the Bardoli programme throughout, the present deplorable position could never have arisen: at least not under a Montagu-Reading régime.

Without their pinch of salt. THE Legislative Assembly have by a very large majority decided not to add to the duty on salt. This is no doubt a wise decision for which the special thanks of the community are due to the Assembly. Ever since the proposal to increase the duty from Rs. 1-4 to Rs. 2-8 per maund was made known nearly three

weeks ago, it had met with strenuous opposition both inside and outside the Assembly and spirited protests were entered against the contemplated increase by public associations and in the Indian Press. Under these circumstances the Assembly did the right thing in strongly putting its foot down on proposal which, if carried, would have added to the already heavy cost of living. This is pressing very hard on the poor to whom the additional salt duty would have come in the nature of a real hardship. Its imposition was sought to be justified on the plea that "the capacity of the people to bear Rs. 2-8 duty on salt was thus bigger than in 1903." How this conclusion was reached is not very clear from the telegraphic report of the debate. But the real point in this connection is not the capacity of the people as a whole but that of the people of the lower and middle classes; and we shall require a good deal of convincing to prove that it has recently improved so far as to justify the doubling of the salt duty. The very fact that it was the Labour representative, Mr. N. M. Joshi, who, relying upon his own intimate knowledge of the economic condition of the labouring population, so strongly opposed the proposed addition to the salt duty ought to serve as an eye-opener to the advocates of the proposal. The difficulty of the task of the Government in finding additional sources of income to cover the wide gap between revenue and expenditure is admittedly great; but let them not tax the necessities of life of the poor until they have exhausted other sources.

* * *

Bombay Government's Ways. HOW far has the separation of judicial and executive duties progressed in the Bombay Presidency? When the question was raised on a private motion on October last, year, the Home Secretary opposed the proposal, but the Home Member expressed sympathy and asked for time to consider the whole matter, and further he definitely promised to make a statement of the Government's policy on the question at the next session of the Council. The Council was therefore entitled to know what the decision of the Government was as to relieving executive officers of their magisterial work. Instead the Council was treated by the Home Member on March 6 to the exposition of a certain tentative scheme for adding to the number of resident magistrates. He made it clear, however, that the Government was not committed to that scheme, but it was outlined merely for the purpose of eliciting

ing public opinion on it, and the Council might express its view of it "either this session or the next." The Council however refused to postpone it to the next session, but considered it this very session, and by a majority of votes expressed approval not only of the principle of separation, but also of the scheme—a very modest scheme (for Mr. Chitale's scheme did not differ from the Government's in any essential respect). In speaking to Mr. Chitale's resolution, the Home Member said, "We are glad of this opportunity to obtain the Council's opinion so as to enable us to shape our policy accordingly". The Council has now passed the resolution; will the Government now shape its policy accordingly? No, the process of eliciting opinion is still to go on. The Home Member will now invite the opinions of the Divisional Commissioners, District Magistrates and so forth and then will arrive at final conclusions on the matter. Thus what he promised to place before the Council this session, he will place, possibly, this time next year, and then the Finance Department's sanction will have to be sought, which must not be anticipated too easily. And who knows that by that time the Non-Brahmin feeling, which Mr. Chitale charged the officials with playing upon, will not be successfully availed of to turn down the whole scheme?

* * *

Preventive Powers?

MR. CHITALE in his speech on this resolution made a point which it was of the utmost importance to make in view of the repeated declaration made by the Hon'ble Mr. Hayward that the executive officers, although they may be divested of their judicial work, must be allowed to retain preventive powers. The point he made at the outset of his speech is that the duty of "serving notices (under sections 107—110 of the C.P.C.), that is the power of seeing that particular persons are bound over, may perhaps be relegated to the executive, but the actual trial must be left to independent judges or magistrates." When this question was discussed in the Bombay Council on the last occasion, Mr. Kale expressed himself willing to let the executive officers continue to have preventive powers, and his utterance was hailed with satisfaction by the official members. What probably Mr. Kale meant to say was that the executive might initiate the proceedings, as it is only right that they should, but we do not think he intended to vest the determination of such cases also in the executive officers. It is very improbable that he should have done so. In any case, since the matter was then left in doubt so far as the expression of non-official opinion is concerned, it is well that Mr. Chitale voiced the Council's opinion in unambiguous terms. It would be inconsistent with the basic principle of this judicial reform that executive officers should not only institute proceedings but assume the powers of the trying Court. In England the duty of deciding such cases rests not with the Sheriff but with the Court.

Original Research. WE heartily endorse Lord Ronaldshay's remarks at the Annual Convocation of the Calcutta University on the subject of post-graduate work. H. E. is reported to have said:

"I do not think that any nation can take a leading place among the foremost peoples of the world unless it is in a position to make its contribution to the progress of human thought. No nation can live solely upon the achievements of its past or upon its borrowings from others and at the same time hope to retain its place among the great peoples of the earth."

It is one of the most melancholy features of our modern Indian Universities, that they are being looked upon at large as mere establishments for the imparting of vocational training or else for the passing of some capricious test which will open the door to certain careers. Until a University becomes a home of original research in the first place, it will never fulfil its true destiny nor do for the nation what the pursuit of abstract knowledge alone can effect. Germany, which until her *débâcle* stood highest in all branches of *applied* science, only gained that eminence through the fact that for generations Germans looked upon knowledge as a goddess to worship, not as a buffalo to supply them with milk and ghee. Germany had gained the highest eminence in the pursuit of *abstract* science first, and all its success in technology, &c. was added to them thereby afterwards. Our youth cannot be esteemed fully educated, until it is brought in living contact with *original* thought and *original* research. But, abstracting from our two great stars, P. C. Roy and J. C. Bose, where else have we in India to-day men of world reputation? It is certainly not by despising and starving research work in abstract science, that we shall gain the world place which we should hold with our ancient culture and a population amounting to 20% of the whole world.

