

The Servant of India

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OFFICE : SERVANTS OF INDIA SOCIETY'S HOME, POONA 4.

VOL. XIV NO. 41. }

POONA—THURSDAY, OCTOBER 15, 1931.

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

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Topics of the Week.

Caught Tripping.

IT is not easy to catch Mr. A. Rangaswami Iyengar tripping in his knowledge of the constitutions of the world; but he did fall into an error in his first speech in the Federal Structure Committee on the 16th September. He advocated the election of the States' representatives to the federal legislature, and in doing so made the suggestion that just as a ruler or a subject of an Indian State can now offer himself for election in British India, it should hereafter be competent to a British Indian to offer himself for election in an Indian State. This is indeed a very good suggestion. It is highly desirable that in federal India any citizen of the Union should be able to stand for any constituency in British India or Indian India. Such a suggestion however is not likely to meet with the support of a man like Sir Maneckji Dadabhoy, who interjected a question: "Is there any precedent for this in any constitution?" and Mr. Rangaswami Iyengar pointed to the American constitution, where he said "there is no disqualification on a member of the House of Representatives in the U.S.A. being elected from among the citizens of another state; there is no residential disqualification." This answer served its purpose for the moment; it silenced Sir M. Dadabhoy. But unfortunately it so happens, and it is a notorious fact, that there is a residential disqualification in the U.S.A. The constitution of that country requires that the representative in either chamber of Congress shall be an inhabitant of the state. There is no statutory requirement that he shall be a resident of the district as well, but long-standing custom effectively excludes from the election of a district all those who do not reside in it. The U.S.A. constitution however is not

in this respect an example to follow, but a warning to guard against.

"A Complex Personality"

THE special correspondent of the *Leader* in London in the course of his very interesting dispatches thus describes how Mahatma Gandhi's "extraordinarily complex personality" strikes the British people. "He demands brevity and indulges in long speeches himself. He claims to stand for democracy yet he (and with him Pandit Madan Mohan Malaviya) is very lenient towards the Princes, and is willing (though here the Pandit parts company with him) to agree to a proposal for indirect election based upon the adult franchise. He does not want a British Army at all, yet he knows that an Indian Army does not at present exist, able effectively to take over the duty of external defence or the preservation of internal security, and he must be aware, too, that his own closest political colleagues do not generally share his views on this subject. The general feeling is that the Mahatma is an incalculable element." It would appear from the letters of this correspondent that his speeches to British audiences do not always produce the best possible effect. His speech to Members of Parliament on the 23rd September, for instance, was "much too long and discursive." "It is to be feared," writes this correspondent, and none in the world is more friendly to Gandhiji than he, "that the occasion added neither to his reputation nor to the usefulness of his cause."

Mr. Sastri's Warning.

THE London correspondent of the *Hindu* says: "There is too much tendency among a section of the Indian delegates to go cap in hand to Their Highnesses as if the States ought to be placed in a favoured position as compared with the rest of India. *Even Mahatma Gandhi has not escaped this tendency.* Mr. Sastri, however, has reminded the Princes that the concessions cannot be all on one side. Certainly the Princes had given the idea of Federation a good start, but they must expect British Indians to demand an adequate voice in giving shape to it instead of having it all their own way. That was the purport of his criticism of the Princes' claim at Wednesday's sitting." This correspondent is unable to understand why, in discussing the rights of the States, British Indian leaders should always consider the rights of the Princes to the neglect of the rights of their subjects. Says he, "Certain it is that time has been given by the Federal Structure Committee to the consideration of the peculiar claims of the Princes which might well have been devoted to other matters equally important, such for example, as the rights which the people of the States ought to enjoy under any constitution which deserves the name. The exclusion of their demands from consideration at the Round Table has been too tacitly accepted by the British Indian delegation."

Gandhiji and Andrews.

MR. ANDREWS wrote recently about Mr. Gunddappa's book "The States and their People": "The author is outspoken in his disappointment at the Princes' attitude during the earlier Conference sessions. They bluffed, and in the end surrendered nothing at all. They entrenched their own position as arbitrary rulers at the expense of their subjects. Mr. Gunddappa hopes that at the next session the leading Indian statesmen will not barter away, as they did before, the rights of the Indian States' subjects."

Whatever be the attitude of the other members of the British Indian delegation, the proceedings of the Federal Structure Committee, so far as they have gone, do not show that Mahatma Gandhi's attitude on this question is different in any respect from that of the delegates in the first session of the R.T.C. If they "bartered away the rights of the Indian States' subjects" so has Gandhiji, at any rate thus far. By the way, we may point out to those who object to our use of the expression "Selling the Pass" as offensive that Mr. Andrews, than whom a kindlier soul has not breathed, has used an expression "Bartering away the Rights", which is not more genteel. It would be interesting to know what Mr. Andrews thinks of the part played by the Mahatma in regard to these rights. But probably we shall never know. The Dinabandhu will not be in a hurry to give vent to his thoughts.

* * *

Army Retrenchment.

THE interim report of the Army Retrenchment Committee has recently been published. The Committee has suggested economies under various heads of the Army budget which amount to a little over Rs. 2½ crores. But these are not all the economies the Committee has to suggest. Its work is suspended for the time being and will be resumed in December when it is hoped it may be able to recommend more cuts in army expenditure. But even in this report it has not failed to draw pointed attention to the liberal scales of pay and allowances admissible to various employees under the Army department. "From the layman's point of view", says the Committee, "it strikes most of us as singular that it should be necessary or desirable to pay higher rates of pay in the ancillary services than in the fighting services." But in recommending a reduction in salaries the Committee does not confine its attention only to the ancillary services. It wants the salaries of the fighting services also similarly treated, which is a wholly justifiable wish, seeing that even the low-paid employees in the Civil departments of Government are expected to make their own quota of sacrifice in the present financial crisis. Considerations of equity, if nothing else, preclude any differentiation in favour of any class of Government employees. Nor can the Committee's proposed scale of reduction be characterised by anybody as unreasonably steep. It exempts from reduction all salaries below Rs. 200 a month and suggests a reduction of 5 per cent. in the case of salaries between Rs. 200 and Rs. 500 a month, 7½ per cent. in the case of those between Rs. 501 and Rs. 1000 and 10 per cent. in that of those in excess of Rs. 1000. Salaries swallow nearly one-half of the military budget, viz. about Rs. 27 crores, of which Rs. 17 crores relate to the fighting services and Rs. 10 crores to the administrative and ancillary services. The Committee did not find it possible to work out accurately the saving that may be effected if salaries are reduced on the lines suggested by it; but it has every hope that it will yield a saving of at least three-quarters of a crore. We hope Government will find it possible to give effect to the Committee's recommendation.

* * *

Indian Education in Fiji.

THE Education report of Fiji for 1930 shows how utterly inadequate are the educational facilities enjoyed by our countrymen residing there. As is well known, there are 60,000 of them in Fiji according to the 1921 census. Taking 15 per cent. as the school-age population, it works out at 9,000 as the number of children that should be at school, if the rising generation is not to grow up in ignorance. As a matter of fact however their number is only a little more than one-third of that figure and stands at 3,400 in all kinds of schools, Government, grant-in-aid and unassisted. There are in all 59 schools for Indian children, 4 Government, 37 grant-in-aid and 18 not in receipt of any Government help. Only last year was some kind of provision for secondary education made for the first time in one school where only fourteen pupils enrolled themselves and where the fees are as high as £6 per annum. Further let it be noted that this provision consists of the addition of the secondary department to an already existing primary school. As regards the cost of this education, the idea, according to an ordinance passed in 1929, whose life has since been extended to the end of the present year, seems to be to allow the Indian community to finance its schools to the extent of 50 per cent. of their annual cost. Nor is this treatment in any way special to the Indian community. It applies to Europeans and Fijians, in whose case for obvious reasons this system of finance naturally presents many difficulties. Facilities for the education of Fijians who are natives of the soil seem to be provided on a more liberal scale. This is as it should be.

