

*Tuesday,
25th September, 1917*

ABSTRACT OF THE PROCEEDINGS
OF THE
Council of the Governor General of India,
LAWS AND REGULATIONS

Vol. LVI

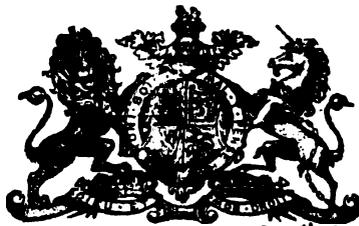
April 1917 - March 1918

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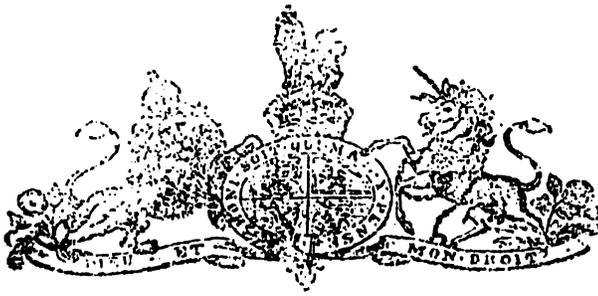


& Debates Section

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1918



GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

PROCEEDINGS OF THE INDIAN LEGISLATIVE COUNCIL ASSEMBLED UNDER
THE PROVISIONS OF THE GOVERNMENT OF INDIA ACT, 1915.
(5 & 6 Geo. V. Ch. 61.)

The Council met at the Council Chamber, Viceregal Lodge, Simla, on Tuesday,
the 25th September, 1917.

PRESENT :

The HON'BLE Mr. G. R. LOWNDES, *Vice-President, presiding*, and 52
Members, of whom 47 were Additional Members.

**RESOLUTION *re* TERMINATION OF CONTRACT
WITH EAST INDIAN RAILWAY.**

The Hon'ble Sir Ibrahim Rahimtoola :—" Sir, I beg to move
the following Resolution :—

'That this Council recommends to the Governor General in Council to give the required
notice to the Managing Company of the East Indian Railway in accordance with the terms
of the existing contract.'

"The Resolution as originally sent in March last was intended to raise a
discussion of State *versus* Company management. Under the terms of the
contracts now subsisting with the various Managing Companies it is provided
that notice of termination of contracts has to be given at the end of the period
mentioned in the contracts. The first contract with the East Indian Railway
falls due in 1919 and under the terms of that contract notice has to be given
two years before, that is, during 1917. As I have said it was my intention
to raise the question of taking over the management of the Railway, the
urgency of the matter was that notice had to be given in 1917. I therefore
gave notice in two parts, the first requiring that notice should be given to the
Railway Company as required by the terms of the contract and the second recom-
mending that the management should be taken over by the State. I have
had a talk on the matter with the Hon'ble Member in charge and I have
agreed to have a separate Resolution in the Delhi session as Government have
ample time to decide the question of giving notice; as the contract does not
terminate until 1919, there will be plenty of time to discuss the matter in the
Delhi session, and I have therefore confined my Resolution to that part only
which is really urgent and relates to the giving of notice. I trust Government
will accept it and give the necessary notice so that the question may be
considered whether there should be a renewal of the contract on different terms

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Mr. M. A. Jinnah.]

with the existing Company, or whether a new Company is to be brought in, or whether the East Indian Railway Company is to be brought in under separate Management. There will be ample time for the consideration of these questions in the Delhi session and I therefore trust Government will accept the Resolution I have moved."

The Hon'ble Sir George Barnes:—"Sir, I am glad to say that we are able to accept this Resolution. The Secretary of State a short time ago proposed to us that in any case notice should be given to the East Indian Railway Company, and the Government of India agreed with him that, whatever the future of the East Indian Railway may be, it is quite clear that notice ought to be given and notice will be given accordingly during the current year. As I have said, I am glad to be able to accept the Resolution."

The Resolution was adopted.

**RESOLUTION *re* THE APPOINTMENT OF A MIXED
COMMITTEE TO EXAMINE THE WORKING OF
THE INDIAN RAILWAYS ACT.**

The Hon'ble Mr. M. A. Jinnah:—"Sir, the Resolution which I beg to move runs as follows:—

'This Council recommends to the Governor-General in Council that a mixed committee be appointed to examine the working of the Indian Railways Act and to make their recommendations at an early date.'

"Now, the Council is perhaps aware that when the Indian Railways Act of 1890, was passed we had two previous English Acts, one was the Act of 1888 and another of 1873. On examining the Indian Railways Act of 1890, I find that instead of following the model of the later English law, namely, the Act of 1888 the earlier Act of 1873 has been followed. That is an anomaly, which I have no doubt will be explained by the Hon'ble Member in charge. But it is quite possible that the reasons were that some of the guaranteed Railways, the Bombay Baroda and Central India and the Great Indian Peninsula Railways were in different circumstances when the Government framed the Act of 1890. But, Sir, I submit that the time has come for overhauling that Act and particularly the provisions which will place the administration of Indian Railways on a sounder footing. Personally, I would like to see provision somewhat on the lines of the English Act regarding a permanent Commissioner to hear complaints embodied in the Act. Perhaps, the Council is aware that Mr. Robertson was appointed some time ago to inquire into Railway administration and that after a very careful inquiry he made an important report in 1903. In that Report he pointed out that the Railway Commission which is provided for in the Act of 1890, has never been taken advantage of for

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obvious reason and that under section 26 of the Indian Railways Act a Commission can only be appointed when asked for by the Governor-General in Council and what is more, it is so expensive, so costly, and probably the party asking for a Commission may have to pay the costs. Section 26 of our present Act reads thus :—

‘ For the purposes of this Chapter, the Governor-General in Council shall, as occasion may, in his opinion, require, appoint a Commission styled a railway commission (in this Act referred to as the Commissioners) and consisting of one Law Commissioner and two Lay Commissioners.’

Then it provides for the costs.

‘ The costs of and incidental to any proceedings before the Commissioners or the High Court under this Chapter shall be in the discretion of the Commissioners or the High Court as the case may be ’

‘ The point that I wish to bring to the notice of the Council—I do not wish to go into the details of the constitution of the Commission as provided for in this Act because it is quite unnecessary to go into those details—is that you here have a commission appointed if any body asks for it, it is not a permanent commission, under the statute, it is not a commission, as I shall point out to the Council, such as we have under the English Act. And, further, the part relating to the costs, is rather an important matter to consider. Now, Mr. Robertson, who as I told the Council before, had gone into this question at great length and this is what he said in his report :—

‘ Under the provisions of the present Indian Railways Act, the calling into existence of the Railway Commission to hear complaints against the Railways is considered so costly an undertaking that the commission has never once been created.’

“ In his report he also recommended that to afford the public and the Railways the greatest advantages of which the commission is capable, it should be required to hold its courts not only at a few chief centres but where exceptional circumstances arise at the place nearest and most convenient to the complaint, having regard to the general convenience of all others interested. Now the English Act of 1888 provides quite a different machinery, and that is contained in section 2 of the English Railways Act which constitutes the commission. Section 2 runs as follows :—

‘ On the expiration of the provisions of the regulation of Railways Act, 1873, with respect to the commissioners therein mentioned there shall be established a New Commission styled the Railway and Canal Commission (in this Act referred to as the Commissioners) and consisting of two appointed and three ex-officio Commissioners, such Commission shall be a court of record.....’

“ Section 5 empowers the Commission to hold sittings in any part of the United Kingdom, and in such place or places as may be most convenient for the determination of the proceeding before them.

“ Therefore, Sir, what I urge is this, that instead of having a provision such as is contained in our sub-section 26, we ought to have a permanent Commission which will be available to any complainant, and what is more, they can sit in any part of the country where the complaints can be heard and investigated. Mr. Robertson in his report made his recommendation and urged regarding this matter the following point which I shall give in his own words. Paragraph 61 of his report says.—

‘ The Commissioners in addition to their duties on the Board, should be employed in association with a Law Member when a question of Law arises as Commissioners for the purposes of Chapter V of the Indian Railways Act (IX of 1890) which regularises Railway Commissioners and Traffic facilities *the present Act being revised on the lines of the English Railway and Canal Traffic Act of 1888* so as to permit of the Railway Commission always being in session.’

“ Another thing that I wish to bring to the notice of the Council is this. At present the control of the Government of India as I understand is *nil* over

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the Railways. We know that cases are not unknown where the Railway Board have been able to get round the Secretary of State for India in certain matters over the heads of the Government of India. As far as I understand, Sir, the Railway Board is not constituted or established so as to give any control over it to Government under the statute, and the Agent or Traffic Manager of a Railway Company is not in any way subject to the control of the Government of India. I know that there is a Member in the Secretary of State's Council who is called the Railway Director, and through him, no doubt, the Secretary of State is very often approached and influenced, but I have not been able to find out any statutory power which vests in the Government of India any authority to interfere with the Railway Board or the Agent or the Traffic Manager of any Railway Company. I submit, Sir, that we ought to take more powers, and the Government of India ought to have more control over the Railways than it has at present.

"The next point that I wish to bring to the notice of the Council is this. The complaints which I would divide into various heads might be heard by this Commission which I propose should be created by the statute. The complaints would be first of all from commercial and trading firms with regard to rates and with regard to preference which might be given, and in that the commercial community of this country is very much interested. With regard to this complaint it is not unknown that sometimes preference is given and therefore it would be much more satisfactory if any such complaints were made to the Commission which would be an independent tribunal and it would hear both sides, namely, the Railway Company or those representing the company and the complainant.

"Then the next item which might be considered is this: passengers' complaints. With regard to passengers' complaints we know that it is a very well known fact in India that there is a great deal of overcrowding, which is visible to any casual traveller at any station when travelling, and that is a matter which requires very careful attention and it ought to be put right. Then there are many other matters such as ventilation, lighting, sanitation, and particularly the refreshment rooms. These are only a few suggestions which I want to put before the Council to show why a committee should be appointed, and I do not say that every one of these questions will have to be embodied in the Act. These are some of the suggestions that I put before the Council in order to support my resolution that it is time that a committee should be appointed to consider all these questions and make such recommendations as the committee may think proper with a view to modify the present Act of 1890. Then also the question of public safety may be considered. We know, Sir, that accidents happen and in the case of an accident at present, as far as I have been able to make out, you have merely the railway officials and somebody representing the Government or the Police. Those are the two bodies who have any voice in the matter of inquiring into any railway accident. There again it is desirable in the case of any serious accident to have some non-official representative at the inquiry. There might be a *panch*, or there might be one or two citizens who should be associated with the Railway authorities, and they should have a voice in the inquiry in the case of any serious accident. At present, the inquiry is made by the Railway authorities and nobody else practically.

