

*Wednesday,
4th November, 1903*

ABSTRACT OF THE PROCEEDINGS

OF THE

Council of the Governor General of India,

LAWS AND REGULATIONS

Vol. XLII

Jan.-Dec., 1903

ABSTRACT OF THE PROCEEDINGS
OF
THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA:
ASSEMBLED FOR THE PURPOSE OF MAKING
LAWS AND REGULATIONS

1903

VOLUME XLII



Published by Authority of the Governor General.



CALCUTTA
PRINTED BY THE SUPERINTENDENT OF GOVERNMENT PRINTING, INDIA,
1904

Proceedings of the Council of the Governor General of India assembled for the purpose of making Laws and Regulations under the provisions of the Indian Councils Acts, 1861 and 1892 (24 & 25 Vict., c. 67, and 55 & 56 Vict., c. 14).

The Council met at the Viceregal Lodge, Simla, on Wednesday, the 4th November, 1903.

P R E S E N T :

His Excellency Baron Curzon, P.C., G.M.S.I., G.M.I.E., Viceroy and Governor General of India, *presiding*.

His Excellency General Viscount Kitchener of Khartoum, G.C.B., O.M., G.C.M.G., Commander-in-Chief in India.

The Hon'ble Mr. T. Raleigh, C.S.I.

The Hon'ble Sir E. F.G. Law, K.C.M.G., C.S.I.

The Hon'ble Major-General Sir E. R. Elles, K.C.B.

The Hon'ble Mr. A. T. Arundel, C.S.I.

The Hon'ble Sir Denzil Ibbetson, K.C.S.I.

The Hon'ble Sir C. L. Tupper, K.C.I.E., C.S.I.

INDIAN EXTRADITION BILL.

The Hon'ble MR. RALEIGH moved that the Report of the Select Committee on the Bill to consolidate and amend the law relating to the Extradition and Rendition of Criminals be taken into consideration.

The motion was put and agreed to.

The Hon'ble MR. RALEIGH moved that the Bill, as amended, be passed. He said :—“ The changes made in this Bill since its introduction are fully explained in the Report of the Select Committee, and, as no criticism has been received since that Report was laid on the table, I need not offer any further explanations on the present occasion. It is proposed, as Hon'ble Members will observe, to apply for an Order of His Majesty in Council to be issued under section 18 of the Extradition Act, 1870, declaring that Chapter II of the Bill shall have effect as if it were part of the Imperial Act, and for a like Order to be issued under section 32 of the Fugitive Offenders Act, 1881, declaring that Chapter IV shall take effect as if it were part of that Act. When these Orders are issued, it is proposed to bring our Act into force, in exercise of the power reserved by clause 1 (3) of the Bill now before Council.”

The motion was put and agreed to.

[*Sir Denzil Ibbetson ; Mr. Raleigh.*] [4TH NOVEMBER, 1903.]

CENTRAL PROVINCES MUNICIPAL BILL.

The Hon'ble SIR DENZIL IBBETSON moved that the Report of the Select Committee on the Bill to make better provision for the organization and administration of municipalities in the Central Provinces be taken into consideration. He said that no criticisms had been received upon the Bill as revised by the Committee.

The motion was put and agreed to.

The Hon'ble SIR DENZIL IBBETSON moved that the Bill, as amended, be passed.

The motion was put and agreed to.

INDIAN UNIVERSITIES BILL.

The Hon'ble MR. RALEIGH moved for leave to introduce a Bill to amend the law relating to the Universities of British India. He said :—" My Lord; the question is sometimes raised, whether English education has been a blessing or a curse to the people of India. In point of fact it has been both, but much more, I believe, a blessing than a curse. We note every day the disturbing effects of a new culture, imposed upon learners who are not always prepared to receive it; but still, it is a great achievement to have opened the mind of the East to the discoveries of Western science, and the spirit of English law. To the Schools and Colleges under our administration we owe some of the best of our fellow-workers—able Judges, useful officials, and teachers who pass on to others the benefit which they have received. To them also we owe the discontented B.A., who has carried away from his College a scant modicum of learning and an entirely exaggerated estimate of his own capacities—and the great army of failed candidates, who beset all the avenues to subordinate employment. Can we do anything to increase the gain, and to diminish the drawback? In other words, can we do anything to improve the methods of teaching and examination which produce these mixed results?

