Indo-Burma Immigration Agreement

ALL PARTY PROTEST

MADRAS
1941

CONTENTS.

Memorial respectfully submitted by the Committee appointed at the public meeting held at the Gokhale Hall, Madras on Monday the 28th of July 1941.

To

HIS EXCELLENCY

The Governor-General in Council,

New Delhi.

May it please Your Excellency,

We, the Members of a Committee appointed at a public meeting of the people of Madras held at the Gokhale Hall on Monday, the 28th July, 1941, to make representations to Your Excellency on the subject of the Indo-Burma Immigration Agreement recently reached between the Government of India and the Government of Burma, beg respectfully to submit this memorial for Your Excellency's kind consideration.

2. Having given our best attention to the matter, we feel constrained to state that the Agreement amounts, in important particulars, to a surrender of the just claims of Indians who are residents in, or have business connections with, Burma and own property there. After making every allowance for the delicacies said to be inherent in the situation, we cannot agree that the very drastic provisions which the Agreement embodies are called for, either by the needs of the situation, or justified from the point of view of Indian interests.

3. We agree that an autonomous state normally has the right to determine its population. In regard to the position of Indians in Burma, however, there are certain equities which have a paramount claim to consideration and which, in our view, appear to have been completely lost sight of. The negotiations which led up to the separation of Burma, the undertakings in part explicitly, and in part, impliedly, given at the time of the passing of the Government of Burma Act, and the essential friendliness prevailing between the Burmese and the Indians, were calculated to engender the belief that, whatever restrictions on Indian immigration the Government of Burma might feel called upon to impose, it would not be allowed to go to the length of laying the axe at the very foundations of Indian business in Burma. For, the Agreement in question, in essence, amounts to that and the point is elaborated below.

4. At the time of the Round Table Conference, and at the time of the passing of the Government of Burma Act, apprehensions were entertained that, in the absence of suitable safeguards, such as had been prescribed in the case of British business and men of British nationality, there was a possibility of unfair, discriminatory legislation being passed against Indians and that improper restrictions might come to be placed on the right of Indians to enter Burma. Representations were made to the Hon'ble the Secretary of State in this behalf and the matter was ventilated on the floor of the House of Commons. Assurances were, however, given that what was contemplated was only some check on the immigration of 'unskilled labour' and that, in view of the difficulty of giving a satisfactory definition of the term 'unskilled labour' in a legislative enactment, the relevant provision (Section 44) of the Government of Burma Act would be left worded generally, but that suitable instructions, in the sense intended, would be given in the Instrument of Instructions to the Governor. Throughout the debate and, frequently, in personal negotiation, emphasis was laid on the fact that what was aimed at was surplus unskilled labour coming from India, and a reassuring feeling was created that, even after the lapse of the interim period fixed for the

trade Agreement, no attempt would be made to strike at businessmen and their employees going to Burma as theretofore for business and other purposes.

5. The present Agreement gives no indication that the said discussions were borne in mind. It appears as though little or no thought was given to the enormous interests owned by Indians and which are put in imminent jeopardy by the Agreement just reached. That Indian immigration is a menace to Burma is a bogey which has been sufficiently dispelled by the Baxter Committee Report. That report itself, which was submitted to the Government as far back as October, 1940, was not made available in time to the public who could have offered helpful comments thereon. Its publication synchronously with the Agreement serves no useful purpose.

6. The delegation to Burma, from the outset, suffered from the handicap of lack of expert non-official assistance. Men who knew where the rub lay, who could have drawn attention to the manner in which the Agreement might injure legitimate Indian rights, were not on the delegation either as original members or as advisers.

7. We cannot also escape the feeling that the delegation exceeded their instructions. This, at any rate, is the conclusion forced upon us by authoritative announcements made before the delegation left for Burma. The delegation, it was believed, would only hold exploratory talks and, with the knowledge gained thereby, return to India and report for orders, instead of which they have presented the country with a *fait accompli*, which is hardly fair. The result is, if we may say so with great respect, judgment has been given, so to speak, *ex parte*.

8. On the merits, we humbly submit, the Agreement has little to recommend it. The elaborate system of passports and *visas* seems designed not to control the inflow of undesirable persons or of an excess quantity of unskilled labourers. They have every appearance of being designed not only to prevent Indian

immigration but to drive out of the country, thousands of Indians who have carried on business in Burma for generations, acquired property and, to all intents and purposes, become as good as domiciled Burmans.

9. The rules as to permits are drastic in the extreme and amount to a notice to quit. "B" permits which will be issued to the ordinary trader or businessman, for instance, can be given for a maximum period of three years only and can be extended at the discretion of the Government of Burma for a total period of nine years, after which, presumably he should obtain an "A" permit, for which the most stringent qualifications have been prescribed. The result would be that no Indian—unless he is a privileged immigrant who takes care not to lose the privilege by visiting India for a longer period than one year—can carry on any business there for a period longer than nine years. If our interpretation of the rule is correct, it would grievously affect Indian businessmen and property owners in Burma. Persons who would have spent the best part of their lives in Burma would automatically become unavailable for work just at a time when their experience would make their services invaluable. The larger volume of Indian business in Burma is conducted by agents and a trained staff and if their employment at the end of nine years' service is barred, the result would be ruin to Indian businessmen and property owners. Such a provision is unfair to the employees themselves who would be cut off, so to speak, in mid-stream, left to drift aimlessly with little or no chance of finding new employment. South Indian businessmen, especially the members of the Nagarathar community, will be gravely affected thereby. Their firms have been established in Burma for over 70 or 80 years now, and the result of withholding permits would be to deprive them of the services of experienced men. This, we hope, was not the intention of the framers of the Agreement. If that was not so, immediate clarification is necessary, and if it was, an immediate modification should be made, if a scare is to be avoided and dislocation of business averted.

10. The permit system, we submit, is badly designed. To the issue of permits, as such, we have no objection but what we respectfully maintain is, that the discretion to grant permits must be confined to the case of unskilled labour. In other cases, there ought to be no discretion to refuse permits and these should automatically be given. This difference in treatment can be referred to a principle. As submitted in paragraph 4 above, what was contemplated in regard to future immigration was control of the immigration of unskilled labour, which was supposed to be assuming dimensions unfavourable to Burma. While it can truthfully (or speciously) be urged that the uncontrolled influx of cooly labour was calculated to foster Burmese unemployment, the same cannot be said of the numerous persons who proceed to Burma to work in business houses and firms to render what may be called "skilled services". These never were a menace to Burma and it was never suggested that they kept Burmans out of employment which was legitimately their due. So there can be no objection to the free entry of such persons into Burma. But as a means of having some kind of check upon the immigration of Indians in general, permits may be granted, but these, we respectfully submit, ought to be automatically granted in the case of persons who go to Burma on assured employment in business houses, firms and other fields. The same considerations apply to cooks, attendants and watchmen and such other persons who attend upon their Indian employers and render menial personal services.

11. Arising out of the same principle is the absence of any justification for the levy of fees for permits. Here, we think, skilled and unskilled labour stand on the same footing. The former class, we have endeavoured to point out, ought to get their permits as a matter of course, almost as a matter of right, which would make the levy of fees improper. So far as unskilled labour is concerned, if its immigration is to be controlled, that is, allowed to the extent and in the degree required by conditions in Burma, then what is allowed will be just the number of labourers required to perform necessary functions for which there is not an adequate supply of labour locally. In our opinion, to tax labouring men

who come to answer an urgent demand would be most improper. In point of fact, their repatriation ought to be a charge on the Government revenues. It is a well known fact that there is a considerable shortage of agricultural labour in Burma. Harvesting and other operations have usually to be conducted with the help of Indian cooly labour which comes over in the cold weather. Should they be prevented from coming—as they will be by the imposition of permit fees and other burdens on them—agricultural operations will suffer, the out-turn will be poor or nil, and land-owners will incur grievous loss and there will be corresponding detriment to the public revenue. As it is, Indian landowners pay nearly a crore of rupees as land revenue in Burma. Any fall in agricultural income earned in Burma by Indians will result in loss to the Indian Exchequer as a fall in agricultural income earned in Burma will lead to diminished income-tax revenue in India. Thus, so far as permit fees are concerned, we respectfully submit that they ought to be ruled out altogether.

12. A question, however, might arise as to how Government could get rid of persons who, having been allowed to enter, turn out to be undesirable. To meet such cases, rules may be devised in consultation with committees appointed for the purpose. In the case of what we have called skilled labour, men who go on engagements entered into beforehand, a declaration may be obtained in advance from the employer that, should the permit-holder misbehave himself and has to be sent back to his country, the charges of repatriation will be borne by the employer. These and other details may be worked out by suitably constituted committees.

13. The conditions of the grant of 'A' permits are, again, a negation of the right of several Indians to enjoy the benefits they have earned by long years of residence and service in Burma. The insistance upon a certain financial standing is very vague, while the requirement as to suitability for Burmese domicile is worded in such general terms as to leave the position nebulous and dangerously elastic. The insistance on a photograph is an irritating formality which could be dispensed with.

14. The proposal to register Indians is not called for. To treat them as though they were enemy aliens, is uncharitable and we hope that Your Excellency's Government may be pleased to impress upon the Government of Burma that it would not be proper to insist upon the registration in Burma of the Indian fellow-subjects of the Burmese people.

15. The provisions regarding the dependants one is allowed to take, are illogical and calculated to cause extreme hardship. A man cannot take all his wives if he has more than one, nor can he take his children by any wife other than the one he is permitted to take with him to Burma. The reasons for the limitation imposed in this regard are unintelligible and beyond causing extreme annoyance and irritation, can serve no purpose whatsoever. This provision should be abrogated altogether, as there can be no objection to a man taking all his dependants with himself wherever he goes, having regard to the fact that family feeling is very strong among Indians as among the Burmese. If permit fees are abolished, this anomaly will go.

16. There is one important particular in which the Agreement offends against what may be termed guaranteed rights. Section 44 (2) of the Government of Burma Act gives to British Indian and Indian States' subjects immunity from any Act of the Legislature as imposes any disability, liability, restrictions or conditions in regard, among other matters, to the holding of property. Property-holding involves the idea of the due administration of the property, by employing suitable men and any restriction placed upon the right of Indians to enter Burma, for the purpose of managing and administering properties there, would derogate from the right statutorily given. The Agreement also offends against the spirit of Sections 46 and 51 of the Act.

17. The Agreement is open to the further criticism that it does not adequately safeguard the rights of Indians who may have to proceed to Burma to work in Indian-owned firms and businesses on assured employment. Firms and other business

houses which have been long established—in some cases for over 70 or 80 years—have to send in a steady flow of employees and if permits to them should be unjustly withheld, incalculable hardship will ensue. Chettiar business is a case in point. These are generally run by agents assisted by a trained staff of sub-agents, clerks, accountants and others. They are sent out on engagements to serve for three years which in practice, involves an extension of the contract period for any additional term extending from 6 months to 2 years, at the conclusion of which they return to India on an understanding, generally observed, that they should return to Burma and resume work at the end of three years, on the same terms as before. In this way, continuity in policy and method is kept up, and it is of the first importance that nothing should be done to interfere with the mode of business to which the community is accustomed. Not only should permits be automatically given to such persons but express provisions should be made safeguarding Indian business against being interfered with by arbitrary refusal of permits.

18. The rule as to the length of residence required to enable a person to acquire the status of a 'privileged immigrant' is unduly severe. While the Baxter Committee itself recommended only five years residence for a person to acquire the status of a 'privileged immigrant', the Agreement insists on seven years and this again is limited to the cases of persons who have already put in the required length of residence between the 15th July 1932 and the 15th July 1941. A very large number of Indians, the members of the Nagarathar Community (Chettiars) for example, carry on business in Burma by agents and suitable assistants and their own residence in Burma is intermittent. It ought to be made possible for them to acquire the same privilege as their employees and it is submitted that the required length of stay be prescribed as a total of five years during a period of fifteen years.

19. The penalising of marriage and the severe penalties for cohabitation with a woman of any of the indigenous races of Burma cannot be justified by any stretch of reasoning. Casual

lapses, which do not point to any rooted wickedness but occur naturally and without malice prepense, ought not to be treated in the drastic fashion proposed in the Agreement. It shows a lack of understanding of human nature and seeks to take advantage of momentary weaknesses for bringing about the expulsion of persons who would otherwise be reputable members of society. In the absence of adequate safeguards, it would become a dangerous weapon in the hands of unscrupulous persons who might try to blackmail even innocent Indians regardless of their status. Regulation of irregular sexual relations by introducing Brothel Acts and similar legislation is understandable but not the unheard of penalties proposed in the Agreement. This rule is discriminatory and calculated to give offence. So far as marriage is concerned the ordinary law of the land ought to apply, and, if any departure is made, it ought to apply to all non-Burmans alike.

20. The literacy test for which provision is made can become another weapon of abuse. By requiring a standard of literacy in English, for instance, which the average Indian trader or businessman may not possess, several very desirable and respectable persons can be barred from entering Burma. This rule deserves to be amended.

21. The arrangement for bringing the Agreement into effective operation, in part straightaway and in part from the 1st October 1941, has little to commend it. No breathing-space is given for making representations to the Governments concerned or to secure needed modifications. Hundreds of people who had purchased their passages were turned back the other day from the Port of Madras. And a few days ago, about 500 labourers were prevented from embarking at Vizagapatam. Grave and irreparable hardship is sure to ensue from the unrestricted restrictions placed upon the immigration of the labouring classes.

22. While some kind of provision is made for the Government of Burma to act in close co-operation with the Government

of India, it is to be regretted that no provision is made for the setting up of an Immigration Board on this side to tender advice to the Government of India on the fixing of quotas and other matters relating to immigration from India. We cannot help feeling that all powers and privileges have been made over to the Government of Burma, leaving this Government merely to register the decisions of the former and faithfully to carry them out. It is of the utmost importance and urgency that a corresponding body should immediately be set up at New Delhi to tender advice, suggest modifications and generally to help in the administration of the rules in a spirit of fairness and equity.