"Then the next question that is also of great importance is in regard to the railway employees. Now I am not dealing with the bigger employees, nor am I dealing with the clerks and railway officials, but the largest number employed by the Railways belong to the humbler class, namely, the labourers, and so far as those employees are concerned we know there have been strikes, and particularly a

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recent strike in Bombay, *vis.*, the Great Indian Peninsula Railway strike. I am quite sure, Sir, that if there was any machinery such as Conciliatory Boards or a Commission which could have inquired into this matter, the strike would not have lasted as long as it did, and it was certainly a tremendous loss to the Railway which is after all a State Railway, and a loss to those poor strikers. Perhaps the Hon'ble Member knows that outside or private intervention was objected to but eventually His Excellency the Governor of Bombay had to intervene and it was really that intervention which put an end to that strike. Therefore I say it is absolutely essential that there should be some machinery by which these strikes can be dealt with, and a body which would hold the scales even between the Railway Company and the labourers should be constituted to deal with the matter. In the past I believe some such procedure was adopted. I think there were strikes in 1906 and 1907, and particularly I may mention the strike which took place on the Eastern Bengal State Railway when the drivers and foremen caused a temporary dislocation, and also on the East Indian Railway when the European and Eurasian drivers of Howrah struck, and that really was a very serious strike, and it was only terminated by the appointment by the Government of a special Board of conciliation based on the lines of the Boards recently introduced into England to consider the representations of these men, and the Conciliation Board dealt with the question of higher pay, of mileage allowance and extra pay for working overtime and on holidays and so on. That was done in the case of the strike in Howrah on the East Indian Railway line. But there is no provision in the statute for it in India; that was only done to meet that particular case. We know perfectly well that as we go on, although we do not wish to have these troubles and nobody wants these troubles less than I do, we know that the labour question must grow in importance. In England, where labour is so well organised and so powerful you have, notwithstanding that, provisions for dealing with these labour questions satisfactorily, and therefore I say it is essential that in this country we should have some definite provisions and machinery by which these questions can be dealt with. I would draw the attention of the Council to Section 31 of the English Act which lays down the provision with regard to complaints to the Board of Trade about unreasonable charges by Railway Companies. I do not wish to trouble the Council by reading the section which also lays down the machinery to deal with complaints about unreasonable charges by Railway Companies. It says:—

'The Board of Trade, if they think there is reasonable ground of complaint, may call upon the railway company for an explanation and endeavour to settle any differences between the complainant and the railway company.'

"You also find that, what is more, the Board of Trade—

'Shall from time to time submit to Parliament reports of the complaints made to them under the provisions of this section, and the results of the proceedings taken in relation to such complaints, together with such observations thereon as the Board of Trade think fit.'

"Therefore I would submit that in all these matters, not only these complaints and these grievances, if any, put forward should be investigated by a proper body constituted under the statute, but the reports of the proceedings should be submitted to the Imperial Legislative Council.

"Well, Sir, these are some of the points which I submit are such as require very careful consideration and hence I submit, Sir, that our Act needs modification and revision. I would therefore ask the Council to accept this Resolution.

"Then, as to the constitution of any Committee that might be appointed, to consider these various points, I submit that it should be a small Committee. After all, on most of these points we have the model and the experience of England, and there would not be much difficulty in following that model and experience, save and except in such matters of detail where the circumstances

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and the conditions of this country are different. Therefore, I would submit Sir, that a very small committee should be appointed consisting of one member who should represent the commercial class, one member who should represent the travelling public, while the rest of the members of the committee might consist of representatives of the Government and the Railway Companies. But the committee should be as small as possible. Then that committee, if they wanted any information, would take such evidence as they might require or call for such information as they might require on these various questions. The reason I advocate a small committee is that it would be able to proceed without delay to inquire into the matter and make recommendations."

The Hon'ble Sir George Barnes:--"Sir, if my Hon'ble friend has in mind the appointment of a Committee forthwith to overhaul the Railways Act of 1890, and to consider what amendments may be desirable I am afraid that it is not possible to meet his views, but if he likes to bring forward his Resolution again after the conclusion of peace, I can promise him that it will be considered very carefully and very sympathetically.

"With a great deal of what has fallen from the Hon'ble Member, I entirely agree, but I do not think that the present time is the right time for action. As my Hon'ble friend well knows, the greater part of the Railways Act is of a highly technical nature, and it would not be practicable to attempt a revision without the skilled assistance of technical experts both on the committee and as witnesses. Now at the present time all our railway experts, all our technical railway experts have got more to do than they can possibly get through. Many of them have joined the Indian Army Reserve of Officers, and a still larger number are being employed on railway service overseas. It is no secret that during the past year we have built 500 miles of railway in Mesopotamia, and all this length of line is manned by officials from the Indian railway systems. East Africa too has drawn for its railway personnel upon India. Thus on the one hand Indian railways have been depleted of many of their skilled men, and on the other the Indian railways are carrying a heavier traffic than they have ever carried before. In these circumstances it would not be wise or right to detach men from the urgent war work in which they are engaged, to discuss possible amendments to the Railways Act. I do not wish the Hon'ble Member to understand that I do not think that the revision of the Railways Act is not one of the pieces of work which we ought to keep in view. The Act has been in existence for a long time, and like all other Acts requires to be kept up to date, but it is a good Act and on the whole has worked well, and I do not think that it can be said that there are no urgent grievances to remedy or wrongs to set right. If any such exist for which legislation is necessary then I must point out that the remedy is legislation directed to the specific grievances or wrongs, and not a roving inquiry into all the details of a technical Act.

"If I may use a simile, we are at present unfortunately in the position of a household which is being attacked by a band of ruffians intent on murder, and my Hon'ble friend Mr. Jinnah is in the position of a member of the household who while the attack is proceeding wishes to discuss whether the sofas and chairs in the house would not be the better for a set of fresh covers. While the war is with us, though it is far removed from us in distance, our whole energies must be devoted to the war, for the result matter quite as much to India as to England. The railways are of such essential importance for the prosecution of the war that I feel, and I think my Hon'ble friend when he thinks it over will agree with me, that no step should be taken which would weaken our railways at this juncture.

"There are certain matters that my Hon'ble friend referred to relating to the Railways Act. I do not propose to deal with those in detail. I would

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like, however, to say one word with regard to the last subject to which he referred, namely, the subject of strikes. I think he is under the impression that some machinery for dealing with strikes is contained in our English Railway Act of 1888. This is not the case. There is no machinery for dealing with strikes to be found in our Railway Act. Strikes do not occur only on railways: they occur with all forms of labour, whether the labour is employed on a railway, in a mill or in Government service; and we all know there is a strike going on at the present moment among the postmen at Bombay. I think that the machinery which my Hon'ble friend must have had in his mind is that contained in the Conciliation Act of 1896. That Act as a matter of fact is being considered by the Government of India at the present time with a view to its provisions being applied to India. This Conciliation Act of 1896, gave the Board of Trade power to inquire into the causes of a labour dispute and to appoint a conciliator. I think I had better read a few words from the second section of the Act, for the whole essence of the Act is in the second section:—

'Where a difference exists or is apprehended between an employer or any class of employers and workmen, or between different classes of workmen, the Board of Trade, if they think fit, may exercise all or any of the following powers namely, (a) to enquire into the causes and circumstances of the difference, (b) to take such steps as may seem expedient for the purpose of enabling the parties to the difference to meet together under the presidency of a chairman mutually agreed upon or nominated by the Board of Trade, (c) to appoint a conciliator if asked so to do by either party, or (d) on the application of both parties, to appoint an arbitrator.'

"I think very likely that is the sort of machinery which my Hon'ble friend had in mind; and if this Act were adopted in India it would meet his views on that point. I hope that what I have said will satisfy my Hon'ble friend. I think he will realise that it is really impossible to embark on this inquiry at the present time; but I can promise him that when the times are easier his Resolution shall have the most sympathetic consideration."

The Hon'ble Mr. M. A. Jinnah :—"Sir, I am very much obliged to the Hon'ble Member in charge for giving me an assurance that after the war this question will be considered sympathetically. But I must confess, Sir, that I have not been able to appreciate what difficulty there is at the present moment in appointing a small committee which will consider the question which I have put before Council and make recommendations for the modification of the Act. The Hon'ble Member may take it from me and I assure him that nobody is more anxious, than myself, that the operations of the war shall be carried on with all the energy and all the power we possess uninterfered with by any proposal of any kind which might in the very least degree minimise our efforts. But I must frankly say, Sir, that I am not satisfied that I am asking for a change of soft-covers during an attack on the house by an enemy as the Hon'ble Member puts it. I know there is an enemy at the door, but I do not think there is any real analogy between what I am seeking to do and what the Hon'ble Member said. My proposal which I think the Hon'ble Member has really received very sympathetically is a very simple one. I have not been able to understand how it can interfere with the war. The Hon'ble Member said that a large number of railway employees are required now for other purposes. Well, we do not want the employees. All I say is this; a small committee should be appointed and should go on with this work and consider these various matters and by the time the war is over we shall be ready to consider what modification should be introduced in this Act. I may point out to Council that what I am suggesting was recommended by Mr. Robertson as far back as 1903 and I should like to know, if I may ask—the war commenced only in 1914,—why has the Government not moved since 1903?"

"Therefore, there is nothing very new so far as this particular point is concerned. As the Hon'ble Member pointed out himself, there is a Conciliation

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Act in England of 1896, to deal with the complaints of employees. Now, why should that not also be done in India as soon as possible? Therefore, I cannot say that I am satisfied with the reasons given by the Hon'ble Member in charge for not having the committee at once. But I suppose, Sir, that if I press this resolution I shall be defeated because the decision has already been given; and I do not therefore think any useful purpose will be served by my asking for a division. I really regret that the Hon'ble Member has not accepted this resolution."

The Hon'ble the Vice-President :—"I understand the Hon'ble Member wishes me to put the resolution to vote."

The Hon'ble Mr. M. A. Jinnah :—"No, Sir, I beg to withdraw the resolution."

The resolution was by leave withdrawn.

RESOLUTION *re* THE CONSTITUTION OF THE CENTRAL RECRUITING BOARD.

The Hon'ble Mr. M. A. Jinnah :—"Sir, I beg to move that—

"This Council recommends to the Governor-General in Council that the constitution of the Central Recruiting Board be modified so as to secure at least two Indian representatives of British India on the Board."

"The Resolution is a very simple one and here my object is what the Hon'ble Member in charge of the Commerce Department said, *viz.*, that we should concentrate all our attention and efforts on the war. The resolution is a very simple one. The Council is aware that sometime ago a Central Recruiting Board was established as also provincial boards in various provinces with a non-official element in the latter. But the Central Recruiting Board has got no non-official element or British Indian representatives; and I submit, Sir, that if you wish, as we all wish, to utilise the man-power of India, you should have on this board at least two British Indian representatives. I say British Indian representatives, because we have already got on the board two Ruling Princes. Therefore, in contradistinction to them, I use the phrase British Indian representatives. Now, the object of the Central Recruiting Board as it is notified is as follows :—The consideration of our requirements in military personnel of every description, combatant and non-combatant, and how these requirements can best be met; consideration of how the quotas required can be best distributed among the several provinces, co-ordination of recruitment so as to ensure that the demands of the military services shall conflict as little as possible with essential industrial and economical requirements; close scrutiny of the progress of recruitment and consideration of schemes for meeting necessary or potential demands for recruitment in regard to which the present system may seem inadequate; and lastly, to ensure in short that the prosecution of the war is not hampered by any avoidable deficiency in man-power. Well, now, Sir, until I hear the Government, I cannot understand why there is not a single Indian representative on this Central Recruiting Board. I personally have not been able to find out the reason. You have admittedly a non-official element in the provincial recruiting boards; you have two Ruling Princes on the Central Recruiting Board. Why is not an Indian associated with this Central Recruiting Board? Will he not be of help to you? Do you not wish to utilise the man-power of India, and will it not be of use to you if you have at least two Indian representatives on the board? It is said, I do not say that this is correct, but it is said that India has not made her best efforts. On the other hand, when we want to utilise the man-power of India Government do not associate Indian representatives on a board of this kind.

