

*Wednesday,
13th March, 1918*

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

Vol. LVI

April 1917 - March 1918

ABSTRACT OF PROCEEDINGS
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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, Imperial Secretariat, Delhi, on
Wednesday, the 13th March, 1918.

PRESENT:

The Hon'ble SIR GEORGE LOWNDES, K.C.S.I., K.C., *Vice-President, presiding,*
and 59 Members, of whom 56 were Additional Members.

THE INDIAN ARMY (AMENDMENT) BILL.

The Hon'ble Major-General A. H. Bingley :—" Sir, I beg to present the Report of the Select Committee on the Bill further to amend the Indian Army Act, 1911." 11.5 A.M.

THE USURIOUS LOANS BILL.

The Hon'ble Sir William Vincent :—" Sir, I beg to present the Report of the Select Committee on the Bill to give additional powers to Courts to deal in certain cases with usurious loans of money or grain." 11.5 A.M.

THE INDIAN COMPANIES RESTRICTION BILL.

The Hon'ble Sir William Meyer :—" Sir, I beg to move for leave to introduce a Bill to control the withdrawal of capital from the money-market by companies." 1.7 A.M.

" In introducing the Financial Statement, I explained at some length the nature and extent of the obligations which the Government of India have to incur in India at the present time, either directly on behalf of the Home Government, or in the supply of funds for the finance of exports of national importance to Great Britain and the Allies. I emphasised the necessity of raising, by our loan operations next year, as large a sum as possible for these purposes, and indicated our intention, in order to eliminate undesirable competition with our efforts in this direction, of restricting issues of capital in this country except in so far as these are required for enterprises of national

[*Sir William Meyer.*] [13TH MARCH, 1918.]

importance. It is not, therefore, necessary for me to say much in moving the introduction of the present Bill which has already been circulated to Hon'ble Members, as the objects of the legislation will be readily understood.

"As mentioned in the Statement of Objects and Reasons, the Bill provides that no company other than a private company as defined by the Indian Companies Act, shall be registered, or increase its share capital, or issue debentures, or call up unpaid capital, except in accordance with the terms of a license, to which such conditions may be attached as the Government of India consider necessary with reference to the circumstances of each case. Very similar restrictions have been in force in the United Kingdom since an early period of the war, and also in India in the case of issues of capital by Municipal bodies, Port Trusts and Branch Line Railways. Until recently, however, conditions in India did not appear to necessitate the more general restrictions now contemplated, as the amount of new capital lost to us by diversion to non-war purposes in this way has not been very great. Now owing to easy money-market conditions, the position has changed, and we understand that large issues of new capital are in contemplation. It has now, therefore, become necessary to bring the issue of new capital in this country under Government control, so as to prevent the employment on less useful objects of funds which would at present serve the country better if invested with Government or employed on some object of national importance.

"In the recent general debate on the Financial Statement apprehension was expressed by one or two speakers as to a complete embargo on private flotations. It will be seen from the Bill, and from what I said then, that this is not contemplated. All we do contemplate is, to put such flotations under control by requiring a license before they can issue.

"In considering whether a license shall be granted, we shall, as I said in my speech in the general debate to which I have referred, bear in mind the following considerations:—

- (1) Would the enterprise be likely to attract money which would otherwise go into Government loans or Treasury Bills?
- (2) If so, is it still justified on the ground that it is nevertheless useful, in these war circumstances, as being of assistance in the speeding up of war material, or likely to result in increase of other production which would save tonnage on imports from Home?

These are necessarily general propositions, and each case will have to be considered on its own merits.

"Further, as I said the other day, I think there is much value in a suggestion made by Mr. Hogg in the general debate on the Financial Statement, that in some cases it might be feasible to allow a company to proceed to flotation on condition that it should lodge its funds with Government, by taking up Treasury Bills or in connection with the coming War loan, until it is able to apply them to real advantage for its own purposes.

"I may say that we propose, following the example of the Home Government, to appoint an Advisory Committee to assist the Government in dealing with these matters. Probably, indeed, two Committees, one with its headquarters in Calcutta, and the other in Bombay, since it is in these two places that the bulk of the important flotations would occur; and on each of the Committees there will be representation of Indian as well as of European commerce.

"The legislation in question being of the character of a war measure, it is provided by clause 1 (2) of the Bill that it should be in force only for the period of the war, and for six months thereafter.

"I now move for leave to introduce the Bill."

The motion was put and agreed to.

[13TH MARCH, 1918.] [*Sir William Meyer; Sir William Vincent.*]

The Hon'ble Sir William Meyer:—"I now introduce the Bill, and move that the Bill, together with the Statement of Objects and Reasons relating thereto, be published in the Gazette of India in English."

The motion was put and agreed to.

THE INDIAN SOLDIER'S LITIGATION BILL.

The Hon'ble Sir William Vincent:—"Sir, I move for leave to introduce a Bill to consolidate and amend the law to provide for the special protection, in respect of civil and revenue litigation, of Indian soldiers serving under war conditions. 11-12 A.M."

"I think that this Bill will command the ready approval of Council, as its only object is to protect, during the war, the interests of Indian soldiers who are prevented from looking after those interests themselves. The Council is aware that, in 1915, legislation to effect this object was enacted, and the present Bill is only intended to simplify the procedure and to render that measure more effective. The purpose is to provide that suits in which Indian soldiers are interested shall not be decided when they are absent and engaged on active service. Under the law at present if any Civil or Revenue Court has reason to believe that any party to a proceeding is an Indian soldier serving under war conditions and is not properly represented, the Court has to give notice to the prescribed authority. The prescribed authority may, if it considers postponement necessary in the interests of justice, certify to that effect, whereupon the Court has to grant a postponement. Similarly, a Collector if he has reason to believe that an Indian soldier who is interested in litigation is serving under war conditions and is not properly represented, may certify that he is of opinion that a postponement of the proceeding is necessary in the interests of justice, and the Court then, if it is satisfied that the soldier is not properly represented, postpones the case. Both in the case of the Court and the Collector, it will be seen that it is necessary to come to a finding whether a soldier is serving under war conditions or not before any action can be taken; and to ascertain this fact frequently necessitates somewhat prolonged inquiries during which period the interests of the soldier may suffer considerably. In these circumstances, it has been thought desirable to lay down a somewhat simpler procedure, and under the Bill, if a soldier is not represented in the Court and the Court is satisfied, either by the certificate of a Collector or of its own knowledge—not that he is serving under war conditions but that he is unable to appear—it must suspend the proceedings and give notice to the prescribed authority. The prescribed authority—which is a military authority—will then certify whether the soldier is serving under war conditions, and whether a further postponement is necessary. It should not be difficult for either the Court or the Collector to ascertain that a particular man is absent from home and unable to appear in Court. The Court will know itself whether he is represented, and if he is not represented and not able to appear, the proceedings will be suspended pending an inquiry as to whether he is serving under war conditions—which is a matter that can only be inquired into by the military authorities. It has been said that a certain number of men are reluctant to join the Army at present lest their private interests may suffer, and I am sure that the Council will agree with me that any procedure which will tend to the better protection of their interests is desirable, not only on the ground that men who are serving the Crown are entitled to every consideration, but also in the interests of recruiting.

"The only other change made in the present Bill is the embodiment in the Act itself of the definition of the term 'serving under war conditions.' The words which have been used in the Bill are taken from a notification which was issued in the Government of India Gazette, and they have been found suitable in practice. It is, therefore, considered desirable to insert them definitely in

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RE LAND REVENUE BEING WHOLLY PROVINCIALIZED.

[*Sir William Vincent; Rao Bahadur B. N. Sarma; The Vice-President.*] [13TH MARCH, 1918.]

the Act. At the same time the opportunity has been taken, as the amendments though small were very numerous, to consolidate and re-enact the measure in an amended form."

The motion was put and agreed to.

The Hon'ble Sir William Vincent:—"Sir, I beg to introduce the Bill, and to move that the Bill, together with the Statement of Objects and Reasons relating thereto, be published in the Gazette of India in English."

The motion was put and agreed to.

RESOLUTION RE LAND REVENUE BEING WHOLLY PROVINCIALIZED.

11-18 A.M.

The Hon'ble Rao Bahadur B. N. Sarma:—"May I ask your permission and the permission of the Council, Sir, to move the second Resolution which stands in my name first, because I shall have to deal with the resources of the country in dealing with that Resolution, and it might be convenient, before I ask the Council to accept my education scheme, if I were to deal with those resources. The Hon'ble Sir William Meyer has kindly said to me that he would have no objection to this being done, and the Hon'ble Sir C. Sankaran Nair also does not object?"

The Hon'ble the Vice-President:—"Certainly. You can take up the second Resolution first."

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

'This Council recommends to the Governor General in Council that the land revenue should be wholly provincialised.'

"The Hon'ble the Finance Minister, in introducing the Statement this year has told us that the subject of provincialising particular branches of revenue and expenditure is at present engaging the attention of Government in connection with post-war reforms. One reason why I have sought the assistance of the Council to make the particular recommendation in question is, that the subject of land-revenue administration and land-revenue is of such a highly important character that a recommendation by this Council might be of extreme use to the Government in arriving at a conclusion on the subject. The question has become one of practical and immediate importance, having regard chiefly to the reform schemes now under discussion, and I feel sure the Government will ultimately be able to accept this recommendation, whatever may be their position at the present moment. Self-government, whether it is to be reached at an early date or at a somewhat distant date, postulates this that we are on the eve of changes tending gradually towards a federal administration in India, and it is desirable, before any large step is taken, that the ground should be cleared in differentiating Imperial finance from Provincial finance, and in determining as to whether any large items of revenue should be provincialised or should be Imperial in their character. I am sure Hon'ble Members will agree with me that one cardinal principle which is accepted by all is that, as far as possible, Imperial finance should be separated from Provincial finance, and that the two should be so arranged that, in the practical work of administration; there may be no friction as between the Imperial and Provincial Governments on the one hand, and as between the various peoples occupying this historic land on the other. To avoid friction between the Imperial and Provincial Governments, one necessary condition will be that, as far as possible, the heads should not be divided. It was on that

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[*Rao Bahadur B. N. Sarma.*]

basis that the people of India, assembled in the Indian National Congress, have recommended that there should be no divided heads hereafter, thereby including land-revenue under the resources at the disposal of the Provincial administration. I said that the second condition should be that there must be no friction between the various peoples in the future federal financial administration, and that we should so arrange the subjects as to produce the minimum of unavoidable friction. The example of other countries seems to show that land-revenue throughout has been largely treated as a subject for local legislation for local improvements, and the Imperial federal governments have hitherto abstained from looking to this source for the general needs of the country. In the United Kingdom, although it is not a federated Empire in the strict sense of the term, the land tax was only £840,000 as against £514 million of taxation for 1916-17. You find in the Union of South Africa, also, that the land-revenue or quit-rent forms an insignificant part of the total revenue, and in Canada also you find the same. In Australia, the same position obtains, and you find in the German Empire also the same state of things. Consequently, I am justified in my remark that the example of other countries is in favour of the suggestion that I make in this Resolution.

"Then there is another point, Sir, which is even of greater importance than the lesson furnished by the example from other countries, and that is this. Would you minimise the friction between the various peoples in your future financial administration if you provincialise the land-revenue? I have not the slightest hesitation in stating that that would be the result. Every one who knows anything about land-revenue knows also that the incidence of taxation varies considerably in the different Provinces; the tenures are entirely different, and the total amount of revenue realised in the different Provinces differs largely, and consequently in any future federation when the question is to how much each Province has to contribute comes up for discussion, there can be no more fruitful cause for quarrel than this land-revenue. I think, therefore, that it is, in the interests of future peace, that land-revenue should be placed under Provincial, and not under Imperial, finance.

"Then, again, it is more likely that land-revenue, as well as agriculture with which it is closely allied, would be considerably improved if the Provincial Governments, that is, the people concerned, have a direct and deep interest therein, and not if it should be shared either between the Provincial and the Imperial Governments. One perpetual cause of strife—if I may say so—between the people and the Government is with regard to the provincial settlements. I do not mean to suggest that in the very near future the hand of the Government will be completely taken away. I am not dealing with that question at the present moment. But, apart from that another cause of irritation against the Government is, that it is supposed to administer the land-revenue in a harsh manner. Such charges cannot possibly be brought if the administration of the land be in the hands of the people themselves, who would be responsible to looking forward to an extending revenue in this or some other shape if their future requirements are to be met adequately and properly. Therefore, from that point of view, too, Sir, I would suggest that this should be provincialised entirely. I quite see that on technical grounds something might be said for its being at least partially Imperial. It may be said that land is in a sense the property of the Crown; that the Crown should have some interest therein, and that the Government of India as representing the Crown should have a direct share. But the Provincial Governments also represent the Crown; we are only differentiating between the two for the purposes of general administration, and consequently there does not seem to be much force in the argument for imperialisation based on the general theory of all the lands being vested in the people as a whole and the Crown representing the people.

"Then, again, Sir, it may be asked whether irrigation would come under the head of land-revenue. Irrigation has, I know, been treated as a commercial undertaking; and, strictly and logically perhaps, it may be contended that irrigation should be under the Government of India, inasmuch as I propose

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that all commercial undertakings should be under the Government of India. But there is one strong argument against that being done, and that is, that land-revenue administration and irrigation administration are so closely allied that it would be difficult to sever them, and after all the people that will benefit thereby and who would be desirous of making a rapid advance would be the people immediately concerned, and I therefore think that irrigation administration, irrigation revenue, and irrigation prospects would be considerably bettered under the Provinces than under the Imperial Government. Of course, such help will be given and such control as may be needed, would, I am sure, be retained by the Imperial Government in the matter.

"Then, there is another point from which I view the question, and that is this: Provincial Governments and the people would naturally be jealous, having regard to the varying quantities of the amounts raised in the various Provinces, of retaining as much as they can in their own hands and in their own Provinces, and consequently the future growth of revenue would be in the direction of the growth of cesses, and not in the growth of settlement revenue; it should naturally be left to the Provinces to determine the exact form and the rate of progress under either head. Therefore, from the point of view of a healthy development of the revenue resources of the country, it is also desirable that land-revenue should be wholly provincialised.

"Then the more important question would still remain as to whether, when the Government have as in the past been looking to the land-revenue as a permanent source from which it is to meet the general needs of the country, whether under those circumstances it is desirable that they should be asked to forego it completely in favour of the Provinces. I think, whatever may be the state of the finances and whatever may be the exact method by which any deficiency in Imperial revenue would have to be replenished from the various Provinces, whether it is to be from the people in proportion to their population or in proportion to their resources as ascertained by the revenue of the Provinces, whatever may be the exact method that may be adopted, the method that is suggested by the Congress, and I think with very great wisdom, too, is that land-revenue should be wholly provincialised. I think at the present time what is needed is a careful analysis of Imperial needs and of Imperial resources, and then we shall be in a position to find that Government would be in a position to forego land-revenue for the benefit of provincial administrations, burdening them, of course, with the corresponding expenditure. There are two ways of looking at the matter: one is by taking Imperial revenue and Imperial expenditure as at present; the other is to consider what are truly Imperial sources of revenue, and what are Imperial items of expenditure, and whether the two can be made to balance one another. I take it that modern scientific opinion seems to be that the commercial departments, such as railways, posts and telegraph, etc., income-tax, customs, general stamps, salt, tributes from Native States and opium are subjects which are purely Imperial in their character. Commercial undertakings have been Imperial hitherto, and I do not think any very lengthy argument is required to support the continuation of that state of things. I think that major irrigation is a subject which might, perhaps, be deemed to require a separate treatment, having regard to the special considerations I have urged; besides the growth under that head has not been very large, and consequently, I think, it is a subject which might be tacked on to land-revenue. Salt has been always Imperial and tributes of Native States are Imperial in character, so is opium which is not excise. It is to be noted under this head that the Government derive the revenue from dealings with foreign States chiefly. Now, in regard to stamps, the question would be whether stamps should be wholly Imperial or only partially so. The stamp revenue is derived under the Court Fees Act and the general Stamp Act. Inasmuch as the administration of justice is purely Provincial, it might be suggested that the Court fees to be raised might have some relation to judicial administration, and consequently attention may be paid to the distinction, and the revenue from Court fees may be treated as provincial. The revenue from general stamps would really and properly be Imperial. Income-tax is at present a

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divided head, but I think the tendency of modern opinion is to regard it as a purely Imperial head, and that it should be left to the federal Government, inasmuch as it is difficult to divide it, the sources of income running in many cases into various Provinces. It is also proper that when we have a graduated system of income-tax based on the theory of a man's ability to contribute to the general expenditure that income-tax should be an Imperial head. One thing is against it, and that is that the Provincial Governments which have to collect the revenue might not have the same interest as if they were partners therein. I do not go so far as to say that, but there may be a slight inappreciable weakening of enthusiasm. Thus under the various heads above referred to, deducting collection charges, the revenue amounts to £27·8 millions. The question is what services are purely Imperial. I include therein the debt services and also the military services. There are certain Imperial services of general administration which may be brought under this head. Of course, Mint and Exchange are, from the financial point of view, of very little importance although sometimes they play an important part. The Political Department is included under Imperial. I do not think that logically the expenditure that is now borne from Imperial revenues towards the payment in England of pensions, etc., is truly Imperial in character. I think it is wholly provincial. In 1916-17, making allowance for nearly 5 millions sterling extra expenditure in the Army taking the estimates of 1913-14, we find an expenditure of 27·7 millions, and it can be easily met from 27·8 revenue. And we have also to note in this connection that under the heads which we have selected the growth of revenue is much more rapid than under those which we have given to the Provinces. The growth of land-revenue during the 11 years before the war was 30 lakhs per annum (or £20·6 million—18·4 divided by 11); if you take the longer period from 1858 to 1918, you find that it is the same because the revenue rose from 18 to 36 crores. From the incremental point of view the surrender of this revenue to the Provincial Governments is not of such extreme importance in view of the extremely large growth of revenue under the heads classed as Imperial. Under Forests the same thing may be said, the increase is small. Under Stamps it is 15 lakhs, whereas under Customs it is really 50 lakhs. The shipping tonnage was in 1913-14 17·3 and in 1916-17 it was only 11·9 million. But for the restrictions imposed by the war you could have expected a revenue of 15 millions, whereas it was only 8 millions. The table at page 77 of Commercial Statistics shows that under the various important heads, rice, wheat, etc., there has been an immense reduction in exports. Without wearying the Council by going into details if we look to the normal growth of the quantity of merchandise and its value and the increased rates which are levied, it seems to me that you can derive an increasing revenue of more than Rs 50 lakhs annually from Customs; and the growth in assessed taxes would be about Rs 7 lakhs per annum prior to the war, about Rs 60 lakhs if figures for 1918-19 be taken. In regard to Railways also we have every reason to congratulate ourselves on account of the expansion of revenue, and the limits of expansion seem to me very wide and I look forward to a healthy growth without any inconvenience being caused to the people.

“Then, Sir, even taking the budget for 1918-19, I find about £33·8 millions budgetted for under the heads referred to by me as Imperial and under normal circumstances we could have looked to another 5 millions at least, 3½ under Customs and 1½ under Salt, because it must be remembered that against 4·8 salt estimates in 1916-17 the estimate is only £3·4 millions. The budget expenditure is £36 millions making full provision for an abnormal military expenditure of 20 millions; an increase of 9 millions over the former expenditure; the previous rate of the growth of military expenditure was only £1 million in ten years. Therefore, Sir, you will find that it is possible that from true Imperial revenue you will be able to finance various undertakings which the Provincial Governments have in hand after meeting Imperial expenditure, but even if my estimates are unnecessarily and unduly optimistic, there is not the slightest shadow of a doubt that the two can be made to adjust one

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another without leaving an undesirable *minus* balance. But assuming for argument sake that it may not be possible to do so, I am sure that the deficits are capable of adjustment by contribution from the Provincial governments. I, therefore, submit that the various grounds I have urged of administrative convenience, economic and financial, efficiency ought to suffice to induce the Council and the Government to agree with me in my proposals that the land-revenue should be wholly provincialised."

11-45 A.M.

The Hon'ble Sir William Meyer:—"Sir, it was rather curious to learn from the opening remarks of my Hon'ble friend's speech that the people of India had assembled *en masse* in the recent National Congress in Calcutta. I believe the Congress was fairly well attended, but I am not aware that millions of the people of India came there; if they did it was ample justification for the measures taken by my Hon'ble Colleague, Sir George Barnes, to restrict the demand on the scanty railway stock! The Hon'ble Member also talked about federalising India, and used analogies drawn from the United States, Canada, Germany, and so forth. But federalising in these cases meant bringing together in close union States which had hitherto been independent, or largely independent, of each other. The scheme which my friend has in mind for India is quite a different one: it is splitting up what is at present a well-defined entity. He wants to give larger powers to Provincial Governments and so forth and make them autonomous—to use the term which is dear to my friend Mr. Surendra Nath Bannerjee. Well, I have nothing to say against that, but you cannot put it on the same analogy as the federal systems which have grown up historically in the large federal States with which we are acquainted.