" This is the problem at which the Government of India have been steadily working during the past five years. After a careful preliminary survey of the ground, it was decided to summon a small Conference composed of men specially qualified to assist Government with their advice. The Conference met at Simla

[4TH NOVEMBER, 1903.] [Mr. Ralcih]

in September 1901, and University Education was the first subject to be taken up. It was not to be expected that a body of gentlemen, drawn from different Provinces, trained in different systems, would agree about everything. But on two points the Conference was unanimous. In the first place, it was agreed that the defects of our University system are so serious as to call for the application of wisely considered remedies. And in the second place, it was agreed that the University Senates, as at present constituted, are not well fitted to devise or to carry out the measures which are urgently required in the interest of our students. It appeared that in all Provinces, among all highly educated sections of the community, and especially among College teachers, there was a strong body of opinion in favour of re-construction and reform.

"The results of the Conference were so definite and so convincing that Government might have proceeded to act upon the advice given; but it was felt that our College teachers, scattered as they are over the whole extent of India, ought first to be consulted. For this purpose a Commission was appointed by Your Lordship in Council, in concurrence with the Secretary of State for India, 'to inquire into the condition and prospects of the Universities established in British India; to consider and report upon any proposals which have been or may be made for improving their constitution and working, and to recommend to the Governor General in Council such measures as may tend to elevate the standard of University teaching, and to promote the advancement of learning.' Of the seven gentlemen to whom this Commission was entrusted, I think five either had been or actually were engaged in the work of University teaching in this country. In the limited time at their disposal, the Commissioners conferred with 156 witnesses, and visited more than fifty Colleges; and they submitted a Report which embodied, in clear and concise terms, their answer to the questions brought before them by the witnesses whom they examined. To correct a prevailing misapprehension, I may say that the Report was accepted by all the Commissioners. My hon'ble and learned colleague, Mr. Justice Banerjee, whose co-operation I shall always remember with gratitude and pleasure, signed the Report, subject to a note of dissent on certain specified points.

"The recommendations of the Commission were received by a portion of the Press with a sustained chorus of disapproval. It was very commonly assumed that every recommendation, small or great, which concerned the Colleges, would at once be enforced by law; that the weaker Colleges would succumb, and that a monopoly would thus be secured for institutions supported by Government. Some, again, were of opinion that Your Excellency had determined to destroy or greatly to restrict the higher education, and that the Commissioners (admirably

[*Mr. Raleigh.*]

[4TH NOVEMBER, 1903.]

chosen for the purpose) were only the instruments of this tyrannical design. Now that the excitement has died down, I do not wish to dwell on the incidents of that period of agitation, but I should like to say that no published criticism or protest was left unregarded by Government. A wise Government will always listen to expressions of opinion; if they serve no other purpose, they indicate the difficulties to be overcome.

"After allowing time for public discussion, the Government of India issued a letter, accepting the principles of the Report, modifying some of the Commissioners' proposals, and inviting the Local Governments and the Universities to record their opinions on the scheme. The Local Governments, while differing in points of detail, agreed with the Government of India in thinking that the time had come to make a new departure, and that it was expedient to alter and practically to reconstitute the governing authorities of the Universities. The Universities, through their Senates or Syndicates, gave their opinions on many of the points of the Report, and it was made evident that the Senates of the three older Universities were strongly opposed to anything in the nature of constitutional change. No corporate body cares to admit that its constitution needs improvement. If Parliament had waited for the consent of the University of Oxford, the Statutes of Archbishop Laud might still be considered sufficient for all practical purposes; Professors might still be performing their duties as in the undergraduate days of Adam Smith; and College tutors might be following in the steps of the gentlemen on whom Gibbon conferred an unenviable immortality by describing them in his Autobiography.