23. In short, the framers of the Agreement in question have completely shut their eyes to the peculiar position of Indians in and in relation to Burma, their long and honourable connection with it, their immense services to that country and the part they have played in its development. The connection between India and Burma is centuries old and there has been through the centuries a constant and unceasing flow and interchange of ideas and thought which have contributed to the common good. Coming to recent times, ever since the British occupation of Burma, Indian enterprise in the Province has been unremitting and productive of great good. South India has not been behindhand in this respect. The members of the Nagarathar Community, for instance, have given freely of their best to Burma. They went there at the instance, invitation and inducement of the Government and helped to reclaim vast areas of land and make the Province richer and more prosperous than it ever had been. The services which this community has been privileged to render in the past have always been the subject of eulogy by high-placed officials from Governors downwards. It was a lively sense of such services that was responsible for the acknowledgments made on the floor of the House of Commons with one voice by distinguished members including the Secretary of State himself. In the work of land reclamation and in development of trade and commerce, Indian labour has played no mean part. It was their devoted service which

helped to develop the ports and cities of Burma and bring vast areas of unreclaimed land to cultivation. In these circumstances, it is respectfully submitted that the Government of India should take all possible steps for ensuring that nothing is done to prevent Indians from enjoying the properties which they have been compelled to acquire and the businesses they have been conducting for nearly a century now. The unduly severe restrictions now sought to be placed upon the inflow of peasant labour is bound to result in large areas remaining uncultivated, consequent loss of great magnitude to landowners, their employees and labourers, and presumably also of loss of Government revenue. This, along with the Permit system which has been devised is calculated to bring ruin to Indian business in Burma. Business will not only be stifled and scotched, it will be remorselessly killed. It will not be possible to start new businesses in Burma, and this can hardly be regarded as the best way of rewarding those Indians who have been connected with Burma for several generations now. That is hardly the treatment which Indian traders and businessmen and Indian labour expected at the hands of the Government. We cannot escape the feeling that, if the representatives of India had only taken the stand they ought, in fairness and justice, to have taken, a more satisfactory arrangement could have been devised and Indians given the protection due to them from their own Government. As it is, Indians stand to suffer very greatly by the Agreement now concluded and it is urgently necessary that the Agreement should be suitably and satisfactorily revised if Indian interests are to be saved from languishing.

21. We would therefore respectfully suggest that the Agreement be revised as indicated hereunder:—

(1) No fees to be levied for passports, *visas* or permits.

(2) Permits to be granted at the discretion of the Government of Burma, acting in consultation with the Government of India, to unskilled labourers proceeding to Burma. Photographs not to be demanded.

(3) Permits to be granted as a matter of right to persons proceeding to Burma for purposes of trade or business or property management on engagements entered into beforehand, assuring them of employment and to personal servants, such as cooks attendants, watchmen, etc.

(4) The rule as to the issue of 'B' permits be amended by making it clear that the nine-year period indicated therein refers only to a person's stay on a given permit and that there will be no bar to his proceeding again or, as often as he likes, to Burma, on fresh permits.

(5) That in all cases of Indians, other than those answering to the description of unskilled labour, the employers to give an undertaking in writing beforehand that they would be liable for the expenses of the return to India of such of their employees as are declared unfit for further residence in Burma.

(6) That no embargo be placed on persons proceeding to trade or do any kind of business in Burma.

(7) The literacy test to be abolished and, if that cannot be done, it be made clear that a certain standard of literacy in the mother-tongue of the permit-holder, to be vouched for by a suitable Indian authority, be considered sufficient.

(8) The provisions for the cancellation of permits, in the event of an immigrant's marriage or cohabitation with a woman of any of the indigenous races of Burma, be cancelled.

(9) Indians who prove a total residence of five years out of a period of fifteen years be termed 'privileged immigrants' and that the status once acquired not to be lost except by continuous absence for three years.

(10) Permits to be given freely to all the dependants of a permit-holder.

(11) The transitory provision for prohibiting immigration from 21st July 1941 be cancelled.

(12) The Agreement as modified, to come into operation from such date as may be fixed by the Government of India and the Government of Burma not later than 1st April 1942.

(13) That an Indian Immigration Board be set up at new Delhi consisting of representatives of concerned interests to advise the Government of India in all matters relating to the working of the Agreement.

(14) Before ratifying and giving effect to the Agreement, the Government of India to call a meeting of representatives of concerned interests in all the provinces and from Indians in Burma to settle details and suggest rules for the working of the Agreement.

(15) To suspend the operation of the Agreement pending consideration of this Memorial and final settlement of the terms of the Indo-Burma Agreement.

(16) That no Order-in-Council be obtained till the Agreement is modified suitably.

We therefore humbly pray that Your Excellency may graciously be pleased to consider the points herein submitted and modify the Agreement suitably and pending such modification to suspend its operation.

MADRAS,
2nd August, 1941.

We beg to subscribe ourselves
Your Excellency's most humble servants.

Sir Mahomed Usman Saheb Bahadur, K.C.I.E., M.L.C.,
Vice-Chancellor, University of Madras.

Sir Kurma Venkata Reddi Naidu Garu, K.C.I.E., M.L.C.,
Vice-Chancellor, Annamalai University.

Rajah Sir Annamalai Chettiar of Chettinad, M.L.A. (Central),
President, Nattukottai Nagarathars' Association, Madras.

Mr. G. Janakiram Chettiar, Mayor of Madras.

Diwan Bahadur V. Shanmuga Mudaliar, Sheriff of Madras,
Vice-President, Southern India Chamber of Commerce.

Mr. Abdul Hamid Khan, M.L.A.,
Leader, Madras Legislative Assembly Muslim League Party,
Vice-President, Madras Provincial Muslim League,
Vice-President, Muslim Chamber of Commerce.

Diwan Bahadur R. Srinivasan, M.L.C.,
President, Madras Provincial Scheduled Castes Federation,
Member, Round Table Conference (Burma-Sub-Committee).

Khan Bahadur Adam Haji Mahomed Sait Saheb Bahadur,
Vice-President, Southern India Chamber of Commerce,
Director, Reserve Bank (Central Board).

Rao Bahadur M. C. Rajah, M.L.A.,
President, All-India Depressed Classes Association.

Mr. B. Pocker, B.A., B.L.,
Vice-President, Madras Provincial Muslim League,
President, Malabar Muslim Jama-ath.

Diwan Bahadur K. S. Ramaswamy Sastri, B.A., B.L.,
District and Sessions Judge (Retired).

Mr. Basheer Ahmed Sayeed, M.A., B.L., M.L.A., Advocate.

Kumararajah Sir M. A. Muthiah Chettiar of Chettinad, B.A., M.L.A.,
President, Southern India Chamber of Commerce,
Leader of the Opposition in the Madras Legislative Assembly.

Mr. K. Nagarajan, B.A., B.L., President, Bar Association, Pudukottah.

TELEGRAMS

SOUTHERN INDIA CHAMBER OF COMMERCE, MADRAS.

The following Telegram was sent by the Southern India Chamber of Commerce on the 13th July 1941 to the Hon'ble Sir Girja Shankar Bajpai, Member, Department of Education, Health and Lands, the Secretary, Department of Education, Health and Lands, Mr. M. S. Aney, Pandit Hirdyanath Kunzru, Mr. N. M. Joshi, Mr. Ghiasuddin and Rao Sahib N. Sivaraj, at Simla :—

"We are surprised to learn that Indo-Burma Immigration Agreement is being rushed through without public being given opportunity to express opinion stop. Even before Indo-Burma Trade Agreement Baxter Committee Report was in Government's hands and the country expected its publication at least at the time when emigration notice was given by Burma Government in March stop Your delegation to Burma unaccompanied by non-officials disappointed the public stop Public impression was that your delegation would only be exploratory in the first instance and that terms will be concluded only after publication of Baxter Committee Report and other details of exploratory talks as in the case of Ceylon stop In these circumstances the news that terms had been agreed upon and initialed by both parties at Rangoon came as complete surprise stop It is urgently necessary that no further steps in the way of ratification should be taken without publication of Baxter Committee Report and details of talks in Burma and without giving country an opportunity to express opinion stop Otherwise it is feared that hardship will be caused to Indian interests and will result in continued agitation which can easily be avoided if you are good enough to consult public and make any necessary modifications before final conclusion of Agreement."

NATTUKOTTAI NAGARATHARS' ASSOCIATION, MADRAS.

Copy of the Telegram sent by Rajah Sir Annamalai Chettiar, President, the Nattukottai Nagarathars' Association, Madras on the 13th July 1941 to the Hon'ble Sir Girja Shankar Bajpai, Mr. G. S. Bozman, Secretary, Department of Education, Health and Lands, M. S. Aney Esq., Pandit Hirdyanath Kunzru, N. M. Joshi Esq., Ghiasuddin Esq., Rao Sahib N. Sivaraj at Simla.

"The Association understands from reports that proposed Indo-Burmese Immigration Agreement contains restrictions very prejudicial to vital Indian interests stop particularly position of Indians who are unable to reside in Burma and yet have to carry on long and well established business and manage lands houses and properties already acquired and for which purpose they have to send steady flow of employees have not been fully taken into account stop especially attempt to fix maximum period of Indians residence in Burma is grossly unfair and calculated to stifle and ruin Indian established interests stop the association strongly feels that the Agreement may have to be revised in important particulars and therefore prays that the Agreement may not be concluded before an opportunity is given to Indians in India and Burma to place their views before you and the same are considered by Government."

INDIAN CHAMBER OF COMMERCE, CALCUTTA

Press communique issued by the Indian Chamber of Commerce, Calcutta under date 14th July 1941:—

"The Committee of the Indian Chamber of Commerce, Calcutta have addressed a Telegram to the Government of India expressing surprise that the Immigration Agreement between India and Burma is now being rushed through without the Indian public and the commercial community being given an opportunity to express their opinion on the same. The Committee point out that

the commercial community in India have been urging since a long time that non-officials and representatives of Indian Trade and Commerce should be associated with the negotiations for the Immigration Agreement and that the Report of the Baxter Commission which investigated the subject sometime back should be immediately made available to the public. Though the Government of India appointed a purely official delegation for the purpose it was expected that the negotiations of this official delegation would be only exploratory as the Hon'ble Sir Girja Shankar Bajpai himself had stated in the course of a press interview at Calcutta before his departure to Rangoon. The commercial community therefore expected that the terms of the Immigration Agreement would be concluded only after publication of the details of such exploratory talks and the recommendations of the Baxter Commission. The Committee therefore find it surprising that the Immigration Agreement is now reported as being rushed through without allowing the Indian public and the commercial community an opportunity to express their views on the same. The Committee emphasises that it is essential in the interest of India that the Baxter Report and details of the talk which the Indian delegation had in Burma are published and time is allowed to the Indian public for expression of opinion thereon before the Agreement is finally concluded."

BENGAL NATIONAL CHAMBER OF COMMERCE, CALCUTTA.

Copy of the Telegram sent by the Bengal National Chamber of Commerce, Calcutta to the Secretary to the Government of India in the Department of Education, Health and Lands on the 14th July 1941 :—

"Reference Indo-Burma Immigration Agreement Committee Bengal National Chamber support Southern India Chamber's plea for giving public and commercial community time for examining terms of Agreement before final ratification. Committee trust Government will not rush through same and will make necessary alterations in accordance public criticism."

THE SALEM DISTRICT CHAMBER OF COMMERCE, SALEM.

The following resolution was unanimously passed at a meeting of the Salem District Chamber of Commerce and communicated to the Hon'ble Sir Girja Shankar Bajpai, Member, Department of Education, Health and Lands on the 14th July 1941 :—

"This Chamber learns with much concern that the Indo-Burma Immigration Agreement has been agreed upon and initialed at Rangoon by both parties. The delegation of the Indian Government without non-official members was a great disappointment. The public are yet to know of the Baxter Report and the terms of the proposed Agreement. Its having being initialed is a further disappointment and painful surprise. Such action is prejudicial to Indian interests and the public must have been appraised of the conditions of the Agreement. This Chamber therefore most respectfully protests against the above Agreement and further urges on the Government not to take steps to have it ratified until public opinion had been fully expressed thereon. Otherwise this Chamber desires to warn the Government in time that they would be giving rise to a ceaseless agitation on the question."

THE SOUTHERN INDIA CHAMBER OF COMMERCE, MADRAS.

True copy of Telegram sent by the Southern India Chamber of Commerce on the 25th July 1941, to the Private Secretary to His Excellency the Viceroy, the Hon'ble Sir Girja Shankar Bajpai, the Hon'ble Sir Ramaswamy Mudaliar, Edlands, at Simla :—

"Indo-Burma Immigration Agreement has caused grave dissatisfaction in all circles and is highly detrimental to Indian interests stop procedure adopted by department of Government of India unusual stop. Baxter Committee Report terms of reference of which were themselves criticised as being too wide has been with Government of India since October 1940 and not published

till Agreement itself stop not treating trade and immigration questions simultaneously as in case of Ceylon but leaving emigration to be settled separately was not right stop absence of non-officials on the delegation was an unfortunate omission stop persons who were consulted at Burma had unfortunately no authoritative positions as members of the delegation and even they have not been taken fully into confidence stop public impression was that official delegations visit was purely exploratory stop conclusion and initialing of terms at Rangoon and rushing it through emergent meeting of Emmigration Committee and presenting Agreement as a *fait accompli* has caused deep resentment stop Indian interests have been badly let down by Government stop though Baxter Report recommended five years to make a person a privileged immigrant which can apply for past and future the Agreement is unduly drastic in prescribing seven years out of nine years period from 1932 to 1941 and in providing that that status will be lost by absence for one year continuously and in not providing for those residing for a fixed period in the future to acquire a similar status stop "A" class Permit fee of 500 Rupees unduly prohibitive and other conditions for grant of "A" class Permit calculated to shut out several stop condition that "B" Permit is not to exceed a total of nine years gives rise to doubt whether period limit applies to each person or to each Permit only and this requires clarification stop right to restrict number of "B" Permits is wide and can affect all classes of Permit holders stop this right should not be exercised over persons going from India to Burma with assured employment beforehand stop otherwise large Indian business interest requiring trained staff will be grievously affected and therefore this right to restrict must be confined to unskilled labour and persons going without assured employment stop penalising of marriage unfair stop provisions regarding cohabitation drastic and will become an engine of oppression stop unfortunately such provision is thought of only in case of Indians stop scale of Permit fees exorbitant prohibitive stop unskilled labourer has to pay first year fees seventeen rupees and repatriation deposit twenty rupees

stop thousands unskilled labourers going for cultivation harvesting seasons get work under different employers week after week and therefore no one employer can afford to pay deposit and fee stop thousands of labourers needed in Burma cannot afford Permit repatriation railway shipping charges totalling over sixty rupees stop no provision has been made to the effect that these immigration provisions will not affect the property rights of Indians and that Permits will not be denied ordinarily to such number of persons as are required by Indian owners for efficient conduct and management of properties and businesses of Indians stop suddenly prohibiting unskilled labourers from 21st July, 41 before establishing Immigration Board and fixing quota for unskilled labourers has caused hardship to hundreds of persons who were not allowed to embark stop Chamber earnestly requests Government to take up revision of Agreement taking into account opinions expressed on Agreement stop it is reported that Government of India's delegation consisting of officials proceeding Ceylon first week August to negotiate Immigration Agreement stop after sad experience of Burma Agreement atmosphere not suitable for negotiation by official delegation with Ceylon stop Chamber earnestly requests Government not to rush through Ceylon negotiations and also not to separate trade and immigration matters as was done in the case of Burma stop Chamber earnestly requests His Excellency the Viceroy to be pleased to arrange to send to Ceylon a delegation consisting of Hon'ble Commerce, Member and the newly appointed Hon'ble Member for Indians Overseas and a few non-officials stop no urgent developments have taken place to warrant rushing through Ceylon negotiations in August itself and though some delay may be caused for arranging a full delegation of officials and non-officials it will be reassuring to public particularly in view of what has happened in the case of Burma".