"I think my Hon'ble friend tabled his Resolution before I had made my speech on the Financial Statement, stating that we have under consideration, for application after the war is over and in connection with the scheme of constitutional reforms, a material advance in the direction of separating Imperial and Provincial finance which will give the Provinces larger and more independent resources and further powers of supplementing these by taxation when such may be found necessary. The matter is, therefore, already under consideration, and while the war lasts such a Resolution as my Hon'ble friend has put forward is quite academic. I think the Council will agree with me that it is impossible, while the war lasts, to diminish our Imperial resources in any way.

"Then as to the future settlements, my Hon'ble friend spoke rather lightly of the Imperial Government surrendering the land-revenue and the major irrigation revenue. As he quite rightly recognised, the connection between the two heads is so intimate that if land-revenue is provincialised, major irrigation will have to follow. At present the Government of India derive, speaking in round figures, £12 millions a year from these two heads, and I cannot share the light-heartedness with which my Hon'ble friend tackles the proposal. He seems to think that by some adjustments here and there we can do without this great sum; but I am sure it would be impossible. He quoted figures for 1916-17, which do not take into account—naturally, because it was before the event—the 6 millions a year with which we are now charged by reason of our war contribution and in which the military figures are much less than they are now. My Hon'ble friend says 'you will be able to cut down the military figures hereafter.' I do not know. Another Hon'ble Member said in effect the other day 'spend millions more on the army.' I do not know whether my Hon'ble friend's pacific sentiments will be approved by the Hon'ble Mr. Surendra Nath Bannerjee and other Members of this Council. In any case, it is quite impossible for us to say now to what extent our military expenditure will be capable of reduction when peace returns, and it is perfectly impossible when peace does return that the Government of India should surrender without compensation some £12 million of revenue. That would

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absolutely hamper them in regard to the defence of the country, which must always be the primary consideration with them. It will be necessary, therefore, to imperialise some of the heads that are now divided: Income-tax, for example, my Hon'ble friend suggests; or, as he also suggests, we might divide up Stamps and make commercial Stamps wholly Imperial. It would also be necessary besides that (as I think he said the people of India in Calcutta assembled decided) that there should be lump contributions from the Provinces. The Provinces would get the benefit of the whole of the land-revenue and of other growing heads, and, besides other adjustments, they would each have to pay a certain amount to the Government of India for purposes of defence. Well, it is by no means an easy matter to adjust these contributions. We may get rid of a certain amount of friction by having no divided heads; but you will certainly have friction, I am afraid, in other directions, over lump contributions. My Hon'ble friend referred, I think, to the analogy of Germany. He is probably aware that in years gone by there was very considerable friction between the Central and the State Governments there as regards what are called the matricular contributions.

"But I recognise that in accordance with the scheme which I adumbrated in my speech on the 1st of March it is necessary to advance very materially in the separation of Imperial and Provincial finances, so that the Provincial Governments can get more real financial powers than they have hitherto obtained, and I would also remind those of my Hon'ble friends who chafe at the restrictions which the Government of India now impose on the Provinces that in most cases those restrictions are likewise imposed on us by the Secretary of State. So that if you are going to have any material advance in the direction of Provincial autonomy there must be decentralisation in Downing Street as well as in Simla.

"I do not wish to follow my Hon'ble friend into his examination of the financial possibilities. I think I have said enough to show that this re-casting of the Provincial settlements, which his Resolution would involve, and which in any case we are going to undertake, must be a difficult task which cannot be undertaken lightly, and which requires a great deal of detailed consideration. I may say, however, that we have put a provisional scheme before the Provinces—and even that provisional scheme cost us a great deal of time and trouble to work out—and we are now getting their replies. When we come to a provisional decision on those replies the main lines of the future financial development will be a part of the scheme of constitutional reforms which, as His Excellency the Viceroy informed the Council the other day, will be published for general information and give opportunities for public criticism.

"Well, I cannot for these reasons accept the Resolution in the form in which it stands, but I would be willing to accept an amended Resolution, somewhat in this form:—

"This Council recommends to the Governor General in Council that in revised financial arrangements, with the Provinces consequent on a scheme of constitutional reforms, the question of wholly provincialising the land-revenue, be taken into consideration."

"To a Resolution in that form I say I could assent."

The Hon'ble Rao Bahadur B. N. Sarma:—"Sir, I have only 11-53 A.M.
 one or two observations to make. I quite realise, and have always realised, that there is a difference between the United States or the German States coming together into a federal confederacy, and India. This is because we have here the inestimable advantage of always having had a unitary government, a government which, at present, is in possession of all the revenues of the country, and, consequently, intricate and delicate questions of adjustment would not arise in this country in the manner in which they have arisen in the United States

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PROVINCIALIZED.

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or Germany. Apart from that, and apart from the control which may be retained, there seems to me in substance no difference in the principles we are advocating and the federal system which obtains in other countries.

"The only other observation which I have to make is that my Hon'ble friend overlooked the fact that I quoted the figures for 1918-19, also including the interest and the Sinking Fund charges. I think the revenues and the expenditure can be made to balance one another. The Hon'ble Member was right in saying that I sent up this Resolution before I knew that the matter was receiving consideration. Of course, I realise that the Government is not in a position to state more at present, and I accept the suggestion of the Hon'ble the Finance Member, and I would be prepared to move a Resolution in the form suggested by him if the Council and you, Sir, permit me to do so."

The Hon'ble the Vice-President:—"I have nothing before me yet. If the Hon'ble Member can give me something to put to the Council I shall be pleased to do so."

The Hon'ble Rao Bahadur B. N. Sarma:—"I move that—

'This Council recommends to the Governor-General in Council that in revised financial arrangements with the Provinces, consequent on a scheme of constitutional reforms, the question of wholly provincialising the land-revenue be taken into consideration.'

The Hon'ble the Vice-President:—"I understand that the Resolution in that form will be accepted by the Hon'ble Member."

The Hon'ble Sir William Meyer:—"Yes."

The Hon'ble the Vice President:—"As the Resolution is accepted I do not propose to put it to the Council unless any Member wishes it formally put."

The Hon'ble Rai Sita Nath Ray Bahadur:—"I would like to know the nature of the amended Resolution which has been accepted."

The Hon'ble the Vice-President:—"I am sorry I did not catch the beginning of the Hon'ble Member's remarks."

The Hon'ble Rai Sita Nath Ray Bahadur:—"I would like to know the nature of the amended Resolution which has been accepted."

The Hon'ble the Vice-President:—"The Hon'ble Mr. Sarma has read it once to the Council, and I have no doubt he will have the courtesy to read it again."

The Hon'ble Rao Bahadur B. N. Sarma:—"I beg to move that—

'This Council recommends to the Governor General in Council that in revised financial arrangements with the Provinces, consequent on a scheme of constitutional reforms, the question of wholly provincialising the land-revenue be taken into consideration.'

The Hon'ble the Vice-President:—"I would remind the Hon'ble Rai Sita Nath Ray Bahadur and other Members of the Council that they are entitled to object to this amendment if they choose to do so. If no Member objects, and the amendment is accepted by the Hon'ble Sir William Meyer, I do not see that anything is gained by putting it to the vote."

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RESOLUTION *RE* INTRODUCTION OF FREE AND COMPULSORY EDUCATION AFTER THE WAR.

The Hon'ble Rao Bahadur B. N. Sarma :—" Sir, I beg to move the following Resolution :— 11-57 A. M.

'This Council recommends to the Governor General in Council that one of the post-war reforms should be the introduction throughout British India of free and compulsory primary education immediately after the war.'

"With your permission, Sir, I would like to speak to the next Resolution also and ask you whether it would be convenient to put them separately in order to save time."

The Hon'ble the Vice-President :—" Certainly."

The Hon'ble Rao Bahadur B. N. Sarma .—" The other portion reads thus :—

'This Council recommends to the Governor General in Council that if the land-revenue be not wholly provincialised, the Government of India should undertake to finance free and compulsory primary education out of Imperial revenues.'

"Well, this is a hardy annual, which makes its appearance once every year; but the subject is of such practical importance that Hon'ble Members will excuse me if I intend drawing their attention once again to the subject, which has so far received but indifferent and inadequate recognition at the hands of the authorities. I do not quarrel with the immediate present, because I realise that the embarrassments of the war have prevented any larger attention being paid to the subject; but, I think, we are entitled to a definite pronouncement of policy on this large question, especially in view of the important world developments which have been taking place during the last few years, and also in view of the changes which are likely to come over the Indian administration. I am aware, Sir, that His Excellency the Viceroy has been pleased to announce that the Government have under contemplation a policy whereby this intricate question will be handled by them to the satisfaction of the people, and I am also aware that about Rs. 30 lakhs have been granted to the Provincial Governments for the purpose of more adequately financing primary education than would have been otherwise possible. I note the infinite satisfaction with which the Hon'ble Sir Sankaran Nair reviewed the figures of the last nine years in support of his contention that the Government are, perhaps, not altogether remiss in this matter. But I hope to be able to convince the Council on a review of both the financial as well as the educational figures that neither from the point of view of numbers nor of quality have we reason really to congratulate ourselves upon what has been done, and perhaps the people of this country will not be wrong if they complain that a much more rapid advance has not been possible. I do not intend to deal to-day at length with the general aspects of the question. Last year much of what could be said really was said, and the Hon'ble Members in review of the Financial Statement, have made, I am very glad to note, pointed allusion to the need for development in this direction. I also note, and thankfully, the cordial and unanimous support of all the non-official Members on the last occasion when a somewhat similar question was raised, especially in view of the doubts which were felt by the Hon'ble Sir Sankaran Nair as to what the attitude of the Indian Members would be in regard to it. My justification for bringing up this Resolution is, that there are two or three important events which have occurred since I last moved the Resolution in which I pleaded for a scheme of financing primary education in a definite period. The Home Government, we all gratefully acknowledge, has distinctly promised that self-government is to be the goal of Indian administration, and we are at present engaged in the difficult task of settling the particular rate at which progress can be evolved during the next few years. Well, whatever may be the changes immediately ahead of us,

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there cannot be the slightest doubt that we are in for a democratic form of government, and I do not think that any very lengthy reasoning is necessary to show that we shall have to educate our future masters. That alone is a sufficient reason for putting the educational problem in the forefront of our administrative problems—perhaps only next to the military problem. I have been very much struck by a book which was recently published in which the industrial efficiency of the American and the Britisher was compared, and it was shown there that with the improved machinery employed in several American industries, one American is able to turn out three times as much work as a Britisher. What the relative rates of efficiency as between the Indian and the European are, I need hardly dwell upon here. Both the Industrial Commission and those engaged in agriculture have insisted, and rightly too, upon primary education being immediately extended throughout India if there is to be any proper extension of the right agricultural methods or industrial development. Thus industrial efficiency, agricultural efficiency, the needs of self-government, the rapid rate at which other countries are competing with us, the new war problems whereby perhaps we might be brought into some sort of commercial union with other countries which may be a source of peril to us from the economic point of view unless our industrial and economic efficiency can be raised to the level of that of the countries with which we may be brought into union—all these and many more reasons may be cited for asking the Government to pay a little more attention than has been found possible in the past. Hon'ble Members might perhaps think that there has been an increased expenditure of 149 lakhs during the last four years from Provincial revenues; but that was not on primary education alone, but on education in general, and there has been an expenditure of about 94 lakhs only from municipal and local boards revenues; an increase of about 1 million pupils in primary schools is then relied on. But, Sir, one point seems to have been overlooked, and that is this. With all the advance that has been made during the past seven years ending in 1916-1917, we have not been able to overtake the growth of population. Taking the normal growth of 5.5 in population, you find that there has been an increase among children of school-going age of 1.7 million, whereas the number of pupils in schools rose from 4.6 to 5.8, that is 1.2 million. Of course I know that the figures for girls are included therein. Still I am perfectly justified in stating that, although the ratio of the boys educated to the population has risen relatively, we have not even overtaken the population growth, and that with an increased expenditure of over 94 lakhs. We know how inelastic provincial revenues are. At the present rate, how long will it take to educate our people to the level obtaining in all civilised countries? It has been said that in various provinces Bills have been introduced, and the Government have so far kept themselves in touch with public opinion as to sanction the introduction and in some case the passing of such Bills—Bills which make it possible for local bodies and municipalities to provide, where they are willing, funds for the compulsory and free elementary education of pupils. But my trouble is, Sir, that these are but mere palliatives: they will not solve the question properly unless the Government of India is willing to undertake the moral and the financial responsibility in the matter. Our land-revenue is 36 crores; and even assuming for argument sake that an additional half-an-anna cess can be levied in all the provinces you will not be able to get more than a crore of rupees. Taking it that the Government will provide twice that amount, the net revenue provided will be only between 3 and 4 crores, whereas even taking the 10 per cent. standard and accepting the position that only half the number of girls of school-going age can be reached, you will have to provide for about 18 millions pupils, and it would be absolutely impossible to make adequate financial provision unless there is a change of outlook—a change in the point of view from which the Government look at this problem, and until they give up the *laissez faire* policy and a policy of looking to small developments here and there whenever and wherever possible. The real question is, can we afford to be overtaken in

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the race by other races; and is not the industrial serfdom which is at present our lot going to be perpetuated if we allow Japan and other countries, European as well as Asiatic, to become industrially and educationally efficient, while the Government of India looks to the consent of the people being obtained in the distant future under proper checks and safeguards before proceeding in this matter? I do not mean it to be understood when I move this Resolution that I think the Government would be justified in undertaking this task if in any locality there should be danger of creating political unrest and discontent. I have not specified or alluded to the limitations in this Resolution, because I felt it would be making it too cumbersome to introduce the qualifications always implied. I also know that it would be impossible for the Government to force the education of girls against the wishes of the people; but the rapid rate at which girls' education has been advancing, and the circumstance that nobody would object to his boys being educated provided he is not asked to pay when he is not able to do so, make it easy for the Government to extend rapidly primary education. The only question is have they the finances to do so? But before I deal with it, let me dispose of a few objections which are generally raised.

"The Hon'ble Sir Sankaran Nair in dealing with a similar application of mine last year gave various reasons for asking the Council to reject my Resolution. One of them was that Mr. Gokhale was satisfied with local boards taking up this task whereas I asked for much more. The world has advanced considerably since the Hon'ble Mr. Gokhale advanced his proposals, and besides that, Mr. Gokhale knew the difficulties he had to contend against and was therefore only desirous of introducing the thin end of the wedge then by inducing the Government to accept the principle. What was an impossibility then the Government have been forced by public opinion to accept as a possibility now. The whole world is moving much more rapidly, and we cannot rest content with the Government's passive attitude relying on slow developments. That is my answer to that part of the question. Is there a popular demand? The way in which the Government answer on the last occasion was taken up by the press and the people at large and by the various associations, and the way in which legislative Members rallied to my support on the last occasion are proof positive that the country is fully alive to the importance of the problem.

"Then a word, Sir, with regard to the voluntary principle which has been preached *ad nauseam* by the Government and their advocates. Now, two propositions have been put forward in support of it and they are these. First of all we have not got enough funds to found schools where people are willing to send their children, and consequently there is no use in asking for free and compulsory education. I shall presently deal with it. The second is, that the quality has to be improved before we can look to the quantity. Taking the quality question, I humbly submit that that very point is a strong argument in favour of my contention that, unless free and compulsory education is the order of the day, you can never improve the quality. You find that not even half the number of boys from the lower standard go up to the higher standard, and that the number of boys who are able to read books after passing through this primary course is indeed a very small fraction of the number of boys whose names appear on the rolls. What is the reason? The reason is not so much inefficiency of teaching as has been supposed; that the people are unable to pay for their education is only partly a reason and consequently some sort of compulsion would have to be employed where the people possibly do not know their interests rightly. I quoted on the last occasion a number of figures in support of my proposition that the number of pupils proceeding to the higher classes is but a very small fraction of what we should expect it to be. The number of pupils in the upper primary class in 1910-11 was 605,000 and in 1914-15 it was 596,000, and it was found that the number of pupils who could read from books was 3.2 millions and 3.5 millions or $\frac{1}{2}$ million more only for that period. You will thus see that notwithstanding the large figures which appear as being at school as five and six millions these

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that were receiving real education are very, very few indeed, and it is impossible to accomplish the task we have before us unless a form of compulsion is used, and further education in the higher forms is imparted. The whole question is really one of finance as has been admitted on more than one occasion by responsible members of the Government. Now, Sir, I humbly submit that unless extraordinary unforeseen circumstances intervene the recent development in the growth of revenue is ample justification for my approaching the Council with the suggestion that the finances can amply meet my request that free and compulsory education should be imparted throughout British India. The Hon'ble the Finance Minister speaking on the previous Resolution has said we do not know where the military problem will land us; it is too soon yet to say what the expenditure will be, and consequently we can only be revelling in imaginary figures and be doing no useful task if we are to lay down any definite rate of programme in any direction before the war is over. It is because I have some fears that unless the Government is induced by the people to put this subject in the forefront of their programme, it is the fear that the difference between the expenditure and the normal revenue would be utilised for perhaps unnecessary purposes, which may be very justifiable from a moral point of view, but which the administrative conditions of this country do not permit, it is because I fear that that I have brought up this Resolution. Now, no one can say that the growth of revenue during the last few years does not justify the expenditure of be it even eight or ten million pounds a year on the extension of primary education. We have increased the gross revenue from 82 millions in 1913-14 to 110 millions in 1917-18 (revised estimate) or by about 28 million pounds or forty-two crores of rupees. Of course some portion of it would have to go towards interest charges, but even when you deduct all those charges you find a large surplus; there is at least four to seven million growth in customs; you will find under railways there is an enormous growth, and you will find there is a growth under income-tax. Putting these three alone together we find there is a growth of about fifteen and a half million pounds; and so far the permanent expenditure under the Army has been increased, if I am not wrong, only by one million pounds and even if the improvements which the Hon'ble Mr. S. N. Bannerjee, has asked for be given, they would not come to about more than a crore of rupees, and would perhaps be much less than that. Assuming that another two or three million pounds would be required by the Military Department my submission is the finances of the country do permit of large expenditure towards education being made from Imperial revenues. Inasmuch as we take from the people a large portion of their substance in the shape of Imperial revenue, it would be unreasonable for us to expect them to fleece themselves more by imposing upon themselves local and provincial burdens. You will have to lighten the taxation here if you expect the provincial and local taxes to yield more. Secondly, Sir, I think that the Imperial revenues do justify the wide departure at the present moment in the desired direction, for two reasons, firstly, because it is impossible to tackle the problem if you leave the problem to be solved by local bodies or even by provincial councils unless land-revenue is provincialised in the manner I have suggested, and, secondly, because the financial resources at present existing would permit of the expenditure of large sums of money upon primary education. It is for these reasons that I have brought forward this Resolution at the present juncture notwithstanding the embarrassments which the Government find themselves exposed to, as the reforms are only to take effect after the war. Therefore I hope that the Hon'ble the Education Member would be in a position to accept this modest Resolution of mine which is absolutely needed in the interests of the people whose welfare he and the Government have at heart."

12-21 P. M.

The Hon'ble Sir C. Sankaran Nair:—"Sir, before dealing with the Resolution itself I shall say only a word or two with reference to the general remarks made by my Hon'ble friend. I do not think it was necessary for him to

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dwell at such length on the value of mass education in the interests of national efficiency. I do not think there is any dispute between him, his friends and the Government on that point; nor do I think it was quite right or fair to the Government to say that we were not bestowing sufficient attention to the subject; we are devoting to it as much attention as we possibly can. I can assure him that the question is always before us, and we are always considering what we can do for the extension of education in India.

"The Resolution put forward by the Hon'ble Mover is much the same in substance as that which he moved last year. He then wished us to draw up a scheme whereby primary education should be made universal, compulsory and free throughout British India within a period of 15 years, to be introduced as soon as possible after the termination of the war. He has now left out the period. He now asks us to introduce free and compulsory education throughout British India immediately after the war. So far as there is any change in the wording of his Resolution, it is in the direction of an earlier introduction of compulsion. We were unable to accept his Resolution last year; and, if we were unable to accept that Resolution then, we are still more unable to accept his present Resolution now. Even if his object be as it was last year that we should introduce a scheme of compulsory education immediately after the war, the actual completion of which might be delayed for some years, even then I could not accept it. Supposing he had merely stated that our aim should be a system of free and compulsory education, just as he wished us the other day to declare our ultimate aim in excise matters to be compulsory temperance, then I might have been ready in this case to agree with him. He does not, however, put forward his scheme as an ideal, but as one to be introduced immediately after the war, and this is a form in which I cannot accept the Resolution.