"The next stage of our deliberations was perhaps the most difficult of all. Out of a mass of varying and often conflicting opinions, the Government of India had to choose the materials for a measure, not revolutionary but reconstructive, such as they could recommend for the acceptance of all those who are interested in raising the standard of University education. Your Lordship gave the necessary impulse and direction; our proposals have taken a practical shape, and I now move for leave to introduce a Bill to amend the law relating to the Universities of British India.

"In the historical summary prefixed to their Report, the Commissioners have shown that one direct result of British rule has been the establishment of Colleges, in which successive generations of Indian students have been trained for the learned professions, and for the higher branches of the public service. These institutions owe their origin to the influence of Government, to the zeal of those Indian leaders of thought, of whom the Raja Ram Mohan Roy may be taken as the type, and to

[4TH NOVEMBER, 1903.]

[*Mr. Raleigh.*]

the efforts of Christian missionaries. Their success and popularity led naturally to the demand for examining Universities, empowered to confer degrees ; this demand was conceded in the Education Despatch of 1854 and in the legislation of 1857, establishing Universities at Calcutta, Madras, and Bombay. Looking to the language of the Despatch, it is plain that the Universities were not intended to be examining boards and nothing more ; but in framing their legal powers it was thought sufficient to make provision for their functions as degree-giving bodies. These provisions have sometimes been narrowly, perhaps too narrowly, construed : within my own experience it has been suggested that the University of Calcutta has no power to hold and manage endowments of an educational character. To remove all such doubts, we propose in clause 3 of the Bill to define the powers of all five Universities in wide and general terms.

“ In the course of their inquiry the Commissioners found that almost all College teachers are in favour of enabling the Universities to provide teaching for advanced students ; but the schemes submitted were, for the most part, rather vague, and some of them involved an expenditure which Government is not in a position to face. The problem must be worked out gradually, with due regard to the interests and the sentiments of the Colleges concerned. The difficulty of the case is this, that University teaching implies a certain measure of centralisation. The colleges, which are scattered over the area of a Province, or it may be of several Provinces, will not at once appreciate the advantages of any scheme which invites them to send students to headquarters for instruction. For this reason the Commissioners dismiss the idea of concentrating advanced study in the chief Government College of each University. A local Professor who has carried his students through the preliminary stage of their studies is naturally unwilling to part with them just when they are acquiring the power to work independently, under his general supervision. His objection will be all the stronger if the men whom he sends to headquarters are to become students of another College, for this would involve the admission that the central College is on a higher academic planè than his own. But if it is found possible to form classes for advanced study under the control of the University, and if the students in these classes retain their connexion with the Colleges to which they belong, we may hope in time to establish a system of co-operation between the local and central institutions of the University which will conduce to the benefit of both. We have before us proposals for the formation of a central School of Science in more than one of the Universities, and, though we cannot speak with certainty as yet, we hope shortly to be able to say that the Universities are beginning to make better provision for advanced study in more than one branch of science and

[Mr. Raleigh.] [4TH NOVEMBER, 1903.]

learning. Indian benefactors have already come forward with offers of assistance ; and if there be among us any merchant or landholder, conscious of the benefits which he owes to the *pax Britannica*, and willing to devote a portion of his wealth to public purposes, I can think of no object more worthy of his generous support.

“ If we invite and enable the Universities to undertake new duties, the question arises, whether any changes in their constitution are necessary or desirable. The constitutions conferred on the three older Universities by the legislation of 1857 were of a simple character : all the legal powers of the University were vested in the Chancellor, Vice-Chancellor and Fellows, who constituted the Senate. In addition to a short list of *ex officio* Fellows, there were to be Fellows appointed by Government for life, and it was provided that the total number should never be less than 30 at Calcutta and Madras, or less than 26 at Bombay.

