

*Tuesday,
20th March, 1917*

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

Vol. LV

March 1917

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

March 1917

VOL. LV

Published by Authority of Governor General.

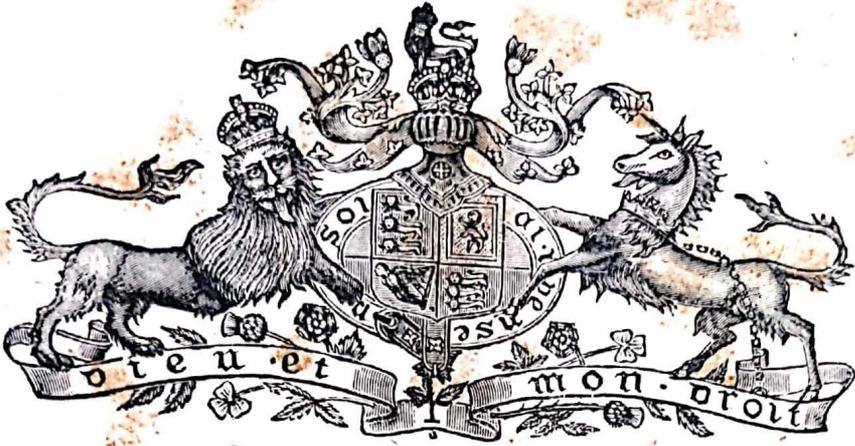


& Debates Section

**Gazette
Parliament Library Building
Room No. FB-025
Block 'G'
DELHI**

SUPERINTENDENT GOVERNMENT PRINTING, INDIA.

1917



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
Tuesday, the 20th March, 1917.

PRESENT :

The Hon'ble MR. G. R. LOWNDES, *Vice-President, presiding* and 61 Members,
of whom 54 were Additional Members.

STATEMENT LAID ON THE TABLE.

The Hon'ble Sir Claude Hill :—"With reference to my reply to the question asked by the Hon'ble Maharaja Sir Manindra Chandra Nandi on February 8th, I lay on the table a statement* giving the information desired. It should be borne in mind that, except in Madras, there is as yet no properly organised Provincial Service. Many of the vacancies shown in the list had to be left unfilled."

QUESTIONS AND ANSWERS.

The Hon'ble Maharaja Sir Manindra Chandra Nandi
asked :—

1. "Will the Government be pleased to lay on the table a statement, province by province, showing for the last five years :—
- (i) the total amounts involved in the maintenance of the Department of Agriculture by the Local Governments and Administrations ;
- (ii) how much of these amounts was, during each year, spent in salaries of officers and employees of all grades ?

The Agricultural Department.

* Vide Appendix A.

[*Maharaja Sir Manindra Chandra Nandi*; *Sir Claude Hill*; *Sir O. Sankaran Nair*.] [20TH MARCH, 1917.]

- (iii) how much was spent in travelling allowances ?
- (iv) what proportion of item (ii) and item (iii) was due to the non-Indian element in the staff ?
- (v) how many non-Indians have been employed during each year in the Department; what are their respective salaries, and what amounts have been credited to each as travelling and other allowances each year ?”

The Hon'ble Sir Claude Hill replied :—

“ A statement * containing the information asked for by the Hon'ble Member in parts (i), (ii) and (iii) of his question is placed on the table. The figures given for (ii) and (iii) are, however, approximate only as detailed figures of expenditure under salaries and travelling allowances are not available in some cases. With regard to parts (iv) and (v) of the question the information asked for is not available.”

The Hon'ble Maharaja Sir Manindra Chandra Nandi asked :—

Resources
of local
bodies.

2. “ Will the Government be pleased to lay on the table a statement showing the resources of the local (self-government) bodies in the different provinces during each of the last five years, under the following heads :—

- (1) land cess ;
- (2) rates and taxes ;
- (3) “ augmentation grants ” made by the Government of India ;
- (4) any other recurring grants made either from Provincial or Imperial funds ;
- (5) other sources of revenue—recurring or non-recurring? ”

The Hon'ble Sir C. Sankaran Nair replied :—

“ A return † showing, as nearly as possible, the information asked for by the Hon'ble Member is placed on the table.”