"Now, I gave my reasons last year for objecting to the introduction after the war of any general scheme of compulsory education. Those reasons still hold good. We are not prepared to introduce compulsion, but we are prepared to do all we can to extend the existing system of primary education. We have, in fact, considerably extended it in the last few years. As I pointed out in my remarks on Saturday last, the number of pupils has extended considerably during the last few years, and we believe that in the present year we shall have more than 8 million persons at school. Some Members appeared to have doubts as to the expansion of primary education, and the Hon'ble Rai Sita Nath Ray Bahadur complained the other day that there were only 31,000 primary schools in Bengal, and that consequently the distribution of schools in that Province was poor. He took the last figures available, but from figures which were placed on the table on Saturday he will see that the number of boys' primary schools in Bengal is now over 32,000, while the addition of girls' primary schools brings the total up to nearly 42,000. As a matter of fact, schools are situated remarkably near together in Bengal. There is one school for every 1.88 sq. miles. Nor do the figures of primary schools give the full truth; for the secondary schools educate a number of primary pupils—in Bengal alone over 212,000 are so educated in secondary schools. The Government of India has, in fact, as I pointed out last Saturday, continued in an increasing degree to spend money on education, and especially on primary education. As I stated, the amount spent on education last year was 468 lakhs, this year it is 502 lakhs and next year we expect it to be over 616 lakhs. So far from being a decrease in expenditure, as some Hon'ble Members seem to imply, there has been progressive increase, and the increase in the budget for next year is by no means entirely due to the provision of 30 lakhs which we are making from Imperial funds. The increase takes place in the budgets of all the Provinces independently of our grant. Both last year and this year the Government of India have singled out Education as the object of special grants. The grant made last year—a recurring grant of 30 lakhs—was made for the purpose of improving the training and pay of teachers—the teachers vary largely of primary schools; and the recurring

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grant of 30 lakhs which we are giving this year is to be devoted entirely to primary education. I do not think that any one can say that the Government of India has been lacking in its solicitude for the cause of primary education.

"But the Hon'ble Members say we must have compulsion. Well, if you apply full compulsion everywhere, as the Hon'ble Member apparently proposes to do, you are undertaking a colossal task. Apart from other objections, we cannot raise the money necessary for maintaining it. Any scheme for the general introduction at an early date of compulsory education would be impossible.

"My Hon'ble friend says that we shall have ample funds after the war for universal and compulsory education. My remarks on this point will be general. As he knows, Mr. Gokhale calculated the cost of educating the boys between 6 and 10 at $4\frac{1}{2}$ crores. That was shown to be a serious underestimate, and the cost is much more likely to be 7 or 8 crores, and indeed a scheme of this kind could scarcely be carried out without ultimately landing us in some 10 or 12 crores of annual expenditure. Can we expect to get this money or anything like it immediately after the war? The local bodies may pay a share but that does not help us very far; as, roughly speaking, the same persons are taxed whether for local funds or for Government. Hon'ble Members saw with what difficulty the Finance Member was able to give provisional hopes for additional grants this year for technical education and for sanitation, grants of a comparatively small figure which cannot stand comparison with the huge sums which a universal scheme of compulsion would entail. What the Finance Member would be able to do after the war, I cannot tell; but I may safely say that neither he nor the Provincial Governments would be in a position to meet for many years anything like the expenditure involved by the Hon'ble Member's proposal.

"Mr. Gokhale recognised this and so he introduced his modified scheme of compulsion. He wanted to give the authorities in charge of certain local areas in which education had reached a certain point a power to introduce compulsion in those areas. This was a very different thing from introducing general compulsion throughout India. We had our objections, however, to the scheme put forward by Mr. Gokhale, and we explained these objections when his Bill was before this Council. One reason why the scheme did not satisfy us is, that under a scheme of this kind the expansion of education must be very uneven and must make the greatest progress in the particular areas where education is already most advanced; which is just the opposite of what we should ourselves wish to aim at. We look to the introduction at some time of a system of compulsory education throughout the country, but we must decline to introduce general compulsion at the present time. Once we can bring a large tract of country into a state of comparatively forward education, the course will become more clear. Mr. Montagu pointed out in the House of Commons in 1912, compulsion really can only be asked where education is popular and where, therefore, the need of putting compulsion into force would not show itself to the very large bulk of the population. We are endeavouring to extend education through large tracts of country and this, we believe, we can do on the present voluntary system. We believe that it is quite possible to effect an enormous extension without resort to compulsion and we hope, when the war is over or possibly before that, to be able to put in hand some measures for effecting a more rapid expansion of primary education than that which we are able to effect at present. We have been considering the possibility of a plan which would provide for a financial programme for the expansion of primary education, without giving to future progress that uneven and unfair character which Mr. Gokhale's scheme necessarily entailed. Unfortunately just as our programme was getting into shape, the whole question of the financial relations between the Government of India and the Local Governments and the whole question of the future control of primary education was raised

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(and necessarily raised) in connection with the scheme of reforms. It was impossible for us to produce our scheme while these matters were still under discussion, and we are unable, therefore, to explain at present what the scheme which we had in view was, and, until we know more accurately the form which our general plans are to take, it is impossible to say when we shall be in a position to explain as the Hon'ble Mr. Sarma wants what our scheme was. In the meantime, we have done the best we can to further such progress as can be made in the desired direction. We have ourselves provided a further liberal grant of 30 lakhs this year for the expansion of primary education on the voluntary system, and we have given full liberty to local legislatures to introduce Bills on the lines of Mr. Gokhale's measure.

"We are also ready to allow the further employment of compulsion on the limited lines suggested by Mr. Gokhale when there is a demand for it. We have done this in direct pursuance of the suggestion which was made by Sir Harcourt Butler when Mr. Gokhale's Bill was under discussion. An Act has, as Hon'ble Members know, been passed for the introduction of compulsion in municipalities in Bombay. Arrangements have been made for the introduction of similar Bills in Bengal and in Bihar and Orissa. A Bill on the same subject has been drafted by the Punjab Government and published for criticism. To all this we have given our assent, and we expect that further Bills will be forthcoming from other Provinces. All this, however, is a very different thing from what the Hon'ble Member is asking for, and we are not prepared to accept any proposal such as that which he puts forward, and which involves a general introduction of compulsion throughout British India after the war. With these remarks I oppose the Resolution."

The Hon'ble Dr. Tej Bahadur Sapru:—"Sir, in rising to 12-34 P. M. support the Resolution which has been moved by my Hon'ble friend Mr. Sarma, I must express my extreme disappointment at the speech which has just been delivered by the Hon'ble Sir Sankaran Nair. The Hon'ble Sir Sankaran Nair has taken Mr. Sarma to task for being a little too impatient. He wants him and he wants everyone of us to ask the Government to keep the question of compulsory primary education as an ideal to be realised sometime in the distant future. Sir, I feel very strongly....."

The Hon'ble Sir C. Sankaran Nair:—"I did not say distant future."

The Hon'ble Dr. Tej Bahadur Sapru:—"As an ideal in the future. Sir, I feel very strongly on that subject, and I must say that the time has gone by when the question of primary education could be treated as a mere question of ideal. I think the time has come when the Government should recognise their duty in this matter frankly, boldly and courageously. It will not do for the Government to take credit for having authorised local legislatures to introduce measures relating to primary education, nor will it do for the Government to refer with any degree of pride to the amount of Rs. 30 lakhs which has been allowed this year or to similar grants, nor will it do for the Government to say that the number of scholars has increased in some Provinces. Now, take a Province like the United Provinces, with a population of 48 millions and take also the figures which were supplied to us the other day by the Hon'ble Mr. Sharp. Can it be said with any degree of pride that it is a very satisfactory condition for a Province like the United Provinces to be only higher than Baluchistan in the matter of primary education. Sir, as one belonging to the United Provinces, I cannot feel proud of that state of things. Sir, it has also been said that so far as the question of compulsion is concerned, Mr. Gokhale proceeded very cautiously in regard to this matter in his Bill and in the famous speech which he delivered in this Council. May I be permitted to remind the Council that Mr. Gokhale was the pioneer of this subject, and he wanted to save the Government from the rude shock of the new

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idea at that time? But, I should think that eight years' time is a sufficiently long time even for the Government to get themselves reconciled to the present question, and I venture to think that the rate of progress which has been maintained during the last seven or eight years is by no means adequate, having regard to the size of the country or having regard to the pressure of the demand on the part of the people in this country. I certainly cannot congratulate the Government in the same spirit in which the Hon'ble Sir Sankaran Nair congratulated the Government or his own Department with regard to the progress that has been made in the matter of education. I do think that my Hon'ble friend Mr. Sarma has done a service by raising an issue of this character on the present occasion, and I also respectfully submit that it is not right to expect the local bodies with their embarrassed finances everywhere to make further progress unless they are liberally assisted in this matter by the Imperial Government. We have to press this question upon the attention of the Imperial Government, unless we know what exactly will be the condition of the Provincial Governments after the reforms. I cannot anticipate the decision of Government on that matter, but until the present state of things lasts, I think it is our duty to press this question upon the Government and it is the duty of the Government to be more liberal than they have been in the past, and not take credit for only what they have done so far."

2-39 P. X.

The Hon'ble Mr. Sastri:—"Sir, I must apologise to the Council for coming late and venturing to speak on an imperfect appreciation of the points put before the Council by the Hon'ble Sir Sankaran Nair. I thought I heard him say that Mr. Gokhale's Bill was imperfect inasmuch as under it the more forward areas would have been helped in preference to the more backward areas. In other words, it enabled the municipalities which were already well advanced in education to take advantage of its provisions and make further progress while the rural areas would still remain where they were. If that is the meaning of the Hon'ble Sir Sankaran Nair's criticism of Mr. Gokhale's Bill, I venture to think it is somewhat misplaced and out of keeping with the general line of policy adopted by Government in all other matters. This criticism, Sir, is opposed radically to the very principle upon which the grant-in-aid system is based. The grant-in-aid system has been adopted as the system upon which all further progress in educational matters is to be made. Now, what is the central principle of the grant-in-aid system? Government says we will give a rupee to everybody who is able to raise a rupee for himself. Now those who help themselves, that is to say, those who have some power already, those who are able to make some progress already, will be enabled by Government to make further progress. Is the principle to be given the go-by in the matter of free and compulsory education? But it is not only, Sir, in respect of education that the Government adopt the principle of grant-in-aid. There is the whole method of aiding municipalities in the matter of water-supply and in the matter of public works. You tell the municipalities in general that every municipality that wants water works for themselves and tax themselves to the extent of half the cost of any scheme that Government may sanction, will get from Government a similar amount. You do not go and say, 'well the backward municipalities shall be the first which Government will assist; when every backward municipality which cannot help itself shall have got its free and protected water supply, we will then come and think of those that can raise half the money for it.' On the contrary, Government says 'we will give help to those municipalities that can help themselves; municipalities that are already fairly well able to maintain themselves, they shall raise so much money and Government will give so much more money.' Now that system would no doubt widen the gap between the forward and the backward municipalities. Anyhow that is the system which the Government has hitherto worked on. Why that system should be condemned where free and compulsory education is concerned, I am not able to understand. Mr. Gokhale's scheme no doubt would have done that, but it would have gone

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on the lines already adopted by Government and recognised as sound in all legislation. Now we may ask why Government helps those that can help themselves. It is a simple matter, one effect of which is known to all who are practically concerned with the work of administration. The great virtue of the grant-in-aid system is that it enables Government to see that public funds are properly expended. Municipalities and local boards have a certain amount of independence given to them. Government no doubt exercises control, but it increases its control, makes it more minute and searching whenever it gives some grant-in-aid to a well-recognised object. It then imposes conditions, and through that means Government have been able to obtain a certain amount of control and the power of improving certain services and seeing that the people are well served. I think, Sir, the grant-in-aid system has done wonders for this country, and I hope nothing that the Hon'ble Sir Sankaran Nair has said in his criticism of this Bill will be understood to violate this central principle and impair the virtue of this system."

The Hon'ble Mr. Surendra Nath Bannerjca:—"Sir, I must ^{12-43 p. x.} confess to a sense of disappointment at the reply which has been given by Government in regard to the Resolution of my Hon'ble friend. That Resolution says 'That this Council recommends to the Governor General in Council that one of the post-war reforms should be the introduction throughout British India of free and compulsory primary education immediately after the war.' I think what is uppermost in the mind of my friend, and I believe that is the feeling of most of us here, I mean the non-official Indian Members, is that primary education, free and compulsory primary education, should be regarded as part and parcel of the post-war reforms. Sir, we are looking forward to a responsible electorate; we are looking forward to industrial development and industrial efficiency. For both these purposes I venture to assert that primary education is the first, the foremost, the most indispensable condition. If you want a responsible electorate, that electorate would best do its duty if it were more or less literate. If you want industrial development, you would secure industrial efficiency if the artizan and other people engaged in our industries were literate. Therefore, it seems to me that the question of constitutional reforms which will be uppermost immediately after the war, is indissolubly bound up with the question of primary education, free and compulsory. I think it is an artificial, unnatural division to separate the one from the other; the two are indissolubly linked up together; they act and re-act upon each other and strengthen each other by their mutual interaction. My friend the Hon'ble Mr. Sastri has referred to the municipalities and the financial ability of the municipalities to help forward the cause of primary education. Well, Sir, I happen to be associated with a municipality in Bengal and have been so associated for the last 35 years, and I can say this that, unless the Provincial Government or the Imperial Government is able to come forward with funds, it would be a hopeless task for a municipality, such as my municipality is, and other municipalities in the same condition (and they form the majority), to carry out this great reform of primary education, free and compulsory. Therefore, Sir, I take it that it is necessary that the Provincial Governments should come to the help of this cause, and that the Imperial Government should be at the back of the Provincial Government in this matter. It is a supreme duty, a paramount duty which the country demands and insists upon, and the country looks upon it as part and parcel of those great constitutional reforms upon which we have set our heart. If you want these constitutional reforms to succeed, you cannot possibly succeed in full measure unless and until you extend primary education and compulsory education, and unless intellectually, morally and industrially you equip your people for the great task which is before them."

The Hon'ble Pandit M. M. Malaviya:—"Sir, if the Hon'ble ^{12-43 p. x.} the Education Member had merely contented himself with saying that a scheme

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for extending primary education throughout the country would be produced at the end of the war or later on, I think many of us would have felt more satisfaction than we do at present. There is no doubt that the Resolution recommends the introduction of free and compulsory education immediately after the war. We can realise that, for the reasons given by the Hon'ble Member, and for the reasons stated by His Excellency the Viceroy at the opening Session, the Government may not be in a position at present to put forward a definite scheme, but we want to be assured, Sir, and we feel that the matter is of such importance that there should be an assurance that a scheme for the general expansion of primary education on a sufficiently large scale is being really prepared. There are two or three objections that were urged by the Hon'ble Member which require to be noted. He pointed out that at the end of the war there will not be sufficient money available to promote education in the manner suggested by the Resolution. Ten or twelve crores a year was the amount estimated to be necessary for the purpose. I never thought, Sir, that anybody suggested that ten or twelve crores of rupees should be spent all at once from the beginning of the very first year after the war. I expect that in any scheme of general primary education, there would be a graduated scale, that it would be worked out in the course of a certain number of years, and that the demand on the public exchequer would not be so very heavy at the outset as to make it impossible to be met. In other countries where primary education has been introduced, it has been introduced in a graduated manner. This is what we look for in India, but we want to know that such a scheme is in contemplation, and that the period which has been fixed for attaining the object which the Hon'ble the Education Member has rightly said should be a period of years, that the period which has been fixed is not an unduly long period. In this matter, Sir, as I have said more than once before, the people of India have been in a peculiarly unfortunate position. The need for extending primary education was pointed out in this country long before such need was recognised even in England. In England, the Primary Education Act was introduced about 1870. In India, so long ago as 1845, the question of extending education to the mass of the people was taken up, Parliament considered it and approved it, and a scheme was embodied in the Education Despatch of 1854. Since then, we have had on numerous occasions very eloquent expressions of the sympathy of the Government to the masses of the people and of their desire to extend such education. But, unfortunately, the sympathy has not been translated sufficiently into action. From the time that the Government recognised the need of extending elementary education among the masses, the Government revenue has expanded like anything. Sums, enormous sums, have been found for expenditure on general administration, on the Army and on every other subject which the Government thought it fit to spend money upon; but education has not received its proper share, and I submit, Sir, that what we want to be sure of is, that the Government should even now recognise more fully than they have done in the past that this matter of primary education has to be practically carried into effect.

" The Hon'ble the Education Member resented the remarks of the Hon'ble Mr. Sarma and indicated that there was a want of appreciation on our part of the efforts which have been made by Government in this direction. I should be very sorry to think that any one of us failed to appreciate the effort. We are grateful for what has been done. But we must point out—it is our duty both to the Government and to the people to point out—that what has been done is very inadequate as compared with what requires to be done. Therefore, I submit that, while we recognise all the difficulties that have been referred to by the Hon'ble Member, the Government ought to prepare a scheme and put it forward at the earliest opportunity before the Council and the public in order that we should feel that the matter is going to be dealt with in a bolder, in a more comprehensive and a more definite manner than it has been dealt with in the past.

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" I think I must add just a few words in reference to Mr. Gokhale's Bill. I have no doubt that the Hon'ble Education Member was the last person not to appreciate the importance of the work undertaken by Mr. Gokhale. But I fear that when he spoke of the disadvantages of that Bill and of its proposals, he did not give sufficient weight to the fact that all that Mr. Gokhale was seeking to do, was to introduce a measure which could expand in the course of time. He recognised that elementary education could not be introduced all over the country at once. He, therefore, proposed a very modest measure which, if it had been carried out, would have advanced the cause of education further than it has been carried during the past many years. Therefore, the criticism that, under his proposal, the progress of education would have been uneven and unfair is not quite just to his memory. Nobody recognised more fully, more frankly, than did Mr. Gokhale, the limitations under which all these schemes have to be worked. In view of those limitations, he suggested what to him appeared to be the best means of making a beginning. If that beginning had been made, we should have been much better off to-day than we are; but it is no good complaining of the time that has been lost. What we want is, that further time should not be lost, and, while we know that the Government, every member of the Government, including the Hon'ble the Education Member, must be very busy at present in considering the question of reforms, we hope that, when there is a little leisure available after this Session is over, that the Hon'ble the Education Member will prepare a scheme of compulsory elementary education which should be worked out in the course of a few years and which would require the expenditure of public funds on a graduated scale. We shall be deeply thankful if such a measure could be put forward before the Council at its next Session."

The Hon'ble Sir William Meyer:—" Sir, I should like to say a few words from the financial point of view. 11-55 P.M.

" My Hon'ble friend Sir Sankaran Nair has brought out clearly the magnitude of the expenditure to which the Hon'ble Member's Resolution invites us, and I say that it is quite impossible for us now to commit ourselves to any such outlay immediately after the war. The Hon'ble Mover spoke with his usual optimism as to the further resources we should have after the war. He talked of the growth of our Customs and Railway revenue. Let me remind him that our Customs revenue includes two items, the export duties on tea and jute, which were imposed as war measures and which will have to be reconsidered after the war is over. These bring in about 250 lakhs. Also it is quite impossible for the net profits on railways to continue after the war on the present scale with justice to the railways themselves. These large profits have been very welcome to us in our present financial condition, with the strain imposed on us by the heavy expenditure we have had to meet on account of His Majesty's Government and in other directions. But these profits have been made so large by the fact that it was impossible under war conditions to afford due assistance to the railways to keep their lines going, to make good the tremendous wear and tear there has been on the lines, to make good deficiencies in rolling stock, to get the fresh rolling stock that the increased traffic demands, and so on. I say that the railway profits of future years must be largely assigned to those objects. Otherwise the railways will have been very badly treated, and we shall have complaints as to the inadequacy of traffic facilities, as to the overcrowding of third-class accommodation, and so on.

" Well, it has been suggested by the last speaker that if you cannot have a big programme at once, you could have a scheme that would begin modestly, and go on and on. You would have a heavier burden each year, but still each year you would shoulder it, like the man in the Greek mythology who began by carrying a little calf and finished up by carrying a gigantic bull, because every day he had taken a slightly heavier weight.

" Well, my Hon'ble friend the Education Member has given an answer to that. It is that he had a scheme of that sort in view, but it has had to be

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set aside by reason of the question of constitutional reforms. Constitutional reforms have come to the front at this stage. Now, one of the essentials of constitutional reforms is provincial autonomy and 'federalisation' as my Hon'ble friend the Mover called it in dealing with his last Resolution. In any scheme of federalism and in any scheme of provincial autonomy, Education must rest with the Local Governments and with the local legislatures. You can no longer lay down a policy in this Council or by the Governor General in Council which shall bind the Local Governments and the local legislatures. If you do so, your provincial autonomy is a mockery. Therefore, the development of education will, in accordance with any such system, rest with the Local Governments and the Local Councils.

"My Hon'ble friend spoke a good deal about democracy. It may be that in some provinces a democracy would hasten rapidly with free and compulsory education. In other provinces the democracy might not be so anxious to hasten; they might prefer—perhaps very unwisely prefer—not to get educated so fast. Still under a democratic system, or an approach to a democratic system, you must give weight to their wishes.

"There was one sentence in the Hon'ble Mover's speech at which I pricked up my ears, when he said that people must be coerced if they did not know their interests rightly. Well, it struck me that I had come across a similar sentiment not long ago, and memory brought it back to me. It was a sentiment expressed by Mons. Lenin, the Bolshevik leader in Russia, when he found that a constituent assembly had been returned which did not have a Bolshevik majority, he dissolved it. He said the people did not know their true interests, that they were perverse, and that he must govern them in spite of this assembly. I do not for a moment suggest that my Hon'ble friend would go so far as this; or even that when the provinces are redistributed according to his ideas, he would come down like a new Cromwell on the Andhra Parliament and say 'Remove this bauble!' But I do tell him that it is inconsistent to harp on provincial autonomy and on federalism, and at the same time to insist on an immediate programme of free and compulsory primary education which gives the Local Governments and the local bodies no option in the matter."

1-1 P.M.

The Hon'ble Mr. H. Sharp:—"Sir, I am not going to discuss the general merits of this Resolution, but there are one or two things which have been said on which I thought that I might possibly throw a little light. They number only three and I shall be very brief.