* * *

Not Tottering Yet. UNDER "Selections" we reproduce to-day from the "Russian Information and Review" of February 15th the Russian budget for the current year, compared with the Tsarist budget of 1910. The figures should prove very instructive, especially for the victims of propaganda dope (if there are still any taken in that way); and for everybody else as well. For this budget brings it home to one, how humdrum and matter-of-fact a Government this Soviet after all is, and how different from the melodrama-nightmare kind of conception one was asked to form of it. To those on the other hand who expected the millennium to follow immediately upon the succession of a proletarian autocracy to a feudal autocracy, the disappointment will be no less keen; and only the cynic will be pleased, smiling that *plus ça change, plus ça reste la même chose*. We recommend a study of each item in the budget—especially those of Defence, Education, Health, Transport, State Monopolies *alias* State Industries, &c.

* * *

EXCISE REFORM IN U. P.

OF all the Provincial Governments in India, the Government of the United Provinces are undoubtedly taking the most forward step in the direction of excise reform, as will appear from the changes, to be noted below, which they have decided to effect in their present policy. Recently they appointed a committee to advise them on such changes, and this committee presented a report which, considering the committee's limited reference, will be viewed with satisfaction by the general public. The Government have now decided to carry out most of these recommendations and in fact have improved upon some of them. When effect is given to all these conclusions the United Provinces will be far ahead of every other Province in this country and temperance reform will have been established there on a much sounder footing than anywhere else. Such being our opinion of the U. P. Government's resolution on excise published *in extenso* in the *Leader* of March 18, it seems to us a matter of regret that, in this resolution, the Government's decisions should have been prefaced by certain remarks about prohibition and local option, which will appear to many temperance workers as open to objection. These two questions lay outside the reference to the committee, and any remarks therefore on them are out of place in a resolution purporting to review and announce the Government's decisions on the committee's recommendations. The Government had before them no evidence on the strength of which they could pronounce either on prohibition or local option. If, however, they wished to touch on this subject, their treatment of it ought to have been far less fragmentary than it has been.

The U. P. Government object to prohibition on the ground, mainly, that prohibition does not really prohibit—that "it does not produce total abstinence." That, however, is by no means a fatal objection: without completely abolishing the consumption of liquor or drugs, prohibition may reduce it so much that for the sake of those sweeping reductions it may be desirable to risk a certain amount of illicit manufacture; or even if the present generation of drinkers cannot be weaned from drink under prohibition, the next generation may be. All these considerations must be given due weight. Again, no mention is made in this resolution of the several objections in principle which are usually urged against prohibition. Total abstinence from spirituous liquors is not regarded universally as the ideal which every one must keep in front of him. Even if it should be viewed as a cardinal element of private morality, it is a question whether the State should enforce it on the citizens. These abstract considerations find no place in the resolution: does the omission signify that the Government approve of absolute prohibition in principle but rule it out only on the ground of impracticability? They might well have left the question untouched, but having elected to deal with

it, they should not have dealt with it in the slipshod manner in which they have. These remarks also apply to the way in which the U. P. Government have treated the question of local option in this resolution. It mentions certain objections which can be advanced against allowing an option to defined areas in the matter, but does not state what the Government think of those objections. It only says that if ever Government adopt that policy, they will do so under two conditions: viz. that (1) the present electorate must be greatly widened before it can be given the power to determine questions in respect of the local traffic in liquors and drugs; and that (2) some method will have to be devised "by which the loss of revenue consequent on the use of the option falls *solely* on the local body that exercises it." While we know that several temperance workers favour making local bodies responsible for part of the loss that will be sustained by the exercise of local option, it is obvious that the Government have not given much thought to the way in which it can or should be worked out in practice.

As to the definite changes which the Government have decided to introduce, we must say that these constitute a notable advance on the present state of things. The most important step which they propose to take is that they will form licensing boards in sixteen municipalities—licensing boards to which is to be given the power not only of determining the number and location of shops, but of selecting the licensees, so as to make them truly what their name implies. The power of fixing the number of shops is subject to the qualification, that "a board shall not during its term of three years of office reduce the number of the several classes of excise shops existing on the day when it came into office by more than one-third of each kind of shop (liquor, drugs or opium); subject to the further limitation that the number shall not be reducible by any succeeding licensing board to a lower figure than one-third of the number existing when such boards were first constituted." The net result of this will be that, in these sixteen municipalities, which are to be endowed with licensing boards, the number of shops can never be reduced by more than two-thirds of the present number as long as the policy sketched out in the U. P. Excise Committee's report lasts, while even this two-thirds reduction can take place only after a minimum period of seven years. Certainly sufficient safeguards have been provided here against all chances of a rash application of the prohibitionist principle. Even with this restriction, it must be admitted that, as a result of the new policy, the evil of drink will be greatly diminished in the most populous areas, which also are the most intensively given to drinking. The boards are to be composed of four elected and three nominated members, one of these nominated members being an official. Again an advisory committee is to be constituted in each district for the non-municipal areas: in the United Provinces advisory committees are already entire-

ly non-official; hereafter they will consist of three members elected by the district board and two nominated by the Collector "for the purpose of representing other interests, more especially education and temperance."

One of the points referred to the committee was whether the auction system should be retained or replaced by the fixed fee or surcharge system, and after carefully examining all the pros and cons the committee endorsed the Indian Excise Committee's rejection of the auction system and recommended the surcharge system now in force throughout Bengal, under which the license fee is graduated so as to be heavier as the consumption increases, and the price of retail sale is fixed. Under such a system "a limit is reached where increased consumption not only does not bring further profit to the vendor but causes an actual loss." "Retail prices and surcharges can be so regulated as both to control consumption in the interests of the public and to assure to the vendor a fair profit and to the State a full share of the monopoly value." It would be of particular interest to those in Bombay to read the discussion, given in the U. P. Excise Committee's report on the rival claims of the various systems, as Bombay's policy has undergone many changes in regard to this in recent years. The committee only recommended the adoption of the surcharge system in ten districts, but the Government have already decided to extend the system to all the districts of the United Provinces.

SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS.