“ No maximum limit was fixed, and this must be regarded as an unfortunate circumstance ; for the distinction of a Fellowship, carrying no emolument and involving no obligatory duties, was bestowed by Government very freely, and in many cases merely by way of compliment. In recent years, the total number of Fellows has stood as high as 205 at Calcutta, 201 at Madras, and 333 at Bombay. A considerable proportion of the existing Fellows do not take any active part in University business ; they attend in large numbers only when an appointment is to be made, or when a vote is to be taken on some question which has excited interest out of doors.

“ We propose now to reconstitute the Senate so as to make it the working Council and Governing Body of the University, and we propose in the first place to fix a maximum number of 100 (in addition to *ex officio* Fellows) in the three older Universities, and 75 for the Punjab and Allahabad.

“ If this limit is accepted, the Government of India are of opinion that the list of *ex officio* Fellows ought to be revised and to some extent curtailed. It is proper that Government should retain an adequate representation, but we desire to make the Senate an academic body, and it is not advisable to alter its character by too large an admixture of the official element. The Bill therefore provides that the Chief Justice or Chief Judge of the local High Court, the Bishop of the diocese, and the Director of Public Instruction shall always be Fellows, and that the Councils of the Governor General and of the Governors of Bombay and Madras should retain their places ; but we suggest that the Commander-in-Chief and the Military Member of Council may be omitted from the Calcutta list. Power is given to make additions to or alterations in the lists as contained in the

[4TH NOVEMBER, 1903.]

[*Mr. Raleigh.*]

first Schedule to the Bill, but it is provided that the total number of *ex officio* Fellows shall not exceed ten.

“ The *ex officio* Fellows will of course retain their membership of the Senate for such period as the official fates may determine. Subject to certain transitory provisions of the Bill, the ordinary Fellows will hold office for five years. The wisdom of this proposal has been questioned, on the ground that Fellows appointed for a limited term will have to consider their prospects of re-appointment, and will therefore be less independent than Fellows appointed for life. A similar objection might be urged against the constitution of almost any deliberative assembly in the British Empire. If the Senate is to be a representative body, it seems expedient that its membership should be renewed from time to time, so that any study or interest not adequately represented may be strengthened ; and this end is best secured by providing for a regular rotation. The transition from a system of life Fellowships to one of terminable Fellowships need not be made too sudden : we propose therefore that the Senates, as reconstituted under the Bill, should remain unchanged for three years, and that at the end of that period the rotation should begin, the names of those Fellows who are to retire being chosen, in the first instance, by lot.

“ Under the Acts of 1857, the right to appoint Fellows of the three older Universities was vested in Government : the Acts incorporating the University of the Punjab and the University of Allahabad make provision for election by the Senate. In 1890 Lord Lansdowne invited the Masters of Arts and holders of corresponding degrees in other Faculties of the University of Calcutta to choose from among themselves two gentlemen whom they would recommend for selection : the names of the persons chosen were to be submitted for the approval of the Governor General in Council. This precedent was followed at Bombay and Madras ; election by Graduates has become an established institution, and the privilege conferred is highly valued by those Graduates who exercise it. The privilege depends on executive orders which may at any time be withdrawn ; it is now proposed to place it on a statutory basis. When the Senate includes 100 ordinary Fellows, the Bill provides that ten shall be elected by Graduates. The Graduates qualified to vote are those who have taken the highest degree in any Faculty, and those who have taken two degrees, one being in the Faculty of Arts : we insert a saving clause in favour of those who took the degree of Bachelor of Arts at Calcutta before 1867, that is, before the higher degrees were instituted. Provision is made for the formation of a register of electors, and for the payment of an annual fee for registration. It is thought that the

[4TH NOVEMBER, 1903.]

[*Mr. Raleigh.*]

fee may be of use in two ways, first by making a small addition to the resources of the University, and secondly by sifting out those who are indifferent to the privilege of voting.

“These provisions will not at once apply to the University of the Punjab or to the University of Allahabad. In their cases the Act of Incorporation gives a limited right of election to the Senate, subject to the approval of the Chancellor. There is no complaint as to the results of this rule, and no demand as yet for election by Graduates; but we propose in each case to take powers which will enable the Chancellor, with the sanction of the Government of India, to introduce the wider in substitution for the narrower form of election, if and when he thinks it expedient to do so.