NATTUKOTTAI NAGARATHARS' ASSOCIATION, MADRAS.

The following Telegram was sent by the Nattukottai Nagarathars' Association, Madras on the 26th July 1941 to the Private Secretary to the Viceroy, the Hon'ble Sir Girja Shankar Bajpai, the Hon'ble Sir A. Ramaswamy Mudaliar, and the Joint Secretary, Education, Health and Lands Department at Simla :—

"Nattukottai Nagarathars' Association disheartened at Indo-Burma Immigration Agreement stop Indian interests have been ignored and incalculable harm will be caused stop absence of non-officials on delegation a grave error stop Non-publication of Baxter Report most regrettable stop Delegation believed to be merely exploratory and conclusion of Agreement without consulting Indian public opinion highly unjustified stop Permit regulations bound to be a great hardship stop Fees for "B" Permit will result in keeping back thousands of labourers who are necessary for harvesting and agricultural operations stop A Permit fees prohibitive and conditions of grant unfair stop Rule regarding operative period of "B" permit needs explanation and modification stop Power to limit number of "B" Permits should not affect persons going to Burma for skilled work for whom employment is assured stop otherwise services of trained staff necessary for carrying on businesses and administering properties will not be sufficiently available and property rights will be unduly affected and therefore provision should be made to prevent such a position stop Penalties of marriage and cohabitation are unduly drastic and rule is liable to grave abuse stop Agreement requires modification in essential particulars and it is urgently necessary that it should be suitably and satisfactorily modified stop Pray His Excellency's intervention to avert disastrous results to community which has served India and Burma loyally and devotedly bringing immense benefit to the Province".

INDIAN MERCHANTS CHAMBER, BOMBAY.

(Extract from the 'Hindu' dated the 31st July 1941).

"An appeal to the Government of India not to ratify the Indo-Burma Immigration Agreement till both the public and the commercial community have had an opportunity to express their considered views and opinion as to how its terms are going to affect their rights, position and economic interests in that land, was made by Mr. M. C. Ghia, M. L. A., President, Indian Merchants Chamber, Bombay, at the second quarterly general meeting of the Chamber, to-day.

Mr. Ghia thought that the proposed Agreement was of a sweeping character and imposed restrictions not only on the right of entry of unskilled labour but also on the right of entry into Burma of every Indian whatever his position might be. The restrictions had not only not done justice to the understanding arrived at and the assurances given at the time of the Round Table Conference, but had also ignored the recognition of their legitimate rights to which reference had been made in the joint statement. He regretted the exclusion of non-official Indians from the recent negotiations which the delegation of Sir Girja Shankar Bajpai carried on with the Burmese Government for the conclusion of an Immigration Agreement."

PUBLIC MEETING

CONVENORS :—

Mr. Abdul Hamid Khan, M.L.A., Leader, Madras Legislative Assembly, Muslim League Party, Vice-President, Madras Provincial Muslim League, Vice-President, Muslim Chamber of Commerce.

Khan Bahadur Adam Hajee Mohamed Sait Saheb Bahadur, Vice- President, Southern India Chamber of Commerce, Director, Reserve Bank (Central Board).

Mr. C. Gopalswamy Chetty, President, The Madras Piecegoods Merchants Association, Madras.

Mr. P. Suryanarayana Rao, Secretaty, Servants of India Society, Madras.

Mr. B. Pocker, B.A., B.L., Vice-President, Madras Provincial Muslim League, President, Malabar Muslim Jama-ath, Madras.

Mr. Nazir Hussain, Secretary, Southern India Hides and Skins Merchants Association, Madras.

Mr. S. F. H. Akbari, Secretary, The Madras Iron, Hardware and Machinery Merchants Association, Madras.

Mr. N. Gopal Menon, President, The Madras Kerala Samaj, Madras.

Mr. V. Pandurangiah, President, The Madras Jewellers and Diamond Merchants Association, Madras.

Mr. S. K. Sundararamier, President, Madras Yarn Merchants Association, Madras.

Mr. Versee Karamsee, President, Madras Groundnut Merchants Association, Madras.

Mr. Keshavjee Devichand, President, Madras Rice and Grain Merchants Association, Madras.

Kumararajah Sir M. A. Muthiah Chettiar of Chettinad, B.A., M.L.A., President, Southern India Chamber of Commerce, Leader of the Opposition in the Madras Legislative Assembly.

MEETING NOTICES :—

ALL PARTIES' PROTEST

AGAINST

INDO-BURMA IMMIGRATION AGREEMENT

A Public Meeting Will Be Held

On Monday the 28th July, at 6 p.m.

AT GOKHALE HALL

Sir MAHOMED USMAN SAHEB BAHADUR, K.C.I.E.,

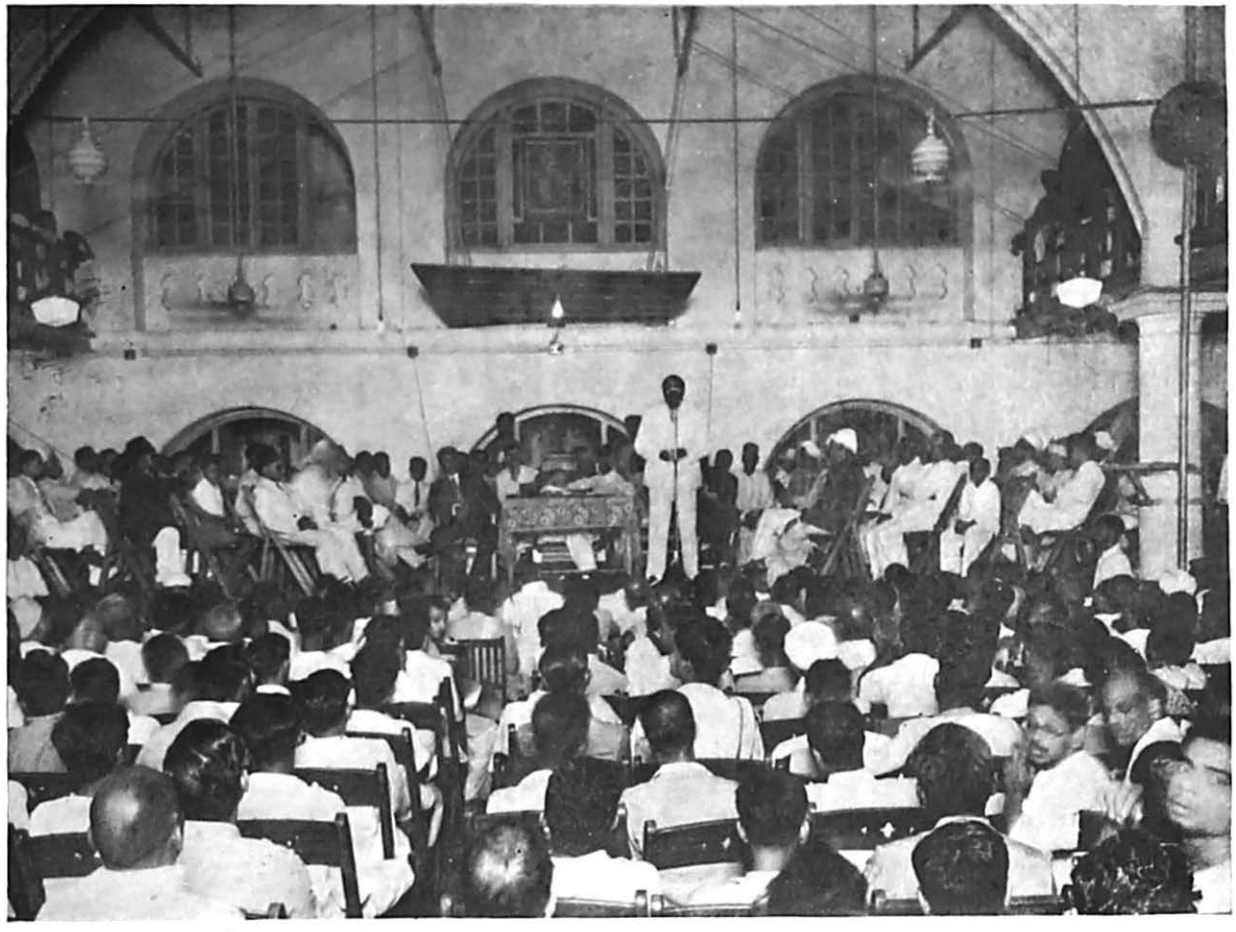
Will Preside

All Political Parties, Commercial Bodies,

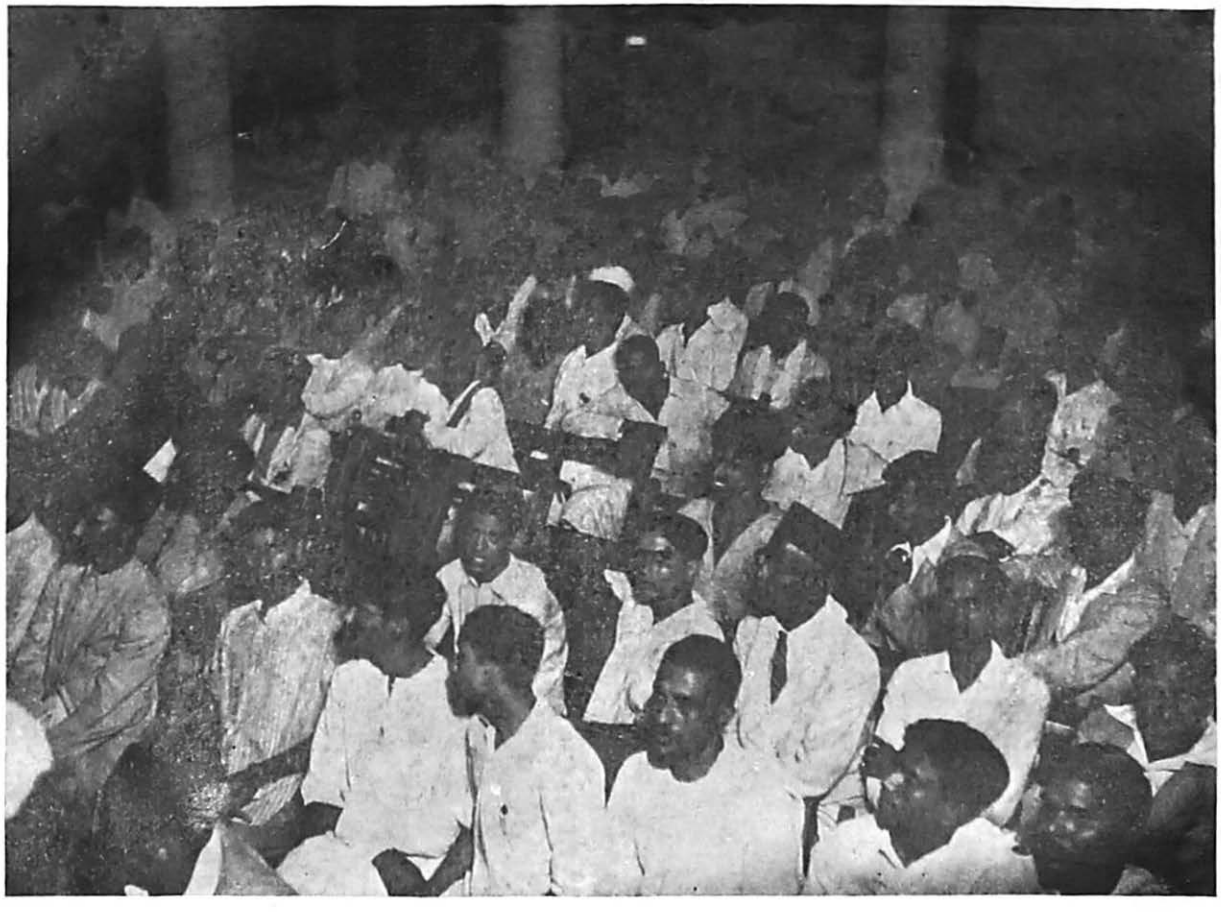
Associations Will Participate.

SPEAKERS:

Mr. G. Janakiram Chettiar (Mayor of Madras), Diwan Bahadur Shanmuga Mudaliar (Sheriff of Madras), Sir K. V. Reddy, Khan Bahadur Adam Hajee Mahomed Sait, Mr. K. Venkataswamy Naidu, Kumararajah Sir Muthiah Chettiar of Chettinad, Rao Bahadur M. C. Rajah, Mr. V. Chakkarai Chettiar, Mr. T. V. Kalyanasundara Mudaliar, Mr. C. N. Annathurai, Mr. B. Pocker, Mr. K. Sriramulu Naidu, Mr. T. S. Nataraja Pillai, Mr. Daud Shah, Diwan Bahadur R. Srinivasan, Mr. Abdul Hamid Khan, Diwan Bahadur K. S. Ramaswamy Sastriar, Mr. R. Suryanarayana Rao, Sami Venkatachalam Chettiar, Mr. T. Chengalvarayan, Mr. G. Selvapathy Chettiar, Mr. P. Balasubramanya Mudaliar, Mr. N. Gopala Menon, Mr. B. Parameswaran and Mr. P. Gopalaratnam.



A view of the Protest Meeting at the 'Gokhale Hall'



Another view of the ' Gokhale Hall ' meeting

இந்தோ-பர்மா ஒப்பந்தம்

சர்வ கட்சி கண்டனம்

இந்தோ-பர்மா ஒப்பந்த நிபந்தனைகளால் விளையக்கூடிய கேடுகளை விளக்கி, தமது கண்டனத்தைத் தெரிவிக்க, சகல கட்சிகள், வியாபார சங்கங்கள் ஆகியவற்றின் ஆதரவில்

சென்னை கோகலே ஹாலில்

28-7-'41 திங்கட்கிழமை மாலை 6-மணிக்கு

சர். மகமது உஸ்மான் சாகிப் பகதூர், K.C.I.E.,

அவர்கள் தலைமையில்

மாபெரும் பொதுக்கூட்டம் நடைபெறும்.