"I understood the Hon'ble Mr. Sarma to lament the fact that our slow progress in primary education was insufficient, or barely sufficient, to make up for the increase in population. What he said may be perfectly true, but I must point out one little matter which may be forgotten, and that is, that, owing to a change in the method of collecting our figures which had effect from 1914-15, something over 100,000 square miles, with—if I remember rightly—12 millions of population, were cut out from the figures of area and population which were included in our educational returns; and at least a third of a million pupils were cut out along with them. That is owing to the abolition of the anomalous system under which a certain number of the Native States sent in their returns to be compiled with those of British India. The anomaly was removed in the year 1914-15.

"The second point arises out of something which was said by the Hon'ble Mr. Bannerjee, and, I think, also by the Hon'ble Dr. Sapru. It was said by those Hon'ble Members that the local bodies could not possibly finance free and compulsory education unless they had enormous subsidies from Imperial or Provincial resources. I think that it would be very difficult to deny that. But it may be just worth pointing out that the amount of aid which local bodies already receive for primary education from those resources is extremely large and comes, I think I am right in saying, to more than half the expenditure of the local bodies upon educational objects.

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"The third point arises out of the speech of my friend the Hon'ble Mr. Sastri. Mr. Sastri criticised some comments which have been passed upon the late Mr. Gokhale's Bill and the possibly inequitable effects which it might have in spreading the benefits of primary education. Mr. Sastri instanced the case of a municipality and a local board area. I doubt whether it would be quite right to stop there. There are many districts, many sub-divisions, which show a peculiar rate of advancement, and where under any optional scheme of compulsion, such as was put forward by Mr. Gokhale, compulsion and its necessary corollary, free education, might be adopted under such an Act, to the detriment, I fear, of other and less advanced districts and sub-divisions and even villages and classes. The Hon'ble Mr. Sastri admired the system of grant-in-aid, and no doubt it has very many advantages. But I am doubtful whether that system is fully applicable as a principle to primary education. When we are dealing with primary education, we have to remember that our efforts must be directed to its spread, not merely among the more intelligent, the more fortunate, and the more advanced sections of the population. We also have to direct our efforts to the poorer sections of the population where we shall encounter many who are very poor, very helpless, and averse to the adoption, or perhaps even to the toleration, of any form of compulsion. Are we to apply here the doctrine that those must be helped who help themselves? I think that even in England the formula adopted by Mr. Fisher a short while ago for the granting of aid to the local educational authorities in England seems to mark a desire to modify the bare principle that 'To him that hath, shall be given.'

"There is another point arising out of this, and that is, that it is not always advantageous to apply the grant-in-aid system in detail to primary education. I have had a good deal of experience in going about different parts of India and looking into primary schools, and I have no hesitation in saying that, on the whole, the grant-in-aid system does not work so well in primary schools as does the board school system. And this has been recognised by others. At the beginning of 1911, we had an Educational Conference at Allahabad, at which, if I remember rightly, the late Mr. Gokhale was himself present; and it was most emphatically declared at that Conference that the board school system was superior to the aided system for primary education. For this reason, while I fully appreciate with the Hon'ble Mr. Sastri the advantages of the principle embodied in the grant-in-aid system, I should feel some hesitation in applying it without considerable modification to primary education."

The Hon'ble Mr. K. K. Chanda:—"Sir, I should like to say one word only as I do not like to give a silent vote on this important, and to us momentous, Resolution. When we ask for self-government the answer we get is, that the people are illiterate, and therefore it cannot be granted. When we ask for universal education, we are met with the objection that it will cost a mint of money, and therefore it cannot be granted. That is our position. How are we to get out of this circle? As we all know, in 1880, the system of making education compulsory was completed in England and we know the result: cent. per cent. of the people are literate. About the same time, that is, in 1882, the Government of India resolved 'that an attempt should be made to secure the fullest possible provision for the expansion of primary education by selection suitable to the circumstances of each Province.' I have quoted the words of the Resolution. 1-10 P.M.

"Now, what has been done since then? Are we any nearer the goal? I fear, Sir, that the speech of the Hon'ble Sir Sankaran Nair is only a paraphrase of the above Resolution, expressing a pious wish that that is the aim of Government and it will one day be reached. If the Government of India grapple with the problem manfully and courageously I have some hope; otherwise there is not much chance of our making any progress at all in the matter."

[*Mr. Mazharul Haque ; Mr. M. A. Jinnah.*] [13TH MARCH, 1918.]

1-13 P.M.

The Hon'ble Mr. Mazharul Haque :—" Sir, I am afraid the fate of this Resolution will be the normal fate of all Resolutions in this Council, it will be rejected. But there is absolutely no occasion or ground for pessimism on this question. I find that since the time that Mr. Gokhale brought his Bill in this Council there is a great change in the angle of vision of the Government of India, and I believe that that change is due to my Hon'ble friend, Sir Sankaran Nair; all honour to him for that change. Now, it is permissible to bring Bills in the Provincial Councils for free and compulsory elementary education. It was not so before the time of the Hon'ble Sir Sankaran Nair, and I believe that it is purely a question of time when Sir Sankaran Nair himself will bring a Bill in this Council to make elementary education free and compulsory throughout India. India is in need of free and compulsory elementary education. We are going to have constitutional reforms; at least they have been promised to us, and one of the moot points in those reforms, as alluded to by my Hon'ble friend Mr. Surendra Nath Bannerjee, is the creation of responsible electorates. People come forward, high officials, who say that there are no responsible electorates in India (I do not mean to say that any high official has said so in this Council, but it has been said outside this Council) and therefore it is difficult to grant responsible government to this country. Well, Sir, why have we not got responsible electorates in India? When we come and ask for elementary education, free and compulsory, in order that we may have responsible electorates, you say 'You shall not have free and compulsory education.' When we want responsible government, you say 'You have no responsible electorates.' This is merely begging the question. The question can, I think, be solved by the Resolution which has been brought by the Hon'ble Mr. Sarma. I shall not take up the time of the Council any further beyond saying that I shall vote for Mr. Sarma's Resolution."

1-15 P.M.

The Hon'ble Mr. M. A. Jinnah :—" Sir, anxious as we are, and strongly as we feel, that primary education should be made free and compulsory, perhaps on this occasion there would not have been this feeling which has been displayed by some Hon'ble Members if the Government had taken their stand on this point, namely, that they desired as earnestly as sincerely to make elementary education in this country free and compulsory as soon as possible, and as an earnest of it they also had a definite scheme which was prepared for that purpose, but that owing to what we all know, namely, the question of constitutional reforms, that is being considered now, it was not possible for them to accept this Resolution, and their scheme which they had prepared could not possibly be accomplished. Sir, what I feel is the arguments that were advanced by the Hon'ble Member in charge of Education and what was said particularly by the Hon'ble Mr. Sharp. I am quite sure that the Hon'ble Member in charge of the department, if he carefully considers, will come to the conclusion that some of the arguments, particularly the one which I am going to deal with, cannot possibly stand the test. That argument was this, that in those areas where you have got more advanced people, in other words, where you have a larger number of boys of school-going age, those areas should not be encouraged so much as the areas where you have got very little advance, such as in small districts and villages, and that that would be a more equitable way of dealing with this question. Now, Sir, as far as I have understood, and I believe the Hon'ble Mr. Gokhale dealt with this point at the time he introduced his Bill. I understand that the very object of compulsion is this: that by the voluntary system you cannot get beyond a certain percentage unless you bring in compulsion. In other words, by the voluntary system you get up to a certain percentage and then afterwards the progress is very slow. Therefore, when you find a particular district or a particular area which has reached a certain percentage, namely, that you have got a certain number of boys of school-going age at school, then it is necessary to bring in the principle of compulsion. Otherwise, that district will not make any appreciable advance. I cannot say that the

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argument of Mr. Sastri is entirely out of place with regard to the analogy of grant-in-aid. But if I remember aright (I am speaking from memory now) Mr. Gokhale's object was that where you have 33 per cent. of the school-going age boys actually at school then you have a fair case made out that you will not make any appreciable progress in that district unless you introduced the principle of compulsion. That is what you have got to answer, and I say, Sir, that the argument which has been advanced is, in my opinion, absolutely unsound. It is the same argument which is advanced in various other matters, namely, it is often said that you are not really fit for self-government unless the masses are educated, unless we will say 99 per cent. of the people are educated. It is the same kind of argument that we should leave the areas where we can really make definite progress alone—leave these areas in a nebulous condition—and go to other areas more backward where we will encourage the voluntary system; and, until that ideal day is reached, namely, perfection and of equalising the whole of India by voluntary system, goodness only knows when that day will come, then we shall think of using the principle of compulsion. This is nothing but an argument in favour of delay, and therefore, I think, such an argument should not have been advanced."

The Hon'ble Rai Bahadur Krishna Sahay :— "Sir, I regret 1-20 P. M.
 that I have to sound a discordant note with regard to one aspect of the Resolution that is before the Council. My friend the Hon'ble Mr. Sarma asked the Government to declare 'that one of the post-war reforms should be the introduction throughout British India of free and compulsory primary education immediately after the war.' In other words, my friend asked for a declaration of policy, namely, not only that primary education throughout British India should be made free, but also that primary education should be made compulsory. It is with reference to that element of compulsion that it is my duty to voice the feelings of the Province to which I belong. My friend the Hon'ble Mr. Haque has welcomed the ability of the Local Council now to tackle the matter. He might have gone further and said that a Bill for primary education had already been introduced into the Local Council of Bihar and Orissa by a private member. But what do we find? We find that there is strenuous opposition to the element of compulsion in the Bill in the Provincial Council. The matter is now before the Select Committee, and the views of non-official Members of the Council who are opposed to the element of compulsion being introduced in the Bill are also before the Select Committee. There is no doubt that very great opposition will be offered to any provisions that may be retained in the Bill embodying compulsion. There is disagreement as to that aspect of the question, and perhaps it was not necessary to emphasize it for the progress of education throughout the country. The question really is whether the element of compulsion is necessary to accelerate the progress of primary education, or whether it would not be proper to defer taking any step in that direction till such time as all parts of the country are ripe for it.

"I feel therefore that I am not in a position to support the Resolution as it stands."

The Hon'ble Rao Bahadur B. N. Sarma :— "Sir, I am aware 1-24 P. M.
 that the Hon'ble Sir Sankaran Nair has the cause of education more deeply at heart than any of us non-official Members here; that he has been strenuously endeavouring to do what he can in that direction during his tenure of office. I am aware, also, of the painful obstacles which have been thrown in his way especially by the exigencies of the war. But after saying that one cannot help regretting that the Government of India have not been disposed to give a more sympathetic reply to the Resolution which I had the honour of moving

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to-day. Last year when I moved my Resolution the Government would not hear of compulsion, would not hear of free and compulsory primary education even in cases where Provincial legislatures were willing to adopt that method. We must be thankful that there has been a decided improvement, that the policy of Government is to make free and compulsory education their ideal. While, Sir, we are thankful for small mercies and for this concession by the Government of India we cannot be accused of ingratitude if a principle which had been accepted for over half-a-century in all advanced countries of the world is now recognised here for the first time, and if we are not warm in our congratulations on the point. What we want are practical steps in the direction in which all responsible Governments have been moving, in the direction of making the whole population of the country literate, and the policy of the Government of India would be judged by that criterion and not by their sentiments however noble they may be. I am not quarrelling with the policy of Government in allowing local bodies to make a departure in the desired direction. We are thankful for it, we welcome it. The question is, whether we shall not be forgetting to do our duty, by being unnecessarily optimistic in that we have allowed a Statute to be placed on the book permitting people to tax themselves for educating their children. Mr. Sharp says that even to the limited extent to which local bodies have undertaken expenditure there has been 21 lakhs increase in municipalities and 73 lakhs increase in local boards. The local bodies cannot congratulate themselves upon the whole of that money being their own. If that is so, would it be expected that these bodies would suddenly develop taxation tendencies and make all the people within their areas literate even if Government could promise them a little pecuniary help? It is for this reason that I have asked that there should be an introduction of free and compulsory education throughout British India so that the more advanced Provinces and the more advanced peoples alone may not have the benefits and resources of the country spent on them, but that the less advanced Provinces and peoples may participate in the benefits. I have framed the Resolution in that way to help the depressed classes whose interests the Government and people in general profess to have at heart. I do not want the distance between them and the others to become longer than it is at present. Therefore in their case, as well as in the case of the more advanced people, the principle of free and compulsory education should be adopted in practice unless, as I have stated, there are political considerations making a policy of that kind absolutely impossible. The Hon'ble Sir William Meyer said that I was preaching autocracy when we are on the eve of reforms placing us on a democratic basis. I am very glad that he is so optimistic about the democratic ideal being adopted in the near future, and if we shall have that I may assure the Hon'ble Member that I shall not require much assistance in getting this policy accepted. But I fear that the millenium may not be reached in the very near future, and, accepting the present conditions, I want the bureaucracy to accept the responsibility which all civilized Governments have accepted and not take shelter behind people somewhat selfish,—and I am very sorry for the Bihar people to whom I shall presently allude.....”

The Hon'ble the Vice-President:—“I hope the Hon'ble Member will *not* allude to the Bihar people.”

The Hon'ble Rao Bahadur B. N. Sarma:—“And not say that people are unwilling to tax themselves for the purpose. As an instance of what autocracy can do I may tell the Council that the Emperor of Japan had promulgated his decree that in ten years he would establish primary education throughout the land and he did succeed in doing it, and I am sure the

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Government of India, if they make up their mind, will be even more successful than the Japanese Emperor has been. So I am not pleading for autocracy but for democracy, and I am sure that democracy will not fail to do its duty if called upon to do it. But when elementary principles, either of morality or of Governmental duty, have to be enforced, I am sure the Hon'ble Member will agree with me that it may be sometimes the duty of the Government to be autocratic, if it be autocratic to do so, and I hope the Government of India will not shrink from being autocratic in this particular. The compulsory attendance clauses in all the educational Acts recognise the principle. Then with regard to the revenue being sufficient, you have 8 crores of rupees of temporary military expenditure at least. You have another 5 millions open to you. You have 13 millions apart from the growth of Provincial revenues. It may be that a portion of that would be expended on military improvements and so on, but still having regard to the growth of expenditure, am I wrong in saying that you have even at the present moment funds to the extent of 8 millions that the Hon'ble Sir Sankaran Nair requires for the purpose of starting this scheme? But, as has been pointed out, we shall not require so much money and we cannot spend so much money even if we have it at our disposal, and consequently from the finance point of view, I fail to see any great insuperable difficulties. But as I have said if the principle is accepted, of course you will have to consider the export duties and so on, and it is a question which we cannot enter into now, and we have all stated our views with regard to the manner in which our revenues should be employed, and if the people are relieved to some extent in one direction, I suppose there will be enough resources in their hands which could be utilised and tapped in another direction.

"Then the Hon'ble Mr. Sharp said that the figures for 1914-15 are practically useless for comparison because they included areas which had to be excluded. We may take him at his word, but even taking the figures for 1916-17, you will find that it is 180,000 and 194,000 boys and girls who have received education in addition to the previous number, and that is less than the growth of population during those years according to the 5·5 per cent. standard. It will be much less than that, and so even for these years for which we have accurate figures we have not been credited. . . ."

The Hon'ble Mr. Sharp:—"May I point out, Sir, that I did not assert that the reduction to which I referred balances in any way the growth of population. I merely made a statement of fact."

The Hon'ble Rao Bahadur B. N. Sarma:—"Then, Sir, just a few words with regard to the expressions of opinion given by the Hon'ble Mr. Sahay I can understand why it is that gentlemen of his Province, where the land-revenue is so small and has been permanently settled for a number of years, should be so reluctant to appreciate the benefits of compulsion. But that is the reason why I have asked for the application of the principle in all cases alike in favour of Provinces where the people are backward or may be unwilling for various reasons as in the case of Provinces where the people are willing as in the case of the United Provinces; but when they may be very poor it is only in cases of unwillingness that we shall have to enforce primary education, and therein comes the need for invoking the assistance of the Government of India. Well, the controversy with regard to grant-in-aid and local board system does not properly arise, but what I want is that the thing should be done, whether it is done through the instrumentality of the Local Board or through the instrumentality of aided education, I do not mind which for the purposes of the present argument, as either will lead to the same goal, and I shall not therefore take up that particular point. I hope, Sir, that the Resolution will be considered more sympathetically, and the Government of India may, perhaps, be induced by the Hon'ble Sir Sankaran Nair to change their policy in this direction."

918 RESOLUTION *RE* INTRODUCTION OF FREE AND COMPULSORY EDUCATION AFTER THE WAR; RESOLUTION *RE* FINANCING OF PRIMARY EDUCATION OUT OF IMPERIAL REVENUES.

[*Rao Bahadur B. N. Sarma.*] [13TH MARCH, 1918.]

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

<i>Ayes—12.</i>	<i>Noes—43.</i>
The Hon'ble Mr. S. N. Banerjea.	The Hon'ble Sir William Meyer.
" Raja of Mahmudabad.	" Sir Claude Hill.
" Dr. T. B. Sapru.	" Sir Sankaran Nair.
" Mr. S. Sastri.	" Sir George Lowndes.
" Mr. B. N. Sarma.	" Sir George Barnes.
" Mir Asad Ali, Khan Bahadur.	" Sir William Vincent.
" Rai Sitnath Ray Bahadur.	" Sir Robert Gillan.
" Maharaja Sir M. C. Nandi, of Kasimbazar.	" Sir Gangadhar Chitnavis.
" Mr. Mazharul Haque.	" Sir Hugh Bray.
" Mr. G. S. Khaparde.	" Sir John Campbell.
" Rai B. D. Shukul Bahadur.	" Sir John Wood.
" Mr. K. K. Chanda.	" Mr. A. H. Ley.
	" Mr. H. Sharp.
	" Sir Edward MacLagan.
	" Mr. R. A. Mant.
	" Mr. H. F. Howard.
	" Major-General A. H. Bingley.
	" Mr. G. B. H. Fell.
	" Mr. F. C. Rose.
	" Sir Hamilton Grant.
	" Mr. C. H. Kesteven.
	" Surgeon-General W. R. Edwards.
	" Mr. A. P. Muddiman.
	" Colonel A. J. Caruana.
	" Mr. W. M. Hailey.
	" Sir Robert Clegg.
	" M. N. Hogg.
	" Mr. F. J. Monahan.
	" Nawab Ali Chaudhri, Khan Bahadur.
	" Mr. E. H. C. Walsh.
	" Rai Krishna Sahay Bahadur.
	" Raja of Kanika.
	" Mr. O. A. Kincaid.
	" Sir J. S. Donald.
	" Raja Sir Ranpal Singh.
	" Khan Bahadur Mian Muhammad Shafi.
	" Zulfikar Ali Khan.
	" Sardar Sundar Singh.
	" Mr. P. J. Fagan.
	" Sir James Walker.
	" Mr. A. W. Botham.
	" Lieutenant-Colonel S. L. Aplin.
	" Maung Bah Too.

The motion was accordingly negatived.

RESOLUTION *RE* FINANCING OF PRIMARY EDUCATION OUT OF IMPERIAL REVENUES.

The Hon'ble Rao Bahadur B. N. Sarma:—" Sir, I have already discussed this Resolution, when speaking of the Education Resolution, and, inasmuch as I have already accepted the amendment proposed by the Hon'ble Sir William Meyer with regard to the Finance Resolution, I beg leave to withdraw this, if the Council will permit me to do so. The question of the provincialisation of land-revenue is under consideration, and I therefore think there is no use in pressing it."

The Resolution was, by leave of the Council, withdrawn.

[13TH MARCH, 1918.] [Pandit Madan Mohan Malaviya.]

RESOLUTION RE POLICE SERVICE RE-ORGANIZATION.

The Hon'ble Pandit Madan Mohan Malaviya :—" Sir, I 2-53 P. M.
beg to move that—

'This Council recommends to the Governor General in Council that the Government of India should recommend to the Secretary of State for India—

- (1) that the age-limits for the examination for admission into the Indian Police Service be raised from 19—21 to 21—23 ;
- (2) that the pensions and salaries of officers of the Indian Police Service should not be enhanced, as has been recommended by the Public Services Commission ;
- (3) that the rule which requires that candidates for the examination for the Indian Police Service shall be of pure European descent should be abrogated ; and,
- (4) that the said examination should be held simultaneously in India and in England ;

or, if the last recommendation be not accepted, that not less than one-half of the total number of posts in the Indian Police Service should be recruited by an open competitive examination held for the purpose in India.'