“There is still a third form of election provided for in the Bill. It is proposed that a number of Fellows, not exceeding ten in the three older and seven in the two junior Universities, should be elected by Members of or Graduates in the several Faculties, and that the Chancellor should be empowered to prescribe conditions subject to which such Members or Graduates shall be qualified to elect or to be elected. The object is to secure the presence in the Senate of men specially qualified in the studies represented by the Faculties. When election is by the general body of Graduates, a certain amount of canvassing is almost inevitable; but if the Faculties are asked to choose their best men, it may be hoped that merit only will be considered.

“At some future time, Government may possibly have to consider whether the elective principle should be further extended; for the present, I trust that the scheme embodied in the Bill may be accepted as adequate. It will not satisfy those Graduates who would like to see half the Senate recruited by election, but it places the right of election on a statutory basis, and the future will depend on the use that is made of the rights which Government is now prepared to confer.

“Subject to what has been said of elections, we leave to the Chancellor the difficult and delicate task of making a selection among existing Fellows, of deciding whom he will retain as members of a working Senate, and whom he will relegate to the position of Honorary Fellows. We desire to have a Senate in which the studies of the University, the Colleges affiliated to it, and the religious communities which send their young men to these Colleges will all be fairly represented. Personal claims must be subordinated to the interest of the corporate body, but the transition from the old system to the new will not be associated with any act which can justly be regarded as a personal slight.

[4TH NOVEMBER, 1903] [Mr. Raleigh.]

“ In the Acts of Incorporation, the constitution of the Faculties has been left undefined ; in practice, the Senate passes orders from time to time, assigning the Fellows to one or more of the Faculties. The Commissioners had to deal with a number of plans for adding to the number of the Faculties : at Calcutta, for example, it was suggested that the Faculty of Arts is too large and too miscellaneous, and that relief might be given by instituting a Faculty of Science. It seems most expedient that each University should be free to make its own arrangements ; we propose, therefore, to give power to constitute and re-constitute the Faculties by regulations.

“ In each of the five Universities, executive business is conducted by the Syndicate ; the numbers and the constitution of this body are not everywhere the same, but I need not detain the Council by describing differences of detail. We propose, as I shall explain presently, to invest the Syndicate with large powers of supervision in relation to the affiliated Colleges ; it is, therefore, a matter of the utmost importance to provide each University with an executive authority whose competence to decide questions of College administration will be generally recognised. We propose, in the first place, that the Syndicate should be a small body, not less than nine and not more than fifteen in number. Where this maximum limit is exceeded, the Syndicate becomes, so to speak, a second Senate, and its executive efficiency is to some extent impaired. If the scheme embodied in clause 15 of the Bill is accepted by Council, the Vice-Chancellor will continue, as at present, to be Chairman ; the Syndicate will elect its own Vice-Chairman ; and the Director of Public Instruction will be an *ex officio* member. The ordinary members will be elected by the Faculties, in such proportion as may be determined by regulation. In order to secure the closest possible co-operation between University and College authorities, we propose that as nearly as may be one-half of the elected members shall be Heads of, or Professors in, affiliated institutions. It is very desirable that the Syndicate should include officials and business men who are able to devote a portion of their time to the affairs of the University ; and, where Colleges are in question, it is also very important that the Syndicate should be guided by the experience of those who understand the practical bearing of the rules under discussion.