A COMMITTEE was recently appointed by the United Provinces Government to frame a scheme for the separation of judicial and executive functions; and its report has now been published. The Government, before appointing the Committee, had already accepted *in toto* the principle of the separation and the only question referred to this body was the limited one of how to give effect to it. The recommendations of the Committee, though made with reference to local conditions, are of general interest to all provinces, because in its report we have presented to us for the first time a detailed official estimate of the cost that would be entailed by removing magisterial work from executive officers. Many officials have professed sympathy with the principle of this reform, viz. that no officer who is responsible for the prosecution in criminal matters should be in any way connected with the trial of the case, and, further, that no officer connected with the prosecution should be in a position to control the officer who tries the case; but they argue that such a severance of judicial from executive powers would be so costly that no province would be in a position to bear the burden. Sir William Vincent had estimated the cost at fifteen lakhs for a province; Mr. Lawrence, the Finance Member of Bombay, estimated it at thirty lakhs for the Bombay

Presidency; but the details of these estimates were not forthcoming. This Committee, however, has gone into all details, district by district, and tahsil by tahsil, and the annual cost of the proposals has been put by the Financial Department at a no higher figure than Rs. 4,76,588 or roughly five lakhs. It must be borne in mind in considering this estimate of the cost that the United Provinces Committee has not sought to economise, as has been suggested, for instance, in Bombay, by combining civil and criminal work in one officer, wherever possible. The scheme prepared by this Committee, on the other hand, suggests the creation of new posts for the performance of the criminal work which will be taken off the hands of executive officers. Thus, 35 officers of the Indian Civil Service and 92 of the provincial civil service will be required to do magisterial work, and making full allowance for leave reserve, etc., it is estimated that the additional recurring cost will be under five lakhs. It can well be imagined how this estimate can be cut down by vesting criminal powers in subordinate judges several of whom, so far as the Bombay Presidency is concerned, it is already admitted by the Home Member, can take up criminal work. The Committee's report thus affords a convincing reply to those who, while admitting that the combination of executive and judicial duties in the magistracy is vicious, yet object to separation on the ground that it imposes too heavy a burden on the exchequer.

The scheme of the United Provinces Committee has one serious defect: it suggests that executive officers, while they should be relieved of judicial duties in criminal matters, should continue to exercise judicial functions in rent and revenue cases. After weighing all the arguments adduced in favour of the proposal, one is driven to the conclusion that no case has been made out for the retention in the executive officers of the power to decide revenue cases. In Baroda such cases are disposed of by judicial officers without detriment to the true interests of the State and with much advantage to the public interest. Barring this, the Committee proposes a complete severance of the criminal and executive powers. There should be in its opinion two separate staffs in each district—an executive and a magisterial staff. The executive staff would consist of a chief executive officer and sub-divisional officers and tahsildars. These officers would perform all executive duties which are at present performed by the district staff. They would have power to initiate prosecutions. The chief executive officer would supervise the work of the police, deputing such powers of supervision over the police as may be necessary to the sub-divisional officers. None of these officers would exercise any judicial powers. This executive staff would be under the Commissioner, the Board of Revenue, and the Local Government. On the other side would be the magisterial staff. This would consist of as many magistrates as are necessary to perform the original criminal work of the district.

Control over the work of magistrates will be exercised in the first instance by Sessions Judges, who will also be the appellate authorities. The final control will lie in the final court of criminal appeal, that is to say, in the High Court in the province of Agra and the Chief Appellate Court in the province of Oudh. In the case of members of the provincial executive service they should be appointed by the Local Government, but in the case of members of the provincial magisterial service the Committee thinks that as they are to be under the absolute control of the judiciary they should also be appointed by the judiciary—by the High Court in the province of Agra and by the Chief Appellate Court in the province of Oudh—according to a scale to be fixed by the Local Government. In the case of the provincial service an officer should be appointed either to the executive or to the magisterial department from the beginning and that thereafter there should be no transfer from one department to another, and that in the case of the Indian Civil Service there should be an election at the end of the second year of service and after that there should be no further transfer.

An important point that arises in this connection is whether powers of a *quasi*-judicial nature, e. g. those conferred under the preventive sections of Chapter VIII of the Criminal Procedure Code, should be retained in the executive officers. In regard to this, the Committee's view will not be generally acceptable, and Munshi Narain Prasad Asthana, who was a member, has dissented. First, as to sections 108 and 110. The Committee is unanimous that, in the larger towns executive officers should issue the notices and institute the prosecutions under these sections, and also under sections 107 and 109, but that the decision of the cases should be with the magistrates. But in the rural areas it thinks that the decision as well as the institution of cases should vest in the executive officers. This proposal is made in view of the fact, that according to the Committee's recommendation, the magistrate will remain at the headquarters and will not tour. Another argument advanced by the Committee is that in its opinion "a magistrate will not be able to weigh the evidence as well as an executive officer can"—an argument that will not carry conviction. The arguments in favour of divesting the executive officers of preventive powers the Committee has itself set out as follows: "This section is one which is easy to attack theoretically. It can be pointed out with some show of reason that in Great Britain there are no powers quite like the powers given by it." Messrs. Vikramjit Singh and Narain Prasad Asthana have added other arguments to show that while the initiation of cases under these sections may be left to executive officers, their determination must be entrusted to magistrates. Again, as to section 107, the majority of the Committee think that when an officer has reason to believe that there is likely to be a breach of the peace, &c. he may be trusted not only to initiate proceedings but to decide them;

and as to section 109, the majority consider that there is no danger to be apprehended from permitting executive officers not only to call on suspicious characters to give security for their good behaviour but also to decide the cases, and that in the past no ill results have followed from the combining of the functions in the same person. The proper view to take in regard to all these matters is the one taken by Munshi Narain Prasad that while executive officers should be allowed to issue processes, they must be made returnable before magistrates.

GOPAL KRISHNA GOKHALE.