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Jamkhandi in 1930-31.

JAMKHANDI is one of the more important states in the Southern Mahratta Country excepting of course Kolhapur, which cannot yet boast of a legislative council, but which looks forward to having it in the near future. It appears from the State accounts printed in its administration report for 1930-31 that out of a total net revenue of a little over Rs. 8¼ lakhs the domestic charges which obviously means the expenses connected with the ruling family came to very nearly Rs. 1½ lakhs, the ruler's personal expenses showing an unexplained rise of Rs. 20,000 in a single year! But on looking into the report a little more closely the conclusion is forced upon one that the amount actually expended on the ruler and his family is even larger; e.g. under "police" is included the bodyguard which is solely for the benefit of the ruler and which must be costing the State somewhere about Rs. 24,000 every year. Thus the palace expenses must be said to be in the neighbourhood of Rs. 1¾ lakhs provided repairs to the ruler's different residences are not debited to the P. W. D. as is commonly done in Indian States and other questionable devices are not adopted to make the figure of the ruler's expenses appear less imposing than it may actually be. Supposing, however, that the ruler's expenses came to Rs. 1¾ lakhs and not more, its proportion to the net revenue stands at about 21 per cent. which no dispassionate observer can help regarding as excessive. It is a pleasing feature of the educational system of the state that education both in the primary and secondary stages is absolutely free. But it is time the State authorities benefitting by the experience of British India introduced compulsory primary education, if only to prevent wastage in educational expenditure. Local bodies in the State seem to be badly in need of being freed from official leading strings, for out of the six municipalities in the State as many as five have revenue officers as presidents and mandalsars as vice-presidents.

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A CONSTITUTIONAL EXPERT'S FALLACY.

NOMINATION by the Princes of the State's representatives to the upper chamber of the federal legislature did not receive unanimous support in the Federal Structure Committee. The utmost claim that could be made for the extent of this support was thus put by Col. Haksar, who was the last speaker on this subject, viz. that "the idea of representation in the upper chamber by nomination has received as much support as opposition." One can well understand members agreeing to nomination temporarily as a compromise solution with a view to making the entrance of the States into the Federation as easy as possible. They may well reason to themselves: "Anyhow the upper chamber is intended to be a conservative body. It is true that the intensely conservative element of the Princes in the proportion of 50 or at least 40 per cent. would make the body much too conservative; but provided that the lower chamber retains its popular character unimpaired we may as well put up for a time with this drag upon progress in a chamber whose powers will be limited to those of delaying." This attitude is quite intelligible; it is an attitude which one would expect progressive Members of the R.T.C. who support nomination for the upper chamber to take up.

But it is just this attitude which they do not take up. On the contrary they rely upon some supposed political theory to show that nomination in the upper chamber is the correct thing to provide for. We are very much grieved to find that Sir Tej Bahadur Sapru, upon whom encomiums without number have rained in the Committee for his consummate ability as a guide in constitutional matters, has been largely responsible for misleading his colleagues on this particular matter. Speaking on the 15th September in the Federal Structure Committee, he said,

Coming now to the Indian States, it is quite clear that if we are prepared to favour indirect election (to the upper chamber) so far as British India is concerned we cannot expect the Indian States to adopt any other method. The upper house in a federal constitution, if I am not mistaken, is supposed to represent the States or the Governments of the States more than the people. If that is so, then I do not think we can seriously object at all to the Indian States choosing their representatives or the representatives of their Governments in an indirect manner by nomination; that is to say, there will be no popular election.

This passage contains more fallacies than one. Indirect election is here confounded with nomination. That is the more obvious error, for everyone knows that there is nothing indirect about nomination. But the more subtle error, which for that reason is also the more dangerous, consists in his maintaining that in federal constitutions the upper chamber of the federal legislature represents the Governments of the federating units. Sir Tej begins by saying, truly enough, that "the upper house in a federal constitution is supposed to represent the States," and then he adds "or the Governments of the States" because it suits what he wishes to draw as a

conclusion therefrom; but herein lies the fallacy. Sir Tej Bahadur's addition has no warrant; the upper house is not intended to represent "the Governments" of the federating States. The correct doctrine in this respect was expounded by Mr. A. Rangaswami Iyengar, when he said: "In a federal constitution particularly the principles that are usually adopted in constituting the two chambers are that while the lower chamber represents what may be called the national principle, the upper chamber will be constituted on what may be called the State principle." The upper chamber in a federal government represents States *qua* States; it is the organ in which the component members of a federal union are represented as such, without regard to population or size: it is the body which is supposed to stand for and protect the rights of the member States of the federation as political units in their corporate capacity and to maintain a proper equilibrium between individual States and the federation as a whole. Hence the principle of equal representation of the States irrespective of population or size, which is incorporated in the fundamental constitution of the U. S. A.

But no support can be found for Sir Tej Bahadur Sapru's proposition that in a federation the upper chamber represents the Governments of the States. If it were true, members of the Senates of the U. S. A., Australia, Germany, Switzerland, etc. would be chosen not by election, either direct or indirect, but by nomination, but in none of these federations does nomination prevail. It is true that in Canada the Senate is a nominated body, but its members are appointed not by the Governments in the Provinces, as required by the pseudo-scientific theory propounded by Sir Tej, but by the Government of the Dominion, which is quite a different matter. Nowhere in the world is there a constitution in which the governments of the federating units nominate members to the Senate of the federal Government. It can of course be contended that the federation to be formed in India is of a unique character and must strike out a new path. Let the nomination of the States' representatives in the upper house be justified on this ground, if thought desirable; but we cannot allow a statement, even if made by Sir Tej Bahadur, to pass unchallenged which would on the ground of theory not only justify nomination but in fact require it. If the governments of the federating states are to be represented in the upper chamber, what possible objection can be taken to the nomination, in British India, of members of the upper house of the federal legislature by the Provincial Governments, as urged by Mr. Gavin Jones, Lord Peel, Sir Herbert Samuel, Sir Hubert Carr and all the other diehard politicians in the R.T.C.? On Sir Tej Bahadur Sapru's own showing such nomination would not merely be permissible but unavoidable. Most of the speeches that followed Sir Tej's took the line that nomination by the Princes in the upper chamber was a matter of course, not capable of being questioned

on the ground of political theory. Sir Mahomed Shafi said that the upper chamber would "rightly" be filled, in so far as the States are concerned, by the Princes, and the Maharaja of Bikaner said that the method of selection of the States' representatives in the upper chamber "will have to be nomination". If to Sir Mahomed Shafi nomination is a "right" method, to His Highness of Bikaner it is imperative. And the pity of it is that Sir Tej Bahadur Sapru lent the support of his statement to this supposed inevitability of nomination.