The Hon'ble Maharaja Sir Manindra Chandra Nandi asked :—

Emigration
and indentured
labour.

3. “ (a) What is the total number of Indian coolies who have gone under indenture to Trinidad, British Guiana, Jamaica, Fiji and Surinam in 1910, 1911, 1912, 1913, 1914, 1915 and 1916 ?

- (b) What is the usual period of their indenture ?
- (c) How many coolies have returned to India during the last five years on the expiry of their term of indenture ?
- (d) Have the Government of India ascertained the average net savings of a repatriated coolie ? If so, what is the amount of such savings ?
- (e) Is it a fact that very often there is a shortage of labour in certain Provinces in India especially at some of the principal towns where mills and factories abound ?
- (f) Is it a fact that there exists a permanent insufficiency of labour in some parts of the country ?

(g) Are the Government aware that public opinion is not generally favourable to the system of Emigration or Indenture of Indian labour on the ground that it is detrimental to industrial interests in India ?

(h) Are the Government also aware of a growing public feeling that under no form of recruitment can sufficient protection be afforded to Indian

* Not included in these Proceedings.

† Vide Appendix B

[20TH MARCH, 1917.] [*Maharaja Sir Manindra Chandra Nandi; Sir George Barnes; Sir C. Sankaran Nair.*]

coolies from the abuses which prevail under the existing system of indenture in spite of protective legislation ?

(i) Will the Government be pleased to consider the desirability of referring the whole question of Emigration and Indenture of Indian labour to the Local Governments and public bodies for an expression of their views ? ”

The Hon'ble Sir George Barnes replied :—

“ Statements* are attached giving the information referred to in parts (a) and (c) of the Hon'ble Member's question.

The usual period of indenture is five years. The average net savings which repatriated coolies brought to India with them in the years 1912—14 (apart from remittances made by them while they were in the colonies) appear to have been as follows :—

	R
From Trinidad	241
„ British Guiana	233
„ Fiji	314
„ Jamaica	101
„ Surinam	182

With regard to parts (e), (f) and (g) of the Hon'ble Member's question it is true that the labour supply in India is fluctuating, and that in certain parts of the country the demand for labour exceeds the supply. Employers of labour sometimes express objections to emigration, as tending to reduce the supply of labour, or to raise its price ; but the Government of India are not aware that objections based on this ground are endorsed by public opinion which naturally considers mainly the interest of the labourers themselves. The position with regard to (h) and (i) of the Hon'ble Member's question has been fully explained by His Excellency in his speech opening this Session of Council, and I would refer the Hon'ble Member to what His Excellency said. As there stated Local Governments have already been consulted and their replies are now being received.”

The Hon'ble Maharaja Sir Manindra Chandra Nandi asked :—

4. “ What amounts of money have been spent by the Government year by year, from 1910, upon primary education in the different provinces, and what percentages of such amounts have been spent on buildings, inspecting staff and teachers, respectively ? ”

Amounts spent on primary education.

The Hon'ble Sir C. Sankaran Nair replied :—

“ The information so far as available, that is to say, so far as concerns the staff and maintenance of primary schools, is laid on the table. Statistics for the sums spent upon buildings, furniture and apparatus in primary as distinguished from other schools have not hitherto been collected, but it is hoped that figures of this character may be available next year. The cost of the portion of the inspecting staff utilised for primary schools as distinguished from that employed on other institutions cannot be ascertained.”

The Hon'ble Maharaja Sir Manindra Chandra Nandi asked :—

5. “ (1) Is it a fact that of late years Indians have been practically excluded from the general scale appointments in the Telegraph service ? If so, why ? ”

Employment of Indians in the Telegraph Department.

* Vide Appendices C, D and E.
Vide Appendix F.

[*Maharaja Sir Manindra Chandra Nandi; Sir George Barnes; Mr. Bhupendra Nath Basu; Sir Reginald Craddock.*] [20TH MARCH, 1917.]

(2) How many Indians have been taken in the general scale in the above service during the last five years ?

(3) Have the Indians in the general scale so far given complete satisfaction by their work and service ?

(4) On what principle is house-rent allowance granted to officers of this service ?