1. FEBRUARY 19, 1915. That was the day on which one of India's great leaders and noble sons was called away to his rest, just at the moment when the worker would have liked most to linger back, if only a little while, to be enabled to do all that he could to set India's feet firmly planted on the great journey which time was busy marking out for it.

2. Gokhale did not die full of years; but in the very mid-career of his extremely arduous and intensive public activity, and at a time when his hands were too full of work. Just some time back, he had returned shaping aright a great racial question in South Africa. Then the Public Services Commission had taxed to its utmost his powers of endurance and self-control. It had exacted from him all that he could devote to it in the shape of the closest scrutiny and fairest compromise. He had hopes, by the time the labours of the Commission had finished, to bring out an unanimous report, by his peculiar gifts of sympathy and persuasiveness, that would give India all that it desired and deserved. Again, the great war and the lead that Lord Hardinge had given India in its participation had kindled new hopes. It had opened anew the question of provincial autonomy and political reform. Within the country the air was full of desire for reconciliation between extreme parties, and for the reconstruction of the Congress on sound constitutional lines in the light of the experience gained in the matter of public work between the days following the partition and its cancellation by Lord Hardinge in connection with the Delhi Darbar celebration of 1911. There was not a little, in these public controversies, of the element of personal attack on the motives of Gokhale. That attack sometimes degenerated into the lowest form of vituperation and venomous abuse. His very last days were too much embittered by the spirit of the grossest misrepresentation and rancour to which we are not strangers in the public life of India.

3. Added to all these troubles and worries incidental to public life, there was a clear warning of Time that the hour was striking when the hero must depart. That warning was far from sudden. A year or two back, Nature had enjoined perfect rest for the overworked body and brain. But in face of the work that was waiting to be done

Gokhale turned a deaf ear to the premonitions of nature.

4. So much to do and so little done—that was ever the consciousness of Mr. Gokhale. And he never spared himself. He poured his very best in whatever he undertook. And he was never satisfied with even a little short of the best. So much to do and so little done—that must have been the agonising cry of his spirit which his frail and weakened body dragged down with it. The report of the Public Services Commission; the Reforms; the Congress; the issues of the Great War and their repercussion on India—all this must have passed in a flash before the mind's eye as the physical eyes were closing on the scene around him!

5. And how keenly do we feel his absence from our midst to-day when the country is, once more, face to face with tremendous issues in the Council Chamber and in the public life of India and England! The confusion that prevails around us and the unsettled mood of the public mind recall his presence all the more seriously, as the greatest moral and political asset of his time in the public life of India. Who will now tell both England and India, with the voice of authority, of their mutual rights and duties? Who will be able to give a decision that will carry universal conviction as being the wisest and the most practical under the circumstances? What man is there among us now, of tried and sustained political leadership, revered both of the people and the Government? Where is the man with such a firm grip on facts and practical issues, combined with an insight and imagination that can dip into the future without losing the poise and perspective so necessary to him who would work on to the goal by co-operation, unity and mutual goodwill? Who is there whose unselfishness, sacrifice and candour are above reproach, as his practical genius for managing affairs is of proved worth? Between the two races which fate has inextricably linked up in working out the common destiny of India, who is now able to be a reconciler of potent influence, straight, upright, resolute yet suave, as the late Mr. Gokhale? And with all these great and enduring qualities of the head and heart, what a passion for hard work, for unstinted toil and patience in coming down to essentials and bedrock facts; what an aptitude and unerring eye for focussing on the main point and never to let the situation grow worse by tilting against a wind-mill?

6. Gokhale was a great politician in the large and liberal sense of the term. He was a sterling patriot, who never forgot, under the most trying circumstances, what he owed to others as a gentleman. He was unselfish and simple to the core. But he did not believe in making a parade of these qualities. He was suave and gentle to outsiders, but a rigid disciplinarian to himself and to those who came to him as his

disciples. India can never forget him and ought not to forget him.

7. What is the message of his life and career to the worker of to-day? The first and foremost lesson is that of hope. It is the hope that comes of hard intellectual labour; that springs from a day-to-day struggle and grapples with great administrative problems; it is the faith nourished by the larger vision of the social and political conditions of the age and the world in which we have to work; and last, it is a hope sustained by the will to believe and persevere against all odds.

8. The next lesson of that career is to turn more to reason than sentiment in the determination of great issues and policies. Reason is, in the last analysis, the best ally of hope than high-stung emotion. Reason can work from stage to stage in patience. It never misses the trees at the same time that it keeps sight of the wood. It has infinite faith in spade work. It feels the need of the growth of commonplace virtues among large masses of people before a nation can grow up and be able to cope with the large issues that face it. Reason is a great economiser of all possibilities. It would not waste or miss a single opportunity of moving forwards. And it is ever careful to consolidate its advance. This reason combined with generous enthusiasm is the great need of the hour. "Waste not, want not," is a law of as great resourcefulness in public life as it is in private affairs. Generous enthusiasm is a great gift of nature. But we must not let it waste itself away in attempting too much. Concentration was the greatest key to Gokhale's great mastery of affairs and also to his influence over men that count in the shaping of large policies.

9. The present generation of workers need the lesson of hard work and concentration on facts even more than the generation to which Gokhale belonged. In a speech that he made in the Council he has laboured that point fully in view of the larger responsibilities that are to devolve on the workers of the future. As day succeeds day the burden shall be ours of facing and solving difficult administrative problems. It is on the sound foundations of administrative efficiency that the fabric of the self-governing India will have to stand as on a rock. A large constructive spirit must animate the workers of to-day if they would step into the shoes of the present holders of office and power. Are we prepared to give up our individual fads and crotchets for the great and permanent interest of the India of to-morrow? The time of criticism is gone, or is rapidly becoming a thing of the past. Strange as it may seem, it was the generation to which Gokhale belonged and those that preceded it that believed in sound intellectual equipment more than the youth of to-day. Though they were not called upon to face actual responsibility, they had prepared themselves in an abundant measure for it. While to-day, when we stand on the threshold of new and great tasks, our training seems to be almost nil.