Nor is it easy to see why indirect election, which is an appropriate method to be applied in choosing the representatives in the upper house of the federal legislature, is being recommended by Sir Tej Bahadur Sapru for the selection of the States' representatives in the lower house. Here luckily no theory is advanced, but the suggestion is made with such an air of cocksureness about it as if no other method could be thought of. We have already shown how indirect election through legislative councils would be tantamount to, and in practical results worse than, nomination. If allowance has to be made for the backwardness of the political development in the States, it should be made, one would have thought, by suitably restricting the franchise for the election of their representatives by the direct popular vote. For instance, instead of the legislative councils or the local bodies being made the electors of these representatives, the electors of the elected portion of these organisations might also be the electors of these representatives; and in that case indirect election might be reserved for the election of the States' representatives in the upper chamber. This latter will not be a radical measure as it sounds at first sight. For, as we have already shown, the legislatures in the States being mostly appointed, the representatives elected by them would be as good as nominated. While therefore the States would get substantially what they want by indirect election, it would have the distinct advantage that, as the States' legislatures become more and more popular, the representatives of the States too would without further ado assume a popular character in the same proportion. There will be no coercion applied to the States. If their legislatures remained official-ridden as at present, indirect election would continue to enable the Princes to appoint their own nominees, but if of their own accord they democratised their local legislatures, they would naturally like to have their representatives in the upper chamber to have a popular character too.

To sum up, the principle of indirect election is being wrongly applied to the States by the constitutional experts in the R.T.C. It is the right method to apply in choosing the representatives in the upper chamber; but there nomination is preferred, and preferred in such a way as if any other alternative would be unscientific. Direct election is the right method to apply in the selection of the representatives to the lower house, but there indirect election is preferred and again preferred as if no other alternative could be contemplated. The correct proceeding, however, would be,

(i) to let the local legislatures elect representatives to the upper chamber, who would, even under a form of election, be nominees of the States so long as the latter remain autocratic; and

(ii) to let the voters of the local legislatures elect representatives to the lower chamber. Even so, the elected members returned would be elected on too narrow a franchise, but it may be accepted as a compromise, in view of the political backwardness of the States. If, however, indirect election through local legislatures be insisted upon for the choice of the States' representatives in the lower chamber, then the next best method would be

(iii) to let the elected portion of the local legislatures elect representatives to the lower chamber.

MAHATMAJI AND COMMUNAL DEADLOCK.

THE failure of Indian delegates to the R.T.C. to find a solution of the communal problem, which was reported last week, has naturally caused universal disappointment in this country. When the Minorities Committee started on its labours early this month and Mahatma Gandhi asked for a week's time within which to try and find a way out of the difficulty it was generally hoped that the solution may not after all prove to be so elusive. But these expectations have suffered a cruel disappointment and the Mahatma has confessed his inability to hit upon a formula satisfactory to all communities. That with all his hard work and his desire to go as far as possible to meet the wishes of the minorities consistently with national interest Gandhiji should have failed in his purpose only brings home to us, in a vivid manner, the truth of what appeared to be a commonplace that there can be no swaraj without a solution of the communal problem. The result is that the prospect of success of the R. T. C. are for the time being at any rate far from bright and the political situation is enveloped in deep gloom.

Mahatmaji has sought to attribute his failure in the first instance to the unrepresentative character of the Conference, most of the delegates being nominees of the Government and not elected by their respective organisations. It is of course undeniable that the members of the Conference including Gandhiji himself owe their seats to the pleasure of the Government. Unlike the other members of the Conference, the Congress no doubt formally elected him as its sole representative; but even he would not have found himself at the Conference if he had not been nominated to it by the Prime Minister. Apart from this, however, it is doubtful if the result in most cases would have been different even if the respective organisations had been asked to elect their own representatives. In the case of the Nationalist Muslims, if the choice had been left to election, it would probably have gone in favour of Dr. Ansari whose absence Mahatmaji found to be such a great handicap in his negotiations with the less progressive Muslim group strongly represented at the Conference. But even Dr. Ansari's presence in London Mahatmaji would have been able to secure if only he had insisted upon it before finally consenting to proceed to London. If he had made Dr. Ansari's nomination to the Conference a condition of his own attendance at it, he would in all likelihood have succeeded, as he did in regard to his demand for an inquiry into complaints of coercive action for the recovery of land dues in some cases in Bardoli. The reactionary Mahomedans were no doubt threatening non-co-

operation with the Conference in case of Dr. Ansari's nomination; but it seems doubtful if they intended that threat to be seriously taken. They would have made themselves the laughing stock of the whole world if they would have kept away from the Conference on such a flimsy pretext. Besides Gandhiji could have got Dr. Ansari and in fact a dozen Ansaris included in the Congress delegation if he had chosen to do so. If only Gandhiji had played his cards well in this respect, Dr. Ansari's presence at the Conference would not have become the difficult matter he found it to be on his arrival in England. But perhaps with this single exception it will not do good to anybody to find fault with the representative character of the Conference. And as a matter of fact nobody appears to have endorsed the Mahatma's diagnosis of the failure of attempts at finding communal-peace.

Mahatma Gandhi assigned as an additional reason for his lack of success in the settlement of the communal problem the British Government's unpreparedness to declare their intentions towards India. But we fail to see how they can be blamed for it. Ever since the conception of the idea of the R. T. C. India has insistently demanded that the British Government should not make up its mind in advance on that point. Indeed when the *Times* suggested before the assembling of the Conference last year that the three British political parties participating in the Conference should go there with some plan of common action, the suggestion was stoutly opposed in India. In these circumstances it is no wonder if the British Government finds itself unable to respond to the Mahatma's demand to make a public declaration as to what they are going to give India by way of a further constitutional advance. If such a declaration were forthcoming and found to be sufficiently liberal, the different parties to the dispute would at least know what they stood to lose by failing to agree. To that extent the declaration would help in settling the communal difficulty. And it would indeed be an advantage if now that the British Government knows at first hand what India wants they were to make as early as possible an unequivocal declaration as to how far they are prepared to go to meet the Indian national demand.

Nor did the Mahatma's contention about adjourning the Minorities Committee *sine die* and in the meantime going ahead with the work of constitution-making receive any countenance from the Muslim members of the Committee. It will be remembered that the reactionary Muslim group is under a mandate from its parent organisation to hold up all progress with the work of framing the constitution till the communal question was satisfactorily got out of the way. They have since been supported by other communal delegates who are naturally averse to losing the present golden opportunity for securing the most favourable terms possible for their respective communities. The result is that the Minorities Committee stands adjourned for the time being and will meet again very probably after the General Election in England. In the meantime informal conversations with a view to arriving at some agreed solution will continue. As the Prime Minister so well put it, the Indian communal problem is a problem of fact, whose character would have been hardly changed by a postponement, however long. To expect that postponement would facilitate its solution is really to be blind to facts.

Lord Sankey, Chairman of the Federal Structure Committee, while regretting the communal deadlock, asked the Indian members of the Conference to concentrate not so much on the settlement as on the

methods by which it is to be brought about. How far his advice, even if faithfully followed, is going to help we do not know. In this connection it should be borne in mind that three methods so far held the field. viz. (1) mutual agreement, (2) outside arbitration and (3) arbitration by the British Government. Mahatmaji has since added a fourth one, viz. a judicial tribunal to give a final judgment on the subject after taking into account the different communal claims. Mutual agreement having so far failed to yield a satisfactory settlement, attention must hereafter be devoted to the possibilities of the other three methods of resolving the communal impasse. Of these, outside arbitration, though it found much favour in the beginning, is latterly being looked upon as somewhat impracticable. Indeed its only friends, so far as can be judged from published reports, at the Minorities Committee were some Hindu members. The one method which the newspaper reports show as having received the largest measure of support was the British Government imposing a settlement of their own. This would undoubtedly be derogatory to our sense of self-respect; but so would be any resort to any non-Indian body for the settlement of our differences, whether British or non-British. If owing to our inability to settle our own differences there has to be a settlement of the communal question by an outside authority, there is much to be said in favour of that outside authority being the British Government themselves, who, being charged with the duty of effectuating any settlement that may be arrived at, can be relied upon to spare no effort to see to it that the settlement is acceptable to as large a number of people as possible.