(5) Is it a fact that the rates of pay of the local scale men are not in accordance with the Government of India Resolution No. 23-Telegraph, dated the 27th June 1902 ?

(6) Does the Government intend to re-arrange the pay of the local scale men according to that resolution ? ”

The Hon'ble Sir George Barnes replied :—

“ It is certainly true that Indians have been practically excluded from direct appointment to the general scale ; and this is due to the fact that, for reasons of State, Government decided that the majority of the Telegraph operators should be non-Indians. The question of increasing the proportion of Indians, both in the general scale and among the operating Telegraphists as a whole is, however, at present under consideration.

The Indians in the general scale are all picked men, and their work has been satisfactory.

With reference to the other parts of the question, I would refer the Hon'ble Member to the reply given to a similar question by the Hon'ble Rai Bahadur Bishan Dutt Shukul on the 28th February, 1917.”

The Hon'ble Mr. Bhupendra Nath Basu asked :—

Regulation III of 1818.

6. “ (a) Is one Satish Chandra Dey a State prisoner under Regulation III of 1818, or is he interned under the Defence of India Act ?

(b) Is he kept in solitary confinement in the Presidency Jail in Calcutta ; and if so, how long has he been so kept ?

(c) Has he lost 18lbs. in weight during the last two months or since his imprisonment ?

(d) Is it the fact that his health has greatly suffered ?

(e) Was he not a distinguished student of the Presidency College, Calcutta ? ”

The Hon'ble Sir Reginald Craddock replied :—

“ (a) Satish Chandra De is a State prisoner under Regulation III of 1818.

(b) He has been in confinement since August, 1916. As regards the term ‘ solitary confinement ’ the Hon'ble Member is referred to the answer given in this Council on the subject on the 16th February, 1917.

(c) and (d) A report was recently received that Satish Chandra was suffering from headache and sleeplessness, and that he was under medical treatment. Government have no further information as to his health at present, but as the Hon'ble Member has already been privately informed they have called for a special report about him.

(e) Satish Chandra De was a student in the Presidency College, Calcutta. He passed the B. Sc. examination in 1914 and was studying for the M.Sc. examination.”

The Hon'ble Mr. Bhupendra Nath Basu asked :—

Indian indentured labour.

7. “ (a) Is the Government aware that it is now publicly asserted in Fiji that the assurance has been given from London that recruiting of Indian indentured labour will be allowed to go on for another five years ?

[20TH MARCH, 1917.] [*Mr. Bhupendra Nath Basu ; Sir George Barnes ; Sir Reginald Craddock.*]

(b) Has the attention of the Government been drawn to the further statement that has appeared in the press that 'stipends of new recruits, containing men and women, in the proportion of three men for every one woman, are still being sent out' ?

(c) With reference to the pronouncement already made by Government on the question of indentured labour, will the Government be pleased to take immediate steps to terminate recruitment of indentured labour ?"

The Hon'ble Sir George Barnes replied :--

"(a) The attention of the Government of India has been drawn to a letter from Mr. O. F. Andrews in the press to the effect stated.

(b) The attention of the Government of India has been drawn to the statement referred to.

(c) As the Hon'ble Member is aware, a prohibition has on military grounds been placed on recruitment for indentured labour, and His Excellency has informed me that he proposes to make a statement as to the policy of the Government on the subject next Friday."

The Hon'ble Mr. Bhupendra Nath Basu asked :--

8. "(a) Has the attention of Government been directed to the following paragraph that has appeared in a leading Anglo-Indian newspaper : The Delhi to Simla move.

'Lord Hardinge was responsible for the statement that the Government of India could stay in Delhi until May 1st. It has never carried out the promise yet, and this year it intends to move to Simla on March 27th. Why not try May 1st as a war economy ?'

(b) Is the Government prepared to accept the suggestion ?"

The Hon'ble Sir Reginald Craddock replied :--

"Government have seen the paragraph in question, which probably refers to the Government of India Despatch of 25th August, 1911. That Despatch did not purport to deal with the temporary arrangements at Delhi pending the construction of permanent buildings; and it would be hardly fair to retain a large number of people under canvas after the end of March. Nor is it apparent how any economy would be effected by doing so."