Nay, we do not believe in training; we set no store by preparation. We are spreading far and wide, we are encouraging the cult of incompetence in every department of public activity. And we refuse to take warning either from contemporary or past history. We are bent upon belittling intellectual training. We are attaching too much importance to the voice of the proletariat. But an ignorant proletariat and incompetent leadership will surely help to nothing but a hopeless muddle, if not a crash. That is the great lesson of the Russian Revolution. In a recent book called *The World in Revolt*, the author presses home the lesson with a wealth of unimpeachable testimony. In India, side by side with the increase in average capacity, character, mind and muscle, there must be a systematic care not to let the intellectual level of the leaders fall low. For, as the author referred to above puts it, "whatever the dreams of sectaries, the increasing complications of modern societies will make the functions of the *elite* more and more indispensable and the dictatorship of the proletariat more and more impossible. The *elite* are a synthesis of a nation's energies. Its level in the scale of civilization will always be measured by the numerical strength of the *elites*. To them are due all the advances by which the multitudes profit." Where are such *elites* in the public life of India to-day? Where is the desire evident to foster the growth of this kind of leadership? Education is being deprecated; university training belittled; the latest and the newest methods are ignored; patience is at a discount; age is least reckoned with; experience has to take a back seat in the determination of policies; raw youth is lured away from its most imperative duty to take upon itself tasks for which it is quite unfit. Can they really prove "conscientious and able workers" merely by hailing them as such?

10. If there is any great lesson that Gokhale's life holds up for the emulation of Young India, it is that each one of our young men shall try his level best to become one of the *elites* in his own line that he may serve his country to the best of his powers when his time comes. Concentration; the focusing of all ability in a particular work that is to constitute the mission of one's life; an unquenchable spirit of hope; an ardour that never accepts defeat and is controlled by reason; an enthusiasm that is bottled up to be used with great force in a really fruitful direction; a desire ever to learn and never to weary; a firm grounding in principles and a mastery of details; an intense desire and longing to do spade work and bide one's time; a willingness to accept the leadership of the wise, the experienced and of those that have a practical experience of affairs; and, above all, a frame of mind that recognises limitations and refuses to be disappointed,—these must be imbedded into the character and life of those upon whom will devolve the task of the morrow.

11. Shall we learn that lesson or shall we let the great opportunity pass by, while we are busy

ploughing the sands? Times were even more hopeless when Gokhale was called upon to do his allotted work for the country. That is why he spoke in the following words: "we, of the present generation, must be content to serve India by our failures. For hard though it be, out of these failures the strength will come which in the end will accomplish great tasks." His message was never one of despair. Even in the midst of the gloomiest circumstances and the most depressing atmosphere, he saw a bright future for his country. Let us lay to heart the wise words which he uttered from the Congress platform in times in no way dissimilar to our own. Said he,

"Life is not like writing on a clean slate. We have to take the words existing on the slate and add other words so as to make complete sentences and produce a harmonious meaning. Secondly, whatever you may ask for, that is not the same thing as what you will get or will be qualified to get or in practice maintain if you get it. Let us, therefore, not go in pursuit of mere idle dreams and neglect the opportunities which the present offers to us. On the manner in which we, especially the younger section of our countrymen, grow to the height of the new opportunities will depend the future of the country. None of us wants to be satisfied with things as they are. But first we must prove that we can bear these responsibilities before we can ask for more. I have often said, and I repeat here again, that I do not want any limits, any restrictions on the growth which should be open to our people. I want the people of our country, men and women, to be able to rise to the full height of their stature as men and women of any countries do. But our growth can only be through the discharge of responsibilities; they must first be well discharged before we can think of further responsibilities.

V. N. NAIK.

THE NON-BRAHMANS UNDER THE HINDU LAW.

THOUGH the Hindu Law as administered in our Courts recognises the existence of four Varnas, for all practical purposes the vast majority, if not the whole of the Non-Brahman community, consisting of several castes of varying sizes, are treated as Sudras by the Law Courts in British India. Apart from the degradation which this means to many communities which claim to be Non-Brahman Dwijas, there are some very undesirable results springing from this view of the Courts which it must be the desire of all Non-Brahmans to avoid. One result of the Non-Brahmans being treated as Sudras, is that they have to put up with the most immoral law of succession of illegitimate sons. So far as I know, there is no civilized community in the world which gives such sons, the offspring of an immoral life, rights very similar to and, sometimes, the same as the rights of children born in wedlock. This is not in fact wholly justified by the old texts of Hindu Law. The definition of the word Dasiputra as accepted by our Courts is not correct in so far as it is held to include the children of continuously kept women. *Dasi* really means a slave-girl and, as the Bengal High Court has held, the institution of slave-girls having been declared illegal, there can now be no Dasiputras who can

lawfully claim any rights of succession. The other High Courts have however taken a different view and though there can be no Dasiputra succession among the Dwijas, among the Sudras, which practically means most of the Non-Brahmans, they occupy a position in the Hindu family, which is very much, though not exactly like, that of an ordinary son. The second consequence, which is equally deplorable, is that an unchaste Sudra widow may adopt a son to her deceased husband, presumably for his spiritual happiness. As a matter of fact, no Hindu husband would ever like to entrust his spiritual welfare to a wife who would lead an immoral life. The unchaste widow does not care a pin for these extra-mundane considerations. What she intends by the adoption is to defeat the rights of her husband's *bhaubands* and to divert his property to some one who may contribute to her lax methods of living.

I have no doubt that all thinking Non-Brahmans deplore this. Great communities like the Lingayats or the Marathas keenly resent being called Sudras and being subjected to degrading views of family law applicable to them. The Indian Legislature must be approached with a view to effect an amendment of the Hindu law in this connection. This may be done in two ways. Any community which does not like to be treated as a Sudra community may be enabled by legislation to declare itself to be a Non-Sudra community and this declaration should be binding on the Law Courts. This would certainly flatter the vanity of many of our communities and emancipate them from many demoralising ideas and customs. But they will also have to submit themselves to some disabilities attaching to Dwija-hood. Inter-caste marriages, allowed among Sudras, are not legal among sub-castes of the twice-born Varnas. Several restraints are placed on the powers of adoption among Dwijas from which the fortunate Sudras are free. By claiming to be twice-born, the so-called Sudra castes will have to accept these inconveniences along with the advantage of being freed from the stigma of illegitimate succession and adoption by unchaste widows.