"The Council is aware that there is much dissatisfaction among Indians owing to the restrictions which are placed upon their admission into the Indian Police Service. The examination for it is held only in England, and the result of it is that of the 397 appointments which were held by Superintendents of Police in India on the 1st of April 1917, only nine were held by Indians. This is clearly unsatisfactory. We had hoped that the Royal Commission on the Public Services would make recommendations which would remove this dissatisfaction. But, unfortunately, their recommendations have not been in that direction. They have not recommended that the examination should be held simultaneously in India and England, and they have proposed that the age-limit for the examination for entry into the Indian Police Service should remain where it is, that is, from 19 to 21 years. Hitherto there was a restriction imposed that candidates who were to compete for the Indian Police Service should be British subjects of pure European descent. This was naturally felt to be a violation of the promise held out to us by the Act of 1833, and the Commission recognised that this objection deserved to be met. Without admitting that this was illegal or opposed to the Act of 1833, they yet recommended that the present rule should be modified to allow both Europeans of mixed descent and Indians of unmixed Asiatic descent to be admitted as candidates for this examination. But they have unfortunately provided that such Europeans of mixed descent and Indians of unmixed descent should be admitted 'who have been educated in the United Kingdom for a period of five years prior to the examination.' Now, Sir, that was clearly taking away with one hand what it was pretended to give by the other. As I have said before, candidates are required to appear for the examination in London, Edinburgh, or Dublin at the age of 19. In order that an Indian should appear at the examination at the age of 19 he must be in the United Kingdom at the age of 14 or a little earlier. That is clearly making it impossible for Indians to compete at this examination. The Commission themselves felt that this would be the result, because they expressly recognised 'that this will not provide for any substantial advance in the employment of statutory natives of India,' and therefore they devised another means for securing that object. They recommended that 10 per cent. of the Superintendentships should be set apart at once to be filled by promotion from the ranks of Deputy Superintendents, and that the percentage should be raised ultimately to 20 ; but this cannot meet the requirements of the situation. Hence my Resolution.

"The first point that I urge is that the age-limit should be raised from 19—21 to 21—23. The age-limit for the Indian Civil Service examination is now 22—24. It has been so since 1905. Earlier than that there had been great variations ; but from 1892 up to this time the age-limit has ranged between 21 and 24. The present limit of 19—21 means, as I have said above, that

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Indians must go to England at the age of 14 or earlier. The condition proposed that a candidate must have been educated in the United Kingdom for a period of years prior to the examination makes it inevitable why this condition of five years' education should have been imposed ; but anyhow whether this limit stands or not, and apart from it, I urge that the age-limits should be raised from 19—21 to 21—23, because if you raise the age for the Indian Civil Service examination to 22—24, as it has been since 1905, there is no reason why a lower age should be prescribed for admission into the Indian Police Service. Sir Mahadeo Chaulal felt that this condition of five years' previous study in England, coupled with the age-limit of 19—21, would limit the recruitment of Indians ; and he recommended that the age of candidates for this examination should range between 21 and 23.

“ My second point, Sir, relates to pensions and salaries. The Commission recognised that only a few years ago the Police Commission had made recommendations, and on the basis of those recommendations, the salaries of officers of the Indian Police Service had been revised and the pay of Assistant Superintendents had been raised from Rs. 400 to 500 per mensem. They recognise that there was no justification for a further all-round increase of pay which members of the Police Service had asked for. They have made recommendations which would add to the annual expenditure by over one lakh of rupees. I submit, Sir, that there is no justification for these salaries being increased, and that the recommendation on this head should not be accepted. The Commission, it is true, have given their reasons for making the recommendations, but I submit that those reasons do not amount to anything more than that, because salaries have been advanced in other departments, salaries should be advanced in this department also. With regard to pensions also, they have said that all officers, except officers of the Indian Civil Service, should in future be placed under the new pension scheme which they have recommended. Now, Sir, I lodge a general protest against that scheme, and I submit that the increase of pensions which has been proposed in the case of the Indian Police Service should not be made.

“ As regards the third clause of my Resolution, I have already spoken about the rule which requires candidates for the Indian Police Service to be of pure European descent ; and to the fact that the recommendation of the majority of the Commission that the rule should be modified is nullified by the condition which they have imposed of five years' previous education in the United Kingdom prior to the competitive test. I do not think, Sir, that any reason can be assigned for fixing a term of five years for the Police Service examination, when three years have been prescribed in the case of the Indian Civil Service, except this, that the Commission found they had recommended that the age for the Indian Civil Service should be 17—19 ; and, as they imposed a limit of three years in the case of the Indian Civil Service, they thought that as the youngest age for admission into the Indian Police Service was 19 they ought to add two years more in order that the candidate should appear there after five years. But there is no other reason given as to why the period should be five years. Mr. Madge, who represented the Anglo-Indian community on the Commission, also lodged a vigorous protest on this point, and he urged that the recruitment of Europeans of mixed descent and of Indians of unmixed descent should be without any qualification. I submit, Sir, that this rule which requires that candidates should be of pure European descent should be abrogated entirely without any such restriction as has been suggested by the Public Services Commission.

“ The last point which I have taken in my Resolution is that the competitive examination for admission into the Indian Police Service should be held simultaneously in India and in England. We have repeatedly urged that the examination for admission into the Indian Civil Service should be held in India and in England, and all the reasons we have urged in support of that proposition apply with greater force to the examination for admission into the Indian Police Service. The Indian Police Service certainly cannot claim to stand on the same high footing as the Indian Civil Service ; and there is much less reason why Indians should not be given every facility to enter the Police

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Service of their own country. We have got a large number of capable young men of good education and social position who would be glad to compete for the Service. I submit, Sir, that at this era of the history of British Indian administration the Government should recognise the justice and force of the contention that an examination for admission into the Indian Police Service should be held in India. Some people might go further and claim that it should be held only in India and not in England at all; but that is not what I propose. All that I ask is, that the examination should be held simultaneously in both countries, so that the English and the Indian candidate might be placed on a footing of equality so far as competition is concerned. Until this is done, Indians will not have a fair chance at this examination; and there is no reason why they should not have. The Government have recognised the worth of Indians for holding high offices in the service of their country, in the Executive Council of the Governor General, in the Council of the Secretary of State, as Chief Justice, as Judges of the High Court, as Magistrates and Commissioners, as Sessions Judges, and in various other capacities. Indians have rendered a good account of themselves in all departments into which they have found an admission, and it would be absurd to say that Indians do not possess the qualities which are required in the higher ranks of the Police Service. Wherever Indians have been tried in high offices they have proved themselves to be worthy of the offices which they have held, and I submit that it is in every way just and proper that the restrictions which exist in the way of employing Indians in the Police Service should be removed by the examination being held simultaneously in India and England.

“ If this recommendation should still unfortunately not commend itself to Government, then I would submit that the recommendation contained in the last alternative clause should be accepted, that is to say, that not less than one-half of the total number of posts in the Indian Police Service should be recruited by an open competitive examination held for the purpose in India. The Commission have recommended that 10 per cent of the Superintendships should be set apart to be filled by promoted Deputy Superintendents, and that ultimately this percentage should be raised to 20. This is not sufficient to do justice to the claims of educated Indians, nor sufficient to meet the requirements of good administration in the country. The least that ought to be done is that half the total number of the posts in the Service should be reserved to be recruited by an open competitive examination held in India. It may be said by some that an open competitive examination is not the best means of finding out who are the best men for the Police Service. I submit, Sir, that until a trial has been given to such a system, nobody can justly say that it will not be found to be suitable. When in other departments the best practicable means has been found to be the open competitive examination, the same rule should be applied to the Indian Police Service. It may be urged that there are certain qualities which cannot be tested by an examination. I submit that a good intellectual education and the moral worth which it generally develops would ordinarily furnish the amount of ability, character and integrity that is needed in a police officer of the highest grade; and if the system is tried, the results are likely to prove more satisfactory than is imagined in some quarters. In any case unless the system is tried it cannot be reasonably ruled out of Court. The present system is certainly not satisfactory, and as no other system has been suggested, by which candidates for the Police Service should be recruited, I submit that this system ought to be tried.

“ It may be urged that there are parts of the country where the people are not sufficiently advanced in education; if that should be so in some parts, the system of competition may, where necessary, be somewhat modified; for instance, out of the candidates who succeed best in a competitive examination, the desired number of the best of those who belong to certain castes or communities may be picked out and appointed in preference to those who may belong to other communities. I say that such a course can be adopted where it may be found to be necessary. But I expect that, in view of the progress in education which has happily been made by Hindus and Muhammadans, Indian Christians.

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and Parsees, *i.e.*, generally by all communities, it is likely that a fair number of the young men of every important community will find their places in a competitive examination. If however, as I say, experience should show that they are not able to secure a fair number of posts through such an examination, then some qualification might be introduced such as I have indicated, and the best men out of the candidates of a particular community or communities may be selected out of those who competed. My point is that the men who should join the Service should be the best from among the youth of every community who will compete; that no one should be appointed by nomination, but only those should be appointed who have been found by a competitive test to be the best among their community.

"I do not think, Sir, I need detain the Council any longer. I hope that the Resolution will meet with the approval of the Government."

3-3 P. M.

The Hon'ble Mr. C. H. Kesteven:—"Sir, I should like to offer a very few remarks on the subject of this Resolution from the humble standpoint of the man in the street, by which I mean the street of Calcutta. I take it there is no doubt that the Resolution aims at the substitution in the Police Service of Indians for Englishmen throughout, the substitution to be complete and to be carried out as soon as possible, the sooner the better. From one point of view it may be that some sympathy may be found for this end. But I would ask the Council greatly to hesitate before they give it any support and to deny it all support on this occasion. Most of the world, I think, are inclined to take the services of the police very much for granted. We are apt, I think, in ordinary circumstances to forget how much we owe to them, not only for the security of our lives and property, but also for many of the conveniences and comforts of our every-day life. That is for those who are more happily situated than we are in India. Especially is it not the case of those who like myself, live in Calcutta. For the last ten years and upwards we have had to accustom ourselves to the shock when opening our morning papers of finding reports of outrages and crimes of a special kind and of an aggravated and desperate character, some of them occurring in our midst in the town in which we live and some of them near at hand in our Province. We have had to read of conspiracies, to manufacture and throw bombs, of murder and assassination by bomb, by pistol and by other weapons, dacoities with violence some of them committed in the broad light of day with a conspicuous contempt for any precaution of concealment. The Hon'ble Mover is more fortunate in coming from a Province which, so far as I am aware, has been singularly free from crime of this character. Still, I take it that crimes and outrages of this kind must be a matter for very grave concern and apprehension throughout the whole of India and to all those who live in this country; and I must suppose the Hon'ble Pandit to have the same feelings as I have on the subject. More recently we have been glad to notice a diminution in crime of this character, and this gives us some encouragement to hope that things are on their way to something better, and that these crimes may be in course of being stamped out. But this may possibly be due to temporary and special causes, and in any case the time has not yet come when we can look forward with any confidence to a realisation of that hope. Still we know that a very great deal has been done, splendid work has been done, in grappling with and stamping out this class of crime; we have seen that a great deal is being done and are told—and I am sure we all believe it—of a very much larger body of work which is being done in this direction and which we have not seen. By whom has that work been done, I ask? It has been done, I say unhesitatingly by the police, entirely by the police, and by the police, I mean the Police Service as now constituted. I do not wish to forget the magnificent work, the splendid part in this work, which has been taken by Indian members of the police forces, many of whom have on various occasions shown a devotion and bravery beyond all praise, and have, some of them, paid the extreme penalty with their lives; but they are part of the system which the Resolution seeks to have altered and which I wish to see retained. Nor do I wish to lay too much stress on the fact that what has been

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done by them has been done under the guidance and direction of their superior European officers. But such is the case, and as I have already said they are all part of the system. Is this the time, I would ask the Council, are these the conditions in which we can contemplate such a drastic and sweeping change as that which is aimed at by this Resolution? It seems to me that this would be a desperate case of changing horses while crossing the stream, and I venture to submit to the Council that the time when these changes can even be contemplated will not arrive until we can say with confidence that crime and outrages of this nature have been definitely stamped out and become things of the past.

"Another matter to which I would refer, and which I think may perhaps be lost sight of, is that in the presidency-towns, especially in Calcutta, where I live, there is a very large European population with very large vested interests which have to be preserved and protected. I submit that that population is entitled to have the protection of European police who understand their interests and what is necessary to protect them and, are, so to speak, members of their own community. To descend to smaller matters, in recent years we have been more and more introducing into the regulation of our cities Western methods and systems in such matters as control of traffic. This is a small matter, but I refer to it as illustrative of many others that can be found. For the direction of such matters as these, it appears to me that for a long time to come there will have to be a considerable body of Europeans at the head of the Police. All these are matters that are not unimportant in themselves; but, being more or less local matters, are of minor importance in comparison with the broader issues. I would, therefore, prefer to leave my argument with what I have stated it as to seditious and anarchical crime. The Hon'ble Mover has suggested that we should make a trial and an experiment. I suggest, Sir, that the present time is not the one in which any experiment can possibly be risked; the situation is too serious, and I would ask the Council to follow me when I state the opinion that the Resolution is not merely premature but is ill-timed."

The Hon'ble Maung Bah Too:—"Sir, I do not wish to discuss the Resolution at length, but I merely rise to say that the people of Burma would not tolerate the higher ranks of the Police in Burma being filled with Indians. When my countrymen are ready for these appointments, and are fit to hold them, they will naturally desire to fill them themselves."

8-15 P.M.

The Hon'ble Lieutenant-Colonel S. L. Aplin:—"Sir, the effect of the Hon'ble Member's proposals, as pointed out by the last speaker, the Hon'ble Mr. Kesteven, would obviously be the elimination of the British officers from the higher ranks of the Police and the substitution in their place of Indians, not men whose capacity has been tried, but young men whose only known qualification would be that they possessed sufficient literary aptitude to enable them to pass examinations. I think that this scheme contains all the elements of failure. I do not wish to take up the time of the Council by repeating the arguments against the Resolution that we have just heard, but I should like to say that I am in full sympathy with those arguments. There are, however, two points I should like to emphasize, two reasons which appear to me to have special weight against the acceptance of the Resolution. The first is that the Resolution as it stands is distinctly unfair to the European officers now in the Police. I do not think that anybody who has read the evidence given before the Public Services Commission could possibly question the justice of the conclusion that the Commissioners have arrived at that the pay and prospects of the police should be improved. Whatever steps you may deem necessary as regards future organization there appears to be no reason why the officers now in the Police should be refused what is justly due to them. Secondly, I would call attention to the point raised by my Hon'ble Colleague, Maung Bah Too. I cannot speak, at least from personal experience, of what the effect of the introduction of these proposals would be in India; but as regards my own Province, I have no hesitation in saying that the introduction of these

8-16 P.M.

[*Lieutenant-Colonel S. L. Aplin; Rao Bahadur B. N. Sarma.*] [13TH MARCH, 1918.]

proposals into Burma would meet with the strongest opposition. The reason is plain. Not for many years to come is it probable that the young Burman will be able to compete successfully in open examination with the young Indian. The result will be that if proposals (3) and (4) are accepted the higher appointments in the Police will be gradually filled by Indians. This would create an undesirable situation, undesirable because it would arouse great dissatisfaction and discontent among the people at large. It is not at all the Burman's theory of self-government that the higher appointments in the public services of his own Province should be filled by Indians."

8-19 P. M.

The Hon'ble Rao Bahadur B. N. Sarma:—"Sir, when I came here I was determined not to speak on this Resolution, but the remarks that have fallen from the Hon'ble Member from Calcutta and from the Hon'ble Member from Burma leave me no alternative. The first point that was urged was that this Resolution is a little premature and ill-timed, and that it is likely to be attended with grave consequences. May I point out that, even if the recommendations of the Hon'ble Pandit were to come into full force, it has been calculated that the higher appointments will not be and cannot be filled by Indians for many years to come, so there is very little danger of European supervision being relaxed. Another point has been urged that the special conditions of Bengal have been so grave that it would be absolutely unwise to introduce any changes at the present time. I quite realise the gravity of the situation, but may I ask whether the police services in Bengal since 1858 have not been recruited and filled exclusively by Europeans in the higher branches, and whether if we have come to that perilous pass very great credit can be taken for the method of recruitment and the high brain-power of that Service. I desire to make no disparaging remarks with regard to the men who have been continuing a campaign somewhat successfully against the dacoities in that unfortunate part of the country; but, Sir, it is a legitimate criticism I am advancing that these men have not been able to foresee and have not had sufficient skill to meet the situation before it became perilously grave. It seems, therefore, that a little stiffening, a little competition between the two elements (European and Indian) might not be devoid of some use in making the Service more efficient than it happens to be at present—if there were a little competition, and the knowledge brought home that the officer would not be supported no matter what happened by those at headquarters—things would vastly improve. But in the circumstances the officer's best talents and powers are not trained or perhaps only trained when it is too late. In this connection may I interpose that in the Native States we have not been able to find any very grave inefficiency in the management of matters or in the detection of crime or the punishment of offenders. It may be said that those who have experience of Native States may take a different view. I am not here for any great comparison on that point, but I should like to say that the whole Service is manned by Indians practically in Native States, and that things have not become so desperately bad as to require that supervision which is said to be essential. So far as Madras is concerned, detection has become poorer and poorer, a revision has taken place, and the invariable answer of Government and of the Officer-in-charge of the Police Department, is that there is a better registration of crime and therefore we should not look to very great percentages in the matter of detection. If it is a question of detection some excuse is found for the poor quality of detection; reasons are equally forthcoming to explain other defects. Nobody would advocate violent changes, but I cannot see why this superior system cannot be understood by Indians with proper physical vigour, with physical efficiency, and with high mental power; why should the Indian not be equal to understanding a few simple rules and their enforcement? If there has been any success in the past with regard to the Indian element, it is stated to be because it is under European supervision, without any adequate grounds. Indians in the Police Service are not the best of their kind, for this reason that there is no scope for the best brains. Men may be honest and may be physi-

[13TH MARCH, 1918.] [*Rao Bahadur B. N. Sarma; Mr. P. J. Fagan.*]

cally and intellectually vigorous, but still they are not in possession of the qualifications necessary in the higher ranks of the Service, according to these artificial standards. They have absolutely nothing to look forward to except three or four appointments, and those under special conditions. That is not the kind of treatment which is conducive to a very high morale in the subordinate ranks of the Indian Police, and that may be partly accountable also for the low efficiency of the police in this country. I hope, therefore, that Hon'ble Members will not consider that we are now in the best of worlds and rest content with the existing system; there is no grave danger of dislocation if the Hon'ble Pandit's Resolution is carried."

The Hon'ble Mr. P. J. Fagan:—"Sir, in considering the Resolution moved by the Hon'ble Member it is scarcely possible to avoid recognising that the specific recommendations which it includes and which seem to invite separate and detailed discussion are in reality aspects of one principle, that they in fact seek to secure the adoption of a policy in regard to the selection of officers for the Indian Police Service which diverges from that which has been in force hitherto. The Indian Police Commission of 1902-03, while providing for the limited, the gradual, the tentative introduction of Indians into the Indian Police Service, laid strong emphasis on the principle that a large proportion of the officers must be European, trained and educated in Europe, and they also remarked that it was essential that there should be distinct methods of recruitment for Indians and Europeans, respectively. The recent Public Services Commission in its majority Report, while recommending the direct appointment of Indians to the Imperial Police Service, and an extension of their promotion from the Provincial Service to the Indian Police Service, expressed a definite opinion that there were grounds of policy for drawing the bulk of its members from Europe under the system at present in force. Specifically, they recommended that the proportion of Indian officers should gradually be increased from 5 to 20 per cent. Such, Sir, broadly speaking, is the position which has existed up to the present, a definite recognition of the principle that the European element in the Police Service must be substantially predominant. On the other hand, the Resolution of the Hon'ble Member seeks to contradict, to abrogate that principle. As I understand it, it aims to throw open the Indian Police Service equally both to Europeans and to Indians. This, then, is the fundamental issue which has to be discussed in connection with this Resolution. I need hardly say that it is an aspect of a much wider question, of a question which covers a far more extensive area than the constitution of the Indian Police Service; the question whether and how far it is essential for the general well-being of India that the British tone, the British atmosphere, and British methods should continue to prevail in its administration and policy. Sir, on that question very much might be said. To discuss it in full would carry me far beyond the comparatively limited scope of the present Resolution. But for the purposes of my argument, I will content myself with one general remark, and that is this, that in no wise differing from, in fact in full agreement with, what I believe to be a general perception which permeates and pervades the vast majority of the population of India, I hold that the maintenance of a British tone, a British atmosphere of British methods is of vital and essential import for the continued well-being, the security, and the peace of India.

"As regards the particular case of the Indian Police Service I can conceive it being argued against me somewhat as follows:—'Basing your opinion as you do on the view which you have just put forward you seem to be oblivious of the fact that your flank has already been effectively turned by the acceptance of the broad principle of the admission of qualified Indians in greater numbers to the more responsible positions in the Public Service.' Sir, may I say without presumption that I cordially share in the acceptance of that principle, that I admit that there is much scope for its progressive application in the light of growing experience. But I would reply that, so far as I am aware, that principle has been accepted subject to the retention of a definitely and substantially

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predominant British element in those services in which it is desirable and necessary. I urge that in virtue of the essential features of the police force for whose working and efficiency it is primarily and directly responsible, the Indian Police Service is emphatically and obviously one of those services. What, Sir, are those features? In the first place, the Indian Police Force is the direct and immediate agency for carrying out the first, the fundamental, the essential function of a civilized Government, the maintenance of law and order, the detection and prevention of crime. In cases of anything like widespread popular disturbance—and I need hardly remind the Council that such cases have not been unknown in the recent history of India—the police force is the first line of public defence. Again, it is a force of a semi or quasi-military nature in which the necessity for discipline, the need for prompt, effective and unified action are permanent and leading features. Last but not least, the Indian Police Force in the execution of its ordinary duties is in constant and close contact with the people in their daily life and pursuits, and is thus in a position, unless under efficient supervision and discipline, to cause the most grievous hardship and annoyance to the population. The Indian Police Service, I assert, thus stands on a peculiar and special footing of its own; and, though there is scope, and very considerable scope, for the wider admission of properly-qualified Indians, I would maintain that it is of the utmost importance to the public interest that a definitely predominant European element should be maintained. I will go further and will assert that there are few, if any, departments of the administration which have benefited, or which still have to benefit so much by the infusion of British ideas as the Police Department. Much has already been done to inculcate in the members of the Police Force the notion that they are the servants of the public and not its masters, but the process is yet far from complete, and hence the imperfection of which Indians so frequently complain and which Government is seeking to eliminate.