THE ECONOMIC PROGRAMME OF THE CONGRESS.

(Concluded from our issue of September 17.)

THE second section of the programme also containing five clauses deals with taxation and expenditure.

Two of these clauses deal with expenditure. One contemplates the reduction of military expenditure to at least half of the present total and the other lays down the normal maximum salary for the future public servants at Rs. 500 p. m. No comment need be made on the clause relating to military expenditure. The salary clause on the other hand requires some consideration. This is perhaps the most radical and the most original of all the clauses in the economic programme. It has also had a more hostile reception than any of the others. Rs. 500 p. m. seems to be generally considered as too low a maximum. This, however, is an entirely erroneous impression. If one considers the national income of India, the average earnings of the labouring classes and peasants and the average starting salary in the lower clerical grades, Rs. 500 p. m. holds to all these a relation similar to what the salary of the highest administrative post holds to the corresponding figures in most other countries. Somewhat detailed evidence with regard to this point has been already collected and published by us in a separate pamphlet (*The Salaries of Public Officials in India*).

Prof. C. N. Vakil in a recent note on the Economic Programme of the Congress puts forward two other objections. The first is that the rupee being an uncertain measure of value, it is inadvisable to fix the maximum in terms of rupees. This is a purely technical objection. It can hardly be believed that the A.I.C.C. considers the number 500 as peculiarly sacrosanct and that it would insist on sticking to it even if the prices double in the near future. The other objection of Prof. Vakil is that this maximum will have disastrous effects on the equilibrium as

between the recruitment to services, professions and business. Here it is necessary to remember at the outset that incomes in trade and industry cannot be put on the same level as the incomes in services or the learned professions. For in the former influence, connections and even more than this a command over capital count for so much that the avenue to the higher incomes in that direction cannot be considered as even reasonably open to the majority of the educated classes.

With respect to professions we do not know on the basis of what data Prof. Vakil ventures to state that those in the professions enjoy larger incomes today. In the case of the professions it is a very common mistake to pay undue attention to the highest incomes and not to take sufficient note of the vast number of failures. The income of the legal profession, for example, in India is not to be reckoned by the very high incomes earned by a few distinguished advocates. It is rather indicated by the large mass of pleaders and lawyers in the numerous cities, district towns and taluka places, the large majority of whom, we venture to think, do not pay any income-tax. Recruitment in the beginning is contingent on the average expectation of an income and even with Rs. 500 p. m. as a maximum the average expectation of income in the services will not compare unfavourably with the incomes at present obtaining in the profession; this without taking account of the fact that a lowering of service scales is bound to have an effect on the charges made by the professional classes in the country for their services. For it may be remembered that in India it has always been the service scales that have set the measure for the general level of earnings of the educated classes and not as elsewhere the earnings in the other occupations determining the level of service scales. Even so it may be admitted that there will be a certain amount of readjustment in the flow of recruits to Government service. Services will not prove quite as attractive as they do today. But we consider that this will in no sense be a national calamity. Services are far too attractive at the present scales of pay and the emphasis on Government employment needs to be considerably diminished.

The three clauses with regard to taxation deal respectively with (i) Salt duty (ii) Death duties (iii) Land revenue and Land tenure. The Salt duty is to be abolished. This is a step that was to be naturally expected after the prominence given to salt satyagraha in the national campaign of last year. Though on grounds other than sentimental this cannot be completely justified especially so long as duties on such articles as kerosene remain and the prohibition of imported cloth is contemplated by the Congress which will necessarily mean a heavy additional burden on the consumer. Death duties on a graduated scale have been contemplated by the Government of India for many years past. The Taxation Inquiry Committee has discussed the difficulties involved in their levy and proposals have been entertained many a time for their levy by provincial Governments. Undoubtedly they would mean an important additional means of revenue and if steep enough and heavy enough they would also serve as a useful weapon for correcting somewhat the evil effects of large accumulations of capital in private hands.

Clause 7 in the resolution deals with land revenue and land tenure reform. The clause is somewhat clumsily worded and it is difficult to be sure as to what it means. There seem however to be two main ideas put forward. The first is to give relief to the smaller peasantry and the second to make agricultural incomes subject to an income-tax. The second measure is simple enough. It actually forms part of Sir Walter Layton's recommendations. It is a measure that will meet with

almost universal approval. The relief to the smaller peasantry presents a more complicated problem. The resolution contemplates the attainment of this end by reductions of rent and revenue paid by this class. The reduction of revenue is easy for the State to effect. If Government merely abolishes land revenue and decides that all agricultural incomes will be dealt with according to income-tax procedure the object will be gained. There will then be an exemption limit which may, of course, be much lower than the exemption limit in the case of non-agricultural incomes and there will be a graduated scale. Only some important results may be noted. One is that the yield of the land revenue may in this case be much lowered, and its administration considerably complicated. Further, it has often been alleged that the introduction of an exemption limit in land revenue may actually work as an incentive towards the further subdivision of holdings. The programme on the other hand where tard to the small tenantry seems to be difficult of achievement. For though the State may graduate the levy of a tax, it could certainly not ask a land-holder to graduate the rental charge per acre according to the size of the tenant's holding. This will merely result in an unfair discrimination against those landlords whose estate is divided among the smaller tenantry and can only act as an inducement to them to evict the smaller tenants and replace them by bigger holders. Such a movement would easily defeat the object of the resolution unless it is prevented by very stringent tenancy laws. The problem of giving relief to the peasants in the zamindari tracts cannot be solved merely by rent restriction. The policy of rent regulation must be accompanied by more progressive tenancy legislation and by also affording means to the tenant of acquiring the ownership of his holding. We may note generally that this section does not contemplate anywhere the reform of the Indian income-tax which is also long overdue. An increase in the burden of the income-tax and the steepening of the graduation scales would seem to be reforms urgently called for.

The last section entitled "Economic and Social Programme" contains one clause which has an important financial bearing. This is the clause regarding the adoption of the policy of prohibition. Prohibition as the ultimate goal has always been accepted by all political parties in India. And whatever the difficulties that may militate against the enforcing of a rigid prohibition policy, there is little doubt that Indian financiers must now look forward to an ever diminishing excise revenue. Of the other clauses in this section one deals with the provision of military training to citizens and another with the relief of agricultural indebtedness and the control of usury. No definite policy with regard to the latter is put forward. Three more clauses remain. One promises a general protectionist policy to indigenous industries coupled with an entire exclusion of foreign cloth. The protectionist policy has already been adopted in some measure, but the proposal for an entire prohibition of particular imports seems unnecessarily extreme. An intelligent manipulation of tariff levels will effect in this direction whatever results it is desired to be brought about better than a rigid prohibition. Mahatma Gandhi's recent declarations in Lancashire seem however to indicate that a peremptory exclusion of foreign cloth will not be insisted on by the Congress.

The clause relating to currency and exchange policy lays down that that policy shall be controlled in the national interest. The clause as it was finally adopted by the A. I. C. C. is a great improvement on the original Karachi draft. The original draft contemplated control so as to help Indian industries i. e. one specific class of producers. Such

manipulation in the interests of particular classes is to be strongly deprecated and the A. I. C. C. has done well to delete this portion of the old clause. In the new form, however, the clause is practically meaningless. For it is presumed that the national Government will manage not only the currency and exchange policy but its policy in every other sphere as well "in the national interests". Only one clause remains for consideration. This says that the "state shall own or control railways, waterways, shipping and other means of public transport." This is good so far as it goes. The State already owns the railways in India and in a great many countries does it own or control the operations of such concerns as are mentioned in the resolution. This is no dangerous step towards Socialism; it is only a declaration that the Indian National Government will follow a policy as regards the vital economic activities of the nation similar to that evolved in most of the advanced countries in the world today. We only hope that the wording of the resolution is not taken to mean that the state shall not control or own activities other than those enumerated. For, we strongly hold that especially in a protectionist state, state control or ownership of activities built up by state help may be highly advisable in particular cases.