“ I come now to those provisions of the Bill which relate to Colleges, and, by way of indicating the magnitude of the question on which we are entering, I may begin by stating that in British India there are 191 Colleges connected with the Universities, and that, in these Colleges, there are more than 23,000 students. Looking to the fact that we require a constant supply of men for the professions and for the public service, it cannot be argued that the number is excessive. As to the quality of the training given, the Commissioners, who inspected a large

[*Mr. Raleigh.*] [4TH NOVEMBER, 1903.]

number of Colleges, have passed a discriminating verdict. We have good Colleges in India—Colleges which leave their characteristic impress on the minds and characters of their students. And we have Colleges which lack not merely the adjuncts and appliances but even the necessary elements of a liberal education. In attempting to frame rules for institutions so diverse, there are, as it seems to me, two principles to be kept in view. In the first place, a College is, or ought to be, a self-governing society. A good College has its own traditions, its own ideals of scholarship and conduct, its own special claim on the allegiance of those who belong to it. The Commissioners dealt with the question of discipline, but when they came to the question of moral and religious training, they left it on one side, because they felt that the problem must be worked out by College authorities on their own responsibility.

“ But, my Lord, there is another aspect of the case. A College is a public institution, enjoying a valuable privilege conferred upon it with the sanction of Government ; it ought, therefore, to be inspected and controlled, like other institutions of the same class. This is clearly implied in the Despatch of 1854, but the policy there set forth has never been fully carried out. Our Senates and Syndicates have been occupied in elaborating the details of an all-embracing examination system ; they have not had time to devise measures which might have prevented the admission of unsuitable Colleges, or the deterioration of Colleges already in existence. So complete has been the liberty enjoyed by College authorities that in some cases they resent the idea that Government has the right to lay down rules for their guidance. If any such objection is taken to this Bill, I am content to refer to the conditions under which collegiate societies are doing their work in other parts of the world. Your Lordship and I are members of two Oxford Colleges, one of which counts nearly five, the other more than six, centuries of vigorous life. Throughout their history, these Colleges have been governed by Statutes, imposed upon them by outside authority, and their Statutes have been altered from time to time, when the Government of the day thought that changes in their methods were required. If the Colleges of India are to take rank with the best Colleges elsewhere, they must begin by accepting some at least of the restraints which are not found oppressive by Balliol and All Souls. With this prefatory observation, I proceed to give some account of the measures by which we hope to raise the standard of College education in this country.

“ We propose, first, that a College applying for affiliation shall be required to satisfy the Syndicate on these very definite points—

- (a) The constitution of the governing body. If a College is to be permanent, it must be something more than a proprietary concern. The Commissioners are careful to point out that some at least of the

[4TH NOVEMBER, 1903.]

[*Mr. Raleigh.*]

- private Colleges owe their origin to the desire of promoting a particular kind of education, and not to the hope of gain; but they recommend that in each case there should be a properly constituted governing body, and I may observe that this recommendation was accepted by the Calcutta Senate.
- (b) The qualifications of the teaching staff, and the terms on which they are engaged.
 - (c) The buildings in which the College is to be located, and the provision to be made for the residence, supervision, and physical welfare of the students.
 - (d) Residence of the Head of the College and members of the teaching staff. It may, in some cases, be impossible to make provision for this, but we desire, so far as circumstances permit, to give our Colleges a residential character.
 - (e) The financial resources of the College.
 - (f) If there are other Colleges in the same neighbourhood, it is proposed that the Syndicate should inquire whether the affiliation of a new College will not be injurious to the interests of education or discipline. In some parts of India, the rivalry of neighbouring Colleges has led to underselling and other abuses.
 - (g) The fees to be paid by students. The Government of India have not thought it necessary to take a general power to regulate fees; but it is thought that the Syndicate should have such powers of inquiry as will enable them to deal with cases of underselling.

“If information is furnished on all these points, and if the proposed College is duly inspected, the Syndicate, the Senate, and ultimately the Government will have materials before them which will enable them to decide as to the expediency of adding to the list of affiliated institutions.

“In regard to existing Colleges, it is proposed that they should be required to furnish such reports, returns and other information as the Syndicate may call for, and that they should be liable to inspection. The Bill also provides that the Syndicate may call upon a College to take such action as may appear to them to be necessary in respect of any of those definite matters to which I referred in speaking of new Colleges applying for affiliation. This is a wide

[*Mr. Raleigh.*] [4TH NOVEMBER, 1903.]

power, and we may be told that the Colleges are being placed at the mercy of the Syndicate. But the Syndicate, if our scheme is accepted, will be largely composed of College teachers, and it is to be expected that an authority so constituted will know how to make allowance for the difficulties of College administration, and will refrain from pressing any unreasonable demand. Changes, such as we advocate, can only be carried out gradually, and teachers who have grown up under the old system must have time to adapt themselves to the new.