The Hon'ble Mr. Bhupendra Nath Basu :—"May I ask a supplementary question, Sir, as to when these temporary arrangements will cease and the Government remove to its permanent location ?"

The Hon'ble Sir Reginald Craddock :—"I am not a prophet; and I will not essay prophesy."

The Hon'ble Mr. Bhupendra Nath Basu asked :--

9. "(a) Has the attention of Government been directed to the statement circulated by Reuter's Agency that the Secretary of State for India recently announced in the House of Commons that His Excellency the Viceroy has informed him that Indians would be eligible for Commissions under the Indian Army Act in the Indian units of the new Indian Force as soon as they qualified themselves ? Grant of Commissions to Indians.

(b) Will the Government be pleased to state what is intended by 'Commissions under the Indian Army Act ?' Do they include Commissions granted to European British subjects of His Majesty ?

(c) Will the Government be pleased to lay on the table the correspondence between the Government of India and the Secretary of State on the subject ?"

[*His Excellency the Commander-in-Chief in India*; [20TH MARCH, 1917.]
Rai Sita Nath Ray Bahadur; *Nawab Saiyed*
Nawab Ali Chaudhuri, Khan Bahadur;
Sir C. Sankaran Nair.]

His Excellency the Commander-in-Chief in India replied :—

“(a) The answer is in the affirmative.

(b) Commissions under the Indian Army Act are those granted to persons commissioned, gazetted or in pay as officers holding Indian rank in His Majesty's Indian Forces as defined in the Manual of Indian Military Law, page 103. They do not include commissions granted to European British subjects of His Majesty.

(c) The answer is in the negative. It would not be in the interest of the public service to do so.”

The Hon'ble Rai Sita Nath Ray Bahadur asked :—

10. “(a) Is it a fact that many educated Indians who have recently joined the army have done so at considerable personal sacrifice and from a patriotic sense of duty ?

(b) Is the Government aware that throughout the country there is a consensus of opinion that the commissioned ranks in the army should be thrown open to Indian youths as a recognition of India's loyalty and devotion to the British Empire during the present war ?

(c) Is there any immediate prospect of the commissioned ranks in the army being thrown open to Indian youths ?”

His Excellency the Commander-in-Chief in India replied :—

“(a) Government have no information on the subject. A certain number of educated Indians have joined the Indian Medical Service, others have served with the Bengal Ambulance; others again are employed in various Departmental Services and in the ranks of the Bengali Company.

(b) Government are aware that the question of Commissions has been discussed in the Indian Press and referred to in this Council; but are unable to say whether there is a general consensus of opinion in the matter.

(c) The subject is under the consideration of Government, but it would be premature to make any statement at present.”

The Hon'ble Nawab Saiyed Nawab Ali Chaudhuri, Khan Bahadur asked :—

11. “(a) Has the attention of the Government been drawn to the articles in the *Musalmán* and the *Amrita Bazar Patrika* of the 9th and 19th February, 1917, respectively, regarding the results of two candidates in the last B. A. Examination of the Calcutta University ?

(b) If so, will the Government be pleased to state—

(i) if any action has been taken in the matter,

(ii) if not, whether they propose to make any inquiry ?”

The Hon'ble Sir C. Sankaran Nair replied :—

“(a) The Government of India have seen the articles in question.

(b) (i) No action has been taken by the Government of India.

(ii) The Government of India do not propose to take any action. The matter is one for consideration by the Calcutta University.”

Results of two candidates in the last B. A. Examination of the Calcutta University.

[20TH MARCH, 1917.] [*Nawab Saiyed Nawab Ali Chaudhury, Khan Bahadur; Sir C. Sankaran Nair; Mir Asad Ali, Khan Bahadur; Sir Reginald Craddock; Mr. A. P. Muddiman; Mr. Srinivasa Sastri.*]

The Hon'ble Nawab Saiyed Nawab Ali Chaudhury, Khan Bahadur asked :—

12. "Will the Government be pleased to lay on the table a statement showing the number of elected and nominated members on the Senates, Syndicates, Faculties and Boards of Studies of the different Universities in India, classified into Hindus, Musalmans, Europeans and others?"

Number of elected and nominated members of the different Universities in India.