This examination of the Congress programme will have made it clear that the programme is orthodox and moderate. Proposals regarding social insurance and minimum wage have been discussed in the report of the Labour Commission and that body, which could be called neither revolutionary nor socialistic, has indicated ways in which these measures regarded by it as generally desirable can slowly be introduced into practice. Maternity leave is a milder proposal than the maternity benefit actually given in certain industries by legislation in C. P. and Bombay. Death duties have now been incorporated into the financial system of many countries in the world; protectionism is a common malady and the control or ownership of key industries a well recognised practice. The Congress has for years advocated Land Revenue Reform and the solution suggested in the resolution for the tenancy problem we consider as incomplete. The only point in which the resolution marks a considerable advance over current conceptions, is in the salaries maximum. But here again the Congress resolution does not suggest a maximum that is socialistic or levelling in any sense of the word. Indeed what strikes us most about the programme is its largely negative character. The clauses mostly embody proposals to remedy certain defects and remove certain grievances in the existing situation. They do not formulate a series of positive steps contemplated by the future national government. A really attractive economic programme must put forward a vigorous national policy about the extension of social services and the activities of nation-building departments. This lack of positive proposals is most marked in the case of the agriculturists and almost nothing is said of the position of the small artisan. Our criticism of the programme does not, of course, mean that we minimise its importance. The resolution represents on the whole a sober and thoughtful attempt to indicate lines of immediate action in the future. There are some important omissions and there is little in it that is novel but most of the proposals made are on the right lines. It would be absurd to subject vague proposals of this type to any minute criticism. We cannot do this chiefly because we do not know under what conditions—financial and other—the future Swaraj Government which attempts to put them into practice will find itself. The adoption of each particular measure will be dependent on the then existing circumstances,

political and economic. Our purpose in commenting on the programme has been mainly to show that it follows lines of economic policy already adopted in most countries of the west and that it cannot, as a whole, be called either revolutionary or socialistic.

D. R. GADGIL.

LABOUR IN INDIA.

RESULTS OF THE ROYAL COMMISSION'S ENQUIRY.—X*

HEALTH, WELFARE AND HOUSING.

WHILE dealing with the health problems of workers the Commission have at the outset laid down the principle that the proper treatment of problems of public health demands a considered programme and that the attempt to deal with them piecemeal too often involves the frittering away of financial resources. Their recommendations are made in pursuance of that principle. The Commission feel that the time for inaction and delay is past and that, particularly in regard to housing, it is imperative that an immediate beginning should be made. "To those who assert," they further say, "that India cannot afford to spend more on public health, we would reply that she can no longer afford to do otherwise." The poor physique of the industrial worker in the city can be traced to the poverty of the villager.

"More often than not," it is rightly said in the Commission's Report, "the villager lives under a burden of debt, and economic pressure and want compel a low standard of living which renders him unfit for hard work." The diet of the majority of the workers is also insufficient in quantity and deficient in quality. The congestion in industrial towns and the consequent insanitation and unhygienic living contribute to no small extent to the lowering of the worker's health. Besides, in the case of a large number of workers the lack of family life due to want of sufficient, satisfactory and cheap housing and insufficiency of wages is responsible for ill-health and irregular life. In all of the largest industrial cities a marked disparity in the proportion of the sexes is found to exist. "This inequality", say the Commissioners, "gives rise to a number of grave social problems. In the first place, it leads to an increase of prostitution and a subsequent spread of venereal disease first in the city and later in the village, with the return of the migratory worker to his home. In the second place, the effect on home-life is often disastrous since a premium is put upon the formation of irregular unions." Having experienced the difficulty of obtaining reliable statistics for special groups such as industrial workers, the Commission have made some useful suggestions with regard to maintaining registers bearing on vital statistics. In view of the fact that curious variations prevail in the methods of registering still-births throughout the different provinces, the Commission have recommended that still-births should be excluded from both birth and death registers and that they should be separately recorded. Greater difficulties were experienced with regard to the incidence of sickness among industrial workers. Inaccurate as the registered statistics are, they are no doubt sufficient to prove certain broad facts. The birth rates in India are generally extraordinarily high as compared with those prevailing in Western countries, and both general and infantile mortality rates are correspondingly high. "The general death

*Previous articles in this series appeared in our issues of July 23 and 30, August 6, 13 and 27, September 3 and 10, and October 1 and 8.

rate in India, on a conservative estimate, may be taken to be between 30 and 35 per 1,000. It is known that the average expectation of life at birth is only about 25 years, as compared with 54 years in Great Britain. These two figures, although approximate, make it certain that sickness rates for the general population are several times higher than the corresponding rates in Britain." The Commission make recommendations for the appointment of medical registrars in the more important industrial areas, the establishment of an Institute of Nutrition by extending the work done by the Deficiency Diseases Enquiry Laboratory at Coonoor, legislative measures for the prevention of adulteration of foods, organisation of industrial hygiene, improvement of health administration, the passing of comprehensive Public Health Acts in all provinces, better water supplies, better sanitation, anti-malarial work and better medical facilities.

The suggestion for welfare work relates to the employment of women doctors and trained midwives, health visitors and child welfare centres. As regards maternity benefits the Commission believe that the time is ripe for the introduction of legislation throughout India making a maternity benefit scheme compulsory in respect of women permanently employed in industrial establishments on full-time processes. It is also recommended that all methods should be explored that may lead to the alleviation of existing hardships arising from the need of provision for sickness. A tentative scheme is suggested, based on separate medical provision, possibly by Government, and financial benefits in the form of paid sick leave given through employers on the basis of contributions by themselves and by the workers.

The chapter on housing is full of interesting facts and helpful suggestions. Accurate statistics regarding density of population are not available, but the Commission have gleaned certain information on that point from other sources. They state in their Report:—

From the last census report it appears that 70 % of the houses in Bombay City are one-roomed, and the Labour Office family budget investigation of 1921-22 showed that 97 % of the working classes were accommodated in one-roomed tenements with as many as 6 to 9 persons living in one room. In Karachi almost one-third of the whole population is crowded at the rate of 6 to 9 persons in a room, whilst in Ahmedabad 73 % of the working classes live in one-roomed tenements. Corresponding figures for other cities such as Cawnpore, Howrah, Calcutta and Madras are unobtainable, but our observations showed that nearly all the workers live in single rooms. It is no wonder, then, that the infantile mortality rate should be very high. In 1929 it was 298 per 1000 births in Bombay City, and recent reports on the health conditions in Madras and Rangoon give rates of 300 to 350 per 1000 births for certain parts of those cities.

Among the suggestions made by the Commission for the improvement of industrial housing the most important are those that relate to the preparation by Public Health Departments of type-plans of working class houses with costs, such plans containing provision for a small room for cooking and storing utensils and a front verandah, and Town-Planning Acts in all provinces providing for the acquisition and lay-out of suitable areas for working class housing, the opening up and reconstruction of congested and insanitary areas and the 'zoning' of industrial and urban areas. The Commission recommend that the provision of working class houses should be a statutory obligation on every improvement trust. The suggestions about co-operative building societies and schemes for the erection by workers of their own houses are in the same direc-

tion, but the same cannot be said of the Commission's recommendation with regard to Government subsidies to employers in their housing schemes. Wherever possible, the workers should not have to depend on their employers for housing, for they lose their independence more or less and are consequently handicapped in their bargaining power when they take advantage of the housing provided by the employers.