“ When a College is hopelessly unable to bring its work up to the University standard (this, I hope, will very seldom occur), it may be necessary to consider the question of disaffiliation. This extreme penalty has not often been inflicted in the past, but such experience as we have indicates the expediency of framing some rules of procedure. It is, therefore, provided in the Bill that, when notice is given in the Syndicate of a proposal to disaffiliate, the College concerned shall be furnished with a statement of the grounds on which the motion is made, and shall be invited to submit a statement in reply. It is to be noted that all proposals to affiliate a new College, or to disaffiliate an existing institution, will be reported by the Syndicate to the Senate, and that the final order will in each case be passed by Government. The decisions of University authorities may conceivably be influenced by the views and interests of the more powerful Colleges, and it seems best to leave the final decision with an authority which can deal with all institutions on their educational merits.

“ The Bill is a short one, but its 29 clauses embody the results of long inquiry and discussion, and I have thought it right to state fully the reasons which have induced the Government of India to propose fundamental changes in the constitution and working of our Universities. The Report of the Commission touches on many matters of principle and detail which I have not even mentioned, because they are matters which must be left to regulations. We propose in clause 25 of the Bill to recast and in some points to amplify the rule-making powers of the Universities. If the Bill is accepted and passed into law, each University will be invited to prepare a revised body of regulations. To avoid any unnecessary delay, it is provided that Government may make additions to, and alterations in, the draft submitted, and that, if no draft is submitted within a prescribed time, Government may make regulations for the University. This, of course, is an exceptional power, and we may assume that it will be used with discretion. It would obviously be a great mistake to make use of such a power to introduce changes which the Universities are not

[4TH NOVEMBER, 1903.] [*Mr. Raleigh ; Sir Denzil Ibbetson.*]

yet ready to accept. Each University has its own ideas, and must be allowed to choose its own path ; and, while we may hope that each will profit by the experience of the others, no wise administrator would desire to reduce them all to a monotonous uniformity of practice.

“ There is one point in the Bill to which I wish to call attention, because it relates to my own University of Calcutta. Four of our Universities are placed under the care of their respective Local Governments ; at Calcutta the Governor General is Chancellor, and the University is in direct communication with the Government of India. There is no desire in any quarter to alter this arrangement ; I may say without flattery that any such alteration would be specially inappropriate at the present time, in view of the unceasing labour and study which Your Lordship has bestowed on all questions connected with the advancement of education. But the Government of Bengal is deeply interested in the fortunes of the University ; we propose, therefore, that the Lieutenant-Governor should be constituted Rector, and that he should be associated with the Chancellor as one of the heads of the Corpórate Body.

“ Such, my Lord, is the measure which I now ask leave to introduce. My aim has been to show that, in framing these clauses, we have proceeded, not on the fanciful idea that we can impose a higher standard on our Universities and Colleges by a single Act of the Legislature, but on sound principles, carefully thought out. Our scheme will be closely criticised, but I trust that its main purpose will not be misunderstood. The object of the Bill is to strengthen the Universities of British India, so that they may be able in time coming to aid in the advancement of learning, and to promote the best interests of the young men who are committed to their charge.”

The Hon'ble SIR DENZIL IBBETSON said:—“ My Lord, although the charge of this Bill has been most naturally and fittingly entrusted to my Hon'ble Colleague, who speaks on University matters, both in England and in India, with an authority and a fulness of knowledge to which no other Member of the Executive Council can pretend, yet, as the Member in charge of that Department which is concerned with matters of Education, I am unwilling to give a silent vote upon the motion before us. I propose therefore to say a very few words in support of the general principles upon which the Bill rests.