The other course open to the Non-Brahmans is to let the name Sudra remain attached to them in the Law Courts and to insist that the law on these two points may be amended and brought into line with the law of Dwijas. This will enable them to retain the advantages of Sudrahood while enabling them to discard its immoral incidents. A third and better, but more difficult, course for the so-called Sudras is to get the Legislature to recognise their higher social status and to try to modify the family law of the Dwijas to which they will be then subjected in the way they may like.

Which of these courses would the Non-Brahmans prefer? May I request Non-Brahman leaders, especially lawyers, to consider this question and give expression to their views for the guidance of their representatives in the Legislature?

A. B. LATTHE.

A LETTER FROM LONDON.

(FROM OUR OWN CORRESPONDENT.)

LONDON, MARCH 2.

PROSPECTS OF A GENERAL ELECTION.

THE Government's position is at the present time very unstable, for the Conservative element in the Coalition is getting more and more restive. Sir George Younger does not at all like the idea of conceding many seats to the Coalition Liberals, and just now it is understood that the Prime Minister is quarrelling violently with him about the matter, for he does not naturally like the idea of being held in thrall by the Tories at the next General Election, which seems to be approaching fast. Its occurrence will depend among other things upon whether the Ministry can stave off serious defeat before the Genoa Conference. It will, if it should survive until then—towards the end of April—also depend upon the results of that Conference. At present, though France will certainly attend and the way is being prepared for the definition of the agenda, it is not at all certain that Russia will be there, and it is practically certain that America will not participate. The best thought of America considers that the Conference is premature. The Treaty products of the Washington Conference have not yet been digested by the Senate, and the American Government do not apparently like the thought of taking part in another Conference which may queer the pitch for getting the Washington Treaties and resolutions accepted by the Senate. Moreover, it is generally thought that neither in France nor in America is public opinion yet sufficiently educated, in the case of the former country on the question of German reparations, and in that of the United States, on the question of repayment of loans. But by next August it is believed, things will have ripened for some Conference with these limited objects before it, and then possibly America will join it.

PRINCESS MARY'S WEDDING.

The marriage of Princess Mary has been the real event of the week in this country. We are a simple and sentimental people in all these things, and there is no doubt that the populace thoroughly enjoyed the opportunity of showing to the Royal House in what deep affection it is held among all classes of the people. There was no doubt about that fact in the immense crowds that lined the processional route to Westminster Abbey amid the sunshine of last Tuesday. The crowds were good-humoured and affectionate, and the Princess and the King had a triumphal greeting. All the romance of the people was conjured up for the occasion, and it was a very much beloved bride that was given by an august father to a relatively humble bridegroom. I believe that the affection of the British people would have gone out to the Royal Family and to the Princess whomsoever she had married. But the event was enormously enhanced in the eyes of the people by the fact that the King's only daughter was to marry an Englishman and he a commoner. It was a wonderful

occasion, and not a few among the crowds that gathered were reminded of the fairy tales of their childhood in which the beautiful princess was married to a bold and gallant husband and both lived happy ever after. And now that the wedding is over, the people still throng the streets. They go to Westminster Abbey to see where the ceremony actually took place and to look at the marriage register, with the many distinguished names that it bears. And then some of them go, as the Princess and her husband did, to pay their tribute at the National Memorial that stands in Whitehall, embowered in flowers, the Cenotaph erected to the memory of those who died for a great cause.

MR. CHURCHILL AND KENYA INDIANS.

Mr. Churchill was to have received the Kenya Indian deputation to-day, but pressure of Irish affairs prevented and the interview has been postponed to Tuesday next. It is hoped that it will take place then, for with the insecurity in public affairs, it does not do to court unnecessary risks. It is somewhat significant and probably the Assembly and the Council of State can take credit for this, that the tone of Mr. Churchill's correspondence with the delegation has perceptibly softened. No longer does he speak of pledges and decisions. There are certain principles but no decisions have been taken upon the application of these principles. But the less said, perhaps, the better, for Mr. Churchill will doubtless in the end do what the Cabinet desires, which is a very different thing, I have reason to believe, from what he had intended.

INDIAN AFFAIRS IN SOUTH AFRICA.

News regarding South Africa is not so hopeful. A judgment has to-day been delivered by the Privy Council that may have serious reverberations in the Transvaal and even wider afield. Attached to Johannesburg is a township called Vrededorp. It has always been a place where the indigent do congregate. But the indigent whites alone were these for whom the Transvaal Government, in 1907 made provision. They passed an Act to give freehold transfer of certain stands to whites only—who could dispose of them how they liked. A condition of the grant was that "the owner shall not permit any Asiatic, native, or coloured person (other than the bona fide servant of a white person for the time being residing on the stand) to reside on or occupy the stand or any part thereof." A certain Mahomedan charitable Association registered as a private limited liability company acquired the ownership of one such stand, and let it to an Indian trader for the carrying on of his business. Proceedings for contempt were taken by the Johannesburg Municipality against the Mahomedan Association after it had been ordered to procure the removal of the Indian trader from the premises in breach of the condition recited above. An interdict was granted, and the trader converted his business into a company, continuing himself to carry on the business on the stand, as the agent and representa-

tive of the company of which he was an important shareholder. A further attempt was made to get the board of management of the Mahomedan Association committed for contempt, and the Appellate Division of the South African Supreme Court eventually upon appeal decided that a contempt had been committed, and made an order accordingly. The Appellate Division held that the object of these provisions in the Act was to prevent any Asiatic, native, or coloured persons, for sanitary and other reasons, from dwelling or being habitually among the indigent white population to whom the stands were granted, and concluded that what was objected to was the habitual physical presence of such persons on stands so granted. This view has now been upheld by the Privy Council, in dismissing the appeal, their Lordships holding the opinion that "it is plain, from the fact that the prohibition is made to depend on race or colour, that it is the physical presence of the persons described, and not their right of possession in a legal or technical sense, which the statute has in view." The Board held that a Company could not itself physically occupy, and that occupation by their agent, an Asiatic, was in the circumstances of the case, occupation by him, and therefore in breach of the Vrededorp Act.