RESOLUTION AS TO THE CONSTITUTION OF THE CENTRAL RECRUITING BOARD.

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“Sir, it will give the matter a great impetus and it will help the objects we have in view.

“Therefore I hope that this Resolution will be accepted.”

The Hon'ble Sir William Meyer:—“Sir, as President of the Central Recruiting Board I rise to explain why the Government cannot accept the Resolution now before us. I hope to be able to convince my friend the Mover that in so doing I am not disregarding non-official co-operation.

The Central Recruiting Board is, as its name implies, a central and co-ordinating body. It has to estimate, on information derived from the military authorities, the total number of recruits required for all purposes connected with the Army, in and out of India, according to existing demands and those further demands which may presently come upon us. Having thus considered what the scale of recruitment in the various branches, combatant and non-combatant, should be during the next few months, the Board has to distribute this among the various Provinces with reference to their circumstances and potentialities, assigning to each province a quota which it is asked to obtain. The principal Local Governments have, for this object, established Provincial Recruiting or War Committees, and these bodies, in accordance with the express desire of the Government of India include non-official Indian representatives such as influential land-owners, large employers of labour and political leaders. The Government of India have also enjoined on Local Governments the desirability of the co-operation of non-officials in the actual recruiting work in the districts. It was explained that they might get great assistance from their non-official coadjutors,

“The object of the Central Board is devolution, providing as far as possible that each Local Government with the assistance of its Recruiting Board which, as I have said, contains a strong non-official element, should arrange for the obtainment of recruits in the manner best suited to local circumstances and calculated, as observed in a quotation my Hon'ble friend read out, not to interfere with the progress of essential industries. For such purposes the co-operation of a non-official element is clearly most advantageous in the provinces and in the districts. But the position is quite different in the Central Board itself which is really a small official body. That Board accordingly consists primarily of direct representatives of the Government of India, civil and military; and His Honour the Lieutenant-Governor of the Punjab, as representing the most important Province in connection with recruitment.

“Then we have some Indian Princes who attend when matters relating to their States are under consideration. I have had it put to me in private conversation that it is felt that these Indian Princes ought not to interfere with the affairs of British India. The illustrious Princes who sit on our Board would be the first to acknowledge that this is so; they have no desire to do that. But it is an important point and I wish the Council to appreciate it that our recruitment operations are not confined to British India. We are asking the principal Native States also to supply quotas month by month for the various branches of the army and non-combatant services. It is most desirable therefore that we should have on our Board Princes who can speak with authority on behalf of the Native States—Princes who, like H. H. the Maharaja of Sindia and H. H. the Maharaja of Bikanir, have rendered great personal services to the Empire; so that the presence of these Princes on the Board is really analogous to that of H. H. the Lieutenant-Governor of the Punjab. They are representatives of Governments which are co-operating with us in recruiting work.

“But non-official Indians from the Provinces stand on a quite different footing. I have already explained how much we appreciate their co-operation in the Provincial Recruitment Boards and in the actual recruiting work in the districts. They would be out of place however in what is really an official central,

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body; their assistance is fittingly rendered at another stage of the operations. I think therefore that the Hon'ble Mover will see that my non-acceptance of his Resolution does not involve the least want of confidence in non-official co-operation. What we desire is that that co-operation should be rendered where it can be most effective. For these reasons I am unable to accept the Resolution."

The Hon'ble Pandit Madan Mohan Malaviya:--"Sir, I must say that the reasons which the Hon'ble the President of the Central Recruiting Board has advanced will not satisfy Indian sentiment generally. We do not want to offer any obstruction in the great discussions that lie before the Central Board; the Resolution was moved with the desire for an opportunity being given to Indians to render such humble services as they might be able to give in connection with the work. No one amongst us has objected, none can object, to the presence of ruling Princes on the Board; we are glad to think that they have availed themselves of the opportunity of rendering invaluable services in the cause of the Empire in every way. The object of the Resolution was to give the representatives of British India, if there was any matter connected with the war in which their services could be enlisted an opportunity of rendering such assistance as they could give in prosecuting the war to a successful conclusion. In matters like this the Central Board have to deal with sentiment, feeling counts for a good deal; those who are working in the Provinces and in the Districts have to work on the feelings of their fellow-men to induce them to make sacrifices for their King and country; that feeling would be strongly stimulated if the representatives of British India were taken into confidence in considering what the aims of recruitment were. If the presence of such representatives on the Board in any way raised difficulties or they were out of sympathy in the task before the Board no one would wish them there. But I think it would be recognised, that if there were two representatives of British India selected by Government or recommended by this Council on the Board, they might be able to render some service, humble though it may be, in the task that lies before the Board. It seems to me that the Government might yet reconsider the matter and if there is no difficulty in the way of accepting the suggestion, may accept it; it would help to strengthen the feeling with which members in the provinces and districts are working to enlist people for the service of the King."

The Hon'ble Mr. M. A. Jinnah:--"Sir, I must confess I am not convinced by what the Hon'ble Member said on behalf of Government. I must say that I can not discover any real reason for not accepting the Resolution. What is the answer? His answer is that you have got a non-official element on the Provincial Recruiting Boards.

"The Central Recruiting Board is purely an official body and therefore in that body there is no room for a non-official. But, Sir, what is the object of this Central Recruiting Board? The object of it is, I have no doubt as stated in the Government Notification. I shall read the Government Notification:—

'These Provincial Boards will help to keep the Central Board in touch with every aspect of the question and it is hoped that by getting this prominence of civilian opinion the necessary military requirements may be realised without disturbance to essential national interests'.

'It will be seen that the functions of the Central Board are precisely similar to those which, as the war goes on, every nation has found it necessary to entrust to a special authority.'

"Further, I want to know, Sir, in England is not the non-official element associated with the Central Board? Is that purely an official body that works for the purpose of recruiting?"

RESOLUTION re THE CONSTITUTION OF THE CENTRAL 467
RECRUITING BOARD.

[*Sir William Meyer ; Mr. M. A. Jinnah ;* [25TH SEPTEMBER, 1917.]
Pandit Madan Mohan Malaviya.]

The Hon'ble Sir William Meyer :—" In England the Central body is purely official."

The Hon'ble Mr. M. A. Jinnah :—" Well, if that is so, my answer will be this, you must remember that the official authority there is differently constituted from the official authority in this country."

The Hon'ble Pandit Madan Mohan Malaviya :—" They are the elected representatives of the people."

The Hon'ble Mr. M. A. Jinnah :—" Yes, they are the chosen representatives of the people, they are elected by the people, and therefore it is a very different thing altogether. Now, the Hon'ble Member I think, by trying to excuse himself has accused himself. The Hon'ble Member said that it is not due to want of confidence that Government do not wish to associate the non-official element. I say that it will be understood generally that it is due to want of confidence in the people of India that the Government do not want to associate the non-official element. That will be the interpretation. Therefore, Sir, I am not at all satisfied with this answer and I feel very keenly about it. I say that the Indians ought to be represented on the Central Board and therefore I ask that this Resolution should be pressed."

The motion was put and the Council divided as follows :—

AYES 18.	NOES 33.
Hon'ble Mr. Srinivasa Sastri.	Hon'ble Mr. M. E. Couchman.
„ Sir Dinshaw Wacha.	„ Mr. M. N. Hogg.
„ Sir Ibrahim Rahimtoola.	„ Sir H. Bray.
„ Rai Sitanath Ray Bahadur.	„ Mr. F. J. Monahan.
„ Maharaja of Kassimbazar.	„ Sir James Walker.
„ Khan Zulfiqar Ali Khan.	„ Raja Rajendra Deo of Kanika.
„ Mr. K. K. Chanda.	„ Mr. E. H. Walsh.
„ Khan Bahadur Mian Muhammad Shafi.	„ Sir John Donald.
„ Sir Fazulbhoj Currimbhoj.	„ Mr. W. J. Reid.
„ Sardar Bahadur Captain Ajab Khan.	„ Mr. C. H. Atkins.
„ Mr. Manbarul Haque.	„ Mr. C. A. Kincaid.
	His Excellency the Commander-in-Chief.
	Hon'ble Sir W. Meyer.
	„ Sir Sankaran Nair.
	„ Mr. G. R. Lowndes.
	„ Sir G. Barnes.
	„ Sir W. Vincent.
	„ Sir Robert Gillan.
	„ Sir Pardey Lukis.

408 RESOLUTION *re* CONSTITUTION OF THE CENTRAL RECRUITING BOARD; RESOLUTION *re* WITHHOLDING APPROVAL TO LEGISLATIVE MEASURES REGARDING LOCAL SELF-GOVERNMENT AND PRIMARY EDUCATION.

[25TH SEPTEMBER, 1917.] [Mr. M. A. Jinnah; Rao Bahadur B. N. Sarma.]

AYES.	NOES.
Hon'ble Mr. M. B. Dadabhoy.	Hon'ble Sir Reginald Gamble.
" Mr. M. A. Jinnah.	" Mr. C. H. Mostoven.
" Rao Bahadur B. N. Sarma.	" Sir Verney Lovett.
" Mr. K. V. R. Ayyangar.	" Colonel S. L. Aplin.
" Sir G. M. Chitnavis.	" Mr. G. D. H. Fell.
" Pandit M. M. Malaviya.	" Mr. D. de S. Bray.
" Dr. Tej Bahadur Sapru.	" Mr. F. C. Rose.
	" Sir James DuBoulay.
	" Mr. C. E. Low.
	" Mr. H. Sharp.
	" Mr. R. A. Mant.
	" Mr. H. F. Howard.
	" Major-General A. H. Bingley.
	" Mr. A. P. Muddiman.

The motion was therefore negatived.

RESOLUTION *re* WITHHOLDING APPROVAL TO LEGISLATIVE MEASURES REGARDING LOCAL SELF-GOVERNMENT AND PRIMARY EDUCATION.

The Hon'ble Rao Bahadur B. N. Sarma:—"Sir, I beg to move the following resolution:—

"This Council recommends to the Governor General in Council that pending the settlement of a detailed scheme of post-war reforms the administrative approval of the Government of India to legislative measures relating to local self-government and primary education be withheld, and where sanction has been already given to recommend to local Governments the desirability of suspending further action with regard to such measures."

"I think this is a Resolution which ought to be welcome to the Government of India and to Local Governments because I think that if this Resolution be accepted, the administrations will be relieved of some work and will be able to give greater attention to war measures. But apart from that, I think that on grounds of broad policy there is much to be said in favour of this Resolution. I am not asking this in regard to any emergent measures relating to local self-government or primary education or any measures that do not deal substantially with the policy concerning the constitution of local bodies, to local finance and taxation and the question of compulsory primary education on a large scale. I think there is good reason for stating that, in view of the co-relation and mutual dependence of the various measures which form parts of the scheme of reforms which we expect to be announced, for introduction after the war, it would be wise that the Local Governments do not attempt partial remedies and introduce reforms which must necessarily be reviewed when the larger policy dictates the action to be taken by the Government. I am not dealing now with private measures; I am dealing with Government measures. Let us take the question of primary education; whether it is to be financed from

RESOLUTION *re* WITHHOLDING APPROVAL TO LEGISLATIVE 469
MEASURES REGARDING LOCAL SELF-GOVERNMENT AND
PRIMARY EDUCATION.