அது சமயம் தோழர்கள்:

ஜி. ஜானகிராம் செட்டியார் (சென்னை மேயர்)
லர். கே. வி. செட்டி
கான்பகதூர்
ஆதம் ஹாஜி மகம்மத் சேட்
கே. வெங்கடசாமி நாயுடு
குமாரராஜா சர். முத்தைய செட்டியார்
ராவ்பகதூர் எம். சி. ராஜா
வி. சக்கரை செட்டியார்
டி. வி. கலியாணசுந்தரனர்
சி. என். அண்ணாதுரை
பி. போக்கர்
கே. ஸ்ரீராமுலு நாயுடு
டி. எஸ். நடராஜப் பிள்ளை
ஆகியோர் சொற்பொழிவாற்றுவர்,

பி: தாவுத்ஷா
திவான்பகதூர் ஷண்முக முதலியார் (சென்னை ஷெரீப்)
திவான்பகதூர் ஆர். சீனிவாசன்
அப்துல் ஹமீத்கான்
திவான்பகதூர் கே. எஸ். ராமசாமி சாஸ்திரியார்
ஆர். சூரியநாராயணராவ்
சாமி. வெங்கடாசலம் செட்டியார்
ஜி. செல்வபதி செட்டியார்
டி. செங்கல்வராயன்
பி. பாலசுப்பிரமணிய முதலியார்
என். கோபால மேனன்
பி. பரமேஸ்வரன்
பி. கோபாலரத்தினம்

அன்பர்கள் அனைவரும் திரண்டு வருக!

PRESS COMMENT ON THE PUBLIC MEETING:—

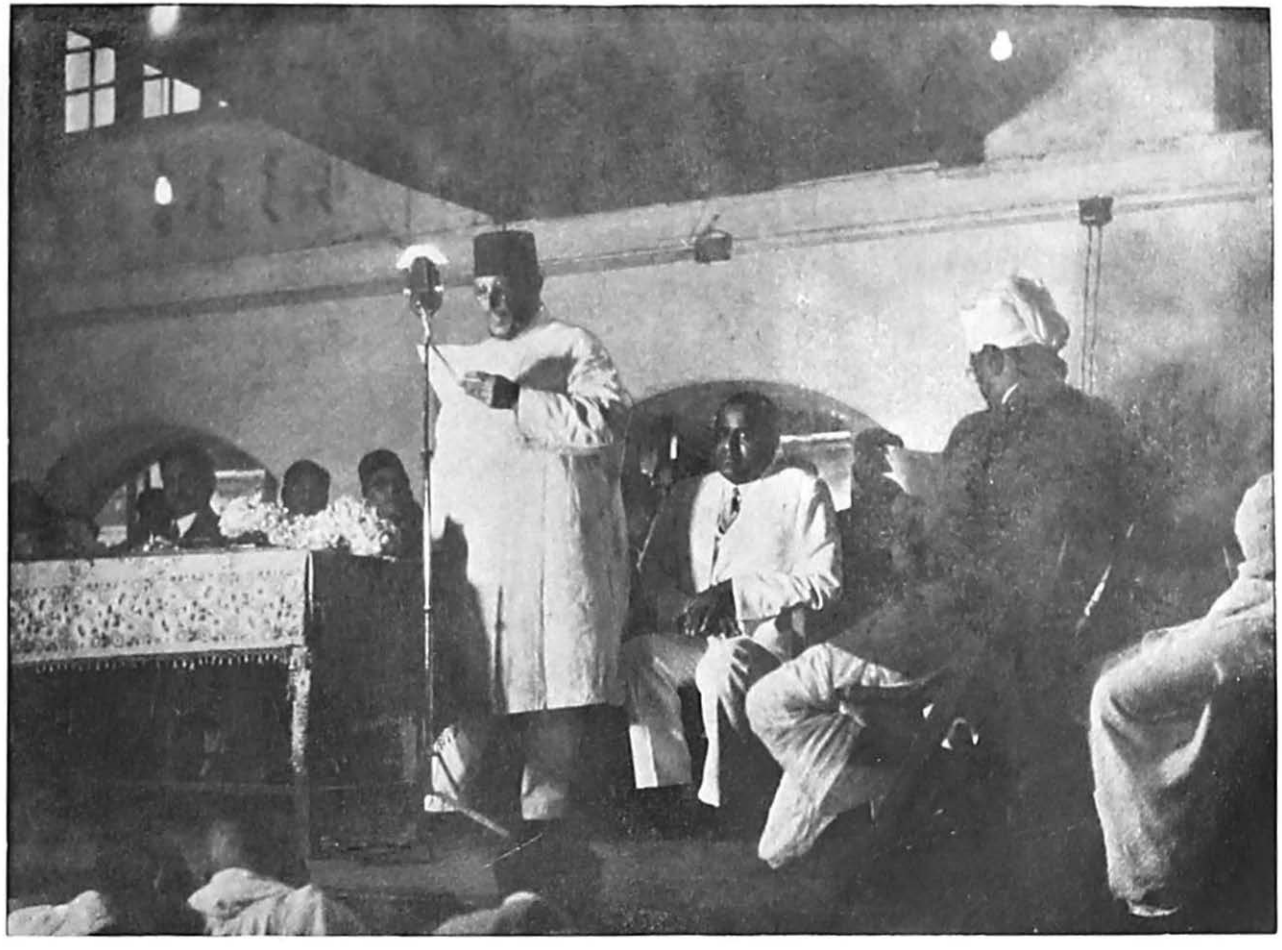
The Hindu *in its issue of the 29th July says*:—

"A resolution expressing the view that the operation of the recently published Indo-Burma Immigration Agreement "should be stayed until it is suitably modified in the light of public opinion and that no Order-in-Council should be passed giving effect to the Agreement" was passed at a very largely attended public meeting of the citizens of Madras held last evening at the Gokhale Hall, George Town, to protest against the aforesaid Agreement. Sir Mahomed Usman, Vice-Chancellor, Madras University, presided. The Gokhale Hall was packed to its full capacity, and loud-speaker arrangements were made to enable the speeches to be heard by all."

"The meeting had brought on a common platform people belonging to different shades of public opinion. Representatives of all parties and interests spoke on the occasion, criticising the Agreement and the attitude of the Government of India in not having taken the public into their confidence, before it was signed. More than one speaker expressed the feeling that the Agreement was calculated to prevent and not restrict immigration and that Indians who had contributed to the prosperity of Burma, had been badly let down and that they were in danger of being turned out of that country."

The Madras Mail *in its issue of the 29th July says* :—

"Prominent business-men and leaders of various political parties addressed a crowded public meeting at the Gokhale Hall yesterday evening, expressing intense dissatisfaction with the Indo-Burma Immigration Agreement and resentment at the methods adopted in concluding the Agreement."



SIR MAHOMED USMAN, K.C.I.E., delivering the Presidential address

The Indian Express *in its issue of the 29th July says as follows :—*

"The demand that the operation of the Indo-Burma Immigration Agreement should be stayed until suitably modified in the light of public opinion, was made at an All-Party meeting convened yesterday to protest against the Agreement. Gokhale Hall where the meeting was held was packed to over-flowing with a representative gathering."

"Sir Girja Shankar Bajpai himself came in for a fair share of attack, Indian interests were betrayed, said one speaker, not by Burmans but by our own men. Another Speaker pleaded that he should not lead the delegation to Ceylon. One speaker went to the extent of demanding the cancellation of his appointment as Agent-General of the Government of India in the United States."

PROCEEDINGS

Mr. G. Janakiram Chettiar, Mayor of Madras in proposing Sir Mohomed Usman Saheb to the Chair said as follows:—

"We have assembled here this evening to express our feelings of disappointment and dissatisfaction at the recent Indo-Burma Immigration Agreement. It is in the fitness of things that Sir Mohomed Usman should preside over this meeting. Sir Mohomed Usman has been taking a leading part in the public life of our province for nearly a quarter of a century. He was for a long number of years, Home Member with the Government of Madras and was the first Indian to have the honour of being elevated to the high position of the Governor of Madras. I have now great pleasure in proposing Sir Mohomed to the Chair."

Diwan Bahadur V. Shunmuga Mudaliar, Sheriff of Madras in seconding the proposal said as follows:—

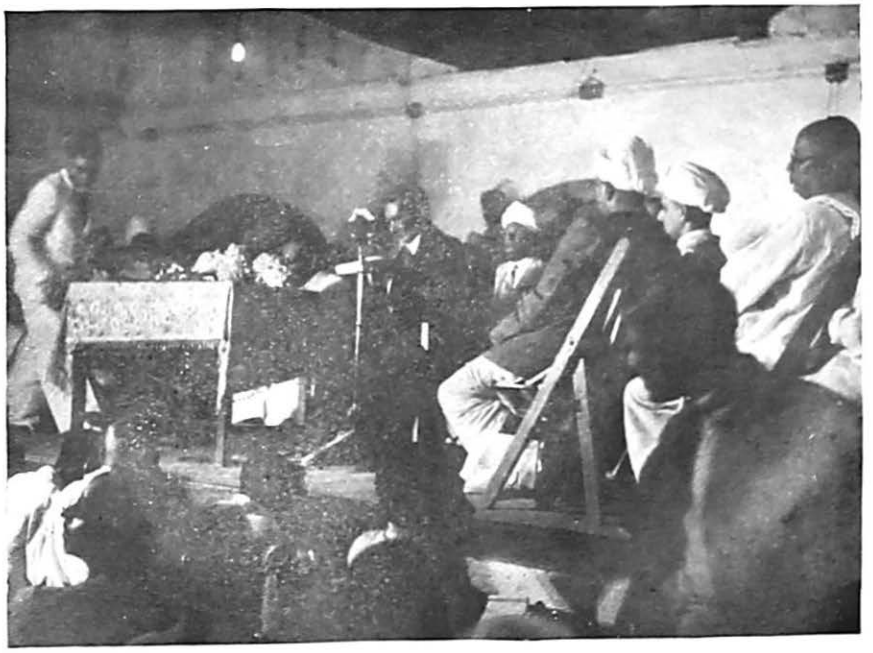
"I have great pleasure in seconding the proposition moved by my friend the Mayor. We are going to consider at this meeting a question of great importance which relates to the large number of Indian emigrants to Burma. The occasion has arisen as you all know from the hastily concluded Agreement between the Government of India and Burma on the question of Indian Immigration into Burma. As my friend the Mayor pointed out a little while ago, I feel that no one is more competent to occupy the Chair and guide the deliberations of tonight than Sir Mohomed. I have great pleasure in seconding the proposition."

Amidst thundering applause from the audience Sir Mohomed Usman occupied the chair.

Sir Mohomed Usman, K.C.I.E., M.L.C., (Vice-Chancellor, University of Madras) in opening the proceedings said as follows:—

"I thank you for the honour you have done me in asking me to preside over this meeting. I have come to participate in

Mr. JANAKIRAM CHETTIAR
Mayor of Madras, addressing the audience



Diwan Bahadur R. SRINIVASAN
is seen addressing the audience

the proceedings of this evening because I feel and feel strongly, that the recent Indo-Burma Immigration Agreement is highly detrimental to Indian interests and has caused great dissatisfaction in all circles. The large and representative gathering assembled here proves what I say.

It is unfortunate that the Government of India did not care to take the people into confidence at any of the stages through which the negotiations leading to the Agreement have passed. The Baxter Committee was appointed with a view to gather materials which would form the basis of an Agreement and the Report of the Committee was in the hands of the Governments of India and Burma as early as October 1940. Why was this important document withheld from the public until the Agreement itself was brought to light? After the Baxter Committee Report, came the appointment of the Indian delegation consisting entirely of officials. This is quite against the spirit of the times. The right course would have been to include non-officials also as members of the delegation. Again, it was expected and announced that the talk between the Indian and Burmese delegations would be merely exploratory and not conclusive. But to our painful surprise the two delegations straightaway passed from the exploratory talks to the conclusion of a momentous Agreement of serious consequences. Even the draft Agreement was not published for eliciting public opinion; and suddenly on the 21st July '41 we found our emigrants who were waiting at various ports in India after coming over long distances from the interior villages, shut out by the new regulations from embarking. Why were an unprepared public presented with an accomplished fact in this manner? Nothing would have been lost and much gained had the wiser course of consulting public opinion been followed.

I do not want to take you through all the terms and conditions of the Agreement in detail, as the speakers who follow me will explain them to you. However, Iwish to say that some of the provisions are very hard on Indians and Indian interests

have been badly let down by the Government of India. The Agreement, therefore, requires to be revised without any loss of time and I sincerely trust that the Government of India will not hesitate to take necessary steps to undo the harm done. Otherwise, the Agreement will not furnish a lasting foundation for the development of real friendship and goodwill between India and Burma in the future. Indians have a very real and abiding interest in the prosperity of Burma and any Agreement between the two countries should not miss the fundamentals that would make for the happy relationship between the two peoples of India and Burma".

Sir Mohomed Usman then read messages received from Sir K. V. Reddi and Rao Bahadur M. C. Rajah, supporting the objects of the meeting and regretting their inability to attend it.

Mr. Abdul Hamid Khan, M.L.A. (Ex-Mayor of Madras, Leader, Madras Legislative Assembly, Muslim League Party, Vice-President, Madras Presidency Muslim League, Leader, United Municipal Party, Corporation of Madras, Vice-President, Muslim Chamber of Commerce) moving the first resolution made the following speech:—

"Mr. President and Gentlemen,

I shall first read out to you the draft Resolution which I propose to place before you for your acceptance:—

RESOLUTION

"This meeting of the people of Madras condemns the recent Indo-Burma Immigration Agreement in as much as, among other things:—

(1) The Government of India did not publish, until the Agreement itself was published, the Baxter Commission Report which has been in the hands of the Government of India since October 1940;

KUMARARAJAH SIR M. A. MUTHIAH CHETTIAR Addressing

MR. ABDUL HAMID KHAN before the mike

(2) The negotiations in regard to immigration were separated from those relating to trade—a procedure prejudicial to Indians;

(3) Non-Officials were not included in the Government of India Delegation to Burma, as was done in the case of the trade negotiations with Burma;

(4) The Delegation of the Hon'ble Sir Girja Shankar Bajpai which was meant to conduct only exploratory talks concluded straightaway an Agreement and presented the country with a *fait accompli*;

(5) An unduly long period has been prescribed for a person to acquire the status of a 'privileged immigrant' which status he will lose if he should be absent from Burma for a period of 12 months;

(6) A fee of Rs. 500 for 'A' class Permit is prohibitive and this and other conditions for the grant of 'A' Permits are harsh and calculated to keep out a large number;

(7) Provisions in respect of 'B' Permits are unduly drastic and will cast an unbearable burden on numerous persons proceeding to Burma, especially on labourers who are required to lay out over Rs. 60 for entrance, repatriation and residence fees and railway fare and passage money;

(8) Wide powers are given to limit the number of persons of all classes entering Burma and this is indefensible in view of the fact that many have to go to Burma for work in established businesses and in connection with lands and properties with employment assured beforehand;

(9) Penalising of marriage is unjust and unfair and discriminatory;

(10) Provisions in regard to cohabitation are unusual and drastic and may lend themselves to grave abuse;

(11) The provision for a literacy test is vague and unsatisfactory;

(12) The Agreement does not take into account the assurances given before separation in regard to the way in which Indian immigration would be restricted.