MR. SASTRI'S RETURN TO INDIA.

Mr. Sastri, who was present at the Royal wedding by special invitation, and who is to-morrow night giving a private dinner in honour of Lord Lytton, with whom he is travelling to India, returns to you by the next mail, only however, I learn, after a short stay, to proceed on his mission to the Dominions, to which the Cabinet attach great importance. After going to Australia, New Zealand and Canada, Mr. Sastri will probably spend some time in a private capacity in the United States, where he is in great demand as a lecturer. When he eventually returns to India, he will, undoubtedly be the most widely travelled and experienced of all India's statesmen. He is altogether a bigger man than when he came over here less than a year ago, and he carries very great weight in most influential circles here. Even among the London Indian students he is much better appreciated, and that is saying a great deal. He had an excellent reception from them at the Shakespeare Hut last Monday, when, under Mr. Polak's chairmanship, he spoke on the meaning, purpose and achievement of the Washington Conference. His address and the replies to questions were greatly appreciated.

The following resolution on the present position in India has been issued by the National Joint Council, representing the General Council of the Trades Union Congress, the Parliamentary Labour Party, and the National Executive of the Labour Party:—

In the opinion of the National Joint Council, representing the General Council of the Trades Union Congress, the Executive Committee of the Labour party, and the Parliamentary Labour party, the antagonisms now grow-

ing in India are disastrous to the future relations of the British and Indian peoples. While realising the necessity of preserving order in India, the Council deploras the political arrests that have taken place and the " blood and iron " policy which the recent speech of the Prime Minister seems to foreshadow. The Council deploras no less the action of the non-co-operators in boycotting those Parliamentary institutions recently conferred upon India, by means of which grievances should be ventilated and wrongs redressed. As it is the settled policy of Great Britain (under the Government of India Act, 1919) to place India, as soon as may be, in the position of a self-governing Dominion, and in order to re-establish good relations between the peoples, the Council urges both Indian democrats and His Majesty's Government to join in a conference, composed of all shades of political thought, to consider the possibilities of a peace based upon :

1. An amnesty ;
2. The dropping of the practice of non-co-operation ;
3. A time limit for the transition stages of partial self-government ; and
4. Fresh elections, at least to the Legislative Assembly.

Lord Lytton has promised a deputation of the Indian Women's Educational Association, led by Sir Mancherji Bhownaggee, to do everything possible in Bengal to advance the work of female education.

CORRESPONDENCE

REVISION OF THE FAMINE CODE.

TO THE EDITOR OF THE SERVANT OF INDIA.

SIR,—A short time ago I read in a correspondent's letter addressed to the *Times of India* from Godhra that the special officer deputed by the Government of Bombay visited Panch Mahals to consult the district officers as to the modifications, if any, that were necessary in the revision of the Famine Code, Bombay. This was the first time I read from an indirect source of the contemplated revision of the Famine Code in this Presidency. I have not seen any Government *communique* published on the subject. If the Code is under revision, certainly the public have a right to be heard on the subject. The Government should therefore give wide publicity to the work of the special officer appointed and invite the public to suggest any changes that they may think necessary. The work should not be attempted in such a hole-and-corner fashion, but in broad day-light and be open to the public criticism. The Madras Government appointed a few months ago a small committee to investigate the same matter and very valuable evidence was tendered by the members of the public to the advantage of all concerned. The Bombay Government would do well to imitate the Madras Government.—Yours, etc.

A. V. THAKKAR.

Dohad, March 18.

SELECTIONS.

RETRENCHMENT IN EDUCATION.

VISCOUNT HALDANE'S SPEECH.

SPEAKING on the address in reply to the King's Speech, Viscount Haldane said:—Where do we stand as regards education to-day? We had a debate in this House four years ago in which it emerged among other things, from official figures, that not one in ten of the boys and girls in this country get anything in the way of a systematic education after the age of fourteen. That is a very serious thing. I will not allude again to the bad effect it has upon the economic resources of the country. I sometimes lament that reservoir of undeveloped talent which exists in this country beyond doubt, in which is buried the minds of a large number of young persons who, if they had the opportunity and the encouragement, might have

contributed enormously to the resources of their country. Some of our greatest inventors, some of our greatest geniuses, have come from that class and have emerged from it, as it were by accident. If we took the trouble, as we ought, to give the chance, what might we not hope to obtain for a generation which will see competition of a fierceness which we have not seen, because it is a competition in which the standards of training and knowledge will have been raised high above what they are to-day.

But it is not on the material side of education that I wish to dwell. Look what happens from the want of the largeness of outlook to which the untrained mind is prone. Look at the result of leaving the instruction given in economics to people of narrow views who adopt them for ulterior ends. The larger outlook would have changed all that, and I will venture to say to your Lordships that if that larger frame of mind had been more diffused among the working classes to-day you would have avoided a great many strikes and contests. One strike, or rather the cost of it, would meet over and over again the cost for several years of the small improvements which have been recommended by Select Committees appointed by the Government themselves and by other organisations which are working everywhere. There is no doubt that access to the higher kind of education brings a tranquillity and a calmness which is not to be got in any other way, for it brings the appreciation of the society of books of access to those great minds whose language can only be interpreted by the educated person. That is why bodies like the Workers' Education Association are having so much success all over the country at this moment, although they receive but little or nothing in the way of assistance from the State. That is why the Universities have thrown themselves into this movement.