[*Rai Bahadur B. N. Sarma; Sir Sankaran Nair.*] [25th SEPTEMBER, 1917.]

Imperial taxation or whether it is to be financed from Provincial taxation, or partly from local and Provincial taxation, whether it is to be an all-India measure making it necessary that there should be some relation in the method and manner of progress in the various Provinces. These are questions of vital importance which must be settled as soon as the war is over, and I am encouraged in my hope that this question will be tackled in the manner it deserves from the sympathetic pronouncement of His Excellency the Viceroy in the speech that he has delivered at the beginning of this session.

Speaking of primary education His Lordship said that the Government had under contemplation various measures of far-reaching importance which could not be announced at the present moment inasmuch as they had relation to other measures of a substantial character relating to education in general. It is, therefore, necessary, Sir, before Provincial Governments are allowed to legislate in these matters that we should know where we stand, because if primary education is to be undertaken in all the Provinces from Imperial taxation, it necessarily follows that Provincial finance would be curtailed to some extent. Local finances would not be so largely available for that purpose, and it is no use permitting taxation by local bodies for this purpose. Questions of Imperial and Provincial finance are also largely dependent on what measures of reform are in contemplation at the present moment or are to be materially achieved at the end of the war. The question of Imperial and Provincial finance would have to be considered deeply when the constitution of the Legislative bodies and the relation between the Executive and local Legislative Councils is taken up for consideration. Well in view of these large measures in contemplation, I think, Sir, it is necessary that measures dealing with such essential objects should for the present be kept in abeyance.

One of the principal reasons why local self-government is in opinion of many notable to make rapid advance is that the local bodies have not had ample resources at their disposal and I know that several Local Governments as well as the public have been devising various measures for their improvement. If that be so, Sir, then I think it would be desirable that this question should be deferred until the end of the war. The same thing may be said with regard to the composition and constitution of the local bodies and electorates. The question as to whether these local bodies should be almost wholly elected or partly elected and partly nominated, and if wholly elected whether communal representation is to be given, are questions of far-reaching importance which must be considered both with relation to the Imperial and local Legislatures and local bodies. Then the question is how low down we shall have to go in the matter of electorates, and in the case of taluk boards and district boards. These are all questions which have reference to the composition of the local Legislative Councils also. And then the question would also arise as to whether we should have to constitute a local Government Board to deal with such matters similar to the body existing in England if the Legislatures be given more powers than they are at present given with regard to local self-government. Whatever may be the future relations between the Legislature and the Executive, people feel that with regard to local self-government the Legislature ought to be and will be given greater powers than it possesses at the present moment. If that hope be realised, then Sir, I think these measures would require modification. It is with that object that I have given notice of this Resolution and I hope it will commend itself to the Council."

The Hon'ble Sir Sankaran Nair :—" Sir, the Government cannot accept this Resolution. My friend wants the Council to recommend to the Governor General that the administrative approval of the Government of India may be refused to the introduction of any measure, of any Bill into the local Legislative Councils. These Bills in the local Legislative Councils are the result of long and careful consideration by the local Government and they are sent up here for administrative sanction. Unless it appears that there are sufficient grounds for us to refuse administrative sanction to the introduction

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of any such Bill, we can scarcely do so. We do not know now what reforms are likely to be introduced and we are scarcely in a position to say at present that the Bills proposed to be introduced would be so very repugnant to the reforms which may be subsequently carried out that we would be justified in telling the local Government that they would be acting wisely if they did not introduce the Bill.

"It is possible but scarcely probable that a Bill might come up which is so utterly repugnant to the spirit of the reforms which we think are likely to be introduced after the war that we might be justified in refusing sanction. On the other hand, if the Bill were introduced in the local Council it would be open to any member of the local Council to move that its consideration be deferred. If it is not of an urgent nature, then the Council might do so or if in the opinion of the Council it is a retrograde measure or one of a controversial character it would be open to the Council again to defer consideration of the matter.

"So that it does not appear to me, Sir, that the matter is one for the Imperial Government to consider at this stage.

"Then again I doubt whether my Hon'ble friend has realised the scope of this Resolution and the consequences which would follow if this Resolution were passed. We have recently given sanction to a private Member of the Bombay Legislative Council to introduce a measure referring to primary education which would allow local boards to introduce compulsory education if they can do so....."

The Hon'ble Rao Bahadur B. N. Sarma:—"I have excluded private Bills from the purview of my Resolution."

The Hon'ble Sir Sankaran Nair:—"Then you have to modify the Resolution. His Excellency the Viceroy has already announced to the Council that the measures which are being considered by the Government of India for the extension of Primary Education will not be announced at present.

"The only other Bills are Bills which might be introduced by Local Governments. We have none such before us now. It is possible that some may come up hereafter, but if they do and when they do we can consider, as I have already said, whether we should advise the Local Government to put them off in view of the reforms which are to be introduced after the war. On these grounds I oppose this Resolution."

The Hon'ble Mr. Srinivasa Sastri:—"Is it not the case that the Madras Government have under consideration at the present moment two fairly considerable Bills relating to the Municipalities Act and the Corporation Act?"

The Hon'ble Sir Sankaran Nair:—"I understand the Madras Government have these Bills under consideration."

The Hon'ble Rao Bahadur B. N. Sarma:—"Sir, the Hon'ble Member in charge has assured us that if any measures which are repugnant to the sense of the reforms which are to be introduced after the war, are submitted for administrative approval, approval is not likely to be given. And having regard also to the observation that it is open to the Legislative Councils to ask for an adjournment of the consideration of such measures, and to the opposition to the Resolution, I do not think any good purpose will be served by my pressing it. I therefore beg to withdraw the Resolution."

The Resolution was by leave withdrawn.

RESOLUTION OF INDIAN SECTION OF THE I. D. F.

[Rao Bahadur B. N. Sarma.]

[5TH SEPTEMBER, 1917.]

The Hon'ble Rao Bahadur B. N. Sarma :—" Sir, I beg to move my next Resolution which runs as follows :—

"This Council recommends to the Governor General in Council that steps be taken with a view to extend the period for the entertainment of applications for recruitment for the Indian section of the Indian Defence Force."

"I do not think, Sir, that this is a controversial resolution or that it requires any very elaborate reasoning in support of it to commend it to the Council. I hope that the Government will be pleased to deal with the matter sympathetically, and that the Council will be able to give it its accord and support. It expresses, Sir, the keen desire which we all feel to make the Indian section of the Indian Defence Force the success that it was intended to be. We share the regret expressed by His Excellency the Viceroy in his opening speech that the experiment has not been more successful, and it is with a view to making the experiment completely successful, to give Indians an opportunity for applying in large numbers, and thus make the future Territorial Army a reality, that this Resolution has been proposed by me.

"It is unnecessary for me to go into the various reasons which have dissuaded Indians from coming forward for recruitment. The press has discussed them fully. The matter is a controversial one and I do not propose to deal with it at length. But it must be said, Sir, that wherever we went on our recruiting campaign we were met by this question—especially from the Indian student population: 'First see that the commissioned ranks are thrown open to us; otherwise how can you ask us in any fairness to enlist in the Indian section of the Indian Defence Force?' Happily, now that the Government's policy has been announced in the matter and the commissioned ranks are thrown open to Indians, and this galling restriction has been removed, there is a better understanding between the Government and the people, and I am sure that the obstacles we have had to face hitherto have now been removed. Another thing that has stood in the way has been the misunderstanding between the Government and a section of the people during recent months, to which I need hardly refer here. The atmosphere has since become clearer. There is perfect harmony between the Government and the people at the present moment, and I am sure we may expect greater co-operation among all sections with the Government in the matter of making this experiment a complete success.

"Then, Sir, I may be permitted to state that before the statutory restriction which is the only bar at present existing is removed, the question of rations also may be considered by His Excellency the Commander-in-Chief sympathetically. I put an interpellation the other day which has been misunderstood. I never asked for any special treatment, and I shall never ask for any special treatment, as between different portions of the Force which stand upon the same level of equality. But having regard to the different habits of the people to whom I referred, I said that the question as to what rations they should be given might be considered. Not that I wanted more for them; but that the quality of the rations might be slightly different from the rations which are supplied to the Indian Army. But that is a minor matter of detail, although it is a question of pressing importance in some quarters. I hope this question will be satisfactorily settled. Of course the nature of the food that South Indians take is different from that of the Mahrattas just as the food that Mahrattas take is somewhat different from the food of people in Upper India or from the food that Europeans and Eurasians take. Some differences do exist and if only those differences be kept in view I am sure the difficulty can be easily removed.

"Now, Sir, that most of the hindrances to recruitment have been removed, I hope the Government will be pleased either to extend the time by an Ordinance, or by a modification of the present enactment, to give Indians the satisfaction of co-operating with the Government in this respect."

[25TH SEPTEMBER, 1917.]

[His Excellency the Commander-in-Chief.]

His Excellency the Commander-in-Chief:—"In their communiqué, dated the 31st March 1917, the Government of India fixed 6,000 as the maximum strength of the Indian portion of the Indian Defence Force. This number was fixed with reference to our general military requirements, and the numbers which we could train, arm, equip and find accommodation for. As the Hon'ble member is aware, the response to our offer of service was at first rather disappointing. In May the number of applications for enrolment were under 400, but probably as the result of certain concessions which were made in order to encourage the formation of University Corps, there was a great increase in the number of applications during the months of July and August, so that the final figures are now about 5,643, that is to say not very far short of the 6,000 which we originally asked for.

"We will not know how many of these candidates are fit for service until the results of the medical examinations have been reported to Army Headquarters. But even allowing for a large percentage of rejections, we anticipate that we shall have more enrolled candidates at our disposal than we can train during the next few months.

"The Government of India have accordingly decided not to extend the statutory period during which applications for enrolment can be received. To do so would entail legislative action for which there is neither time nor justification at present.

"When the recruits of the first batch have completed their 90 days' training, we shall be in a position to judge of their military value and shall have gained some practical experience as to the best way of dealing with the various problems which will arise in connection with the administration of the Indian portion of the Defence Force. If, as the result of such experience, it is considered desirable to increase its strength, the Government of India will no doubt consider the question of amending clause 12 (1) of the Act.

"I am in sympathy with those Indians who cannot join the Regular Army but who are desirous of receiving a military training, and so long as it is realised that this training must be a real one, designed to produce well disciplined and efficient soldiers, the Hon'ble Member may rest assured that no obstacles will be placed in their way. But, as I have said on several previous occasions, there must be no sliding back to the pre-war standards of discipline and training of the old Volunteer Force, or any attempt to substitute part-time work for the period of continuous training which has been prescribed as the minimum requisite for the instruction of the Indian Defence Force recruit.