“ I suppose that no responsible person will deny the need for some reform in our University system. That has been established beyond dispute by the inquiries of the Universities Commission. And indeed, it would be strange

[*Sir Denzil Ibbetson.*] [4TH NOVEMBER, 1903.]

if no reform were needed. The three senior Universities were established in 1857—the year when I first went to school—and their constitution and practice naturally followed English models then existing. Now I can testify, from my own personal knowledge, to the revolution which has taken place since that time in English ideas upon the subject of education. I can remember a time when it is hardly too much to say that anybody was thought good enough for a schoolmaster, when it was held sufficient for a man to know a subject himself in order to be able to teach it to others, and when examination was the only test of education. Today teaching has become at once a science and an art, and it is recognised that examinations test only a portion of what a youth should learn at school or college. The standards, the whole conception of education, have been widened as well as raised.

“It is to secure the application of these enlarged standards and this wider conception to our Indian collegiate education, and to render our Universities more efficient agencies for the purpose, that is the main object of the changes now proposed. It is not sufficient, in order to justify the extension to and the retention by a College of the privileges which flow from affiliation, that it should so instruct its students that they are able to satisfy paper tests. In order to justify its recognition by a University it must be, and continue to be, a place of sound education in its widest sense; a place where discipline is enforced and good morals inculcated, as well as adequate provision made for instruction, and where character is formed as well as brains; a place the existence of which is conducive to the best interests of higher education in India. And to ensure that this shall be so, it is essential that the Universities should maintain a closer and more continuous influence and control than can possibly be exercised from the examination-room, that the safeguards which affiliation is intended to afford should be made realities, and that examination should be supplemented by inspection.

“We recognise that in thus imposing enlarged duties upon the Universities, and in demanding from the Colleges a higher standard of efficiency than has hitherto been insisted upon, or than has in all cases been maintained in the past, we shall render necessary a certain amount of additional expenditure. We desire to facilitate the reforms which we are initiating, and to meet with liberal recognition and assistance all genuine effort at improvement; and we have therefore, with the approval of His Majesty's Secretary of State, decided to make, for five years, special grants in aid of Universities and Colleges whose claims to special assistance in carrying out the reforms which we have in view are established, subject to an annual limit of five lakhs of rupees.

[4TH NOVEMBER, 1903.] [Sir Denzil Ibbetson; Mr. Raleigh.]

“ The second point upon which I wish to touch is, the responsibility of Government in this matter, and the necessity of reserving to it the ultimate control over the higher education of the country. That education, as now understood in India, is in the main an exotic which has been introduced by ourselves, and which is framed upon European models; and for that reason alone, even if no other existed, it would be necessary to retain control in the hands of the only agency which can ensure that the advances which widening experience and increasing knowledge indicate as desirable in Europe, are followed in this country as closely as the circumstances of India will permit. But a still stronger and more weighty reason is to be found in the infinite importance of the interests involved. My Lord, youth comes to each of us but once in his life. Those few years during which the character and the intellect are plastic, and receive the impress which is to determine the whole future of the individual, are his most precious possession; and if they are wasted, or are not employed to the best advantage, the loss to him is irreparable. The young men who year by year pass through our Colleges and out of our Universities are, broadly speaking, the intellectual flower of the people of this country. The Universities owe their existence to the Government, they derive their authority from the Government; and Government would be abnegating one of its highest duties, did it fail to reserve to itself the power of ensuring that the immense influence which that authority enables them to exert is exerted for the greatest benefit of the youth of India.”

The motion was put and agreed to.

The Hon'ble MR. RALEIGH introduced the Bill.

The Hon'ble MR. RALEIGH moved that the Bill, together with the Statement of Objects and Reasons relating thereto, be published in the Gazette of India in English, and in the local official Gazettes in English and in such other languages as the Local Governments think fit.

The motion was put and agreed to.

The Council adjourned *sine die*.

SIMLA ;
The 5th November, 1903. }

J. M. MACPHERSON,
Secretary to the Government of India,
Legislative Department.