P. G. KANEKAR.

Our European Letter.

(FROM OUR OWN CORRESPONDENT.)

GENEVA, OCT. 2.

AFTER THE ASSEMBLY.

THE Twelfth Assembly has ended. Among its definite results must be mentioned the adoption of a Convention which will enable the Council in times of crisis to prescribe various measures calculated to preserve peace, such as the withdrawal of troops to a certain distance from frontiers, the tightening up of the League machinery for dealing with slavery; affirmation of the proposal to hold a Disarmament Conference next year and the working out of a scheme of medium term credits in the financial field. To these must be added the "gentleman's agreement" of an armaments truce. But on the debit side of the balance sheet must be inscribed its failure even to attempt to deal adequately with the greatest financial crisis with which the world has ever been faced. The French Financial Minister, Monsieur Flaudin, and Sir Arthur Salter initiated a discussion which bore much promise but came to an inglorious end. It is a grave reminder of the limitations on the League's powers and as the *Times* appropriately points out.

Report after report diagnoses the ills of Europe and indicates alleviations and possible cures. But they pass from sub-committee to committee, from committee to commission without at any stage receiving the authoritative impress of the League's definite recommendation. It might perhaps be found possible, by some improvement of procedure, to bring these long and valuable deliberations to a climax.

It must, however, be recognised that neither such authoritative impress could be given nor such a procedure evolved until the scope of the League has been rendered universal. If the various difficulties of European nations cannot be settled except by considering them in common, it is also true that Europe's troubles as a whole cannot be cured except by reference to the U. S. A. The reparations problem and the war debts problem are inextricably bound up with each other and the initiative for linking them up with the existing world situation must come from Washington. Washington has become as great a world centre as Geneva and only common action in both these capitals can save the world. That is the lesson of this year's Assembly and in impressing it upon the world, the Assembly and the Council have done not a little to hasten the coming of peace and of international order.

This lesson has been admirably illustrated by the Sino-Japanese dispute over Manchuria. It is the Grandi proposal of one year's armaments truce which gave rise to the official American co-operation with the Third Commission of the Assembly. But Mr. Hugh Wilson, the U. S. A. Minister at Berne, who came to Geneva for this purpose, remained to achieve greater things. On the 19th of September, the Japanese army, apparently following the tactics of Port Arthur, suddenly entered Mukden obviously desiring to

remain there. The news of this assault reached Geneva on the 20th September and the appeal of the Chinese Government to the League on the 22nd. On the 28th of September, the Japanese representative declared before the Council that the Japanese troops had received orders to withdraw for the base from which they had marched on Mukden. This order has not yet been completely executed; but the Council's appeal to Japan to withdraw is in fact being complied with, according to all reports, and without any strain of relations between Geneva and Tokyo. Within six days, therefore, the League was able to prevent the development of an incident which, if left to itself, might well have assumed a dangerous form.

The League could not, however, achieve all this unaided. At the first meeting of the Council, which considered the Manchurian affair, Lord Cecil proposed that the records of the Council discussion should be communicated to the U. S. A. Government. That was done the same night, through the exertions of the American Consulate at Geneva, and the next day there arrived a letter of remarkable cordiality on behalf of the Washington Government asking Mr. Wilson to keep in the closest touch with the Council throughout the negotiations. He was in constant touch with the Secretary-General and the principal member of the Council and thus in the Manchurian affair the League and the U. S. A. were marching side by side. Indeed, at one stage in the discussion, following upon the Chinese appeal to the Council, the indignation in Japan at the prospect of being called to order and the resentment due to the League's insistence on a proper assurance that Japan had no other object than that of controlling the local situation were so great that it might well be asked whether Japan and the League would have emerged with their prestige unimpaired out of this incident without the American intervention.

The League and Lord Cecil have been blamed a great deal for not adopting a stricter attitude, for not applying the sanctions of the Covenant against Japan instead of appealing to her sense of national honour and of obligations and for not settling the dispute through the League's machinery, as the Chinese representative would have it, instead of allowing the parties to talk it out between themselves. It has even been suggested that Lord Cecil was disposed to take a stricter attitude and he had the support of the American Secretary of State, but the instructions from Whitehall were pro-Japanese in effect. However that may be, the *Times* cannot certainly be said to have been very soft towards the Chinese—the Council was certainly well advised in dealing cautiously with Japan. Neither the internal political situation in Japan nor the conditions in Europe warranted any other procedure.

The co-operation between Washington and Geneva will, it is to be hoped, continue and if it is to be a precedent, the outlook for world co-operation in the preservation of peace and, what is just as important, the promotion of prosperity, has enormously improved. The French Premier, after an official visit to Berlin, which has fulfilled the modest expectations that it aroused, is soon proceeding to Washington on a similar mission. France's political predominance for the moment is undisputed and the stabilisation of the financial power on which it is based is now her principal concern. The franc has brought her to the top in the political contest that has been raging for a decade. But the victory has not from all signs made her giddy. She apparently realises that the last round is not yet over and the final victory will not be won until the international order is well established. She is as anxious as Great

Britain and the U. S. A. to bring this about. Monsieur Laval's visit to the U. S. A. may thus become as historic as Mr. MacDonald's celebrated naval mission.

Review.

REMINISCENCES OF A RUSSIAN REVOLUTIONARY.

MEMOIRS OF A REVOLUTIONIST. By VERA FIGNER. (International Publishers, New York.) 22cm. 318p. \$ 3.00.

THIS is an autobiography of the Russian revolutionary, Vera Figner. Born of noble parentage she had all the material comforts and advantages. In her youth she came under the influence of the revolutionary movement in Russia, gave up her medical studies, got herself separated from her husband, threw herself heart and soul into the revolutionary movement and in her twenty-fifth year volunteered to work in the villages of Russia to prepare the Russian peasants for the coming struggle against the autocratic rule of the Czar. In this book she gives a graphic account of the deplorable condition of the Russian peasantry. Her own life among the villages was beset with untold hardships and sufferings. Undaunted by all these discouraging circumstances, she carried on her work with faith in God and confidence in herself. She opened a school for the villagers, read them stories and spoke to them of the great revolutionary movement. Besides she used to go from village to village healing the physical ailments of the villagers. In brief, her whole life was engaged in kindling the fire of revolt in the people with a view to make them adopt later on a policy of terrorism against the landed aristocracy and the police.

As a prominent member of the Russian Socialist party and of the executive committee of the Will of the People, she participated in hatching the plot to murder the Czar in 1881. Many women besides Vera Figner had taken part in the Russian revolutionary movement, but none so important and decisive a part as the subject of the book under review. The book is replete with personal reminiscences and portrait sketches of all those characters that played their part in the struggle to win freedom for the Russian masses.

The book is divided into two parts, the first part dealing with the revolutionary movement, its personalities, leading to the arrest and conviction of Vera Figner, and the second part dealing with the life in jail of Vera Figner for twenty long years. Her description of jail life makes very interesting reading. Harsh and unjust treatment of prisoners in jail made them break jail discipline deliberately, and resort to direct action. A prisoner by name Grachevsky was so very badly treated by the jail authorities that he waged an indignant warfare against the vagaries of jail administration for a long time but in vain. In the end he put an end to his life by pouring over his body kerosene from the lamp in his cell and by burning himself to death. Vera Figner's share also in the struggle to set right prison administration was very great and she always met with some measure of success.