"I must explain, however, that our resources in the way of instructors, arms, and equipment are not inexhaustible, and that we have to employ them so that they may be utilised to the best advantage. Our first care must be to provide for the prompt and efficient training and equipment of the regular soldiers required for service overseas, that is to say of the men who do the fighting. The expansion of the Indian Defence Force, which can only be utilized for service in India, must, therefore, be regarded as a matter of secondary importance, and the extent of such expansion must necessarily be determined with reference to the general military situation and our military resources and requirements.

"I am, for the reasons I have indicated, unable to accept the Hon'ble Member's resolution at present, but the question of the extension or removal of the time limit will be re-examined next year, when we will decide as to the desirability or otherwise of taking action on the lines which he suggests.

"The Hon'ble Member will, I hope, accept my assurance that I am in full sympathy with this military training movement in which he is interested; and as far as I can find trained instructors, equipment and so forth, he may

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RESOLUTION *re* SALARIES AND ANNUITIES IN THE INDIAN
CIVIL SERVICE.

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rest assured that any suggestion he may put forward will have my sympathetic consideration and that I shall make every endeavour to realise his wishes. In respect of the matter to which he referred before, when dealing with the ration question, I am glad to see that our points of view are not so different as I thought at first. I regarded him as having recommended preferential treatment for different classes. I understand now that his point of view is a different one, and he may rest assured that while we must see that no preference is extended to any class, we will arrange to provide each class with such ration as may be most suitable.

The Hon'ble Rao Bahadur B. N. Sarma:—"Sir, in view of the sympathetic assurance given by His Excellency the Commander-in-Chief that the question will be re-examined next year, I beg leave to withdraw the resolution."

The resolution was by leave withdrawn.

**RESOLUTION *re* SALARIES AND ANNUITIES IN THE
INDIAN CIVIL SERVICE.**

The Hon'ble Mr. Srinivasa Sastri:—"Sir, I beg to move that—

'This Council recommends to the Governor-General in Council that the Government of India do represent to the Secretary of State for India that no changes should be made in accordance with any of the recommendations of the Public Services Commission in the scale of salaries, or in the rules relating to the annuities fixed for members of the Indian Civil Service which would throw any additional burden on the revenues of India.'

"I am essaying a rather hard task, and I would ask the Council to remember what I said the other day, that I appreciate fully and sincerely the great benefit that India derives from the work of these various services. My objection, as those who have read all these Resolutions that stand in my name will have discovered, is not solely to any increase in the emoluments of the Indian Civil Service; it extends to such increases in the emoluments of other highly paid services as well; so that in moving this Resolution I would beg the Council to take it that I am also referring indirectly to the Resolutions that stand in my name with regard to the other services. There is not sufficient time during this session to go through all those Resolutions *mutatis, mutandis*. Therefore, what I say in respect of this resolution may be applied to other Resolutions as well of a similar nature.

"I will first refer to certain figures which will show the present scale of salaries that obtain with regard to the Indian Civil Service, and take the opportunity also of stating by way of comparison the salaries that obtain in other places. Our Civil Service starts with a salary of £340 a year. In 8 years on an average they rise to £800 a year and by seniority alone they may rise to £2,000 a year. Beyond that there are the prize posts to which are affixed salaries from £2,200 a year to £6,667 a year more or less. Besides these....."

The Hon'ble the Vice-President:—"I think the Hon'ble Member means Rs. 6,667 a month."

The Hon'ble Sir James DuBoulay:—"The Hon'ble Member has not perhaps noticed the rate of exchange."

The Hon'ble Mr. Srinivasa Sastri:—"I was thinking of the salary of a Lieutenant Governor."

"Besides, the members of the Services are in the enjoyment of a Family Pension Fund, the State makes some contribution, but the bulk is contributed

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[Mr. Srinivasa Sastri.]

by the Members themselves. It is worthwhile to place in juxtaposition the salaries drawn by the men who pass the same examination, *viz.*, the Civil Service examination in England; they begin on £200 a year, in 15 years they rise to £500, after 30 years they get £1,000, and after that they get prize posts of £2,000 a year; after 35 years' service they can retire on £500 a year. It is not, however, proper to compare the Home Service with the Indian Civil Service because there are considerations with respect to service in the East which do not apply to service at Home and therefore certain allowances must be made for the great difference in the lives of those who enter the two Services. If we take the services of those who pass the same examination and enter the Straits Settlements and the Federated Malay States, we find a great discrepancy; we find that they start as against the £240, of the Indian Civil Service on £250 a year, in 15 years they rise to £800, while the Indian Civil Service rise to that in 8 years, and they can rise after 30 years to £1,500, the highest post for a member of the Service in the Far East is £2,500. Let me take the case of Ceylon, there the starting salary is £300, in 12 years, the men rise to £800; after 20 or 25 years, the precise figure is not available, they reach about £1,400, the maximum salary for a member of the Ceylon Civil Service is £2,000 a year. These figures will show that the Indian Civil Service is paid a good deal more liberally than the corresponding service in the Federated Malay States or Ceylon, countries which approximate more or less to the conditions of India and so the comparison I think I cannot be said to be unfair. The attractions of the Indian Civil Service, considering the salaries alone, are great. In addition to the salaries, as Mr. Justice Rahim pointed out, we have to consider the advantages which this Service enjoys, these are mentioned under several heads: allowances in addition to salary:—frequency of leave and amount of leave allowances, passage and outfit money, period of probation during which they receive extra rates, the higher rate of salary while employed in training work, leave for certain examinations for fitting themselves for future work, contributions by the State to Family and other Provident Funds, free medical attendance, favourable rates of exchange, exchange compensation allowance, age at which the pension is paid, the amount of pension. In all these respects you will find that the Civil Service enjoys advantages denied to other Services. I would likewise mention the list of allowances to which the Members of the Indian Civil Service are entitled. I do not imply by any means that these allowances are drawn at the same time or all the time:—acting allowance; personal allowance; special allowance; settlement allowance; charge allowance; deputation allowance; horse allowance; conveyance allowance; house rent allowance; travelling allowance; tentage allowance; Burma allowance; Presidency allowance; Frontier allowance; Sindh allowance; Baluchistan allowance; outpost allowance; Pushtu allowance. The leave to which they are entitled is also of various kinds, some of these can be combined and others cannot be combined:—Privilege leave; furlough; special leave; extraordinary leave without allowance; leave on medical certificate; study leave; subsidiary leave; I believe there is another leave called examination leave.

“A word I now must say with regard to the annuities in the case of this service; the arrangements are somewhat peculiar. During the whole period of their service members are obliged to contribute 4 per cent of their salaries to their pension or annuity, it is calculated that this amount averages £250 or one-fourth of the annuity. It has been stated that when this contribution of 4 per cent first began it was calculated that the Government would have to contribute only £500 and that the rest would be made up by the 4 per cent contribution but owing to the fall in exchange and other causes the value of the 4 per cent contribution has diminished by a half, so that the Government which began by contributing £500 towards the annuity is now contributing £750.

The proposal of the Public Services Commission with regard to salaries is that a time-scale should be introduced with a certain number of selection posts at the top. The result of this change would mean an additional burden to the tax-payer of India of 11 lakhs per year. With regard to pensions, the proposal

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is that this 4 per cent contribution should be abolished and that the whole of the £1,000 should in future be contributed by Government. This, it is estimated, will involve the State in an additional cost of 9 lakhs per year. That this is by no means necessary nor just is allowed by two members of the Commission, Mr. Fisher and Mr. Ramsay MacDonald from whose opinions I would venture to quote. They are of course distinctly of opinion that it is unfair to ask a member of the service to contribute this 4 per cent during the whole period of his work in India. They say that as he is free to retire if he pleases at the end of the 25th year of his service, this 4 per cent contribution should be made only up to that period that is for 25 years. I will only read that portion of the Report:—

‘ Though the concession, namely, the abolition of the 4 per cent contribution would be greatly welcomed by the officers affected and is not in itself exorbitant, the proposal to free the members of the Indian Civil Service from contributions to pension are generally regarded as satisfactory by young men who are considering an Indian career, and it must be remembered that if effect was given to the recommendations of this reform, Indian Civil Servants will in future enter the service earlier, retire from the service earlier and draw the pensions for a longer period. We are not therefore in favour of a general remission of the 4 per cent contribution. At the same time the requirements of the contribution from officers who have already earned their full pension seems to us open to objection on grounds of equity, and we would accordingly recommend that contributions to pensions should be determined after the conclusion of the 25th year of service.’

‘ These additional concessions would be justified if there were clear proof forthcoming that the quality of the recruits that we are getting now-a-days is inferior to the quality of the recruits of former times. There is no such proof. Some evidence was tendered one way and some evidence was tendered the other way. Two or three educationists who were examined were not satisfied that there was a decided falling off in the quality of the recruit or even in the number of those who competed in the examinations. I would venture to quote in this connection an opinion which in a different context the Commission themselves have given expression to.

‘ But apart from this ’—“ this is what the Commission says—

‘ But apart from this, we are fortified in our conclusion to leave well alone by the feeling which is borne out by evidences given both in England and in India that, taken as a whole, the personnel now recruited has not in any way deteriorated and that India has been obtaining men who are keeping up the high level and the best traditions of the service.’

‘ It therefore must take a very great deal of argument indeed to justify the great increase that the Commission have recommended in the emoluments of this service. But if it were otherwise, there are considerations on the other side to which I will presently draw the Council’s attention. It is well known, Sir, that India is a poor country, the average income of an Indian inhabitant being stated at anything between Rs. 23 and Rs. 30 per year. Taking the maximum estimate an Indian on the average earns Rs. 2-8-0 a month, which means that many millions of this country do not get even so much. The taxpaying capacity, therefore, of this country is very small and it has been, I think, often admitted even by those in authority that the administration of India is now conducted on a level which the resources of the country do not justify. It is a top-heavy administration, and if it is proposed to add to the cost of administration, the reasons must be overwhelming indeed.

‘ But besides the poverty of the people generally, there is the question whether there is any room for additional taxation. If the proposals of the Commission are accepted, the State would be involved in an additional expenditure, on their own estimate, of about 42½ lakhs. This, however, leaves out of account various items which Sir Mahadev Bhasker Chaubal has reckoned up. On his estimate the Commission’s recommendations taken on the whole would involve the State in an additional expense of about 88½ lakhs a year. Even his reckoning leaves one or two things out of account, which are indefinite in

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their nature, but which on a loose estimate added to the whole, would bring us near to the formidable figure of a crore per year. Out of this amount the Civil Service accounts for 20 lakhs,—11 under the head of salaries and 9 under the head of pensions. Sir, this year and last year—taking the two years, we have had imposed on India additional taxation amounting to about 12 crores per year. If we are to incur the additional expenditure recommended by the Commission, it is scarcely possible to do so without laying more burdens on the taxpayer. What is the new source? Is it to be salt? We have just increased the salt tax although we were hoping that it would be reduced and reduced until it was abolished altogether. That is not to be apparent. Can land bear more? Even high authorities have admitted that it is impossible to put more burdens on the land and yet the Hon'ble the Finance Member, in introducing his budget last time was obliged to say that if the war burdens continued to grow as they did, it might be necessary even to have recourse to additional taxation on land. No one, I dare say, whether in official or non-official circles, contemplates such a contingency with equanimity, but that might happen.