“After these remarks it is, perhaps, scarcely necessary for me to dwell at any length on the specific recommendations embodied in the Resolution. As regards the age-limits, and quite apart from any question of the relative proportion between Indians and Europeans, I would urge on the Council the view that, having regard to the nature of the work and the functions of the Indian Police Service, the present age-limits are in every way suitable and desirable. The experience so far gained under the present system is all in favour of that view. For police work keenness and activity are specially necessary characteristics, and it is more likely that they will be secured at the age of 21 than somewhat later. Again, the present age-limits allow time after arrival in India for specialised training in the Police School in drill and in language. I can see no satisfactory positive ground for altering the present limits other than to facilitate matters for Indian competitors; but that ground loses its weight in view of the fact that it is proposed to open a separate path for their entrance in India. And that brings me to the recommendation for the introduction of the system of open competitive examination for Indian recruits. Sir, the cult of that system in recent years seems to have lost something of its youthful vigour. Far be it from me to suggest that the cult is altogether discredited. The trouble rather is that there is a growing body of scepticism, and scepticism which has infected circles of Indian thought and opinion which can in no way be disregarded, scepticism as to whether the system is in reality able to give us all that its devotees claim for it, a scepticism as to whether in this country the capacity to succeed in all open competitive examination is identical with, or equivalent to, the capacity to fill any and every public office in any and every part of India. Personally, I share that scepticism for reasons analogous to those which have been developed in Chapter 6 of the Report of the Public Services Commission. Doubtless, the door of the Indian Police Service should be opened wider to Indians who are shown to be possessed of the necessary qualities of grit and power of command, but I for one do not believe that that result can be satisfactorily secured in India by a system of open competition pure and simple.

RESOLUTION RE POLICE SERVICE RE-ORGANIZATION. 927

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Mr. Surendra Nath Bannerjea.]

"As regards the third recommendation, there is, I think, much to be said in favour of the broad and simple principle that Indian and European recruitment for the Indian Police Service should be kept separate and distinct. But, at the same time, I am in sympathy with the desire to abrogate, under proper conditions, the explicit racial bar which exists at the present time.

"Turning, lastly, to the second recommendation, regarding salaries and pensions, it seems to suggest that the Public Services Commission have, in their proposals, treated the Indian Police Service with some peculiar degree of liberality. But what are the facts? As regards salaries, the net result of their proposals is an annual saving of some Rs. 17,000. In the case of pensions, their proposals practically amount to this, that the general pension scheme which the Commission framed should apply to the Indian Police Service no less than to others. I do not propose to examine that scheme. I will only remark that it may be fairly said that the benefits which it proposes to confer are on a scale which is distinctly and decidedly modest. But, on what grounds of equity and fairness, can it be urged that the Indian Police Service, of all services, should only be excluded from the benefits proposed?"

The Hon'ble the Vice-President:—"I must remind the Hon'ble Member that he is exceeding his time."

The Hon'ble Mr. P. J. Fagan:—"The work of the Service is yearly increasing in responsibility, and, if men of character and brains are to continue to be obtained, the terms and conditions of the Service must be adequately attractive. Sir, during the past four years the soil of three Continents has been watered with the blood of the flower of the youth of England, and if I mistake not, when the days of peace return, there will be a tendency, among the survivors in its depleted ranks, to feel that the home country and the Colonies have a first call on their energies in the work of social reconstruction, in helping to repair the ravages of war, and it may well be that India will not then be in so strong a position to call to her service the virile power of England as she has been in the past. To some that may seem to be a satisfactory position, but if the maintenance of a predominant British element in Indian administration is indeed a necessity, if that is not yet a worn-out and discredited fetish, then I venture to think that policy as regards remuneration in the Indian Police Service, as in others, will have to proceed in directions more or less diametrically opposed to those recommended by the Hon'ble Mover."

The Hon'ble Mr. Surendra Nath Bannerjea:—"Sir, it seems 3-45 P.M. to me that the discussion has brought out at least one point of common agreement amongst all classes of speakers who have addressed the Council. That common point of agreement is, that the rule which imposes a racial disqualification and excludes Indians from the competitive test in London should be done away with. I think that is a common ground of agreement, a common platform upon which we stand.

"An Hon'ble Member, speaking from that side of the Council, was good enough to say that if the Hon'ble Pandit's Resolution was accepted it would have the effect of eliminating Englishmen altogether from the higher ranks of the Police Service. That is a bit of wild and romantic exaggeration. Even the Hon'ble Pandit Madan Mohan does not go beyond 50 per cent. of the appointments being reserved for Indians. I think, therefore, that we may dismiss that part of the argument which has been adduced. We stand upon this common platform that, so far as the Government of India rule is concerned, the rule excluding Indians from the competitive test, the unanimous sense of this Council is that it should go. That is a point gained.

"Next comes the question whether Indians should fill 10 per cent. of the posts, or 20 per cent. or 50 per cent. In regard to that matter there is a very wide divergence of opinion. It is claimed for the police that it is a highly efficient service. I am compelled to say, Sir, that it is one of the least

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efficient departments of the State. If I were to give expression to the public opinion of my countrymen I would say that the Post Office is the most efficient and the police is the least efficient department of the State, and, that being so, we the people of India think that it is necessary to re-organise it even on the ground of efficiency. Facts have been supplied and in this debate, which show that the police is not as efficient as it ought to be. My Hon'ble friend (Mr. Kesteven) has referred to the bomb-throwing, the assassinations, the dacoities, the murders, and things of that kind which took place in Calcutta some few months back, and he has used it for the purpose of showing that, but for the European direction, those dacoities and murders would not have been put an end to. But, Sir, we have this fact that in France there were things of that kind not many years back in Paris and elsewhere, and the French police had no difficulty in suppressing them; our police had considerable difficulty in dealing with them. Therefore, instead of that being an argument in favour of police efficiency, I say it is an argument against it. If the police were alert, vigilant, capable, if they knew what was taking place in the corners and by-lanes of our great city, they would have found out the conspiracies that were being hatched and would have prevented the crimes that took place. The object of the police is of a two-fold character, to prevent crime and to detect it. I am compelled to say that they are singularly deficient in both these branches of police work, and they were deficient in the very cases to which my Hon'ble friend referred, and on the ground of which he claimed efficiency for the police. Then my Hon'ble friend observed that it was owing to European direction that these things were successfully dealt with. My friend omitted to notice the bravery, the heroism, the pluck, the self-denial of the Indian police officers who voluntarily throw away their lives in the service

The Hon'ble Mr. C. H. Kesteven :—"I expressly referred to the bravery and courage and devotion of the Indian Police Force."

The Hon'ble the Vice-President :—"The Hon'ble Mr. Bannerjea may not have heard what the Hon'ble Mr. Kesteven said on that point."

The Hon'ble Mr. S. N. Bannerjea :—"I am very glad that my Hon'ble friend did bear testimony to that fact. Therefore, these assassinations, dacoities, and so forth bring out the fact that Indian policemen possess, in a conspicuous degree, those qualities which contribute to the efficiency of the police.

"Well, Sir, my point is that the police is not as efficient as it ought to be, and therefore it should be re-organized with a large leaven of Indian officers in the higher ranks.

"Another Hon'ble gentleman—I think it was the last speaker—observed that our policemen regard themselves as the servants of the public—not a bit of it—as the masters of the public. The policeman in the street is the lord of creation and thinks that he can do what he likes. I will give you a personal instance of what happened the other day. (*At this stage the Hon'ble Mr. Fagan rose.*) I am in possession of the house, and I am not going to sit down because you have risen....."

The Hon'ble the Vice-President :—"I must remind the Hon'ble Member that he must address his remarks to the Chair and not to any one else."

The Hon'ble Mr. S. N. Bannerjea :—"I bow to your ruling, Sir. I will give the Council a personal experience to illustrate my remark that a policeman considers himself to be the master of the public and not their servant. Three or four days ago a friend and I were coming in our carriage to this place. A policeman stops us on the way. He says 'this road is not meant for Indians but for Europeans, and you must go the other way.' I said 'I am determined to go; you can do what you like'. And I did go in spite of his

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protest. Now this is an instance of personal experience which took place within a hundred yards of the Secretariat. And yet you say in this place that the policemen consider themselves to be the servants of the public. They do nothing of the sort, they consider themselves to be the masters of the public. The whole atmosphere has to be changed, and if you would change the atmosphere it can only be done by the introduction, the large introduction, of qualified Indians.

“ My Hon'ble friend there has spoken of the British atmosphere. I admire the British atmosphere; it is the very breath of our lives. Now, Sir, the British atmosphere may exist without the component parts, the units being altogether British. Take the Provincial Judicial Service. It is saturated with the British atmosphere, with the spirit of British honesty, of British justice, of British integrity. Who are the members of the Provincial Judicial Service? Indians, 99 per cent. of them are Indians. It is not upon race, creed, or religion that the high British atmosphere depends. It is upon the qualities of the men that compose a particular Service that the atmosphere of that Service depends, and if we have men of the right sort, though they may be men of brown colour, though they may not be Europeans, the British atmosphere will be maintained. Therefore, I do think that the time has come for a re-organisation of the police for the purpose of efficiency, and, in order to make it more efficient, in order to make the police feel that they are the servants of the public and not the masters of the public, I think it is necessary that the Indian element should be largely introduced into the police force. We are talking of responsible government. To whom are the police who go about the streets responsible? Responsible they may be to their superiors, not to the people in any sense, not to those who pay them. Therefore, in the interests of the efficiency of the police, apart from other considerations, it is of the utmost importance that we should re-organise the force, and the least that we can do is to accept the Resolution of my Hon'ble friend Pandit Madan Mohan Malaviya.”

The Hon'ble Raja Sir Rampal Singh:—“ Mr. Vice-President, 8-51 P.M. strengthened by the experience I have of the Police Services, I beg to support the Resolution just moved by my Hon'ble friend Pandit Madan Mohan Malaviya. The recommendation made in it will not only redress, in a great measure, a standing grievance of the Indians, but will also make the Police Services more efficient, more popular, and more suited to the requirements of the country. It is undesirable that the age-limit, at present fixed for the admission in examination of candidates for Police Services, is a little too low, and precludes us from getting police officers of that mature judgment which might be expected from them, and which they are called upon to exercise in the discharge of duties that devolve upon them. It is owing to age-limit that we get officers too young and too prone to fall victims to their own ill-framed ideas or in the hands of low-paid Indian officers. The urgent need in the administration of this country is to cheapen its administrative machinery compatible with efficiency, but I am afraid the recommendation of the Public Services Commission for enhancing the pensions and salaries of officers in the Police Services is altogether in the other direction. I am sorry I am not prepared to admit the advisability of this recommendation either from the point of view of efficiency or of expediency.

“ The rule debarring the Indians from participating in the examination for the recruitment of such Services is not only humiliating to the self-respect of the Indian people, but is also rendering the Police Services less efficient than they ought to be. In my opinion, as far as these Services are concerned, it is a weak argument to say that as the police have to maintain order and peace, it is necessary to keep British officers at the head in the districts. I very strongly hold, and I assure the Council that it is not from any racial motives that if efficiency and reform of these Services are desirable, the first step should be to provide greater facilities to Indians of prescribed merit to occupy higher posts in these Services. It is needless for me to urge any detailed arguments in support of this view. The grievances of the people against the police

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would be greatly minimised, and in the detection and prevention of crime there will be a greater co-operation between the people and the police. I hope the Government would be pleased to see their way to accept the recommendation contained in the Resolution, and to take early steps to adopt measures to recruit Indians of merit and respectability for higher posts of these Services in greater numbers."

3-56 P.M.

The Hon'ble Sir James Walker :—" Sir, in the discussion to which we have been listening on this Resolution, I venture to think there has been a tendency rather to discuss the ultimate result of the Resolution than its definite and immediate object. Its definite object is to secure the Indianization of the Service through the avenue of open competitive examination. No doubt, the Public Services Commission apprehended it to be necessary to provide certain safeguards to retain a preponderance of the English element. But, Sir, it seems to me that if any Member of this Council thinks the best way of filling the Police Service is simply to try and get the cheapest suitable article, regardless of its country of origin—as I have, indeed, heard it recommended for obtaining Finance Ministers—that conclusion does not necessarily mean that the best value for his money is the candidate who offers the largest number of marks at an open competitive examination. I would venture to impress upon Hon'ble Members that, however much they may sympathise with the object of the Hon'ble Pandit in moving this Resolution, they cannot support it unless they are ready to endorse open competition as the right means of selecting candidates for the police."

" Sir, the other day I had great pleasure in supporting a Resolution of the Hon'ble Mr. Sastri's, intended to afford facilities to Indians to enter the Indian Civil Service through the open door of competition along with their English competitors. I am not so much of a sceptic as my friend the Hon'ble Mr. Fagan is in regard to open competitive examination as a means of selection. I am in favour of it wherever it is feasible; but in the case of the police a joint examination is not feasible. There is such an enormous difference between the class of candidates who compete for this Service in the two countries. Well, Sir, as regards an examination in India, in the present condition of Indian education, I should despair of getting thereby the right stamp of men. My conclusion is the result of over 31 years' service—the better part of a year of which was actually spent as an Inspector-General of Police. But no doubt it will be said that that is bureaucratic experience. Well, Sir, what I would ask the Council just for a moment to note is the attitude taken up by certain members of the Commission. There is Mr. Ramsay Macdonald, whose sympathy with Indian aspirations is known to everybody. He accepts the majority's recommendation without any minute of dissent; but he makes one remark, which, I think, is very pertinent to the whole question, in his general minute: 'It is, however, far more important for an increasing employment of Indians in the Services that their recruits should be good than that they should, for the moment, be numerous.' Then Sir Mahadeo Chauhan distinctly says that he wishes to see the competitive system extended as far as possible, but all that he does is slightly to raise the age so as to make it, as he says, 'just possible' for some more young Indians to get in through the English gate. In particular, I would ask the Council to consider the case of Mr. Justice Abdur Rahim. Now, that Member was not hampered by any ideal of securing unanimity with his colleagues in giving a full and free expression to his opinions. Now Mr. Justice Abdur Rahim is sceptical of the need for the precautions, recommended by his colleagues in order to safeguard the British element, and definitely recommends competitive examination in the case of half of the Provincial Service. But what does he do in the case of the Police Service? He recommends that 75 per cent. of the Assistant Superintendents should pass in by the examination in London; and, although he takes off the racial bar, he still retains the age at 19—21. He cannot, therefore, have contemplated a very large number of Indians being successful. For the remaining 25 per cent. he does not recommend competition at all, but selection

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by Selection Committees. I would remind the Council that he distinctly tells us that his main recommendations were discussed with, and had the concurrence of, Mr. Gokhale.

"The Hon'ble Pandit admits that this selection of superior police officers by open competition which he suggests will be an experiment, but he does not propose it on any experimental scale. If his second best alternative is accepted, namely, that at least one-half of the total number of posts should be recruited by an open competitive examination held in India, that will leave only the other half for both English appointments and for promotions from the Provincial Service combined. If his first alternative of a simultaneous examination were accepted, Englishmen would undoubtedly be swamped out by the Indian element. Just compare the educational standard of the Indian candidate for direct appointment to the post of Assistant Superintendent with that of the English boys appearing for the Police Examination. As the Commission says—

'For this service suitable Europeans can be got for salaries as low in relation to the general run of European salaries, as the salaries required to get a suitable native of India are high in relation to the general run of Indian salaries.'

"The Hon'ble Mr. Sarma said that even if the Hon'ble Pandit's recommendations were accepted, the higher appointments would not be filled by Indians for many years to come. But he forgets that the conditions of the Service are such that within five years quite a lot of the candidates would be acting temporarily as Superintendent, and in eight years the bulk of them would be permanently acting as such, so that the effect would be felt very soon. It is for Hon'ble Members to consider whether, when constitutional changes in the direction of responsible self-government are in contemplation, the Police Service is a very suitable Service for such a radical experiment as the Hon'ble Pandit proposes: It is to that Service after all that any Government look for the maintenance of internal security. I will not detain the Council any longer except to remind non-official Members that in nailing their colours to the mast of selection by open competitive examination they are, perhaps, rushing in with the Hon'ble Pandit where Mr. Abdur Rahim and others would fear to tread. I beg to oppose the Resolution."

The Hon'ble Sir Hamilton Grant:—"Sir, I am concerned with ^{44 r. n.} this Resolution in so far as it touches the North-West Frontier Province and Baluchistan, which come mainly under the control of the Foreign and Political Department. Under present arrangements the police officers serving in the North-West Frontier Province and Baluchistan belong to the Punjab cadre, and are seconded from that cadre for service in those Provinces; and therefore any sweeping change which affects the Punjab Police must *ipso facto* affect the North-West Frontier Province and Baluchistan.

"It may be urged that special arrangements might be made for the appointment of police officers for these two turbulent Provinces. The matter has been fully considered, and it has been found quite impossible to constitute a separate cadre for these Provinces owing to the paucity of appointments. I need not go into this matter, but I can assure this Council that this expedient is impossible. Therefore, the present arrangement must remain, and, if the Hon'ble Pandit's Resolution were to come into force, we should find inevitably among the North-West Frontier police officers before long Indian officers. I have no desire, Sir, to draw any comparison between the comparative competence of Indians and Englishmen for appointments in general; but I have no hesitation whatever in saying that for police service on the North-West Frontier Province and in Baluchistan in the higher police appointments, involving as they do many quasi-political duties, the average Indian is not competent, and it is essential to have European British officers. I do not want to harp on this comparatively small issue in the case, but I think that it should be borne in mind by the Council that, whatever arrangements may be made, will affect these two Provinces, the peace and order of which are of first

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class importance to India, not only important in themselves, but as inevitably reacting upon the adjoining tribal area. With regard to Mr. Bannerjee's remarks I would say one thing, and one thing only. He has complained bitterly that the police in India are not the servants of the public but the masters. I think that, so far as their province is concerned, that is exactly what the police should be; they should be masters and not servants; we do not want our police officers or our policemen to be salaaming to a recalcitrant public and doing everything they are told as obedient servants should. We want them within the limitations and trammels that attend on all good masters to perform their work as masters and to nominate the public within their own province.

"There is one other thing that I should like to say before I sit down, and this I say in all seriousness. I should like to sound a note of warning, to make an appeal, an appeal which I should like to have made yesterday when the Hon'ble Pandit brought forward his Resolution about the enhancement of passenger rates. I should ask this Council, are we acting wisely in the interests of our own reputation when at a time like the present, a time when every day is full of fate, we indulge in an orgy of Resolutions on domestic matters of a far from emergent nature? I should like to ask them how the reports of this action of ours will read at Home and abroad. I should like to ask them whether it does not, to a great extent, misrepresent the real temper of this Council. I believe that there is not a Member here present who is not as greatly anxious as I am to see this war victoriously ended and to devote his efforts to this end. But if in the daily reports of our proceedings the public at Home and the public abroad read that we have been bickering and wrangling either over matters of petty discomfort like the enhancement of railway rates or matters of commonplace domestic interest like the Resolution now under discussion, they can only conclude one thing, and that is, that we are not taking this war seriously, and I will appeal to the Council as one who has lived many years in India, and who loves India, and who is jealous of the good name of India, to bethink them whether they are wise in indulging in this spate of domestic discussion at a time like the present, and whether they would not be wise to postpone these nebulous Resolutions to a later date when they can be discussed without the grave pre-occupations that now surround this Government, and thereby prove themselves a true daughter of the great mother of Parliaments at Westminster."

4-10 P. M.