This is a book of great human interest. Vera Figner belongs to that class of patriots whose dynamic force, sincerity of purpose, and sufferings for the cause they represent compel our admiration and respect. Though one may not entirely approve of her methods to win freedom for the peasants of Russia, still one cannot but pay homage to this representative of the

fair sex for the great courage, persistency and fortitude she displayed as the leader of the masses of Russia in the struggle for freedom that ultimately resulted in the victory of the proletariat in Russia nearly a decade ago.

All those who are interested in Modern Russia can ill afford to ignore this illuminating book written by one who had an intimate inside knowledge of the policies and aims of the Russian revolutionary party.

S. R. VENKATA RAMAN.

SHORT NOTICES.

THE GARDEN CREEPER. BY SANTA DEVI AND SEETA DEVI. (Prabasi Press, Calcutta.) 1930. 20cm. 332p. Rs. 2/8.

A PRETTY story woven into a novel depicting the struggle between the ancient and the modern in Bengal. A slender thread of love element runs through and adds to the novelette's interest. The introduction of Shiveshwar, the ultra-modern atheist, opens with great promises which remain unfulfilled. His motherless daughter,—Mukti—dominates the story as she does the lives of the leading characters—Shiveshwar, Mokshada, Joyti and Dhiren. Mukti is presented to us in bold colours, while Dhiren, her shy, retiring, philanthropic lover is drawn with delicate touches. He is by far the best drawn character in the novelette. Joyti, the orphan, brought up by Shiveshwar, is his rival in Mukti's heart, and the winner of her hand in the long run. One wishes, however, that Joyti and Shiveshwar had been more in evidence in the story. The *finale* is worthy of the opening. It leaves behind a haunting sense of unfulfilment, yearning and cussedness of chance which delights

in racking the human heart. The inevitable triangle is depicted with consummate skill. The style is unadorned and simple. A book worth the purchase for the lovers of fiction.

M. D. S.

LIBRARY HAND-BOOK AND INDEX. By R. G. KANADE. (The Author, C/o Dnyanprakash Servants of India Society, Bombay, 4.) 1931. 18cm. 78+96p. Rs. 2.

THIS book does not deal merely with the library movement in India as it exists at the present day but also tells us something about libraries in ancient and mediaeval India. The chapter on Indian mss. libraries, besides explaining how some of the mss. have found their way outside India, closes with a list of Indian mss. libraries, in which, we suppose, only the more important ones figure. American libraries in Europe and Great Britain, and Chinese and Japanese libraries are described in three separate chapters. The growth of libraries in Baroda justifies the author in devoting a special chapter to them. The book also gives some very necessary information about Indian publishers and booksellers and about public and college libraries. A list of high schools in the Bombay presidency and C. P. and Berar is appended. The brief mention made above of the contents of some of its chapters will, we hope, not mislead anybody into thinking that Mr. Kanade's book is nothing but a compilation. A perusal of the chapter dealing with the Indian library movement is alone sufficient to dispel such a misunderstanding. In view of the important part libraries play in the matter of adult education, this book cannot but be very useful to the public.

K. P. F.

DEMOCRACY; NOT CHANGE OF RULERS.

MR. JOSHI'S SPEECH IN FEDERAL STRUCTURE COMMITTEE.

Mr. N. M. Joshi, M.L.A., made the following speech in the Federal Structure Committee of the Round Table Conference on 16th September:—

MY Lord Chancellor, the few remarks which I propose to make will be restricted to head 2, including the sub-heads. I made it quite clear, my Lord Chancellor, when I spoke the other day, that what I am most interested in is the establishment of democracy in India. A mere change in rulers does not commend itself to me at all. It is from that point of view that I propose to examine the sub-heads of this table.

I feel, Sir, that if democracy is to be established in India the legislative organisation must be fully elected. The organisation must represent the people of the country, and when I say the people of the country, I am anxious that all economic classes in the country should be represented in the legislative organisation according to their number. I do not wish to exclude any economic class. The landlords should be represented according to their numbers, the professions may be represented according to their numbers, the other classes should be represented according to their numbers; but I should like all economic classes represented, and their representation should be based upon their numerical strength. The proposals of the Federal Structure Committee assume two Chambers, I am not in favour of a two-Chamber legislature. I believe that the second Chamber, if its purpose is to

prevent hasty action, is not needed, because that would be provided for in some other way....

My Lord Chancellor, I am quite willing to consider this question of the second Chamber if I find what provision we are making for effecting changes in our constitution. If I find that no unnecessary impediments are placed in the way of effecting changes in the constitution, as a temporary measure it may be made possible for us to accept even a second Chamber, but that will depend upon the provision made for changes in the constitution. If the change in the constitution is made wholly dependent upon the vote of the second Chamber, that change, in my judgment, can never be made. I therefore feel that my final views on that question will depend upon the provision that is made for changes in the constitution.

As regards the method of election, I hold, Lord Chancellor, that the direct method is always preferable, and I hold that the direct method should be used for both the Chambers. As a matter of fact, even today the Council of State is elected on a direct method. Not that I approve of the constitution of the Council of State. If all the economic classes are adequately represented in accordance with their numerical strength in two Chambers, I feel that the direct method is a preferable method. But what concerns me more, Lord Chancellor, is not the method, whether it is direct or indirect. What concerns me

more is that all the economic classes in the country should be adequately represented in accordance with their numerical strength. If it is found, after we have considered the question of the franchise, that adequate representation will not be possible by direct election, I shall certainly have to consider whether there is any method of indirect election, such as the method of electoral colleges, which could be adopted; but today I express my preference for the direct method, on the understanding that by direct method all the economic classes will be represented in the legislature in accordance with their numerical strength.

The Chairman: Do you think an electoral college would assist in the representation of the villages?

Mr. Joshi: Well, I think so. You would have to group them and have an electoral college. It is not impossible to secure the representation of all classes. Although I hold this view, Lord Chancellor, if changes in the constitution are not made very difficult I am prepared to consider the question of election of members to the second Chamber by the Provincial Legislative Councils.

Now, Sir, this is so far as British India is concerned; and my view with regard to Indian India is the same. I hold that there should be no difference in the method of selecting members of the Legislature both from British India and Indian India. In my judgment no case has so far been made out why a difference should be made. We were told that the conditions were different and that there were different stages of development. Lord Chancellor, I do not feel that there is a great difference in the intellectual development, the social development or the economic development in either the Indian States or British India. I therefore feel that the method of selection of members to both Chambers from the States should be the same, and the franchise and the qualifications should also be the same. Lord Chancellor, I feel that their Highnesses should consider this question from the point of view both of British India and themselves. We greatly appreciated their desire to join the federation, and, as their representatives are going to sit along with the representatives of British India in the Legislatures which are common to both, without any desire to dictate or to interfere in the internal affairs of the States, in my judgment they should not take up an attitude that their representation in the common legislature is a matter which must be left to them alone. We are considering the formation of a Legislature not for Indian India alone but for the common federation; it is therefore the interest of both British India and the Indian States to see what kind of legislatures are being established. We are, therefore, equally interested as the Princes themselves are coming to a right decision on that point. It is not an interference in their internal affairs at all, but it is an interference and a definite interference in a matter which the Princes themselves have with great fairness conceded; they have agreed to join a federation; they have agreed that the decisions on certain matters should be joint and not by the Princes alone. To that extent they have made interference legitimate, and I feel, Sir, that the method of selection of the representatives of the States in the common legislature is not a matter which the Princes should claim to be their concern alone; it is a common concern. Let us therefore decide here that the legislative organisation should be representative of the people, and I say this more emphatically, of what may be called the popular Chamber. The popular Chamber must represent the people. I feel, Lord Chancellor, that the principle that that Chamber should be an elected body should be laid down by

this Conference. I was very glad yesterday to hear from His Highness the Maharaja of Bikaner and from His Highness the Nawab of Bhopal that they propose to leave the selection to their legislatures.