“ Besides, Sir, the Civil Service is looked upon as the premier service in this country, and what the Civil Service does other services desire to follow. If the Civil Service claims these additional advantages, we must go through the whole course and offer the other services also the concessions for which they have looked forward and which, more or less, the Commission seem to have allowed. Then how can we forget that time after time in the Imperial and in the Provincial Legislative Councils various proposals, sound and weighty, for the amelioration of the condition of the people under the heads of Education and Sanitation, Medical Relief, etc., have come up but have always had to be repulsed, not on the ground that they were not necessary, but on the ground that the State could not provide the requisite funds? Are those things to be postponed to the amelioration of the condition of a service which admittedly has not deteriorated in quality.

“ Then, Sir, if any services are to benefit at all by any money that the State can spare, they are the services to which the Commission have not referred, the low-paid services in this country, the clerks, the constables, the poor school masters and people of that kind at the bottom of each service, who draw very much less than a living wage and whose claims have always been admitted by Government, but merely put off on the ground that the cost of increasing their salaries would be tremendous. In the case of a clerk whose salary goes down below 50 rupees, every additional rupee would mean that he and his children were less scantily clad; it would mean that he and his children lived in less insanitary surroundings; it would mean that he was able to provide for his children less insufficient education. It cannot be said that an addition to the emoluments of the well-paid services will bring such solid advantages. It may increase their ability to save, it may increase their ability to indulge in luxuries, it will not enable them to live more active or useful lives, if only we consider the necessaries of the case. I have always thought that the members of our Legislative Councils, especially the members of this Council, where the finances of the country are administered, have many difficult, delicate and disagreeable duties. None of them seems to me to be more difficult, more delicate or more disagreeable, than this one that I am discharging, namely, to protest against any proposals the effect of which is to increase the burdens on the taxpayer. The labourer is worthy of his hire, I realise fully. I do not say that we do not get sufficient value for what money we spend on the services, but I am considering the stern limitations to the resources of the country and I am of the deliberate conviction that it is impossible, considering what large sums have to be spent on objects directly concerning the welfare of the people, that it is impossible to add to the burdens of the State in the directions suggested by the Commission. Sir, it is not in my power nor in the power of my non-official colleagues to regulate the way in which the moneys of the State are expended. Luckily, now it is possible

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to consider the Government of India, so far as its personnel is concerned, as distinct from the Indian Civil Service and I look upon it more or less as the serpent in the garden of the Hesperides guarding the tree with the golden apples. Will the serpent go into an afternoon siesta when the well-paid services approach to pluck the fruits of the trees, or will it hiss and dart out its tongue and emit flames of fire? I much wish that it was possible to believe that the Government of India would look upon the low-paid services whose condition has often been admitted to be a perfect scandal, I much wish that the Government of India would recognise that they had a prior claim on whatever money the Government could spare. I am fully persuaded, Sir, that if this claim was considered to be superior to all other claims, as by all canons of justice it must be, then the resources of the State will be fully taxed in meeting it. Every rupee that you can find will be used up for this purpose for one whole generation, and we can spare no money whatever for such extravagances as the Commission has proposed."

The Hon'ble Pandit Madan Mohan Malaviya:—"Sir, my friend has presented the case against the recommendations of the majority of the Public Services Commission for an increase of salaries in such excellent form that it is hardly necessary to say anything to emphasize the necessity of this Resolution being accepted by the Government, but the interests involved are very great and the result of the acceptance of the recommendation of the majority will mean a very serious injury to the interests of India. It is therefore necessary that we should endeavour to induce the Government to realise the full force of these recommendations and the need for not accepting them. My friend has already shown that the salaries in India range very high. I wish to point out that, not only are the salaries in India very much higher than the salaries which obtain in the United Kingdom, than those which obtain in Ceylon, than those which are given to those who join the far Eastern Consular Service, they are also much higher than those given in Japan and the United States. In discussing this question of salaries we do not wish to complicate the matter by any discussion as to whether those who come out to India are worth the amount that is being paid to them, whether their services are worth the amount or whether they are not even more valuable. I assume that the services of the members of the Civil Service who come out to India might well be considered to be of even greater value than what they obtain here. But the question that will remain to be considered will be whether India can afford to pay that. There are two points of view which are of importance in this connection. Those services are being obtained in other countries at a smaller price, and the question is whether India can afford to pay the price she is paying. It has been shown that in the United Kingdom the salaries are about half of what the salaries in the Indian Civil Service are. So also in other countries. And very eminent authorities who were examined by the Commission have shown that the attractions of the Civil Service have not diminished. The representatives of Oxford and Cambridge have shown that the Indian Civil Service continues to attract as good men as it ever used to attract. Mr. Stanley Reed also supported the same view. Professor Lodge of the Edinburgh University stated that India was getting a very high average of the University graduates of the present day. If for the salaries which are at present being given India is able to get a very high average of the graduates of the English Universities of the present day, there is no need certainly for an increase of salary, and if you compare the salaries for the English youths who go out to serve in Ceylon and the far Eastern Consular Services, then certainly it seems that what is being paid is much higher than the market price.

"Secondly, Sir, as my friend has pointed out, the effect of the proposed additions to the Civil Service, will mean an addition of 20 lakhs a year, but that is not the whole amount. If the premier Service, which is what the Civil Service is, receives the additions proposed, we may take it that the other

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Services will also get the additions proposed and it will mean a total addition of 88½ lakhs a year. In view of the crying needs of this country for popular education, for sanitation, for medical relief, and in view of the need for greater improvement in the general administration and for promoting industrial development in order to increase the average income of the people, is it right that such a large increase should be proposed in the salaries which are being given at present by the Government of India?

“ How do those salaries compare with the salaries in other countries? How do they compare with the capacity of the people to bear the burden which they are bearing at present? In Japan, it has been pointed out, the Prime Minister gets 12,000 yen per annum, a yen being a rupee and one anna. The President of the United States gets 75,000 dollars per annum, a dollar being equal to Rs. 3-2-0. But, as Lala Lajpat Rai has pointed out, the economic value of the rupee is about equal to the American dollar. The Viceroy of India gets Rs. 2,85,000 per annum. Take again Cabinet Ministers. Cabinet Ministers in Japan get 8,000 yen per annum, while those of the United States get 12,000 dollars a year. The Members of the Viceroy's Executive Council get Rs. 80,000 a year. Taking other Departments of the United States, the President of the General Navy Board gets 5,000; the Solicitor General 10,000 dollars; the Assistant Solicitor General 9,000 dollars. In Japan, the President of the Railway Board gets 11,500 yens a year, while the President of the Privy Council gets 6,000. Officials in the higher Civil Service gets from.....to 2,400 yens. In India, the President of the Railway Board gets Rs. 60,000 per annum; the Secretary to the Government of India in the Finance Department Rs. 45,000 per annum, the Secretary to the Government in the Army Department Rs. 42,000 per annum, and the Secretary to the Government of India in the Commerce and Industry Department Rs. 48,000.

“ Now, Sir, as I submitted, there are two points of view from which the matter can be approached. Do English University youths who join the services in other parts of the British Empire get as much as they get in India. If they do not and if they are willing to go and serve in those parts on much smaller salaries, why should such high salaries be paid to them here? In the second place, I submit that if it should be found—which is against the evidence recorded by the Commission that English youths do not care to come out to India on the salaries that are offered to them, that will not be a circumstance entirely to be regretted, because if the number of English youths who come out to India to join the Civil Service should somewhat diminish, all that would be necessary would be to widen the field of recruitment in India. India stands on a very different footing now to what it did 50 years ago. With all the education that our youths obtain by going out of the country they are well able to fill up some at least of the positions which our friends, the Indian Civil Servants, have filled so long. Therefore in suggesting that these salaries should not be increased, the Government should understand that we look at the question not merely from the point of view of efficiency but also from the point of view of what the people can bear. We have clear evidence that efficiency will not suffer, that we shall not get less efficient youths than we are getting at present. We have also clear evidence in the statement which my Hon'ble friend has made before the Council that in view of the great poverty of the people and in view of the activities of various Departments in the country, the addition of 88½ lakhs a year would be a most unjustifiable one. It would not be right, it would not be just, it would not even be politic. We have had during the last two years a great deal of taxation added, and with the 150 crores contributed by the people towards the war for 24 years to come the taxation must be maintained very high in order to pay 9 crores a year so as to make up that contribution. For 24 years with this high taxation maintained, what chance is there of raising any

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additional revenue to meet the very urgent needs of popular education, sanitation, medical relief and general advancement throughout the country. The Civil Service no doubt has rendered great services to India and it is rendering, and I hope and trust it will render even greater services during the next few years that lie before us; but that Service, I hope, will realise that if it cannot consent to a reduction of the salaries which it has been drawing for the last few decades, it certainly ought to content itself with what it is getting at present. I realise that it is really responsible for the Government of India, as the Hon'ble the Home Member said the other day in his speeches; and being the Government of India it has to recognise more fully than I fear their claim to increase in salaries would seem to indicate,—I say it should realise and I hope it will realise the responsibility which lies upon it so to administer the finances, the taxes that are raised in this country, that they will promote the well-being of the people in a larger measure than they have yet done. We have no quarrel with any member of the Indian Civil Service for the salary he may be drawing. Certain conditions were offered for service in this country; they accepted those conditions and came out. There is no desire on our part to interfere with the conditions so far as those who have already entered the Service are concerned. At present the only question we are discussing is that these conditions should not be made unnecessarily more favourable than they are at present; that in view of the great requirements of the country and in view of the poverty of the people, those conditions should be allowed to stand; and that there should be a steady endeavour made to reduce the expenditure by substituting and increasing the number of Indians qualified to take up appointments in the Indian Civil Service.

“For these reasons, I hope, Sir, that the Government will give their most serious consideration to the question which the Resolution places before them. In the years to come what we are anxious above all things is that there should be cordial good feeling between educated Indians and the members of the Civil Service, to the extent that they will recognise the justice, the reasonableness of our claims in asking that the salaries of the Service should not be increased, they will give proof of the fact that they really sympathise with the aspirations and requirements of the country; and to the extent that they do so they will earn the gratitude of the people. I hope, Sir, the Resolution will commend itself to the Government and will meet with their acceptance.”