The action of the Government in suddenly preventing, without notice, the embarkation of Indians on and from the 21st July 1941 while yet no machinery has been set up here and in Burma for the purpose of regulating immigration, has caused hardship to hundreds of labourers who were turned back and therefore this meeting is strongly of opinion that the operation of the Agreement should be stayed until it is suitably modified in the light of public opinion and that no Order-in-Council should be passed giving effect to the Agreement.

And this meeting is further of opinion that in the atmosphere of distrust and doubt which has been created in consequence of the sad experience of the Indo-Burma Immigration Agreement, the sending of a delegation to Ceylon for the purpose of concluding an Agreement should be postponed to a more favourable opportunity when a Delegation composed of the Hon'ble the Commerce Member and the Hon'ble Member designate for Indians Overseas and a few non-officials may be sent to negotiate a settlement on the subjects of immigration and trade together at the same time."

The President has already explained to you the object of this meeting. It is to protest against the Indo-Burma Immigration Agreement which has recently been concluded between the Government of India and the Government of Burma. It is one of the most amazing Agreements which have ever been concluded

between two high contracting parties. Those who were responsible for negotiating this Agreement appear to have had no consideration for the vast number of their Indian fellow subjects whose interests had been committed to their care. I could not believe my eyes when I saw the Agreement in cold print. When the separation of Burma was decided on we knew that some kind of restrictions upon Indian immigration might come to be placed in course of time. But we had all along believed and, in fact, we had been led to expect that such restrictions would be confined to unskilled labour. The Indo-Burma delegation which proceeded to England in 1935 under the leadership of Dr. Rajah Sir Annamalai Chettiar of Chettinad, appears to have discussed the matter with the Rt. Hon'ble the Secretary of State. On the occasion the great part played by Indians and especially by South Indians in developing Burma was freely acknowledged by the Secretary of State himself and the hope was expressed that a free flow and interchange of thought would continue between Burma and India. Everything that has taken place, tended to encourage the belief, that whatever steps Burma might feel called upon to take, it would not go to the extent of placing unheard of restrictions upon Indians entering Burma as heretofore for purposes of trade and business. In fact, the Government of Burma Act concedes to Indians several important rights which is a statutory recognition of their claim to fair treatment. It was said that the internal economy of Burma requires some kind of check upon the in-flow of labour into Burma. I am not satisfied that it is so. I remember that the Baxter Committee itself says that Indian Immigration is not the menace it is supposed to be, but assuming it is, there was absolutely no justification for the irritating and vexatious restrictions and conditions sought to be imposed by the Agreement. There are two classes of Permits and for these high fees are demanded. Poor labouring class men are expected to plump down as much as sixty rupees for going to Burma to work on lands for which enough labour is not available in Burma. Permit fees of Rs. 12, residence fee of Rs. 5 per annum, repatriation fees of Rs. 20 have to be paid and to this must be added railway and shipping charges. It would have been better if

Sir Girja Shankar Bajpai had asked our labourers and peasants not to go to Burma at all. And no person, unless he be a privileged immigrant or an 'A' Permit holder can stay on in Burma for more than 9 years. That is, a man who has spent 9 years in Burma must leave the country, return home and whistle for work. This is an amazing provision. If a man marries a woman of one of the indigenous races of Burma or happens to have relations with a Burmese woman, his permit will be cancelled and he will be sent back to India. I am not pleading for laxity in morals but I do wish we understood human nature aright. With the best will in the world one may lapse into an occasional indiscretion; one is often the dupe of time and circumstance. Are you for that reason to bundle a man out of the country bag and baggage, ruining his business, his prospects and blasting his entire life? Surely, the men of India are not so bad, the men and women of Burma are not so bad, that this kind of unnatural penalty should be imposed. It only means that those who were charged with the task of making this Agreement took no account of realities. I cannot help wondering whether an Indian delegation could have been so unkind to the men of this country. There are thousands of Indians in Burma engaged in trade, big and small, employed in menial service as public servants and in the case of all of them, the Burmese have shown uniform friendliness, so that I cannot bring myself to believe that the people of Burma really desired that Indians should be treated in this shabby fashion. In any case it was up to the delegation to have stood by the people of this country and pleaded and fought for them and their just rights. And look at the way they went to work. They were to hold exploratory talks; they were expected to come back and report for orders; instead of which they finish the business there and come and say it is all over and done with. We asked for bread; they come back and give us a stone. Not the Burmese, mind you, but our own men. I feel inclined to cry out, like Cesaer, "You too, Brutus!" The only decent thing to have done was to take the people of this country into their confidence, have had a few non-officials on the delegation and to have striven for a just and equitable Agreement,

That was not done. The Agreement now presented to us is not worth looking at. It must be modified, altered, made acceptable, if grave dissatisfaction is to be avoided. I am moving a resolution condemning the Agreement and asking for its immediate rectification. I understand that the same delegation headed by the same gentleman Sir G. S. Bajpai is about to visit Ceylon for negotiating an Agreement. I hope that the delegation will not go. The present time is not suitable at all. Knowing as we do his performances in Burma we cannot but be dissatisfied with the idea of his leading the delegation to Ceylon for a similar purpose. Under the circumstances I earnestly hope that the Government of India will wait for some time, so that a fully authoritative and representative delegation consisting of representatives of non-officials particularly from South India may be sent to Ceylon for the purpose. I beg to move the above resolution.

Mr. K. Venkataswami Naidu (Deputy President, Madras Legislative Council, Leader, Madras Municipal Congress Party) in seconding the resolution made the following speech:—

"Mr. President and Friends,

On this occasion I think a greater voice than myself must speak on behalf of the Congress. The Congress has always been speaking in every one of its sessions for the last 52 years of its existence that the question of Indians abroad was a matter of utmost importance, and that was why our Indian leaders have been trying to get co-operation of other Governments to see that they are able to secure the best interests of our countrymen safeguarded there. But this dismemberment of the Indian Empire and taking away Burma is such a tragedy that we feel to-day that political opinion should be mobilised against the same. The Indo-Burma Agreement is "hasty and immature". Though Burma and India were politically separated they are part and parcel of one country and it should be our duty to promote cordial relations between the people of Burma and India. I think it is the duty of every one in India to raise a voice of protest and also to appraise the public that this Agreement is no good and must be scrapped

especially at the time of War when everything is so disturbed that no lasting Agreement can be made. I do not know why this delegation have not taken mature consideration of non-official opinion also before concluding the Agreement. Instead, this Agreement has been foisted upon this country. If one read carefully the various clauses of the Agreement one would see that Indians alone in Burma would be put into great difficulties. The Agreement would practically result in shutting off Indians from going to Burma and the people of Burma from coming to India. The European in Burma is a wanted man and bitterness has been created between the Indians and Burmese, as the Indians to-day are unwanted in Burma. That is really unfair in any Agreement between these two countries. On the other hand, whatever may be the political barriers that are created, it must be the endeavour of the two Governments to see that their people live amicably side by side in the interest of both the countries. We have been helping each other so long that it is very necessary to see that the cordial relationship is maintained. What we see now is that labour is practically shut out and restrictions are so great with regard to repatriation, marriage, cohabitation, etc., that it is impossible for poor labourers to go there. The sudden prohibition of unskilled labour from July 21 before establishing an Emigration Board and fixing a quota for unskilled labourers has caused hardship to hundreds of persons who were not allowed to embark. Indian interests had been badly let down by the Government. Commercial interests were also greatly affected and the Agreement was not fair to them who had done so much for the prosperity of Burma. Large Indian business interests would be grievously affected by this Agreement. On this occasion, when our leaders are not here, it is necessary that we have to make this protest, a loud protest, that this Agreement is not at all acceptable and should be modified suitably. I hope that all parties would join together in recording their emphatic protest against the Agreement; which is unduly drastic and see that it does not become a settled fact. With these few words I support this resolution."

Diwan Bahadur R. Srinivasan (President, Madras Provincial Scheduled Castes Federation, Member, Round Table Conference, Burma Sub-Committee) in supporting the resolution spoke as follows :—

"In supporting this resolution, I propose to confine myself to one or two salient features of the Agreement, which vitally affect Indian unskilled and agricultural labour interests.

As a member of the Burma Sub-Committee of the Round Table Conference, I have studied this question and I am aware of the complexities of the problem. I myself have stayed in Burma for some years and have toured the place and I have an intimate knowledge of the needs and difficulties of my countrymen there.

The recent Agreement brings out prominently one fact and that is, that Indian interests have been badly let down. In the first place the procedure adopted was wrong. Indian public opinion was not at all consulted and the Baxter Committee Report which was submitted to the Government of India as early as October 1940 and which formed the basis of the present Agreement was not published until the Agreement itself was published. We were lead to believe that the talks initiated by Sir Girja Shankar Bajpai were purely exploratory. We were under the impression that we would be consulted before the final Agreement was reached. But here we were sadly mistaken. The Agreement was thrust upon the country as a *fait accompli.* Our countrymen had no opportunity to criticise or offer suggestions to the delegation. In conducting delicate negotiations of this nature, association of non-officials in the delegation would have been very helpful. But this was not done, with the result that Indian interests have been betrayed. Ample time, at least a period of 5 years must be allowed for Indians in Burma and India to adjust their matters, to settle themselves in one or the other country.

The immigration of unskilled and agricultural labourers to Burma affects several lakhs of our countrymen. Most of those people who go to Burma as labourers are extremely poor, and they belong to the scheduled castes. These labourers have

contributed in a large measure to the prosperity of Burma by bringing large areas of land under cultivation. But I am grieved to find that they have been treated most unfairly and their rights have not been adequately safeguarded. Regarding the provisions in the Agreement with reference to unskilled labour the scale of Permit fee is prohibitive. Under the Agreement the labourer has to pay Rs. 17 during the first year and a repatriation deposit of Rs. 20. In addition to this he has to incùr for the purpose of proceeding to Burma railway and shipping charges amounting to nearly Rs. 30. It is quite obvious that a poor labourer will not be in a position to raise this amount. Further, no employer will ever care to spend this amount on labourers as the labour is purely seasonal and they do not work continuously under a single employer. This is not due to any fault of the labourer but is due entirely to the want of continuous employment under the same employer. Therefore, Gentlemen, the effect of this provision will be to prevent Indian labour from migrating to Burma. Unskilled and agricultural labourers should be allowed to migrate freely with safeguards of identification passes.

The provision regarding cohabitation is unprecedented and is sure to work as an engine of oppression. This provision unfortunately is thought of only in the case of Indians. It will not only work great hardship but is also an insult to the self respect of Indians. Further in the Agreement there is no adequate provision for the protection of labourers to be repatriated. Such a provision is essential.

In view of the facts stated, the Agreement is totally unacceptable to us. A grave injustice has been done to Indians. Therefore it is absolutely essential that the Agreement must be suitably modified in consultation with Indian public opinion."

The President before requesting Kumararajah Sir M. A. Muthiah Chettiar to speak on the resolution congratulated him on the recent conferment of Knighthood and wished him all prosperity and success.

Kumararajah Sir Muthiah Chettiar of Chettinad (President, Southern India Chamber of Commerce, Leader of the Opposition in the Madras Legislative Assembly) expressed his grateful thanks to the President for his kind words about him and addressed the gathering in Tamil. An English version of his speech is as follows:—

"That the relationship between India and Burma dated back to hundreds of years; but he did not wish to deal with that subject on this occasion. After the separation of Burma from India, several legislations had been enacted by the Burma Government about which they would have read in the papers. The future relation between India and Burma affected them vitally. Public opinion in this country was opposed to separate negotiations with the Burma Government one on the matter of trade and the other on the question of immigration. The question of trade was settled last March and now they were presented with this Agreement on the question of immigration, which was harmful to Indian interests.

It had been estimated that there are about 31 lakhs of Indians Overseas. Of them fourteen lakhs are in Burma, eight in Malaya and eight in Ceylon. Only one lakh of people are in other parts of the world. It would thus be seen that nearly half the number of Indians Overseas live in Burma, three-fourths of whom are from South India. Therefore, this question of immigration affected South Indians more than any one else. While he addressed the meeting on behalf of Nagarathars who had a stake in Burma he was also pleading on behalf of the other communities of South India who were connected with Burma.

Continuing Sir Muthiah Chettiar said that it was evident that the Baxter Committee had not at all considered the question of seasonal migration of agricultural labour to Burma. They, as well as other classes of immigration to Burma, were

seriously handicapped by this Agreement. When the future of such a large number of Indians was at stake, it was surprising that the Government of India did not think fit to publish the Baxter Report earlier to elicit public opinion. The delegation that was sent to Burma had no non-officials on it. Further, it was announced that the delegation would not conclude any Agreement. But contrary to their expectation, the delgation signed an Agreement. Speaking at a gathering in Burma, Sir Girja Shankar Bajpai regretted his inability to disclose the terms of the Agreement but assured his hearers that he had not done anything prejudicial to the interest of Indians. From those circumstances, they were forced to conclude that such a statement was an idle boast. It also demonstrated how one person was able to inflict incalculable harm on a whole nation.

Proceeding, Sir Muthiah Chettiar said that, while they could agree to some sort of restriction on immigration, the sort of restriction contemplated in the Agreement was wholly unacceptable. Agricultural labourers went from India for short periods. They went to work under several people one after another and returned to India with small savings. According to the Agreement, such a labourer would have to find about Rs. 70/- before he could think of going to Burma. If he were able to find that sum, there would be no necessity at all for him to leave India. As for 'A' class Permits, even the speaker might find it difficult to go to Burma on account of the various conditions imposed for granting the Permit. On the whole, the Agreement was harmful to Indian interests and it contained enough provisions to send out all Indians from Burma if the Burma Government so desired.

After referring to the hardships caused to a large number of people by preventing without notice, embarkation from Madras Ports on July 21, Sir Muthiah Chettiar said that the Government of India would have done their duty by the people only if they modified the Agreement in accordance with public opinion on the subject. He hoped that at least the Secretary of State for

India would give heed to public opinion and not ratify the Agreement.

Referring finally to the proposal to send a delegation to Ceylon, Sir Muthiah Chettiar said that, when the Ceylon Delegation came to India, a public meeting was held in Madras to welcome the members and wish them success. But no Agreement could be reached that time and the Government of India had rightly published the trend of discussions that took place. The experience of the Indo-Burma Agreement was disappointing and the public viewed with disfavour the sending of a delegation to Ceylon before steps had been taken to modify the Indo-Burma Agreement. There was nothing to be lost by postponing the matter and he hoped that the Government would give weight to public opinion expressed at this meeting and desist from sending a delegation at this juncture."

Mr. V. Chakkarai Chettiar, (Alderman, Corporation of Madras) in further supporting the resolution spoke as follows in tamil :—

" Mr. President and Gentlemen,

My friends have asked me to speak in Tamil. I am not well read in that language. Therefore I am likely to commit mistakes if I speak in Tamil. In that case I want you to excuse me.