Sayed Sultan Ahmed:—No, to give the legislature some voice in the matter.

Mr. Joshi:—To give them some voice. Well, Sir, I was quite glad that they made that declaration; but at the same time that is not enough, that one or two or three Rulers should declare here that they will give them a voice. From my experience of what that voice is, I am not very sanguine. I can tell you Lord Chancellor, a little of my experience. When His Highness the Maharaja says that he will give a voice to his legislature—

The Chairman:—You want a loud speaker?

Mr. Joshi:—I think there will be a panel of men to be chosen either by himself or by his assembly, out of which the selection will be made. Lord Chancellor, such panels are used in our present legislature for electing what are called standing committees for different departments. I know by experience that when a department wants certain persons on a Committee they make the panel a very large one.

H. H. the Maharaja of Bikaner:—Lord Chancellor, may I say I never mentioned the word "panel"? I hope I made it clear. We will go into that question. Whether my legislature will be consulted and have a voice on the matter is a matter on which we are not clear at present.

Mr. Joshi:—I made that guess because my conjecture is that that may be one of the methods.

The Chairman:—Quite right.

Mr. Joshi:—What happens is that the department asks for a large panel, with the result that those people who have been selected get into the panel, and when they get into the panel, they are nominated. I have absolutely no hesitation in stating that it was sometimes considered that I should be on some of them, and in the Legislative Assembly I have no hesitation and no shame in stating that I have no chance of election, though a panel could easily be made up including my name and I could be on those Committees. Therefore I feel that there should be a full election of the members of the Legislature even from the States, and we shall not be satisfied merely with a voice in the election or even with an election of a different kind.

Now, Sir, I will make one remark about what is called the special qualification for the members of the Upper Chamber. It is said that the Upper Chamber should represent experience, weight and character. Lord Chancellor, I do not know how we are going to frame any rules by which the selection of such people could be governed. It is said that the holding of property should be one of the qualifications. May I ask whether you can guarantee the possession of experience, the possession of weight or the possession of character by making people holding certain property eligible for election to the Upper House. I therefore feel that it will not be of any fruitful effect if we try to lay down qualifications of this kind.

If any qualifications at all are to be laid down, those qualifications must be such as will be ordinarily possessed by all economic classes. If distinguished service in public administration is going to be one of the qualifications, it is quite possible that people who are poor will be unlikely to possess that qualification; but it is quite possible to frame a qualification which they may possess. I would suggest that long membership of a trade union or work for a trade union may be regarded in that connection as distinguished service.

My own feeling is, however, that it is not easy to lay down a qualification which will be available for

all economic classes, so that no one economic class will be predominant in the Upper Chamber. I am not therefore in favour of laying down a qualification of this kind. The only qualification, it seems to me, which can be laid down and which would be common to all economic classes is the qualification of age. If you want experience you can always impose a minimum age limit of 40, 45 or 50 though that may be too high. At any rate we can always find some age limit below which a man could not be a member of the Upper Chamber. That is a qualification which is available for all, and which may show the possession of experience.

There are only one or two other small points to which I wish briefly to refer here. It has been suggested that imprisonment should be regarded as a disqualification, and it was also suggested that only imprisonment for an offence which shows moral turpitude should be made a disqualification. In my judgment it is not easy to say which offences involve moral turpitude. In the first place, it was said that political offences are offences which do not show moral turpitude. I do not know whether you would consider that picketing in a strike is a political offence. It may be regarded as a political offence or it may not.

The Chairman:— I will let you know later: (*Laughter.*)

Mr. Joshi:— It may not be a political offence, but at the same time I do not think it shows any moral turpitude. I will go further: there may be cases where even theft may not show moral turpitude, in certain circumstances. (*Laughter.*)

Mr. Sastri:— For instance, a hungry man stealing an apple.

Mr. Joshi:— That does not show any moral turpitude.

The Chairman:— I quite follow, yes.

Mr. Joshi:— I therefore, feel it is wrong to make any distinction of this kind. Personally, I hold that when a man has undergone imprisonment for a certain period he has cleared himself of his offence and should be made eligible for election. You should leave it to the voters, you should have no right to put such a limitation on the voters.

The second point concerns nominated members. I have no objection to certain members being nominated to represent those departments which may be reserved to the Crown, but at the same time I am not in favour of giving them the right to vote. Unlike Sir Tej Bahadur Sapru, I feel that even a *bloc* of ten may be able to exercise a very great influence and balancing power in a legislature of three hundred members. I would, therefore, suggest that although there may be a few nominated members they should have no power to vote.

These are the only remarks, Lord Chancellor, which I wish to make.

The Chairman: I am very much indebted to you, Mr. Joshi. You have put your points very clearly, and I thank you very much indeed.

DR. SHAFAT AHMED KHAN'S SPEECH.

The following is extracted from the speech of Dr. Shafat Ahmed Khan in the Federal Structure Committee on 17th September.

I COME now to the question before us, Head 2. With regard to Head 2, Item (i), it is difficult for me at

this stage to formulate or to express finally views with regard to the method of representation by groups of States, but so far as (i) (a) is concerned, I am definite that it should be by election. I believe that the members of the future federal legislature should all be elected to the Lower Chamber, and I feel that the work of the Lower House will be very seriously affected if some of the members are nominated by the Princes. I admit the great work which the Princes have done for our country, and I take this opportunity of paying my tribute to His Highness the Maharaja of Bikaner, and the Chancellor of the Chamber of Princes, for the great and unexampled policy which they adopted last year of agreeing to join the federation, but I am not convinced that our Federal Legislature will really work satisfactorily if we have in either house a body consisting of nominated members from the States on one side and elected members on the other. It will have a very serious effect upon the working of our Parliamentary machinery. At the present time nominated members are appointed for various considerations. There are, of course, good members, and there are incompetent members, but I may say that generally the members nominated by the Government have done exceedingly good work. Some of them have been men of great eminence, of merit, of service, and of experience. If members are nominated in the future, not by the Government, but by the Princes, in the first place there is no guarantee that the standard which has been hitherto maintained will be kept up. In the second place it will have a very serious effect upon the development of Party government in future India, because there is a unity of policy and a uniformity of programme so far as British India is concerned, but if we have, say, one-third, or 40%, nominated members of the Legislature coming from all parts of India (some from Kashmir, and others from other places) it will have a very serious effect upon our Party system, because the policy that they would pursue would be dictated to them by the Princes from headquarters, and the policy may, therefore, be so thoroughly inconsistent as to be entirely destructive. Consequently, I think that it will have a very serious effect upon the development of Party government in the Lower Chamber. There will be a lack of confidence in the Parties, and ultimately there will be, I fear, Ministerial instability. You will never be sure upon any point what policy the members from the States are going to adopt. When, my Lord, it is said by the Indian States that the question of election or nomination is entirely one for the States themselves. I made it perfectly clear in my last speech that so far as the internal autonomy of the Princes is concerned, I am and have been a great champion of the policy of non-interference in their domestic affairs. I regard the sovereignty of the Indian States, as regulated by the Treaties, as inviolate, but my contention is that when the representatives of these States come into either the Lower Chamber or the Upper Chamber it will not then be a concern merely of these States. When they come into the Legislature, our Legislature is profoundly affected by the entry of a very large *bloc* into the Lower House. Therefore, it is not merely the concern of these States, but it is also the concern of the members of the Legislature from British India.

For these reasons, Lord Chancellor, I think that so far as this point is concerned, the principle of election for the appointment of representatives from the States will have to be maintained.