The Hon'ble Sir Dinshaw Wacha:—“Sir, it is often said that India is a land of anomalies, and among the greatest of those anomalies are the economic and financial anomalies. The services which the Indian Civil Service have rendered in the past are no doubt very great. It has been acknowledged so, not to-day, not yesterday, but for the last 40 or 50 years. It has been also said that the Service is the most liberally paid in the whole world. My friend, the Hon'ble Pandit Malaviya, has just made a comparison of the salaries of high officials of State in different countries, especially in Japan. My friend, the Hon'ble Mr. Sastri, pointed out how the different services are paid in Ceylon and the Federated Malay States. All this shows that even taking into consideration the fact of expatriation which is always trotted out in this connection,—taking everything into consideration,—the Indian Civil Service, and all the other cognate services connected with it, are very highly paid. Not only are they highly paid; but were the course of the charges of the Civil Departments of the administration for the last 25 years traced and analysed—and anybody can refer to the officially recorded figures for himself—it would be seen that these charges are continually increasing one way or another. Appointments have been multiplied, technical and others specially. Technical appointments were greatly multiplied during Lord Curzon's time for the sake of what is called efficiency. That is one of the directions in which the charges have gone up higher and higher. I have been hammering at all these increased civil charges for years past; I have written brochures on the subject; I have forwarded copies of them to the Government of India. I have pointed out therein

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that while the revenue is increasing at a slow pace the expenditure is increasing at a higher pace, particularly in the civil administration. Take even the last ten years. You will find from the latest parliamentary return that while the rates of revenue are rising at a lower percentage, that of expenditure is rising at a higher percentage. I have not, of course, the actual figures before me here and, therefore, I won't commit myself; but I assure this Council that if they analyse those figures they will find that these charges are excessive already, and that they are more than the revenue can afford. That is the case; and there can be no question that an impartial commission—(not a commission of the kind of the Public Services Commission we have had which was never an impartial one in my opinion, because it was an inspired commission; vested interests like those of the Civil Service were greatly protected, and not only protected but sought to be increased as we actually find from the Majority Report)—I say if an impartial commission were appointed, composed of men from outside India, men who have, perhaps, had larger experience of administration and the cost of administration of different countries of the world they would find that we can reasonably reduce the expenditure on the Civil Services. Remember, Sir, that this scale of salaries of the Civil Service was fixed years ago, somewhere about three-quarters of a century ago—I think it was in the time of Lord Cornwallis or Lord Bentinck; and at that time the great reason assigned for such large salaries of the covenanted servants, was the expatriation. At that time there was no Suez Canal; there were very few steam navigation companies; besides, there were many other difficulties and inconveniences. Civilians were separated from their homes and families and frequent furloughs were not possible. Taking those conditions into consideration the salaries were fixed at a high rate. Consider, Sir, what has happened now. 75 years have passed since the fixing of the rates. The Suez Canal has been in operation for the last 47 years. Navigation companies by hundreds have been started here, there and everywhere. Any Civilian can go to-day within a fortnight to his home and return within three months, as many Civilians and Judges of the High Court are actually doing every year, while drawing their full salary to which they are entitled on account of the privilege leave. That being so, and many other social amenities, which were very hard to obtain in the days of Lord Cornwallis and Lord Bentinck, being available now, Civilians in Madras or Bombay or Calcutta or any other Province can at any time they like be in the midst of their homes. Yet, in spite of all these most favourable conditions, they continue to get the old rate of salaries and different kinds of allowances, which Mr. Sastri related in his speech. But it is of no use, crying wolf, for this is an old antiquated story of high civilian salaries and other charges of civil administration. We are helpless in the matter. We are helpless even to-day, notwithstanding our reformed Council. I doubt, whether this proposition will be carried, but even if it were carried I do not know whether the Government of India will give effect to it. There will be scores of reasons assigned to decline it. We all understand that these are old stories; and that there is nothing new in them. But times have changed, and I do hope, that the Government will take a very considered and reasonable view of matters, particularly having regard to the fact to which my friend, Mr. Sastri, referred, namely, the comparatively poor ability of Indian tax-payers. What is that ability? Compare it with the ability of almost all other civilised countries in the world, and we shall find it most deplorable. It is a cypher, a zero, compared with the wealth of countries like France, England, United States, Austria, and even Turkey. I should say. That being the case, it should be always a consideration for the Government of India, if they are governed by statesmanship, that the ability of the tax-payers should be their first care in reference to the question of the salaries of Civilians.

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“ For my part I consider that old times have changed, and the time is come when the salaries should be revised with reference to the market rate prevailing all over the world. The market rate may be high or low; but fix the salaries at the market rate. Further, I would say there should be no agreements and no covenants. These covenants are most burdensome; they bring in their train costly furlough allowances, pensions, and a lot of other charges, I say all these must be abolished. Civilian gentlemen, members of the government, of course, sit down for five years and pass Resolutions after Resolutions that posts of this or that character shall carry consolidated salaries of so much or so much. But they have no such consolidation for themselves. The governing principle seems to be that those that have much shall be given more and those that have less shall be deprived of whatever the little they have. This is what they are doing now, particularly so far as the masses of the poorer servants are concerned. I consider, Sir, therefore, that a revised rate of consolidated salaries should take the place of the existing salaries and allowances on the basis of the market rate whether the supply comes from England, or Wales, or from Australia, or Canada or South Africa or even from Japan I do not care. India wants efficient but less costly service from any place in the world. But we need not go to any place in the world at all; India itself has abilities enough to work on salaries lower than those prevailing at present. The next thing is that each post must be assigned its proper adequate market salary. I do not know whether Members of the Government of India who are now drawing Rs. 6,000 per month or Rs. 5,000, really deserve that salary? Suppose we advertise for a Home Member of the Government or for a Finance Member, cannot we get one for a less sum than Rs. 6,000? I submit, Sir, that I can get you from America a good financier or administrator for Rs 3,500 or 4000. I am talking frankly on this subject. The Civil Service has its traditions, and those traditions are, that they must be bequeathed from generation to generation. There is nothing new that from time to time these traditions are trotted out. It has gone on for the last 75 years. These Civilian interests have become vested; and whenever vested interests are attacked, the reply is ‘ This is impossible, and that is impossible; you cannot do this and you cannot do that; the war is with us and we must not discuss this, that and the other.’ They are all mere plausible pretexts to say *non possumus*. I am sorry to have to say all this, but speak we must frankly and express our honest convictions on the subject. If we are to express the feelings and sentiments of the Indian people generally, then, I do say that the Indian Civil Service ought to be abolished, and that a new Service in its place should be created; and you can get a new Service from any part of the world, if not from India alone, and that on lower salaries. That reconstructed service will solve largely the question of economic employment, and at the same time save to the State a larger amount of revenue for purposes, as Pandit Malaviya said, of education, sanitation, and a hundred other utilities for which we are famishing. For those reasons, Sir, I think the time has come when the Government of India should take into consideration this particular Resolution of my friend, Mr. Sastri. It is a very good resolution. If it is impartially considered, I think that the Government of India ought to pay no heed to the recommendation made by the Public Services Commission, that about a crore of rupees at this juncture should be added to the burdens of the tax-payers. With those remarks, Sir, I take my seat.”

The Hon'ble Sir James Du Boulay: —“ Sir, I think this Council will recognise that there are rather a large number of Resolutions on the subject of the recommendations of the Public Services Commission and that the burden upon the Hon'ble the Home Member was somewhat serious; and he accordingly asked me to take some of these Resolutions on his behalf. I think that this particular resolution is not quite on the same high level as some of those with which we have been dealing hitherto. The question of pay is not on a very high level nor an inspiring subject for discussion.”

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“The Hon'ble Pandit the other day referred to me as the colleague of the Hon'ble the Home Member; I do not wish the Council to think that I am trying to take his place, I am acting under his orders in this matter. I feel that the subject we are discussing is a very invidious one for a member of the Indian Civil Service to have to talk about at all. I think Hon'ble Members will agree with me about that. Those who assist the courts to scoure justice for the country might feel it a little bit invidious to have to talk about the fees that they are paid, those gentlemen who devote the whole of their lives to the interests of their country by seeing that agriculturists are supplied with money in order to carry on the business of cultivation might feel it a little bit invidious to have to discuss the amount of the profits they got and therefore I hope the Council will bear with me in the rather embarrassing position in which I find myself. The difficulties I have found the greater in the present case because I have to reply to one, the mover of this Resolution, who perhaps more than anybody else is above such considerations, a man who is inspired by the lofty ideals of the Servants of India Society.

“Speaking briefly I should like to say that the Government have already explained their attitude towards these questions several times and the attitude of the Government in the present case is very much the same as it was in the other cases, that is to say, they wish to hear what Hon'ble Members have to say, they are not at the present moment prepared to come to any conclusion, and they will not come to any conclusion until they have had an opportunity of hearing the views of Members of this Council and of consulting Local Governments. I think the Hon'ble the Home Member was attacked the other day on the ground that in respect of one Resolution that was before the Council he only gave the arguments on one side; I think that that is the almost necessary result of the position of Government. In this particular matter we have heard the arguments on the one side, and for that reason I do not propose to refer again to the considerations which have been urged by the Hon'ble Mover, by Pandit Madan Mohan Malaviya and by Sir Dinshaw Wacha, but I will deal with certain considerations which may be mentioned on the converse side of the question.

“The majority of the Commission, as regards the salaries of officers holding superior posts made their recommendations first with the intention of securing an approximate equality of prospects as between one province and another, secondly, of abolishing the system by which the pay of certain appointments fluctuates according to the rates of pay drawn by officers next junior in the regular line to the officers holding them; thirdly, they wished to merge special appointments carrying special rates of pay in the appropriate general class of the cadre. They also recommended that the graded system, which they found the subject of widespread complaint and on general grounds unsuitable, should be replaced for the future by an incremental system of salaries divided into two compartments. As a minor point they proposed to merge exchange compensation allowances into pay. As regards the salaries of junior officers, they proposed the same incremental rate of pay as has been applied to members of the Indian Civil Service deputed to the Political Department.

“Their reasons were that the next below rule which applied to certain appointments was based on the anticipation that the fluctuations incidental to such a system would not result in rates of salary lower than those appropriated for superior posts, but owing to the blocks in promotion which had occurred this expectation has not always been fulfilled, with the result that officers holding important appointments have in certain instances come to be remunerated on the basis of a scale fixed as suitable for Assistant Collectors. Similarly

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in the case of salaries of junior officers, the reasonable expectation of officiating in superior posts after the completion of 8 years' service has in practice been falsified owing to blocks in promotion, and the majority of the Commissioner's remark that grave dissatisfaction on this score undoubtedly exists throughout the service.

"Sir Mahadev Chaubal was anxious that the minor proposals involving small increases of pay in superior posts should be carefully scrutinised but was willing, after hearing the evidence, to agree to an improvement in the pay of the lower grades of the service in view of the general rise in prices. He did not go so far as the majority but he admitted that there was a case for a certain rise of pay in the junior ranks. Mr. Abdur Rahim dissented from the majority but he had very little to say about the pay of superior appointments, he dealt with junior officers and urged that, if as suggested, the pay of those in the Political cadre was fixed on a calculation of what members of the Indian Civil Service drew in the provinces, there need not be any extra cost at all in this direction. He overlooked the point that the pay of the Political cadre was based upon a reasonable expectation, it was actually calculated on the figures of five representative provinces as showing what was a reasonable expectation, and the fact that the present proposals of the majority indicate that the existing pay is much less than it would be if the Political Department incremental rates were given to the Indian Civil Service shows I submit, that they are getting less than they are entitled to expect. I think Sir Mahadev Chaubal fell into a similar error. He said that the Political Department demanded an increase of pay equal to that of the Indian Civil Service. I think the fact that the political rates were calculated on the then provincial average shows that the Civil Service are not now getting what used to be considered a reasonable rate.

"Then I think it is of little use to argue as does Mr. Abdur Rahim that because the personnel now recruited has not in any way deteriorated and because India has hitherto succeeded in obtaining men who keep up the high level of the best traditions of the service there can be no grievance to remedy or at any rate there is no necessity to listen to any grievances.