Friends! You know the reason for this all Parties Conference. I wish to commend those who have convened this meeting. At this meeting there are present, members belonging to all parties. The reason why, in spite of differences of opinion, leading men of all parties have come to condemn this Agreement is that it will affect the rich and poor alike of our countrymen very badly. I hope that members of all the parties here will join together and work for the advancement of our motherland. Mr. Venkataswami Naidu, the previous speaker, is a Congressman. Janab Abdul Hameed Khan belongs to the Muslim League.

Our leader, Kumararajah Sir Muthiah Chettiar, is a Justice party man. The Government of India has thus given an opportunity for leaders of all parties to come together on one platform and speak with one mind. I offer my thanks to Sir Girja Shankar Bajpai, the gentleman who was responsible for making this all Parties conference a necessity (Laughter). We must take note of one matter. Sir Girja is a Member of the Government of India. He is a North Indian. He does not know anything of matters relating to South India. Moreover about 14 lakhs of people have gone to Burma from the Tamil Nad. This new Agreement affects all the 14 lakhs of people. The chief person responsible for this Agreement is Sir Girja Shankar Bajpai.

The Government did not consult any leader in South-India. There must be two parties to an Agreement. This is so according to law. But the Agreement concluded by Sir Bajpai cannot be said to be an Agreement between India and Burma. Because as an Agreement which affects the Tamil Country was concluded without consultation of the Tamils, it can be only an one sided and unilateral Agreement.

Last night I was studying this Agreement for two hours. Then I remembered one thing. Some three years ago an Agreement was concluded between England and Germany at Munich. That was done by Mr. Neville Chamberlain. He was given a magnificent reception when he returned to England on the conclusion of that Agreement. When Mr. Chamberlain got down from the Aeroplane with an umbrella in one hand and the Agreement of Hitler in the other, it appears that he waved the Agreement before the eyes of the people. Even so, Sir Girja Shankar Bajpai is now waving this Agreement before our eyes. (Laughter).

I have not seen the horoscope of this Officer. But I believe he is now under the influence of a good star, because the very same Bajpai is about to go to America as the Agent of the Indian People. We have to shake in our shoes, afraid of what he is going to do in that country (laughter). We are greatly concerned

about how he is going to maintain our interests and save our honour in that land. The reason for this is the great harm that this gentleman has caused us by the Agreement with Burma. I do not wish to speak much. There are others who are waiting to follow me. But I wish to stress one or two points.

This Agreement is divided into 4 parts. First, visitors and students. These may enter Burma if they wish. But they must have Permits for that purpose. There are two kinds of Permits—'A' Permit and 'B' Permit. Thirdly nobody can stay in Burma for more than 9 years. Besides these, there are severe rules for becoming privileged immigrants. I wish to tell you of one thing. If a man goes from here to Burma he may take his wife with him. But if he has two wives he must take only one with him and leave the other here. (laughter). He may take his sons with him. But if his sons are more than 18 years old be cannot take them. Even those sons must be the sons of the wife whom he takes with him. He cannot take the sons of the wife whom he leaves behind! Only Sir Girja Shankar Bajpai should explain the meaning of this.

Another point—No mention is made in this Agreement about the daughters. What is a man to do if he has daughters? Is he to take them or not? There is a rule of interpretation in English law which says, males include females. Are we to import this interpretation here also? (laughter).

Friends, I wish to say one word in conclusion. India and Burma were united for several years. In every way—in culture, education, civilisation and all other matters—they are like each other. What was one country for centuries, the British Government has divided into two. We cannot say that the Burmans agreed to this partition. The Indian Government not only divided us but also seek a way to prevent us from entering Burma. Apart from this result, neither to this country nor to Burma is this Agreement going to do any good? That is why we are condemning this injustice. That is why we are conveying by means of these public meetings our condemnation to the British Government."

Diwan Bahadur K. S. Ramaswami Sastri, (Retired District and Sessions Judge, President, Hindu Mahasabha, Madras branch) in supporting the resolution in tamil said :—

" Mr. President and Gentlemen,

I have great pleasure to associate myself with the proceedings of this meeting which has been convened to enter our protest against the Indo-Burma Immigration Agreement. I am very glad that leaders of all parties have joined together to express their feelings of resentment and dissatisfaction over this Agreement. If this Agreement had been concluded between the Premiers of a free India and free Burma, it would have altogether taken a different shape and the interests of all of us would have been properly safe-guarded. To arrive at an Agreement between India and Burma, I must say, trade and immigration matters should not be separated and they must go together. The classification of Permits into 'A' and 'B' is only a device to eliminate the immigration into Burma of Indians of both richer and poorer classes. Burma owed very much to the Nagarathar community for her present prosperity. They have invested in crores there to build up their business. The Agreement which had now been signed would only strike a blow on the business carried on hitherto by this community. We have therefore to carry on a country—wide and persistent agitation against this Agreement."

Mr. G. Selvapathy Chettiar, (Employees delegate to the League of Nations, Councillor, Corporation of Madras and Labour leader) in further supporting the resolution spoke in tamil as follows :—

" Mr. President and Gentlemen,

This huge meeting has been convened, as you are all aware in order to protest against the recent Indo-Burma Agreement. I can say that the Governments of Burma and India have conspired together to thrust this unwanted Agreement upon us, especially South Indians, who are much affected on account of this. Poor labourers who are going to Burma to seek their livelihood cannot afford to pay Rs. 70 by way of deposit etc. If only they have this amount ready

on hand, many would not prefer to go out of India seeking labour. If an Indian labourer there dares to touch a Burmese woman, his passport will be immediately cancelled according to one of the terms of this Agreement. Even in highly civilised European countries, there is no such discrimination against Indians. Unless therefore a vow of Sanyasin is taken, no labourer or others could go to Burma. Many of the provisions of this Agreement are highly prejudicial to the Indians and we should not allow this to be placed in the Statute Book. I therefore heartily support the resolution before the House."

Mr. P. Balasubramania Mudaliar, (Editor, Sunday Observer), in further supporting the resolution spoke as follows:—

" Mr. President and Comrades,

We have met here to record our protest under the auspices of the All-Party meeting and I am particularly happy myself to associate with the conference to record my protest against the unfair treatment meted out to Indians in Burma. You must have by now seen, that papers in North India have not supported our protest, on the other hand they have tried to support the Agreement. It is because it is South Indians who suffer much in Burma. Therefore it is our duty to agitate and tell the Government of India that we cannot tolerate this one-sided Agreement. Our united voice must reach not only Simla, but Whitehall also and what had become a settled fact must be unsettled. With these few words, I support this resolution."

Mr. Parameswaran, (Secretary, the Madras Provincial Scheduled Castes Federation and President, The Scheduled Castes Youths Association) said as follows:—

" Chairman and Gentlemen,

I do not want to harp upon the points so clearly dealt with by the previous speakers. I shall, however, say a word or two on the Indo-Burma Immigration Agreement which marks the end of free entry of Indians into Burma and the restrictions of future

emigrants and unskilled labour. Several provisions of this Agreement, apart from their vagueness, are highly detrimental to Indian interests, particularly the Scheduled Castes who form the bulk of the agricultural and unskilled labour population in Burma. Sir G. S. Bajpai has not understood our economic miseries. This Agreement concluded in the dark by one man has come as a rude shock to Indians. By the action of one man the interests of a great country has been betrayed. This Agreement which is an insult to Indians cannot be called Indo-Burma Agreement but should be called 'Bajpai-Burma' Agreement. Sir Girja Shankar Bajpai, by this agreement had greatly strained Indo-Burma relations and has killed Indian labour, Indian enterprise and Indian interests. This Agreement is being condemned by representative Indians belonging to all parties, communities and interests. With all the emphasis at my command, I denounce this most dishonourable Agreement ever entered into, and most vehemently protest against this dangerous Agreement which, if implemented, will only result in disastrous consequences. I whole heartedly support the resolution before the house."

Mr. Basheer Ahmed Sayeed, B.A., B.L., (Member, Madras Legislative Assembly, Member, Syndicate of the Madras University, Member, Senate of the Annamalai University) in support of the resolution said as follows:—

" Mr. President and Gentlemen,

I don't think I can detain you for a very long time. Various speakers that preceded me have said that an inequity had been perpetrated on India, especially South India by the Agreement now under discussion. This is one more betrayal of the cause of India. The prime cause of it is, that we had not the power to choose our own representatives and delegations that this thing had happened. If a chosen delegation had been sent, we could have had a different Agreement altogether. If, we could unite in other causes, as, on this evening, people of different parties, different shades of opinion had united against this Agreement, we could easily achieve our other

objects also. Disunity among us would bring us further and far greater insults. This Agreement is one-sided and selfish. The Burma Government had the right to get as much agricultural labour as it pleased on any terms, but if Indians had to go there, they had to pay different sums and were under the handicap that they could not come back to stay on in this country for a period extending more than a year. I do not think that the Burmese Government has invented such discriminatory measures against other people who inhabit that country. Indians had made Burma's condition far better than it would otherwise have been, and this was the gratitude which was shown in return. This was the result of the Separation engineered by a foreign agency. If such public meetings, as the present one would proceed to agitate against what was called the established fact of separation, we could make that 'settled fact', unsettled. I do not know of any such discrimination made against other people who have inhabited Burma for example, Chinese, Japanese, Malayas etc. Before concluding this Agreement, it was open to the Government to publish the Baxter Committee Report which was in their hands as early as October 1940 and that important document was withheld from the public until the Agreement itself was brought into light. Many of the provisions contained in the agreement are highly detrimental to our interests and we must go on agitating until it is suitably amended. Let us try to see that there are no further betrayals of the Indian cause, like the present one, by agents of a foreign Government".

Mr. T. Chengalvarayan B.A., L.L.B., (Councillor, Corporation of Madras) in further supporting the resolution spoke as follows:—

"Mr. President and Gentlemen,

You do not know so much of the Burmese language, as I do. The subject matter of this meeting should be addressed, not to the English knowing public, not to the Tamil knowing public, but to the Burma Nation and Burma Government. I think the next best language I can address is in English. I have great pleasure in

supporting this resolution. I firmly believe that unless the problem of Indian freedom is solved, the problem of Overseas Indians could not be solved in the way it should be. This Agreement has neither body nor soul. Some say the Government of India is the soul and the Government of Burma the body. Even assuming it has got a body and a soul, the body has to be buried and the soul damned. My first charge on the Government of India is that no chosen representative was included in this delegation, to whichever political party he may belong. Secondly this Agreement was necessitated not because of the clamour of the Burmese people, but because of the iniquitous separation of Burma from India. I charge the Government of India and the British Government for having disturbed the cordial relationship that existed between the two great peoples. Thirdly, my attack upon this Agreement is that it places a great premium upon people from this country to go to Burma. Further this Agreement is going to be a great handicap to the normal and international relationship of the two glorious countries. We have been hit hard by this unwanted Agreement. I am therefore firmly convinced that unless the question of the freedom of our country is settled, unless we become masters of our country, the problem of Indians Overseas could not be tackled successfully to our advantage. Then the question of Burma Indians, Ceylon and South African Indians also will be solved automatically. I am longing for the day, when our sons and daughters will go out of India, not as scavengers and coolies, but as Ambassadors and Agents.

I find that no discriminatory legislation has been made by the Burma Government against European settlers. Therefore they have no reason, as to why they should particularly discriminate visitors from India. I warn the British Government, that if the provisions of the Agreement are not suitably amended to the satisfaction of all, we have to resort to boycott of all Burmese goods, such as Petrol, Timber, Teakwood, etc. With these remarks, I have great pleasure in supporting this resolution.

Mr. C. N. Annadorai (Editor, Viduthalai) speaking next said :—

Nearly 95 per cent. of Indians in Burma are people from Tamilnad and the rest may be from the other parts of India. Therefore North Indians are not in a position to properly present our case, since they are not accustomed to our mode of living and thoughts. All the North Indian papers, except the 'Star of India' have supported this Agreement. I would therefore appeal to you all, especially those who have come from interior villages to attend this meeting, to hold similar meetings in every nook and corner of their villages and explain to them the disastrous consequences of this Agreement. If such an agitation is started against the Agreement, we are bound to succeed. I therefore associate myself with the leaders of other parties in denouncing this Agreement.

Mr. P. Gopalrathnam, (Secretary, The United Municipal Association, Madras), in further supporting the resolution said :—

" President and Friends.

I have been authorised by the President to speak only for one or two minutes. My friend Mr. Chengalvaroyan has already explained to you in full about the injustice that is being meted out to Indians Overseas. I must say that the person fitted to conduct negotiations and conclude Agreements is Mr. M. S. Aney, Member, Designate for Indians Overseas. I join with you all in wholeheartedly condemning this unwanted Agreement and I pray that this should be scrapped immediately.

Mr. Swaminatha Iyer :—

Further supported the resolution and said that the Agreement is fundamentally wrong.

The President **Sir Mohomed Usman** put the resolution to vote, which was carried unanimously with great acclamation.

Mr. T. S. Nataraja Pillay in moving for the constitution of a Committee to make representations to their Excellencies the Viceroy and Governor of Madras to suitably amend the provisions of the Agreement made the following speech:—

" Mr. President and Gentlemen,

When the rights of immigrants of other countries are backed up by armed forces and invasions, we have in India, the sorry spectacle of an Indian giving up the legitimate and established rights of his countrymen in Burma, without any effort made to defend them or one blow, albeit a verbal one, struck to enforce their claims. Immigration to Burma affects mainly the South Indian who by his labour and toil, by his huge investments of 80 crores of rupees and by the shedding even of his blood in addition to the sweat of his brow, has converted impenetrable forests haunted by robbers, reptiles and wild beasts into smiling lands of plenty. A North Indian was hardly the fittest person to represent them or to solve their difficulties.

Sir G. S. Bajpai, conscious of his individual strength and disdaining the help of more informed Indians sallied majestically alone and in imitation of a conquering hero, went, saw and compromised. Never did it strike him that he was compromising by his action, the position of the Indians in Burma. 14 lakhs of people, 40% of whom were born and bred up there, are now deprived of their individual rights or left in doubt as to whether they have any political rights in that land and are branded as emigrants who can only be suffered to remain on the soil by the indulgence of the Burman and by the issue of a Permit with an identification photograph, even like the ticket of leave of a convict, which has to be acquired at a great cost. Steeped in the traditions of the west, we are apt to forget, that we have some other kith and kin, besides our wives and children, who have claims on our support. If a man goes to earn a living in Burma or to embark upon a useful trade there, he has to take up with him besides his wife and children, his father or mother, widowed or unmarried sisters or his minor brothers. We cannot link his

finger with that of his wife and march magnificiently along. If in addition to the 500 rupees which he has to pay for himself, he has to pay also Rs. 250 for each of his dependents, including the servants whom he has to take with him, he will have to pay by way of fees alone thousands of rupees. Is he to invest all his capital in payment of fees and try to eke out a livelihood by borrowed capital and thus begin his career, with a great handicap, at its very threshold. What again is to happen to a youngman who gets an employment as a Government servant or as a clerk, as Mr. Baxter has recommended in the Port Trust of Rangoon. Under the Agreement of Sir G. S. Bajpai he cannot remain for more than 9 years at the most in Burma. What profit can he derive by being fortunate enough to obtain that post. Some charitably minded authority may confer a benefit, but Sir G. S. Bajpai will not allow the beneficiary to enjoy it. Similar difficulties beset the path of the poor labourer.