The Hon'ble Dr. Tej Bahadur Sapru:—"I think, Sir, that there is a considerable amount of misapprehension about the scope and meaning of the Resolution which has been moved by the Hon'ble Pandit Madan Mohan Malaviya. Some of the Hon'ble Members who have preceded me this afternoon seemed to have an apprehension that one sure and certain consequence of the acceptance of the Resolution by this Council would be that Indians would swamp the Europeans in the Police Service, and that very probably the Police Service will be depleted of Europeans. Now, I do not have any such apprehensions in the matter. If the Hon'ble Pandit's Resolution is accepted this afternoon, I should think it would take at least 15 to 20 years' time before the number of Indians in the higher grades of the Police Service would be equal to that of the Europeans; and that would be at the speediest rate. So that at least for the next 15 or 20 years neither Europeans in Calcutta need apprehend any serious menace to their safety, nor need people in Baluchistan apprehend any catastrophe in the immediate future. I think arguments of this character are really beside the mark. They are in the nature of special pleading, arguments which you would expect from monopolists. Well, as regards Burma, it has been said that the Burman feeling is very strong against Indians occupying higher positions there. I can appreciate that feeling. Well, if Burma does not want Indians, it should not be difficult for Government to make a special provision for Burma, and no one would be more happy than myself if more Burmans could get into the higher grades of the Service in that Province. I have no doubt that the time will soon arrive when Burmans will be clamouring, as we have been clamouring, for the admission of

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their own countrymen into the higher ranks of the Service in their country. Now, Sir, the Public Services Commission must have been aware, indeed the report itself shows, that they were amply aware of the provisions of the Statute of 1833. Sir Mahadeo Chaulakji refers to that Statute in his Minute on the subject. Mr. Justice Abdur Rahim also refers to it, and even the majority of the Commission referred to it. I believe, speaking for myself, that the provision in regard to the admission of Indians in the higher grades of the Police Service was made with a view apparently to remove the doubts which had arisen with regard to the practice which had been followed during the last 20 or 25 years. It had been urged that the rule which required that the candidates who appeared at the police examination should be of European descent was in direct violation of the provisions of the Statute of 1833. To get over that difficulty, probably the Public Services Commission thought it necessary to say 'All right, in future Indians, too, will be eligible for the higher grades of the Police Service, provided they received five years' education in one of the schools in England.' Now, I should like the Council to realise the significance of this. It really means, as was pointed out by the Hon'ble Pandit Madan Mohan Malaviya, that we should send our boys away at the age of 13½ or 14 on the offchance that after five years' study they might manage to pass the examination. Now, Sir, I put it to you how many Indians are there in this country who can afford to send their sons at the age of 14 to take that risk? I should like to know how many Englishmen would like to send their boys to any foreign country to qualify for any particular career at that age?

"I think, Sir, if it were intended to exclude Indians it would be much more fair, much more straightforward and more courageous to say 'No, for reasons of policy we do not want Indians to come into the Service and we do not fight shy of that conclusion.' Therefore, Sir, I say that the departure made by the Public Services Commission is of absolutely no value to us. I read some time ago some articles on the report of the Commission in a leading Anglo-Indian newspaper, which described that report as a 'small-souled document.' It was not until I read the Chapter on Police Services, that I realised the full significance of the remark. Now, Sir, a great deal has been said to-day about the continuance of British character and of British traditions. Well, I am an admirer of British character and of British traditions, but I do not think it is a part of British character or of British traditions to exclude others from a fair share of their dues. I should be very sorry if that was a part of the British character or of British tradition. I venture to say that if Mr. Justice Shambunath Pandit had not been appointed a Judge in or about 1864, similar arguments might have been urged to-day against the appointment of Indian Judges to High Courts. It was once said by a former Law Member that Indians were subtle lawyers. It was not difficult to imagine that, if the question of appointing them as High Court Judges arose now, it might be urged that though they were subtle lawyers they were not men of practical common-sense, they could not take a broad view of things, and therefore it was risky to appoint Indians. If Indians had not entered the Indian Civil Service, if Mr. Satyendra Nath Tagore had not first of all entered the Indian Civil Service, and if Indians now sought to enter the portals of that Service, inconvenient questions might have arisen. Perhaps it would be said that they had not got British character and British traditions, and, although they had lived in an atmosphere of British character and of British traditions for 100 years, they had not yet imbibed either. Arguments such as these may be very good to convince those who have the monopoly of these posts: they may be weighty in the eyes of the bureaucracy, but let me tell you, the less you talk in this fashion and refer to such arguments the better for the reputation of bureaucracy. Let us be frank and open about this matter. If you have decided that for reasons of State, at any rate in the Police Services, or the Military Services, it is not desirable to admit Indians into higher ranks say so plainly, but do not use arguments that only provoke and do not convince us. I submit that, so far as our claim on grounds of law and justice is concerned, it is indisputable. It is for the Government to say whether that claim will be admitted on grounds of expediency also. I for my part do not wish to enter into grounds of expediency. I take my stand on the

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higher ground of justice and natural right. With regard to the other part of the Resolution which relates to the increase of salaries of the Indian Police it is enough for me to say that the United Provinces Government in the memorandum which they submitted to the Public Services Commission, and which is printed in the Volume containing the evidence, did not think that any case for increase of salary had been made out, I speak subject to correction. Sir, I for one say that, unless Indians are placed on a footing of absolute equality with Europeans, and until that is so in principle and practice, I will offer opposition to the last day of my life to any proposal which gives Englishmen an advantage and places my countrymen under a ban. If there is really any need for an increase in salary in the Services, it is in the lower ranks of the Police and not in the higher. But, so long as you keep my countrymen under a ban, it will be my duty to oppose such a proposal. In the end I would only say that if there is any real objection to the present proposal, why not suggest another means of appointing Indians to the higher ranks of the Services? The Public Services Commission are willing that 20 per cent. Indians should ultimately be appointed, Pandit Madan Mohan Malaviya suggests 50 per cent. In other words, it comes to this that the Public Services Commission are prepared to allow one-fifth, Mr. Malaviya wants one-half. I think it should not be difficult for Government to devise some means by which Indian aspirations in regard to this matter could be satisfied, even if the door of competition was condemned. Sir, I strongly support the Resolution moved by Pandit Madan Mohan Malaviya."

4-21 P. M.

The Hon'ble Khan Bahadur Mian Muhammad Shaif:—

"The Resolution as framed by my friend the Hon'ble Pandit Madan Mohan Malaviya, jumbling together a number of recommendations within a single Resolution, is calculated to place Hon'ble Members who may be in perfect sympathy with some of the recommendations, but may not be prepared to support others, in a difficult position. In the remarks that I propose to make in connection with this Resolution, I intend to confine myself to the third of the recommendations, with which I am in complete sympathy. No one entertains more genuine admiration than myself for the high qualities displayed by the European Police Officer in maintaining law and order, in the detection and prevention of crime. I fully and frankly recognise that his continued presence in the higher ranks of our Police Services is in the highest degree desirable. But that is one aspect of the question. There is the other aspect of the question: is it desirable, is it equitable that Indians, properly qualified Indians, should be absolutely excluded from competing for these higher appointments in the examinations held in England? I for one cannot conceive any ground of policy or expediency warranting the continued existence of this state of things. Hon'ble Members are aware that the appointments in the Indian Civil Service have long been open to properly qualified Indians; that the Indian Medical Service is also open to properly qualified Indians, and that recently commissioned ranks in the Indian Army have been thrown open by His Majesty, the King-Emperor, to Indians. Lastly, the Public Services Commission has recommended the promotion of selected Police Officers from the subordinate Police Services to a certain number of posts in the higher Police Service. It seems to me that, under these circumstances, there is absolutely no justification whatever for the exclusion of Indians, properly-qualified Indians, from competing in the open competitive examinations in England. In so far as this recommendation is embodied in clause 3 of the Resolution, I am in entire accord with my friend Pandit Madan Mohan Malaviya, and I give the proposal my cordial support."

4-25 P. M.

The Hon'ble Sir William Vincent:—"Sir, the position of Government in regard to the subject of this Resolution is much the same as it was during the last Session. We have not the opinions of Local Governments before us, and no decision on the recommendations of the Commission has been arrived at.

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"For this reason, although I do not doubt that the discussion of the Resolution will be useful, it will be obvious to the Council that the Government cannot accept it. I will take the opportunity, however, if I may, of examining these proposals and putting before Council what are my provisional opinions on them. I do this because I was reproached during the last Session for not committing myself sufficiently to definite opinions on some of the Resolutions which came before Council, and to make it clear that I took this course not because I do not hold opinions of my own on them, but merely because I felt myself in a somewhat difficult position, having regard to my office as Home Member.

"Well I will take up the recommendations in this Resolution *seriatim*. I will discuss the age question first. I should like to point out that the age now fixed was decided after prolonged consideration of the recommendations of the Indian Police Commission of 1902-03. That body recommended a slightly lower age, I think it was 18 to 20, but for various reasons into which I do not wish to enter now, the Government finally decided on the age now prescribed. Then I draw attention to the fact that none of the members of the recent Public Services Commission have suggested any change in this matter, except Sir Mahadeo Chaubal, and I cannot but feel that he only did so in view of the recommendation of the Commission that it should be obligatory on all candidates to have had five years' previous education in England before the examination.

"On the merits I put it to the Council that the Government do not necessarily need for the Police Service men with university qualifications. What they seek to obtain is younger men with a good public school education, of active habits, physically fit, of an age suitable for training mentally and physically, and prepared to undergo the hardships which such training necessarily entails. I submit, further, that there is no analogy at all between the Police Service and the Indian Civil Service in this respect, and I think that a more correct comparison might be made with the Army. I believe that in the Army it has been found that the best age for admission is approximately the school-leaving age, and the same remarks apply with particular force to the Police Service in this country, as it is really in a great measure a *quasi-military* force. We know that the present system has produced, a suitable class of recruits, and there is therefore no necessity, and indeed no reason, to change it. Further, if the limits were raised as proposed, I fear myself that many of the advantages which we now secure might be lost. Police officers would be older when they entered the service, less amenable to discipline, and less receptive in the matter of education and training, and they would certainly be less fit and active at the end of their service. Again, it is for the Council to consider whether we should not, if we sought to secure suitable recruits at a later age, have to pay them considerably more than we do at present, when you can get younger men at cheaper rates. These are considerations that appear to me of importance in considering this question of age.

"Now I turn to the question of pay and pensions. I can only say that the Government have not arrived at any decision on the point, and it would be most unwise for me to express any definite opinion here. The Government have, of course, no wish to pay more than is necessary, and I think sometimes that the very jealous manner with which proposals for increase of expenditure are regarded in the Finance Department is not sufficiently realised by non-official Members of this Council. The Public Services Commission have themselves recommended very slight increases, if any. They say, 'Salaries are now drawn under the graded system. We recommend, as elsewhere, that the incremental method of payment should be substituted, but as regards the rates we cannot accede to the request which was made to us for a further all-round increase.' They go on to say that the financial effect of their scheme would be a saving of Rs. 17,000 a year. There is, however, another aspect of this matter which the Government cannot neglect, and the facts here will have to be faced as in other services if the intention is to continue to recruit Europeans of suitable character. If we want such men

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a reasonable wage must be paid. We know that there are complaints that the present wage is insufficient, and that the conditions of the service are not satisfactory, and I hope the Council will realise the fact that a poorly-paid Police may be the worst form of economy. It is, indeed, essential that not only in the lower grades, but also in the higher ranks officers should have a pay on which they can live decently and which will place them always beyond any possibility of temptation. I understood the Hon'ble Dr. Sapru to say that Sir James Meston's Government did not propose to the Public Services Commission any increase of pay to the higher ranks of the Police. Well, I am not aware of what Sir James Meston's opinions were then because . . ."

The Hon'ble Dr. Tej Bahadur Sapru:—"You will find that in the Volume containing evidence."

The Hon'ble Sir William Vincent:—"I do not doubt the accuracy of the statement, for I have not had time to read all the volumes of evidence, but here is an opinion which he expressed recently on the subject. Speaking to a Parade of police officers on 7th January 1918 he said:—

'I know the growing burden of work and responsibility upon you (the Police) and the great rise in the cost of living has hit you perhaps harder than any other class in the public service. It has, therefore, been my clear duty, on receiving your recent memorials on the subject, to say to the Government of India what I am saying to you now and to support, as strongly as I was able, your prayer for special consideration at their hands.'

"That, Sir, is what Sir James Meston recently said on this point. Speaking from my own knowledge and from information which I have received from many police officers, I can honestly say that the position of many married officers in this service, especially those who have families to educate, is really serious and that there is good reason to think that in some cases financial anxieties have affected the efficiency of the officers concerned. Many officers are unable to take leave even when such leave is necessary in the interests of the State, and when illness is added, their financial position is one of great difficulty.

"It was suggested by one Hon'ble Member that there had been a tendency to neglect the interests of the lower ranks for the benefit of the higher ranks. I should like to assure the Council that there is no foundation for this supposition. I will cite a few figures. I find that in 1906 the cost of the Imperial Police Service was 13.5 per cent. of the total police expenditure, whereas in 1910 it was only 7.9 per cent. Again, I have checked the figures in 1912-13 to see what the actual additions in expenditure were in the different grades. I find that the increase in police expenditure as a result of the Police Commission's recommendations up to 1912-13, that is ten years after the Commission reported, was 15 lakhs on the Imperial Service, 70 lakhs in the case of Inspectors and Sub-Inspectors, and over 70 lakhs in the case of constables and head constables. I told the Council a few days ago of the amounts which we were spending this year to improve the conditions of the lower services in various Provinces. I find again that the increase in expenditure on the Imperial Police Service in any year up to and including 1916, as compared with 1912, has been less than 4½ per cent., whereas in other branches of the service it has varied from as much as 37 per cent. in one year to 13 per cent. and 9 per cent. in others. Indeed, I may say with confidence that the conditions of the service of the lower ranks of the Police have been the constant care of Government in recent years, and that they have been materially improved. I do not say we have done all that we should like to have done, but we have done all that was possible. I hope I have said enough to indicate that there are a number of very difficult questions which will have to be considered before Government can say that they will not award any increase or any improvement in the prospects of the Imperial Police Service, and I trust that the Council will realise that the decision of this question is not really so easy as it appears.

"The third point in the Resolution is the question of abrogating that rule which requires every candidate for the superior Police Service to be of European parentage. The Commission has recommended the cancellation of this

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requirement, and though the Government of India have arrived at no decision on the point as far as I am aware, at least no definite decision, I must confess to being much impressed by the arguments that have been put forward by the Hon'ble Mover and by others in this Council, and it is my earnest hope that this requirement will be cancelled.

"I also see great weight in the criticisms as to the requirement of five years' previous education in England. I value as highly as any one the qualities which are developed by education in Great Britain, and the character which is the result of such education, but I doubt whether it would be possible to send Indian boys at the age of 14 to Europe unless their parents were resident there, and I do fear that lads of that age might be exposed to great temptations if they were sent there without proper guardianship.

"I now come to the more difficult question of simultaneous examinations, and I desire to consider this question simply on the merits without any reference to historical or theoretical arguments. So far as intellectual qualifications are concerned, I quite admit that we might possibly, or even probably, secure by a system of simultaneous examinations for the police service a class of men educationally superior to the present recruit in so far as intellectual capacity is tested by examination, a subject on which I have some doubt, but I do believe that in the police as in certain other Services, once a particular standard of education is obtained, what is wanted more than intellectual ability is character, power of decision, and other qualities which are in fact mponderable and the possession of which cannot be tested by any examination. I am aware that the existence of such qualities has been the subject of sarcastic remark—sarcastic perhaps is too severe a word, I will say of remark and criticism—in this Council, but character is a very real essential in spite of all that has been said. I admit that at present we do not obtain men of the first rank for the service from the educational point of view, and that the competition is not very severe. I believe also that competition in England will be less keen than ever after the war, when there will be many openings for young men and when the present wastage of the younger generation is felt more fully. On the other hand, in India, the position is very different, and I feel that the service would, particularly if the age-limit were raised, attract a large number of candidates of university qualifications. I cannot feel at all sure, however, that these candidates would necessarily possess the qualities required in efficient police officers. I do not for one moment suggest that these qualities are not to be found in Indians, but what I do suggest is, that they will not necessarily be secured by a competitive examination, and that an examination is indeed no test for ascertaining whether a candidate is possessed of these qualities or not. For the police service, as I have said, the qualities primarily required are power to lead and command, quick decision, courage, readiness to accept responsibility, endurance, physical and moral, and absolute impartiality. These are qualifications which cannot be tested by any form of examination that I know of.

"Further, in spite of what has been said by Dr. Sapru, I believe that the result of accepting this recommendation would be the speedy exclusion of the British element from the police service altogether, and if the Council does not seek to bring this about, then, I think, they ought to hesitate before they accept this recommendation of the Hon'ble Mover. If, on the other hand, it is the intention to arrive at this result, then I must express my emphatic dissent from the proposal. The police service is one of the security services of the country. On it the welfare and peace of this country directly depend. It is the agency which is responsible for the maintenance of law and order, without which there can be no prosperity. I do not suggest that law and order is the sole criterion of good government, but I do say that no Government is a good Government that fails in this respect, and no one can deny that the British Government has adequately performed this duty. I sometimes think that the benefits which the Government have conferred on this land in this respect are in these days overlooked, and that the disorder into which this country was plunged before the era of the British, when might was right and the whole

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country was a prey to wandering gangs of marauders, is forgotten. I say further that in this work of scouring the peace and in the maintenance of law and order, the police have played a very great part, and I agree with the Hon'ble Mr. Fagan that on this department a responsibility falls which is different from the responsibility which falls on any other department, and that from the superior officers of this Service qualities are demanded of a character different from that of any other Service, including my own. I would say also that there is no Service in which a relaxation of morale and efficiency sooner shows actual and even disastrous results. Setting aside again normal preventive work, if disturbances or rises occur, our first line of defence is, as has already been said, the police, and my own belief is that, so long as the British Army is responsible for the protection of India from external aggression and internal disturbance, so long will it be necessary to retain in the superior ranks of the police force a substantial British element.

"I may say also that the necessity for such an element has been recognised by every Commission which has taken evidence on the subject, and indeed by every member of every Commission. The observations of Mr. Justice Rahim and those of Mr. Mahadeo Chaubal have already been set out to this Council. It was the same in the case of the Police Commission of 1902. I quote a few words from the Minute of Dissent by the Maharaja of Durbhanga. 'We require Englishmen as well as Indians in the higher ranks of the police in the interests of good administration. I can only hope that the number of Deputy Superintendents appointed each year should not for the present be less than one-third of the number of Assistant Superintendents selected in India, and that the number will gradually be increased to one-half, if the experiment proves a success.' The Public Services Commission of 1886, in speaking of the value of European officers in this Service, said :—

'The absence of European officers was one of the causes, if not the main cause, of the abuses with which the police prior to the organisation of 1860 was universally charged, and although the present condition of the force is still far from all that could be desired, yet it is on the whole greatly superior to that which preceded it, and no step can be recommended in the direction of a return to the former state of things.'

"Now I mention these authorities to support the view that it was the introduction of British officers into this force that has contributed largely to its improvement in recent years. I do not for one moment say that this improvement is due solely to that cause. I know very well that there are many Indian officers whose work is above reproach. But I do say that a great deal of the credit is due to the British officers: I might quote observations to show that this improvement has recently been recognised by many weighty authorities. Sir Narayan Chandavarkar spoke of it recently. I have also with me a quotation from Lord Carmichael which shows how highly he appreciated this very body of police to whom my friend the Hon'ble Mr. Bannerjea has referred....."

The Hon'ble Mr. S. N. Bannerjea :—"Not these men."

The Hon'ble Sir William Vincent :—"There is also an appreciation by Sir James Meeson which recently attracted some attention. I am glad myself also in this connection to bear my own testimony to the admirable and successful work of the Indian police service, and I include in that not only the superior ranks, but I include also those Indian ranks to whom my friend the Hon'ble Mr. Bannerjea has specifically referred, who have never, or seldom if ever, failed us in loyalty and devotion to duty. But I do maintain that a new morale and new methods have been introduced into the work of this Department by the British officers since the Police Commission's recommendations were accepted, and I contend that the progress has been attained without any loss of efficiency as regards checking crime, and that this has been effected largely by the European officers in the force and by the changes recommended by the Police Commission. I also urge that it would be a real

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disaster and a danger to India to do anything at this moment of all which might interfere with or impede further progress in that direction.

"Now this is one of my main objections to any system of simultaneous examination, namely, that it will make it impossible to maintain an adequate or even fixed proportion of European officers in the service. I hope that I will not be attacked as wanting in frankness by my Hon'ble friend Dr. Sapru; I have tried to make my meaning clear. I also believe that it would displace the class of recruits we now obtain by men of whose real capacity for police work we should have no guarantee whatever. Indeed, I think that the suggestion of the Hon'ble Pandit that the candidates for the police service should not be chosen in order of merit was to some degree an admission that a system of open competition was not entirely suitable for selecting the officers of this service.

"As to the alternative proposal of the Hon'ble Member, I can only say that the Government have arrived at no decision at present on this point, save the general decision to which I have frequently referred, namely, that they are anxious to enlist Indians, as freely as possible, into the various services. I admit quite frankly that this question must be considered from a new standpoint, that our progress in the direction of admitting Indians into this particular service has been very slow, and that we must be prepared to increase the pace even if this involves some loss of efficiency. I believe myself that the proper solution of this difficulty would be to increase the number of Deputy Superintendents who are promoted to the posts of Superintendents, so far as this is possible, with due regard to vested interests, and to recruit young Indians of suitable character, physique, temperament and education for a reasonable proportion of the posts of Assistant Superintendents. This will, I hope, give effect to the Hon'ble Mr. Sarma's recommendation of 'stiffening' the European force by a proportion of Indians. Such a system would, in my opinion, enable the Government to get mon of the stamp required for the police service. It would also make it possible to ensure that all communities and all Provinces were adequately represented in this important department of Government. The exact number of Indians who are to be admitted must vary in my judgment in the different Provinces, and progress in this service cannot for various reasons be as rapid as in others. In these circumstances, I am not prepared to admit, and cannot of course commit the Government to admitting, that an all-round rate of 50 per cent. is a percentage which we could accept. But I hope that the Council will believe me,—because it is really the intention of Government and we are honestly and definitely pursuing that policy,—when I say that this matter is engaging our present and earnest consideration, and that we have every desire to treat Indians fairly in this matter and to increase the number of Indians not only in this, but in all the services of Government, and here I pause to assure my Hon'ble friend Dr. Sapru that there is no question of banning them from any service. The number that can be admitted into any particular service must depend on the requirements of Government and the interests of the State. So far as is possible we are adding to the number of Indians in the service, but I cannot by any means guarantee, certainly not at present, that the percentage in the police service will be the figure or anything approaching the figure which the Hon'ble Member suggests."