Your Lordships propose, if what we gather from rumour is true, not merely to do nothing to develop this, but even to cut down the little help that it is getting to-day. You are going to shrink your Education Estimates; you are even threatening the Universities which are the custodians of that higher knowledge. It is not in reading, writing, and arithmetic that knowledge consists. These are useful but they are mechanical. It is in that to which they are the indispensable basis, the something on which a larger structure has to be erected. What we seek to do is to break down the barrier between class and class which exists in point of knowledge at this moment. There is unrest in the country which I believe to be largely due to a sense of injustice upon this score. People ask: "Why does the son and daughter of the rich man go through the secondary school and to the University and gain that advantage which is denied to nine others for every one to whom it is given!" The answer is not easy to make.

Of course, you cannot send all the children in this country to the Universities and nobody proposes that you should, but you can enable the Universities to do a great deal of work extra-murally, work which they are trying to do without your assistance, but work which they can only do very imperfectly without it. In the industrial centres the work has already begun for bringing these higher visions before the working classes in ways which induce the miner to walk after his day's work, and the woman to come from the factory and pursue a systematic course of instruction of the University type in classes taught by a teacher of University standing. It is not merely the book knowledge, it is not merely the scraps of learning that count; it is contact with the personality of the really adequate teacher and the stimulus which that gives.

I can only say again that I am speaking of what I observe when I say that the effect of any movement of that kind is more tranquillising, more calculated to avoid violent unrest, more calculated to allay jealousies than anything else that I see. In the last two years I have addressed between fifty and sixty meetings on this subject in different parts of the United Kingdom, and I can only tell you that the response is an increasing one. These meetings are becoming large and the recruits to these classes, whenever they are established, are becoming more numerous. There are about twenty thousand students under instruction—and just now obtaining

instruction with much difficulty—in rather over sixty centres. They get along by the help of the Universities, who have been admirable in this country. Oxford, with which the noble Marquess is associated, has taken a leading part in this movement. Not only so, but little people round about, people who realise the advantage of this—people who feel that they have been debarred from the chance which is necessary to give them equality of opportunity with their more fortunate neighbours—have come in.

I complain that in the programme of the Government this is not only ignored (in a time of great stress it was difficult to avoid) but the actual proposition is to go back upon it. Lord Inchcape's speech on the limitations of the economical value of education gave me cause for apprehension, but more apprehension has been given me by the silence of the Government as to the grants. See what you did lately and what you are not doing at the present time. In connection with education you passed a great Act not long ago. That Act involved certain developments; teachers were to get higher salaries. There is no question of choice or luxury in that; you cannot get the teachers unless you pay them higher salaries. To-day we have the few teachers, and we cannot get more.

As a result the classes are congested to such an extent that the boys and girls cannot be properly taught. The classes, which are far too large, do not lead to anything sufficient beyond. Your secondary schools require developing. The demand of the working classes for secondary schools is very large. The Act of 1918, an admirable Act, has not been carried out because the continuation classes are in peril, and as to the Universities, they are not only undeveloped but they are threatened with the cutting off of even the miserable provision which was already made for them.

All these things seem to me to show a want of grasp of fundamental principles on the part of the Government. I do not put it higher than that. I think they have been really frightened by the demand for cutting down, and I think they have not applied their minds to the lesson to be learned from the misfortunes of Lord Liverpool's Government, or to the great lessons taught by those who were in earnest about the science of administration in the way that Sir Robert Peel and Mr. Gladstone were. But to-day, unless we approach this question of economy with a clear declaration of policy on the part of the Government based upon definite principles, I, for my part, see great disasters ahead of us.

RUSSIAN BUDGETS. EXPENDITURE BUDGETS OF 1910 AND 1922.

Tsarist Government	1910		1922		Soviet Government
	Million gold roubles	% of total	Million gold roubles	% of total	
Ministry of the Imperial Court ...	17.0	0.7	6.5	0.3	A. R. C. E.C. & Council of People's Commissaries
Supreme Imperial Council and Synod ...	34.0	1.4	—	—	Commissariat for Home Affairs
Ministry for Home Affairs ...	100.0	4.2	60.0	3.2	" " Nationalities
" Finance ...	409.0	17.1	1.4	0.1	" " Finance
" Justice ...	76.0	3.2	40.0	2.1	" " Justice
" Foreign Affairs ...	7.0	0.3	23.2	1.2	" " Foreign Affairs
" Public Education ...	80.0	3.3	2.0	0.1	" " Public Education
" Ways and Communications ...	537.0	22.4	123.0	6.5	" " Transport
" Trade and Commerce ...	39.0	1.5	278.0	14.8	Supreme Economic Council
Supreme Board of Agriculture ...	86.0	3.6	154.0	8.2	Commissariat for Agriculture
Board of Imperial Stud ...	2.0	0.1	53.0	2.8	Commissariat for Army
Ministry for War ...	485.0	20.2	—	—	Naval Commissariat
Naval Ministry ...	113.0	4.7	556.0	29.6	Worker and Peasant Inspection Office
Imperial Control Office ...	10.0	0.4	72.0	3.8	Commissariat for Labour
Debt Services ...	409.0	17.1	2.5	0.1	" " Health
			3.8	0.2	" " Social Welfare
			118.0	6.3	Central Statistical Board
			48.8	2.6	Commissariat for Food
			4.8	0.3	" " Foreign Trade
			140.0	7.4	" " Posts and Telegraphs
			142.0	7.5	Pensions and Insurance
			26.0	1.4	Reserves of Council of People's Commissaries
			14.0	0.7	
			12.0	0.6	

REVENUE BUDGETS OF 1910 AND 1922. (Nine months.)

	1910		1922	
	Million gold roubles	% of total	Million gold roubles	% of total
Taxes and customs duties ...	979	34%	75	4%
Government monopolies, &c. ...	1,662	59%	—	—
Transport, posts, telegraphs ...	—	—	99	5%
Timber ...	—	—	78	4%
State industry, &c. ...	—	—	903	48%
Food tax, &c. ...	—	—	426	23%
Various ...	139	5%	66	4%
Deficit—met by note issues ...	50	2%	230	12%

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