What can we think of a gentlemen who consents to have his countrymen driven out of a land, if by chance he is seen in the company of a Burmese woman. In no other land have we heard of such a legislation. Living near the Himalayas Sir G. S. Bajpai must have lost his wordly wisdom and become yogic in habits and thoughts. A recluse is scarcely a fit person to lay down laws to erring humanity as is shown by Shakespeare in his 'Measure for Measure'. A few conspirators and a willing want on woman backed up by a complacent Burman policeman, can easily compass the expulsion of any Indian from Burma.

Time does not permit me to examine the other provisions of the Agreement—the manna which has so unexpectedly fallen in our midst, which is the result of hasty and ill thought out decisions of one individual. But, I wish before closing, to harp on one aspect even though attention had been drawn to it by the other speakers which may have serious consequences on the future of our country. In England, even in War time, when ultimately disclosures might imperil the very lives of the people, Members of Parliament insist on the public being taken into confidence of the

Ministers and full particulars are being given of what is going to be done. In India which is said to be at the very threshold of great reforms which are going to usher in democratic Government, one person is sent without the consent of, or consultation with the Legislature to make a preliminary investigation of affairs in Burma. He comes back flaunting before the eyes of a wonder-stricken and dumb-founded public a concluded Agreement which he claims to be the panecea of all ills of the Indian. Can contempt of public feeling go further?

Now there is shortly to be a visit by Sir Bajpai to Ceylon. The problem of Indians in Ceylon is more complicate than that in Burma. Already there is Repatriation of Indians there, the village Franchise Act has deprived many an Indian of his political rights; hostile tariffs have been imposed and legislation to evacuate Indians has also been undertaken. In every way Ceylon problems present greater difficulties. We cannot allow Sir Bajpai however well intentioned he may be to make a jolly flight to Ceylon and throw away the rights of Indians without getting in return even the proverbial mess of pottage.

These gentlemen, South Indians by birth, men of great experience in the business, people who know and are intimately connected with both Burma and Ceylon problems, we are sending to the Viceroy and Governor-General, the Governor and the Secretary of State (if necessary) to place our case before them and get a modification of the Agreement before it is ratified by an Order-in-Council and to secure a proper settlement of the Ceylon question. I have great pleasure in moving this resolution.

RESOLUTION

"Resolved that a committee consisting of the following gentlemen with power to co-opt be constituted for the purpose of making representations to His Excellency the Viceroy, His Excellency the Governor of Madras, the Governments of India and Madras and to the Rt. Hon'ble the Secretary of State for India in regard to the Indo-Burma Immigration Agreement and to take

such other steps as may be necessary to further the objects of this meeting.

Members :—

Sir Mohamed Usman.
Sir K. V. Reddi.
Rajah Sir Annamalai Chettiar of Chettinad.
Mr. G. Janakiram Chettiar (Mayor of Madras).
Diwan Bahadur V. Shanmuga Mudaliar (Sheriff of Madras).
Janab Abdul Hameed Khan Sahib.
Diwan Bhadur K. S. Ramaswami Sastriar (Retd. Dist. Judge).
Mr. B. Pocker.
Mr. Basheer Ahmed Sayeed.
Rao Bahadur M. C. Rajah.
Khan Bahadur Adam Hajee Mohamed Sait.
Mr. V. Chakkarai Chettiar.
Kumararajah Sir Muthiah Chettiar of Chettinad.
Mr. K. Nagarajan. B.A., B.L. (Secretary)."

Mr. N. Gopal Menon, (President, Kerala Samaj, Madras, and Councillor, Corporation of Madras) seconded this resolution, which was carried unanimously.

Sir Mohamed Usman in bringing the proceedings to a close held that our cause was just and expressed the hope that we will succeed ultimately.

Khan Bahadur Adam Hajee Mohomed Sait (Vice-President, Southern India Chamber of Commerce, Director, Reserve Bank, Central Board) in proposing a vote of thanks said as follows:—

It is my very pleasing duty now to convey to Sir Mohomed Usman, our united and sincere thanks for having presided and

lent lustre to the great gathering. It is indeed gratifying that there has been complete unanimity in regard to the resolutions passed and I do hope that the Government of India will adopt speedy measures to redress the grave wrong that has been done to Indian interests in Burma by the recent Indo-Burma Immigration Agreement. I have now very great pleasure in proposing a hearty vote of thanks to Sir Mohomed' Usman, our distinguished President. I must also thank the various leaders and speakers who have participated in to-day's meeting and made it a great success.

The President then declared the meeting dissolved.

PRESS OPINION

"The Hindu" *in its Editorial of the 22nd July 1941 says*:—

". . . . It is significant that the findings of the Baxter enquiry confirm almost every contention that was advanced on behalf of the Indian community—that its presence in Burma was an entirely beneficient influence, that it had contributed strikingly to the economic prosperity of the country enabling its population to attain to and sustain a standard of living which it could not have enjoyed otherwise, and that the continuance of the co-operation of Indians should be welcomed by thinking Burmans. . . . Mr. Baxter, who is all in favour of restriction, does not think that insistence on so long a period as seven years is justified for the acquisition of domicile . . . . The system of permits and passports and fees and deposits means the building up of a complicated code and to those who have been proceeding to Burma hitherto without let or hindrance, the new conditions must seem harassing. . . . . The fees for licence and registration seem high. If the immigrants, especially those of the labouring classes, are permitted to enter the country in the interests of Burma, as *ex hypothesi* they are, then, it stands to reason they should be rewarded, not penalised. The deposits insisted on from non-workers who seek permits seem to be also unduly high.

. . . . What, for instance, will be the position of the many Chettiar trading firms which are doing business in that country? These firms have an existence apart from the individuals who for the time being own or run them. They are family concerns. Some of these have had a continuity of existence analogous to that of the great family firms like those of the Rothschilds and the Morgans. Is their existence to be limited to the lives of the individuals now resident in Burma and managing them? The agents have but limited rights over the firms; and, if the Agreement is narrowly interpreted and strictly enforced, it may become

impossible for the owners satisfactorily to supervise the working of the firms by frequent visits. The visiting individuals may be birds of passage; but the firms need not be so. They have been permanent elements in the institutions of Burma ministering to her needs, no less than yielding profits to those who run them. We cannot conceive that those who are responsible for the Agreement mean it to operate in such a way as to force these firms out of business. . . . ."

The "Madras Mail" *in its Editorial of the 22nd July 1941 says as follows*:—

". . . . The Agreement has come unheralded and unexpectedly. When Sir G. S. Bajpai left India for Rangoon it was understood that he would have exploratory talks with the Burma Government and return to India to report prior to the conclusion of the proposed Agreement. Had this been done, and had Mr. Baxter's Report been published earlier—it has been with the Government of India since October 1940—the public would have had an opportunity to examine Mr. Baxter's recommendations and make suggestions thereanent. Unfortunately, this wise course was not followed, and an unprepared public is presented with the accomplished fact. Nothing would have been lost, and much gained, had the wiser course of circulation of the report for the elicitation of public opinion—to use a cumbrous official phrase—been adopted.

. . . . The extension of the period to seven years will rule out many deserving cases.

. . . . And since few of these (labourers) will be in a position to produce the Rs. 20 to be charged for a Permit, the number of working class immigrants into Burma may be expected to decline. . . . . There is no organisation of employers to finance the purchase of permits, for no labourer works continuously for any one employer. They are casual workers, employed for short periods for specific tasks and passing from employer to employer as work offers."

. . . . One other important matter requiring amendment is that concerning marriage or cohabitation with a woman belonging to an Indigenous race of Burma. This provision, doubtless well intentioned, needs to be accompanied by adequate safeguards for the Indian immigrant, else it will be an easy matter for an unscrupulous official, a wanton woman, and suborned witnesses to conspire to encompass the cancellation of an unfortunate Indian's permit, and his consequent loss of property and other rights in Burma. Some form of appeal against any order cancelling a permit for this cause should certainly be provided. Another class of Indian interest requiring more adequate safeguards than that provided in the Agreement is that of the Indian business, dependent upon Indian management, for its efficient functioning."

The following is an extract from the leader of the 'Indian Express' *of the 22nd July 1941*:—

"The recommendations of Mr. Baxter are mostly embodied in the Agreement but the conditions as against Indians have been made stricter. While Mr. Baxter was satisfied with a five years' limit of residence for Indians settled in Burma to secure the status of privileged immigrants, the Agreement fixes a period of seven years. In matters of detail, too, the dice is loaded more heavily against Indian immigrants."

Rambler in the issues of the 'Indian Express' *of the 24th July 1941 says*:—

"A novel provision in the Indo-Burma Agreement forbids an Indian emigrant in Burma from marrying a Burman woman, save with official sanction and after due provision for maintenance. Even cohabitation is banned. The Indian visitor or emigrant who marries or cohabits runs the risk of deportation to India. The validity of the marriage is unaffected, and the Burmese woman need not worry, for there is the maintenance provision to sustain her. The Indian visitor will find himself back in India, wiser and sadder for his Burmese adventure. He has the

satisfaction of having a wife in Burma and maintaining her, while the Bay of Bengal effectually bars her company.

* * *

The interdict raises serious difficulties. Indian emigrants cannot be made virtuous by statutory command or the Agreement of Governments. As a weapon of oppression, a mode of harassing enemies, as a contrivance for getting rid of inconvenient liabilities, the rule offers excellent opportunities. Mr. Charles Kincaid writes in his "Forty-three Years in India", about the uses to which the maintenance provisions of the Criminal Procedure Code were put, while he was a Magistrate in Sind. A rich zemindar anxious to punish a recalcitrant tenant would arrange for evidence against him making him liable to maintain a woman and her child. The tenant would be faced with a maintenance application, and except in cases where the Magistrate saw through the game, he became liable to maintain a woman whom he had never seen and a child whose paternity could be traced to others. A repetition of a similar form of harassment in Burma on a widespread scale will be among the first fruits of the Indo-Burman Agreement. Any Burman anxious to send an Indian back to India can, by a judicious use of his resources and the assistance of the police, bring forward evidence of cohabitation with a Burman woman entailing the offender's exit to India. If Sir Girja Shankar Bajpai gets the same provisions embodied in the Indo-Ceylon Agreement which will rank as the second of his achievements when it is put through, he will doubtless have a place among India's foremost statesmen!

* * *

Yet, crude as it is, it would be unwise to ignore the feeling which underlies this interdict. Social conventions and a home environment control our impulses when in India, but these restraints are absent when our countrymen go to Burma or Ceylon and stay there fairly long. Historical circumstances brought a

section of our population into Burma in the garb of money-lenders, a role which has inevitably made them extensive land-owners also. To the young Burman seeing his capital city inhabited by a predominantly alien population, the tendency to view Indians as exploiters from whose clutches property and women alike have to be saved, has a facile, strong appeal. Astutely enough, a succession of European officials have made it appear that while the Britisher in Burma plays the role of a benefactor, the Indian is an enemy and a parasite. . . .

. . . . Ceylon and Burma, culturally daughters of India, can yet be brought to recognise India as the mother country. The present phase of strife and illwill, ineffectually sought to be nullified by pacts, only provides merriment for Britishers, who both in Burma and Ceylon have created considerable vested interests. Oil in Burma and tea in Ceylon bring huge riches into Britain every year. This phase must terminate, and a hegemony of India, Burma and Ceylon should be among the tasks which a Free India should early seek to achieve."

The following are extracts from a leading article of the 'Indian Express' *dated the 27th July 1941.*

. . . . The "privileged immigrants" who come next in order have to prove a residence during seven calendar years in Burma in the nine years comprised between July 1932 and July 1941. This period which has been fixed, as against the five years limit imposed by the Baxter Report, can be availed of only by a few, and the right based on this clause accordingly becomes quite negligible. It may be noted that these "privileged" immigrants have nothing more tangible than the privilege of roaming at will over Burma. If they are absent from Burma for more than twelve months, their privileges if any, will have to be sought outside Burma. . . . .

. . . . Conditions relating to permit-holders reveal an equally unsatisfactory position. Entry into the privileged "A"

class is barred by the prohibitory entrance fee of Rs. 500 and other restrictive clauses. "B" permit-holders are allowed the maximum residence of nine years, but if they are persons engaged in business or employment permanently, this time-limit will be ruinous to their interests. It is not clear whether this nine years maximum attaches to a person, like restrictive covenants imposed on lands or only to his tenure of residence at a time. If a "B" class permit-holder finds it necessary to come again to Burma, would he be prevented from doing so? Another class of "B" permit-holders are unskilled labourers who go to Burma when work is available and are employed by different persons according as their services are required. To call on these labourers to pay Rs. 17 during the first year and a repatriation deposit of Rs. 20 is in effect to deny them entrance into Burma. If Burma does not in fact require Indian labour, these restrictive rules are intelligible. But as in the case of Ceylon, Indian labour is badly needed in Burma, and these penalties must therefore be annulled forthwith. We have here no question of kanganies or other organised forms of securing labour, and there is little chance of outside agencies undertaking to pay the required deposits on behalf of the labourers. . . . .

. . . . The situation is further complicated by the presence in Burma of a large Nattukottai Nagarathar population, who own a good part of the agricultural lands in Burma and who carry on business in different parts of the country. South India is their home but they and their agents go frequently to Burma in connection with their work. If they are eligible only for "B" class Permits, they will be obliged to leave Burma after nine years, if a strict view is taken of the clause. The Agreement is bound to react harshly on the interests of this class who have such vital, stakes in Burma and who have apparently deserved well of the country. It would be therefore desirable to recast the Agreement in the light of the position of this class of persons and of others who follow trade mainly on their lines.

. . . . A surprising feature of the Agreement is the virtual secrecy attendant on its proceedings. Mr. Bajpai started

from India with the avowed object of exploring the ground for the further talks to come later. Apparently on his own motion he enlarged the scope of his work, and he undertook the task of putting the Agreement through. The work was rushed through and all that India knew after the Agreement had been signed was the disclosure made by Mr. Bajpai that he had made an excellent bargain. Only now we are made aware of the conditions to which the Indian representative had given his consent on behalf of India. The Indo-Burman Agreement while it is an important milestone in the relations between the two countries bears the marks of immaturity and haste. Mr. Bajpai proposes to go to Ceylon and bring out an Agreement between India and Ceylon, in all probability conceived on the same lines. His mission can well stand postponed until the public is given a fuller opportunity to consider the suggested terms of settlement. There should be no element of secrecy about the negotiations and non-official opinion must be adequately represented in the delegation. India should not be provided with another barmecide feast, and it would be well if the example of Burma is taken as a warning in dealing with the Ceylon problem."