The Hon'ble Mr. Sastri:—"Sir, I plead guilty to having made ⁴⁵⁵ the remark about other than literary qualifications which elicited some disapproval from the Hon'ble Sir William Vincent. I am not less disposed than he is to attach importance to character, to the power to command, to the readiness to take responsibility and to maintain a high level of efficiency. I am at one with him in thinking that these qualities are not brought out by any system that human wit has yet devised of competitive examinations. My Hon'ble friend must explain to me how, when he objects to recruitment by competitive examination in India, he has not raised any objection to such a system of recruitment in England. I did not hear him say anything by way of disapproval of the system prevalent to-day—and in this very police service—of

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raising the English recruits by a system of competitive examinations. Does my Hon'ble friend maintain that in England, by some subtle process, the examiners are able to discover from the answer papers of candidates the qualities, mental and moral, of the candidates who have produced those papers? Over and over again in England the complaint has been made that the competitive examination is an imperfect test, if it is a test at all, of character. That is a phenomenon not peculiar to India. Competitive examinations in the one Continent and in the other lie under that fatal curse. If the Hon'ble Sir William Vincent had brought forward a solution for overcoming this difficulty in the case of the competitive examination in England, he would be perfectly justified in raising the objection to competitive examinations in India; but in so far as he has not ventured on that task—and for the very good reason that it is an impossible task—I must discount his objection to competitive examinations in India. But, Sir, the real point in the case of the Indian Police Service requires still to be brought out, and I propose within the few minutes that I shall yet have to lay bare what appears to me to be the crux of this whole question.

“It has been said that the British character and the British tone must be maintained in the Police more than in any other Service—more than even in the Civil Service. Well, I have learned to appreciate the British character. I know its strong points. I know also what qualities precisely are in the minds of Hon'ble Members when they speak of the British tone and the British character and the British standard of efficiency. I value them highly. But I wish expressly to ask whether it is the belief of exponents of this doctrine here that every single Englishman in the British Isles is a vehicle of this higher British spirit and this higher British character. Are they all swans that live in the islands of Great Britain and Ireland? Do competitive examinations bring all the top men out, the best men out, the most honourable men out? Sir, if it is necessary to maintain the British character in the Service, I venture to tell my Hon'ble friends on the opposite benches that they should take every care to bring into competition with Indian talent the best European talent. In the case of the Police Service they have a specially low standard of examination to catch the somewhat second-class candidate in England. You have the age of 19 as the entrance age for this examination. That is almost the school-leaving-age. When you take people at that age and make them sit for a simple examination, with simple papers in Arithmetic, simple papers in English composition, you have certainly not devised the means for drawing out the best exponents of the British spirit, the best exponents of the British character. You run the very grave risk of catching more blanks than prizes in such a lottery, for an examination at that age is notoriously a lottery. And, Sir, I venture to go further and say that those run a serious risk of maintaining this competition at the one end and at the other of unequally yoked fellows, so long as they go on to say that in India we want the best Indians for the Police, but from England we are not so very particular about getting the very best.

“Now I proceed a little further. What are the actual facts? It is impossible, Sir, for the officials who speak for Government to-day, and for us on this side, to agree as to the facts. Indeed, I suppose this Council wishes to hear the truth spoken on every occasion, wishes to know really what is thought in the most responsible Indian circles. On every question that we here consider, I venture to think that Hon'ble Members on the opposite benches will not feel it a disadvantage, will not certainly feel it as an affront to their feelings, if we state to them the exact way in which we feel on the subject under consideration. Now, with regard to the Police, the views that we hold are very divergent—in fact, I do not know if on the question of any other Service the views that we hold are so divergent as in the case of the Police; and therefore it is, however unpleasant it may be, that I have taken upon myself to state frankly what is thought among certain sections of Indian opinion competent to advise Government on this matter. Now, Sir, as much as Hon'ble Members on the other side we see the phenomena which we seek to appraise. We see the daily work of European and Indian officers. Now, if it is claimed that the work of the Police is a mixture of good

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and evil—and I do not suppose there is any one who says it is absolutely good—if the work of the Police be a mixture of good and evil, it is not right that credit should be claimed for the good while discredit is disclaimed for the evil. Both alike should rest on both wings of the Police force, European and Indian. We may differ as to the precise amount of good which may be ascribed to the European force and the precise amount of evil which may be ascribed to the Indian force—and there it is that, I am afraid, we disagree somewhat radically. Our opinion, Sir, distinctly is that if the Police is efficient to-day it is, in a very considerable measure, due to the personnel of the Indian element. I do not say nothing is due to the European, for the European force superintends and supervises; but I do say that the primary, the most difficult, the most dangerous part of the work is shared by the Indian with the European in honourable measure. Our contention is that if you want to improve the European force, as it certainly needs to be improved, you cannot do it better than by introducing a much larger Indian element into the personnel. I understand the Hon'ble Sir William Vincent, speaking for Government, is not against”

The Hon'ble Sir William Vincent :—“Sir, I said quite clearly, if I may interrupt for one minute, that in stating the views I put forward I was expressing my personal opinion only. I thought I had made that clear to Council. If I failed to do so I have been guilty of a serious omission.”

The Hon'ble Mr. Sastri :—“I take the correction. The Hon'ble Sir William Vincent speaking for himself ventured to express the opinion cautiously that he would recommend an increase of the Indian element in the Police Force. Speaking for Government he was not able to give any such assurance; in fact, Government had come to no conclusion on the subject at all. Well, I am perfectly certain that when Government comes to examine the matter they will be prepared, with confidence, to increase the Indian element. Well, it is to the precise proportion that objection is raised. The introduction of the competitive examination, simultaneous examination, in India and England is viewed with suspicion, first, because it may not produce the desired class of recruit in India, secondly, because it may render it difficult to maintain the desirable minimum proportion of Europeans in the force. Well, if that is the ground upon which simultaneous examinations are opposed, what ground can there be for rejecting the last alternative which the Pandit has brought forward that one-half should be raised in India by a competitive examination to fill the higher ranks? As the Government have come to no conclusion upon this subject, it is not for me to assume that Government will reject it in the end. I will therefore found no argument on the supposition that that will be the case. But it is desirable that Government should know what is felt by us. Having stated it once, let me state it again to the Council, that we fear there is great need of introducing the best Indian talent into the Police Force, and if Hon'ble Members are anxious, as they apparently are, that the European section of the force should compete on favourable terms with this Indian element and maintain the British spirit and the British honour and the British character of which they are so justifiably jealous, let me tell them that they must contrive some means of bringing the best European talent into the force, as the present system is by no means suited to that end.”

The Hon'ble Pandit Madan Mohan Malaviya :—“Sir, in reply to the criticisms that have been offered on my Resolution, I will first refer to the appeal made by Sir Hamilton Grant that a Resolution like this and the one I took up yesterday should not be introduced in this Session. I am as conscious as my Hon'ble friend that every day is full of fate; but I gave notice of this Resolution long ago, and I took it that the Government did not see any reason to ask that these Resolutions should not be taken up; and when Government did not suggest that there was any reason to run away from discussion of such subjects, we should not be held to blame if we do our

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appointed duty in the right time. The questions that have been raised may be very unimportant in the eyes of my Hon'ble friend. It may be very unimportant in his eyes for instance that in these days of hardship we are taking away a crore of rupees from the pockets of third-class passengers; it may be a matter of little importance to him; it did not appear so to me, nor is the question whether in the future, when the Government of India come to consider the report of the Public Services Commission, they should look at the Indian point of view in the right way a matter of indifference to us.

"Now, Sir, Mr. Kesteven spoke of the Resolution as one having for its object the elimination of the European or British officers from the Service; so also did the Hon'ble Colonel Aplin. I am sorry that the Hon'ble the Home Member also endorsed that view and has spoken of the Resolution as one the object of which was to eliminate the European British officers from the Service"

The Hon'ble Sir William Vincent:—"I did not say 'object'; I said 'result.'"

The Hon'ble Pandit M. M. Malaviya:—"I thank my friend for the correction. Now, Sir, I must say that I am greatly surprised that these Hon'ble Members should give expression to such sweeping remarks as that. Mr. Kesteven spoke of this Resolution as intending a sweeping and drastic change. I was not prepared to hear from any Hon'ble Member of this Council that with the wording of the Resolution before him he would think that the result of the Resolution could be the sweeping change that these Hon'ble Members have suggested. What do we ask for? We ask that the age-limit should be raised in some respects; we ask that the pensions and salaries of officers of the Indian Police Service should not be enhanced; that the rule which requires that candidates for the Service should be of pure European descent should be abrogated without qualification, and that the examination should be held simultaneously in India and in England. If the last recommendation should not be accepted I suggest as an alternative that 50 per cent. of the appointments should be reserved for competition in India. Does that look like a sweeping change, having or likely to have the result of sweeping the British officer out of the Indian Police Service? I am sorry to note, Sir, that some of my Hon'ble friends showed a somewhat nervous attitude in dealing with this question. The Hon'ble Mr. Kesteven—and I am surprised all the more that a lawyer of his eminence should express such an opinion—spoke of the concern which the European population in Calcutta would feel if the Resolution were given effect to. Now, Sir, I did not imagine that he of all persons would think that the Resolution was going to bring about an entire substitution of Indian policemen in the Service during the next fifty years; and I thought he would also remember that the European residents of Calcutta owe the peace and security which prevails in Calcutta along with their Indian brethren somewhat to the action of the Indian policeman. And I thought that while the claim that we should not forget what we owe to the police was made he would remember also that the Indian policeman had a share of the credit which he wished us to give to the police. He also"

The Hon'ble Mr. Kesteven:—"I thought I said, Sir, in my speech that I claimed a share for the Indian police also."

The Hon'ble the Vice-President:—"Most certainly you did."

The Hon'ble Pandit M. M. Malaviya:—"My friend, Sir, said that we were all apt to forget how much we owe to the police; he spoke of the suppression of sedition and anarchical crime, and of work done by the police, and he referred also to the work done by the Indian members of the police force. I only wanted to emphasise the fact that Indian members of the police force in Bengal had put in a record which was as splendid as that of any

[18TH MARCH, 1918.] [*Pandit Madan Mohan Malaviya.*]

police force in the world could be; many of them have laid down their lives in the discharge of their duty, duty done unfalteringly, duty done in the clear consciousness that their lives were at stake, that they were being followed and hunted by men whom they were trying to arrest; and in these circumstances not one, not two, but a number of Indians have discharged their duty.

“ Now, Sir, I think if nothing else the work of the Criminal Investigation Department would establish the fact that Indians do possess that courage, power of command and that power of endurance, and all those other qualities to which the Hon'ble the Home Member so eloquently referred. But it would seem, Sir, that even this record is not sufficient to establish the claim of Indians to be regarded as fit for employment in the higher ranks of the Police administration in their own country. The Hon'ble Member from Burma spoke in the same strain, and he thought there was great danger of evil arising to the country if the Resolution were accepted, and he wound up by saying that at any rate in Burma there was no desire that the change should be introduced. If Burma does not desire the change, nobody would force it on the Province, but when the general question is raised it is not the view of Burma that has to be considered. The Hon'ble Mr. Fagan laid great stress upon the recommendations of the Commission of 1902. I submit, after the recommendations of this Commission, to say that it urged that British character and tone should be maintained is to argue in a vicious circle. We have heard the argument long, long enough, it has been repeated many times. That is the point at issue between my friends who take that view and ourselves. What is this British character, what is the British tone to which reference is made? I submit that it means nothing more or less than the possession of a good education and the possession of that character which is to be found in the average Englishman, as also in the average Indian, and in average people in other parts of the world. Character is the result of education and of social surroundings, and I submit that when my friends lay too much stress upon it, they invite the criticism that not very long ago, the Police Commission in England reported very unfavourably about the police in England. The Hon'ble the Home Member has referred to the recommendations of the last Police Commission. It should not be forgotten that until the reforms to which he refers were carried out the policemen in this country did not possess anything like the character which they now possess. I submit that if the men who are appointed to the Service were wanting in education, if they did not possess the character required, they would not be able to render the account of themselves that they have rendered. Experience has shown this, so do not claim it as a monopoly of Englishmen the character—the qualities that they possess. They may have them, and there is the fullest acknowledgment of the fact, but for goodness sake, for the sake of justice that you love, do not deny the character which you claim to possess to your Indian fellows—subjects who possess it in a similar measure, until they have been put to the test and given an opportunity to display their character. It is a matter for sincere grief that in this discussion Indian officers are said to be lacking in certain qualities which are essential to certain Services. If Indians are given an opportunity of showing whether they possess those qualities they will develop them. Now, Sir, there is no desire on my part to belittle the work of the police, but I fear that some Hon'ble Members have claimed too much for them, and particularly the Hon'ble the Home Member when he reminded us of the disorder which was found in this country when the British took possession of it. It seemed to me that he forgot, or evidently overlooked, the earlier reports of Police Commissions appointed by the Government and also their scathing remarks. Measure after measure was introduced to raise the character of the police in the higher ranks. Let, therefore, no claims be put forward for any particular section unless it is justified. We know from the reports of the last two Police Commissions that only recently there was great dissatisfaction felt with the personnel of the Police. We know that the systems of recruitment which had been adopted were condemned one after another. For instance, the Commission of 1886 wrote ‘the system

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naturally supplies youths who have failed to succeed in examinations held in England and who come to India in the hope of securing a nomination to the Police by influence brought to bear on the nominating authority,' while some of the officers selected had turned out to be excellent, others on the contrary have taken years to become fairly efficient, and in some extreme cases have never become efficient at all. The system was abandoned and replaced in 1894 by a competitive examination. Charges were made against the officers appointed under the recommendations of the Commission of 1880. The Police Commission of 1902 said that 'the charges made against them are that they are often not well educated nor intelligent men, that their training is defective; that their knowledge of the vernacular is not such as to enable them to have free intercourse with the people; that they are too much in the hands of their subordinates; that their views are too narrow and their sense of responsibility too weak to allow them to pay due regard to complaints against their subordinates or to take due notice of misconduct. The Commission are of opinion that there is a great deal of truth in these complaints.' Now, Sir, I will not quote further the opinion of the Commission. I say you owe the purity and efficiency of the Police to the conditions under which you recruit the Service, and not merely to the fact that they are English lads taken from English schools. I know the English lad has many good qualities, I admire him, but I claim that the Indian lad too in his small way would be found to possess similar qualities. The Hon'ble the Home Member has told us that the Government is considering the matter, and that the opinions he has expressed to-day are his personal opinion. Even though he has made that clear it is still necessary that I should offer a few remarks on the opinions he has expressed"

The Hon'ble the Vice-President:—"May I remind the Hon'ble Member that he has one minute left."

The Hon'ble Pandit Madan Mohan Malaviya:—"Sir, I will save the Council that minute."

5-22 P.M.

The Hon'ble Sir William Vincent:—"Sir, I should like first of all to reply to the criticisms of the Hon'ble Pandit on my remarks as to the benefits of British rule in this country. I understood him to maintain that the Police have had no part in this work of improvement"

The Hon'ble Pandit M.M. Malaviya:—"I never said that. The Hon'ble Member claimed a larger part than was justified by the facts."

The Hon'ble Sir William Vincent:—"A larger part than the facts justify.' I do not think I have done anything of the kind. I maintain that the Police have played a great part in the pacification of this country, and I contend that the defects of which there were complaints in the earlier days have been largely remedied by the introduction of European officers in 1861. I would point out that the figures and facts which he has quoted from the Police Commission's Report of 1902 do not refer to the present condition of affairs at all, but relate to a state of things which the Commission was appointed to remedy and which it did effectually remedy. What the last Commission of 1915 said was 'it has not been shown that the reforms have broken down; the evidence shows that they have been on the whole successful, but that hardly sufficient time has elapsed thoroughly to test their effectiveness.' I submit that, in these circumstances, it is hardly fair to quote the system which prevailed before 1902 to illustrate the arguments which the Hon'ble Member used. The Hon'ble Member, in another part of his speech, said that he repudiated the suggestion that Englishmen would be excluded entirely from the Service by his Resolution. I rather feel with the Hon'ble Dr. Sapru when he said that there should be more frankness in such matters. What is the object of raising the age-limit, of having simultaneous examinations? What would be the effect of these proposals? Does not every Member of this Council know, Sir, that the effect would be to exclude all

[13TH MARCH, 1918.] [Sir William Vincent; Pandit M. M. Malaviya; Mr. S. N. Bannerjea; Mr. Sastri.]

British candidates from any chance of success? I ask, I put it frankly, would not that have been the effect? It is useless to say 'I never suggested that British candidates should be excluded, that was not in my mind at all. I intended something entirely different'. The Hon'ble Member used soft words, but his intention was exactly what I say....."

The Hon'ble Pandit M. M. Malaviya :—"The words of the Resolution are there".

The Hon'ble Sir William Vincent :—"Yes, the words of the Resolution are there, and they are for the Council to read. They recommend simultaneous examination and the raising of the age, and I do maintain that accepting this Resolution would have the effect which I have stated. When the Hon'ble Member says he does not mean this a Hindustani proverb comes to my mind which it would be impolite to repeat at this moment.

"He then went on to say 'what is this British character of which we hear so much?' Well I can tell the Council readily what this British character is. I have been frequently taunted in this Council with not explaining what I mean by the term, but if evidence of this effect is wanted I would say *Si monumentum requiris, circumspice*. Consider the state of this country now as compared with a hundred years ago. There is the real evidence of the value of British character and British administration, of how and why these results were attained. I will quote a passage from one who is greatly revered by many politicians, and by many others in India. I will read to the Council what Mrs. Annie Besant says of the value of British officials in India. I do not quote the lady as an authority on whom I place great value, but I have always understood that she is a person whose opinion is accepted with respect and even with reverence by many Members of this Council....."

The Hon'ble Mr. S. N. Bannerjea :—"What is the date"?

The Hon'ble Sir William Vincent :—"The date is 1911, I believe, but I am not sure. This is what the lady said :—

'They forget that the vast population of India, especially the villagers, constantly show preference to the English official over the Indian because the ordinary Englishman is more considerate of the poor, more ready to work to relieve distress than is the ordinary Indian. In the relief of famine the chief difficulties arise from the lower class Indian employes, not the educated Indians who work most nobly to relieve suffering. The complaints of torture by the police are accusations against Indians. In the administration of justice, the Englishman judges fairly as between an Indian and Indian where the Indian is swamped by influences of kindred caste-prejudices and local customs; all this is known to and remembered by educated Indians and I am only repeating above what I have heard them say over and over again as to the substantial value of British rule.'

"Now these are not my words. Those are the words of this lady, and I simply ask the Council to consider them. Then the Hon'ble Mr. Sastri challenged me, saying you hold a competitive examination in England, but why won't you have it in India. Well, it is difficult to answer that question without saying what might wound feelings in this Council, and I am unwilling to do anything of that kind. But what I take to be the advantages of a competitive examination in England are these. Taking a number of candidates....."

The Hon'ble Mr. Sastri :—"I do not draw the Hon'ble Member into making a statement which he would rather not make. He may rather not make it merely to please me. Let me not be understood to draw from him a statement."

The Hon'ble Sir William Vincent :—"I was only anxious to make it clear that I could answer the Hon'ble Member, but in the circumstances I refrain from saying more.

[*Sir William Vincent.*]

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"The only other point I have noted here is a remark of the Hon'ble Mr. Sastri as to the value of the work of Europeans in the Indian police. I understood him to suggest that the value of their work has been over-estimated, that the good work was really that of the Indian police, and that the candidates for the police were selected after an examination at an early age when the selection was little more than a lottery. I have tried to get the words down as accurately as I could. Well, I doubt whether it can be said that selection by examination at the age of 19 is in any sense a lottery, and I would ask the Council to remember that this is the age at which, I believe, candidates for scholarships for University are generally chosen, and it is the age which the recent Commission, which included at least one eminent educationist, deliberately selected as the suitable age for entering the Indian Civil Service. Now as to the value of the work of European officers in the police service, I can only ask the Council to weigh the testimony of every authority and of every Commission which has inquired into this matter and which has taken evidence on the subject. Their testimony is unanimous that the work done by the European officers in the higher ranks of the police has been of incalculable benefit. I do not wish in any degree to depreciate the work done by Indians. That is far from my purpose. I am well aware of the excellent work that they have done. It has been my good fortune to serve in many districts with them, but I do not think that it would be fair to say that the work in the higher ranks of the police done by Europeans is not largely responsible for the present improvement in that service. I regret, Sir, on behalf of Government for the reasons I have given I must oppose this Resolution."

The motion and the alternative motion were put and negatived.

The Council then adjourned to Thursday, the 14th March, 1918.

A. P. MUDDIMAN,

Secretary to the Government of India,

Legislative Department.

DELHI :

The 21st March, 1918.