"As I have pointed out, the majority of the Commission found that owing to blocks in promotion the reasonable expectations of the services were not being fulfilled, and Mr. Abdur Rahim would perpetuate the present disability and maintain rates of pay lower than what was held to be a reasonable expectation at the time that the Political Department was dealt with. Whatever has been the case in the past, it seems to me to be irrefutable that if a service as a whole considers that its reasonable expectations have not been fulfilled, discontent must arise, and it is unavoidable that such discontent must have its effect in reducing the quality of the candidates competing for the service in the future. The Commission definitely found that there were signs of that result already occurring and that young men were showing a tendency to turn their attention to the Home Civil Service rather than to the Indian Civil Service; and I think they pointed out further that there were other careers which were attracting men away in various directions at Home and that therefore fewer of them were trying to get into the Indian Civil Service. The majority of the Commission definitely said that they were satisfied that nothing less than the terms which they proposed would re-establish the attractiveness of the Indian Civil Service.

"I do not think I have very much more to say but I will refer to some of the remarks that fell from the Hon'ble Mover. When he raised this question he seemed to me to put his case rather too high. For instance, he referred to the Provident Fund as one of the advantages which the Civil Service enjoyed, but I think I am right in saying that the Civil Service pays for its own Provident Fund, there is no tax upon the Government, no tax upon the people.

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"Then the Hon'ble Mover urged that the salaries of appointments in the Home Civil Service were less attractive than those out here. I think there are a great number of men who are not prepared to come out to this country on any terms and they would prefer to take a very much lower reward and stay at Home. I do not think therefore that the pay of the Home Civil Service is a reasonable comparison. At first sight the comparison with Ceylon is very much more to the point. But I submit that the comparison is not complete unless you take into consideration the standard of the two services. I do think that this is a matter which ought to be taken into consideration when you are deciding how the pay of Ceylon compares with the pay in India. It is not a question which I am prepared to discuss. I really cannot say whether you get the same class of men there or not but I think that that is a very important consideration....."

The Hon'ble Pandit Madan Mohan Malaviya:—"They sit for the same examination."

The Hon'ble Sir James DuBoulay:—"That may be true, but it is the less highly placed men who get into that service, that is the point. I do not wish to maintain that that service is of a lower standard, but I will suggest that it is a question that should be considered if any comparison is made. There may be some members of the Colonial service here and I do not want to wound their feelings."

"A point that I did not quite understand is a reference made by the Hon'ble Member to some figure of £6,666 which he stated....."

The Hon'ble Mr. Srinivasa Sastri:—"I was referring to the salary of the Lieutenant-Governor, I understand the post is not reserved for the Indian Civil Service, but it is a post to which an Indian Civilian may aspire."

The Hon'ble Sir James DuBoulay:—"I beg the Hon'ble Member's pardon. I thought he was referring to the salaries of Members of Council which come to only 6,666 rupees per mensem not pounds per annum."

"Then there was a reference to a figure 11 lakhs for the improvement of the conditions of the service. I want to draw attention to page 40 of the Report where you will find that the figure of about 8 lakhs is put down for the Civil Service superior appointments. This includes over 1½ lakhs on account of converting the appointments hitherto held by members of the Provincial Service on a lower scale of pay into appointments to be held by members of the Bar on full pay. I think it is rather hard that this should be reckoned up against the Indian Civil Service. It also includes one lakh on account of improving the pay of certain 41 appointments to be held by members of the Provincial Civil Service. That is no improvement in the pay of the Civil Service as at present constituted. Then again on page 179 you will find a reference to some items which go to make up the 8 lakhs in detail, and among them I will just draw attention to the fact that Rs. 38,711 is for the grant of the equivalent of exchange compensation allowance to statutory Natives of India. Here again I do not think it is quite fair to reckon this as an increase in the emoluments of the Indian Civil Service as at present constituted."

"Then again the Hon'ble Mover very effectively quoted a long list of allowances which he said the Civil Service at present enjoys, but I submit we do not all get those allowances, but one or other of them may be given in exceptional cases. Another important point is that they are not allowances confined to the Indian Civil Service, the service with which we are dealing, but they apply to all the services in India, whether the Indian Civil Service, the

[*Sir James DuBoulay; Sir Dinshaw Wacha.*]

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Provincial Services, the Public Works and other Departments. In fact all the various services.

“The Hon’ble Member further suggested that it was wrong that the highest paid service, the Indian Civil Service, should receive any attention in a matter of this kind when the inferior services are very much worse paid, and he referred not only to the junior services but also to such services as the subordinate Police and others of a like nature and pointed out that these were the services which required the first attention. As I said, I am not dealing with these questions in any final manner, but what I do wish to point out is that most of the other services have received attention in the course of the last twenty years. The Hon’ble Mr. Rose tells me that the Public Works Department received some improvement in their pay 12 or 13 years ago, and the Hon’ble Mover must be aware that the pay of the superior police appointments has also been very much improved. Similarly I think that other Departments have come under review from time to time. So far as the subordinate services go, I feel very great sympathy with what fell from the Hon’ble Mr. Sastri, but I do wish it to be clearly known to this Council that the amount of improvement that has from time to time been effected in the pay of the various subordinate police services is very great and it has indeed been the subject of considerable complaint in many provinces that too much money was being devoted to the pay and prospects of the police. We had a case only the other day in which the lowest rate of pay was increased from Rs. 9 to Rs. 12,—I think it was in the Central Provinces,—the lowest ranks of the police there thus got an increase of about 25 per cent of their pay straight away. And this sort of improvement in pay has been going on very frequently and constantly, in various parts of the country.

“Then, I think, there is a certain weight to be attached to the remarks which my Hon’ble friend Sir Dinshaw Wacha made about the pay of the Civil Service being fixed in the dark ages. It is the case that prices have risen considerably and what was fixed as right and proper in the dark ages cannot hold good at the present day. He also referred to a large increase in the number of technical appointments, but that is hardly relevant to the discussion of the question which is now before us.

“I admit that I was rather afraid when Sir Dinshaw began to talk about the cancellation of the covenants of the Service that he had something up his sleeve and sure enough out it came, he wants to abolish the whole Service.”

The Hon’ble Sir Dinshaw Wacha:—“I say it emphatically, abolish it.”

The Hon’ble Sir James DuBoulay:—“But I do think he ought to be a little bit careful before he imports a lot of foreigners.

“I have not said anything, Sir, about pensions, and I just want to refer to a point which has been brought out by the Hon’ble Mover and to say that we pay roughly one quarter of the amount of the pension ourselves and what is left is only the same pension roughly as that of a military officer who does not rise above the rank of Colonel, and perhaps that is not by comparison so very excessive. I do not propose to detain the Council any longer but just wish to emphasise once more that in the remarks I have made, I have only wanted to put the other side of the question and to repeat that Government do not propose to make up their mind about this matter till they have heard what is said in this Council, and they will listen very sympathetically to anything that may be said, but at present they are not prepared to accept the Resolution, and if it is put to the vote, they must resist it.”

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[*Mr. Srinivasa Sastri; Sir James DuBoulay.*]

The Hon'ble Mr. Srinivasa Sastri :—“ Sir, there is hardly much for me to say. As regards the reasonable expectations of the Service, I can only say that these expectations are not in my opinion so reasonable that they should be gratified at the expense of a poor country. If they are in the covenant, one has no alternative; we are as keen for the maintenance of national honour as anybody; if there is a covenant to say that every officer in the service shall in the eighth year of service be in the enjoyment of the emoluments of a superior post, we have no option but to put him in that post, but if there is no covenant, however plausible the expectation may seem, it is not reasonable.

“ As to the removal of grievances and disabilities, I should like to make one observation. Grievances and disabilities are easily created. If the Government of India are willing to listen to grievances from a certain quarter, you may be sure the grievances will be produced in abundance. You may double the salaries and emoluments of the service and still in the course of ten years there will be some disabilities, some inequalities to level, and the Government of India will be called upon to take more money from the taxpayer. Within the last two years, Sir, the Indian Civil Service were allowed several lakhs of compensation for nothing but for promotion deferred.

“ There is only one other thing I wish to say. I was speaking of the Family Pension Fund, I did not know that the Civil Service enjoys a provident fund besides. I was speaking of the Family Pension Fund, to which I said the State makes a certain contribution. If the State does not make any contribution, I withdraw that statement. But whether there is any contribution or not, the Commission proposes that the whole management of the Fund should hereafter be a burden on the State which would amount to £40,000.

The Hon'ble Sir James DuBoulay :—“ Is not the Hon'ble Member referring to the General Provident Fund which is for other services than the Civil Service” ?

The Hon'ble Mr. Srinivasa Sastri :—“ No, Sir, I was not referring to the General Provident Fund.”

The Hon'ble Sir James DuBoulay :—“ I think I am right in saying that the State does not contribute to the fund of the Indian Civil Service.”

The Hon'ble Mr. Srinivasa Sastri :—“ Sir, I ask you to put the resolution.”

The motion was put and the Council divided as follows :—

Ayes—17.

The Hon'ble Mr. Srinivasa Sastri.
 „ Sir Dinshaw Wacha.
 „ Sir Ibrahim Rahimtoola.
 „ Rai Sitauath Ray Bahadur.
 „ Maharaja Sir M. C. Nandi of Kassimbazar.
 „ Raja Rajendra Deo of Kanika.
 „ Mr. K. K. Chanda.
 „ Khan Bahadur Mian Md. Shafi.
 „ Sir Fazulbhoj Currimbhoj.
 „ Rai Krishna Sahay Bahadur.
 „ Mr. M. B. Dadabhoj.
 „ Mr. M. A. Jinnah.

Noes—30.

The Hon'ble Mr. M. E. Couchman.
 „ Mr. M. N. Hogg.
 „ Sir Hugh Bray.
 „ Mr. F. J. Monahan.
 „ Sir James Walker.
 „ Mr. E. H. Walsh.
 „ Sir John Donald.
 „ Mr. W. J. Reid.
 „ Mr. C. H. Atkins.
 „ Sir William Meyer.
 „ Sir Sankaran Nair.
 „ Mr. G. R. Lowndes.
 „ Sir George Barnes.

RESOLUTION ON SALARIES AND ANNUITIES IN THE INDIAN CIVIL SERVICE.

[25th SEPTEMBER, 1917.]

<i>Ayos.</i>	<i>Noes.</i>
The Hon'ble Rao Bahadur B. N. Sarma.	The Hon'ble Sir William Vincent.
„ Mr. K. V. R. Ayyangar.	„ Sir Robert Gillan.
„ Sir G. M. Chitnavis.	„ Sir Pardey Lukie.
„ Pandit M. M. Malaviya.	„ Sir Reginald Gamble.
Dr. Tej Bahadur Sapru.	„ Mr. C. H. Kesteven.
	„ Sir Varney Lovett.
	„ Col. S. L. Alpin.
	„ Mr. G. B. H. Fell.
	„ Mr. D. de S. Bray.
	„ Mr. F. C. Rose.
	„ Sir James DuBoulay.
	„ Mr. C. B. Low.
	„ Mr. H. Sharp.
	„ Mr. R. A. Mant.
	„ Mr. H. F. Howard.
	„ Major-General A. H. Bingley.
	„ Mr. A. P. Muddiman.

The motion was therefore negatived.

The Council adjourned to Wednesday, the 26th September, 1917.

SINLA ;
The 4th October, 1917. }

A. P. MUDDIMAN,
Secretary to the Government of India,
Legislative Department.