In a leading article the 'Hindu' *dated 30th July 1941 writes as follows:—*

"The speeches made and the resolutions passed at the All-Parties Meeting held at the Gokhale Hall show how great and wide-spread is the indignation that has been roused in this country by the terms of the Indo-Burma Agreement. Attention was directed as much to the manner in which the Agreement was brought about as to its substance. The failure of the Government of India to take the public into their confidence by publishing the Baxter Report and the lines along which they contemplated negotiating an Agreement before the Agreement was entered into has caused profound resentment. So far as the provisions of the Agreement are concerned, they were attacked principally on three grounds. In the first place, some of the provisions—those relating to registration, passports and permits—introduce violent departures from

the existing state of things; they are highly discriminatory against Indians and constitute a psychological affront to the dignity of the Indians going to Burma. In the second place, the regulations concerning permits impose conditions which are unconscionably onerous. One is unable to understand on what principle the fee of Rs. 500 per "A" Permit has been fixed nor the entrance fee of Rs. 20 for unskilled labourers with a further residential fee of Rs. 5 per annum, nor that of Rs. 30 entrance fee with Rs. 10 annual residential fee for others. The "B" class Permit-holders, in addition, are to make a repatriation deposit of Rs. 20. We know that the immigration laws of many countries insist on immigrants possessing sufficient capital or funds on entering the land so that they may not become economic burdens on the State. But the provision in the Indo-Burma Agreement, whereby every immigrant is asked to pay a high entrance fee, is one for which there is no justification nor exact analogue. It should also be remembered that other countries which have imposed economic and literacy qualifications have done so because the laws which make these stipulations contemplate an almost automatic grant of citizenship to the immigrant; and it is not desirable to take in paupers and illiterates as citizens. The permit purchased under the Indo-Burma Agreement, far from conferring any such right, definitely negatives such a presumption being made in favour of its holder. What benefits could an ordinary Indian hope to gain in Burma by paying Rs. 500? How is such a permit worth Rs. 500? One can understand the demand of a modest deposit to ensure that, if the immigrant proves a useless burden, he might be repatriated without expense to the State. The criticism that restrictions beyond that would really constitute prohibition, cannot, in the circumstances, be brushed aside as captious or unjustified. The third ground on which the Agreement has been attacked is its failure to provide the special safeguards necessary to protect the peculiar business and property interests of the Chettiar trading firms. As we have pointed out before, unless special facilities for the members of these firms and their agents freely to enter and leave Burma as occasion

demands are granted, these firms stand to suffer stagnation, if not immediate ruin.

Unless these points are borne in mind in working the Agreement and the defects mentioned above redressed, it is bound to occasion grave hardship on the Indian community. We do not think either that the modifications suggested are difficult to adopt or that they need upset the fundamental principles underlying the Agreement. Those principles, as we understand them, are mainly two. One is that those Indians who are already now in Burma and who ask for Burma domicile, electing to be citizens of that country, will be allowed to do so and that by making such a choice, they will be treated exactly as any citizen of the Burman race is treated. The other is that in order to enable this domiciled community to keep itself culturally and ethnically in vitalising contact with the mother country, further immigration should be allowed at least to this limited extent. This is apart from any immigration that may be found necessary in the economic interests of Burma. It has been the experience of those among the Indian community who hold lands in Burma that for efficient cultivation and harvesting, Indian labour is a vital necessity. In so far as this is so and to the extent that Burmans are not available to cultivate these lands at wage levels which are economic, it is reasonable that these landholders should be allowed to import Indian labour without difficulty. The number of workers so imported may be strictly limited to the extent of the ascertained shortage of Burman labour. It is not the case of Indians that the importation of Indian labour should be permitted so as to impoverish the Burmans' standard of living. Since it is obviously to the interest of Burma that her productivity should be kept at a high level in a manner which would raise, and not depress, the Burman standard of life, Burma should not only have no objection to the importation of Indian labour, but she should encourage it. It certainly is not to her interest to discourage the flow of seasonal labour on terms easy to her agricultural industry and in a mannar which will be far from detrimental to the interests of Burmese workers. For these reasons,

it should not, in our opinion, be difficult to reconcile India's essential rights with the vital interests of Burma. The Burma Government will doubtless remember in this connection that the Burma Sub-Committee of the Round Table Conference, on the basis of the report of which the separation of Burma from India was effected, "especially stressed the importance of there being no discrimination as regards Indians entering Burma."

One point on which the All-Parties meeting laid considerable emphasis is that in respect of the forthcoming negotiations between Ceylon and India, the procedure adopted in the matter of the Indo-Burma Agreement should not be repeated and that no definite pact should be concluded before the public in India have had an opportunity of studying the proposals in all their bearings. It has also been urged that, unlike in the case of the negotiations with Burma, non-official representatives should be associated with the members of the Government delegation. As there has been a violent controversy on both sides of the Straits over the issues connected with the problem, the best course will be not to enter into any Agreement before the public have had their say on the proposals on which the delegations of the two Governments may provisionally agree. Since action taken in the light of public opinion is always to be preferred, unless insuperable difficulties exist, we hope that in negotiating an Agreement with Ceylon, the procedure adopted by the Government of India will be such as will meet the wishes of the public."

In its issue of the 30th July 1941, the "Indian Express" *has the following leading article:—*

"The Indo-Burma Immigration Agreement was subjected to scathing censure at a representative meeting of Madras citizens held at Gokhale Hall on Monday. The proceedings of the meeting are a fitting present to the Viceroy who cannot absolve himself from responsibility for the hurt to Indian interests caused through the Agreement. In these days a combination of oppressive circumstances has led to scarcity of employment, but not only do Government take no measures to afford succour to the sufferers, they have

actually been a party to arrangements disabling them from seeking abroad the work and the means of livelihood denied them in their own country. Nothing can be more preposterous or unimaginative than the condition imposed on labourers intending to emigrate to Burma that in order to be allowed to do so they must obtain a permit, after paying down Rs. 37 to cover repatriation and other charges. To those that drafted the Agreement thirtyseven rupees may be a negligible sum, but to poor members of the working class being compelled to cross the sea in quest of labour to save themselves from starvation, it is an enormous amount, and people in a position to command it, are hardly likely to leave their homes for the sake of bread. In net effect, the condition imposed amounts to a virtual banning of labour emigration to Burma, and already it has led to nearly a thousand Indian labourers bound for Burma being summarily stopped on the way, and thrown into a helpless condition, without a place to go to or any means of livelihood, and no plan or project in the near or remote future from which any redemption can be hoped for from despair and starvation.

It is extraordinary that the Government of India should make themselves responsible for an Agreement of this kind, on the strength of conclusions arrived at in an alleged exploratory official mission, and thrust it as an accomplished fact on an unsuspecting public. The only forgivable claim that can possibly be advanced on behalf of Government is that they had been unaware of the intensity of public opposition which their proposals were calculated to evoke, but such a claim can no longer be made in view of the unequivocal condemnation with which virtually all parties in the City and presidency have greeted the Agreement. The bulk of Indian labour in Burma is drawn from the south, and so the voice of public opinion in Madras has an authority not to be lightly set aside in any consideration of the pros and cons of measures affecting the prospects of emigrant labour to Burma. At least now, the Government of India should bestir themselves to repair a great wrong that has been arbitrarily done to a poor and deserving

section of the population, and steps should be taken forthwith for stopping the Order-in-Council intended to give validity to this obnoxious Agreement. There is need for caution also in the matter of safeguarding Indian rights in Ceylon, and in view of the resentment roused as a result of Sir Girja Shankar Bajpai's activities in Burma, Government will be well advised to abstain from any negotiations with which non-official Indian representatives are not adequately associated."

Extract from the Indian Finance dated 26th July 1941.

'Burma's Victory'

"While the Government of India will readily welcome the Indo-Burma Agreement concluded by its nominees and even parade it as the achievement of its diplomacy of patience and goodwill, the public and the commercial organisations are hardly likely to feel that India's legitimate interests have been adequately safeguarded. India has never been so strong as to deny or so selfish as to be oblivious of, the place of give-and-take in Agreements of this kind. But when the upshot of the negotiations is the acceptance of the Baxter Report, with little or no modification thereof, it is difficult to avoid the feeling that the Agreement is but a tame surrender to Burmese claims. That the Agreement safeguards the rights of the Indian minority (of whom 40 per cent. were born in Burma) may be conceded, but it distorts the nature of previous intercourse with Burma. It may almost lead to the conclusion that the previously existing degree of 'penetration' was unwarranted and the terms are actually an endorsement of error and prejudice. That it allays Burman apprehensions may seem a virtue to the Governments, but opinion in India will certainly take note of the fact that the draft follows closely the Report of Mr. Baxter, which was at hand, but not considered at the time of the trade treaty negotiations. The new regulations issued under the Agreement end the era of limited intercourse. The Indian is an alien in Burma and if no quota is set for immigrants, the actual procedure will certainly discourage entry. It may be argued that one of the purposes of separation and

consequent autonomy has been served, and it may also be argued that the ban on immigration is similar to that placed on emigration to Malaya and Ceylon. That Mr. Baxter's recommendations have been accepted is perhaps the most surprising thing. The Indian delegation, entirely official and wholly complaisant, accepted the views propounded by Mr. Baxter and accepted by U. Sair's Ministry. It must, however, be observed that Mr. Baxter has admitted that no conclusion is possible as to the volume of Indian immigration or to the effects on employment except in Rangoon Port. The admissions, that Indians are ready to take lower wages than Burmans, that Port Trust workers are badly housed and ill-clothed as also that the seasonal immigration engenders discontent do not readily accord with the recommendations governing entry into Burma. Conditions laid down as regards Burma domicile are not unusual; but the essential bar to the acquisition of citizen rights in the case of workers is now accompanied by the formulation of terms for permits obtainable only on payment. The creation of a Board and the enactment of legislation in Burma are foreshadowed; so it is hardly necessary to canvass the possibility of changes. The Agreement is final and finite; its nature and scope may be indicated by the condition laid down as regards acceptance by all immigrants in the future and the formidable penalties for unlawful entry. The selection of suitable citizens from among holders of 'A' permits is envisaged, but one may deduce that such eligibles will be few. The regulation of immigration by land is not in shape yet, and the best that can be said is that the Provinces will offer co-operation. The *economic questions raised* by the Baxter Report and the new Agreement are, in the main, concerned with costs of farming. Anything which puts up the price of labour must lead to higher costs and *ergo* to higher prices for rice, if an actual fall in rice production does not occur. It is, perhaps, with the easy assurance born of recent developments in the rice trade that the curtailment of Indian labour is readily approved. As to the probable benefits accruing to Indians who have lived for seven years and over in Burma in terms of wages and labour conditions, only the future can give the

answer. A reduced supply of labour may excite competition particularly in War time and influence wage rates though not the rate of employment. The actual labouring population in Burma of Indian origin must be under half a million, so that natural increase in Burma's population may operate against the favourable effects arising from restrictions on immigration. It is well to be prepared against disappointment since the immobility of wage and other conditions is as striking as the immobility of labour in nearly all cases.

Indian immigration may be a special problem and special methods may be needed to deal with it in Burma though the lesson will not be lost on Ceylon which has five Bills against one. Moreover, the Agreement which closes the one surviving avenue for surplus agricultural labour in India, which struck to seasonal work, particularly, during harvests, does not mention the question of relief to the class affected. That perhaps is viewed as a problem for the Madras Government which has to face the question of increasing pressure in the rural areas. To enlarge the existing labour reserve will have its own effect on the cost of living and wages. The remote but most unsatisfactory result of the Agreement must be sought in South India. The superficial quality accorded to Indians who will take to passports and *visas* like Americans cannot blind one to the fact that, except for the domiciled Indian minority, whose rights have not been respected at all times, no class comes out well after the acceptance of the Burman demand by the Indian delegation. Disappointment in India will, however, be tempered by the feeling that local opinion must have been prepared for the various and far-reaching changes contained in the Agreement signed at Rangoon by Sir G. S. Bajpai, Mr. Bozman and Mr. Hutchings on behalf of this country."

APPENDIX.

THE INDO-BURMA IMMIGRATION AGREEMENT.

The Agreement is based upon two main principles, firstly, that Burma has, subject to the provisions of the Government of Burma Act, 1935, the right to determine the composition of her own population, and secondly, that Indians who have wholly identified themselves with the interests of Burma should enjoy the same rights as members of the permanent population.

It is obvious that in the peculiar circumstances of the two countries, their geographical proximity, their cultural and economic ties and their political association, the problems arising from regulation of immigration are of special complexity and delicacy. Both Governments have approached these problems in a spirit of cordiality and mutual understanding and are agreed that in giving administrative effect to the measures now proposed, the closest co-operation will be required in the same spirit of mutual adjustment and identity of purpose which characterised the negotiations. It is their earnest desire that the Agreement now achieved will serve to remove any causes for misapprehension which may have arisen either between the two countries or between the two communities in Burma and may furnish a lasting foundation for the development in the future of the firmest ties of friendship and goodwill.

The main provisions of the Agreement are :—

The Government of Burma agree that the notice given by them to terminate the operation of the Government of Burma (Immigration) Order, 1937, with effect from April 1, 1942, will be treated as withdrawn, and that notice to terminate the same will not be given before October 1, 1945.

The Indian Immigration into Burma will with effect from October 1, 1941 be subject to regulations and restrictions, in the manner hereinafter explained.

No Indian may enter Burma without a valid Indian passport containing his photograph and other particulars sufficient to establish his identity.

No Indian may enter Burma with a passport *visa* issued by or on behalf of the Government of Burma or an Immigration permit issued by or under authority of the Government of Burma.

The Government of India, or officers employed by them, may issue, on behalf of the Government of Burma and subject to terms and conditions imposed by the Government of Burma, *visas* on passports granted to Indians desiring to enter Burma as visitors or as students in educational institutions.

A *visa* on an Indian visitor's passport will be valid for three months but this period may be extended by or under the authority of the Government of Burma up to a total stay in Burma of twelve months.

A fee of Rs. 20 will be charged for visitors' *visas* but no fee will be charged for extensions.

A student's *visa* will be valid for a stated period not exceeding five years.

No fee will be charged for a student's *visa*.

Save as otherwise provided by the terms of this Agreement, no Indian may enter Burma without one of the following classes of permits :

(*i*) 'A' permits, which will entitle the holder to remain in Burma for an indefinite period and to accept employment therein. No bar will be placed on