The Hon'ble Sir C. Sankaran Nair replied :—

"The information has been asked for and will, when received, be laid on the table."

The Hon'ble Mir Asad Ali, Khan Bahadur asked :—

13. "Is it a fact that Syed Zainulabideen Sagaffi, merchant of Singapore, was on suspicion interned by the Madras police in a common jail? If the answer is in the affirmative, will Government be pleased to state what action, if any, they have taken in the matter?"

Internment of Syed Zainulabideen.

The Hon'ble Sir Reginald Craddock replied :—

"Two men who are strongly suspected of being enemy agents and are now under arrest have admitted travelling under Syed Zainulabideen's protection, and his own antecedents are not beyond suspicion. He was detained in the Madras Penitentiary. At the instance of the Singapore authorities he was subsequently released on a guarantee being given by a respectable member of his family at Singapore that he would be kept out of mischief. No further action is at present contemplated."

The Hon'ble Mir Asad Ali, Khan Bahadur asked :—

14. "Do the Government contemplate publishing the election dispute cases of the Imperial and Provincial Councils for the year 1916, in which public inquiries were held?"

Election disputes.

The Hon'ble Mr. A. P. Muddiman replied :—

"Public inquiries have been held in two cases arising out of the Imperial Council elections of 1916. The first case was in connection with the election of the Hon'ble Mr. M. A. Jinnah who was, as the result of an inquiry held in Bombay Presidency, fully exonerated from all charges brought against him and was declared duly elected. In this case witnesses were not examined on oath, and it has been decided by the Government of India to treat the report of the inquiring officer as confidential.

The second case relates to the election of the Hon'ble Mr. Abdur Rahim. In this case the Government of India directed an inquiry to be held under the provisions of the Indian Legislative Council (Elections Inquiries) Ordinance, 1916 (VIII of 1916), and the inquiry has been held in Calcutta. The report of the inquiring officer is now being considered by the Government of India.

In the case of disputes arising out of the elections to Provincial Councils inquiries are, under the provisions of the Regulations, held under the orders of the Local Governments, and the Government of India are not in a position to give any information regarding such cases."

The Hon'ble Mr. Srinivasa Sastri asked :—

15. "(a) In view of the announcement made by His Excellency the Viceroy with reference to the report of the Royal Commission on the Public Services in India at the meeting of the Legislative Council held on the 7th

The Royal Commission on the Public Services in India.

678 QUESTIONS AND ANSWERS; INDIAN ARMY (AMENDMENT) BILL.

[*Mr. Srinivasa Sastri; Sir Reginald Craddock; Pandit Madan Mohan Malaviya; His Excellency the Commander-in-Chief in India; The Vice-President.*] [20TH MARCH, 1917.]

February, 1917, will Government be pleased to state the names of the representatives of the Local Governments who will take part in the Conference mentioned by His Excellency, the specific questions which will engage their attention, and the time about which the Conference will be held ?

(b) Will Government be pleased to publish the report of the Conference for general information and criticism before taking action on it ?

The Hon'ble Sir Reginald Craddock replied :—

“None of the matters referred to by the Hon'ble Member have yet been taken into consideration.

Government are not prepared to give an undertaking that publicity should be given to the records of the Conferences that it is intended to hold.”

The Hon'ble Pandit Madan Mohan Malaviya asked :—

The Work-
men's
Breach of
Contract
Act.

16. “Will the Government be pleased to state—

(a) in what districts of India the Workman's Breach of Contract Act (XIII of 1859) is in force ; and

(b) the number of cases in which workers were sentenced, under the provisions of the said Act, to imprisonment and fine respectively, in the course of the last five years ?”

The Hon'ble Sir Reginald Craddock replied :—

“The information will take some time to collect. When it is received it will be laid upon the table.”

INDIAN ARMY (AMENDMENT) BILL.

11-12 A.M.

His Excellency the Commander-in-Chief in India :—

“Sir, I beg to move for leave to introduce a Bill further to amend the Indian Army Act, 1911.”

The motion was put and agreed to.

His Excellency the Commander-in-Chief in India :—

“Sir, I beg to introduce the Bill ; it has been circulated to Hon'ble Members. Its objects are three-fold. It is proposed to make provision for the maintenance of dependants out of the pay and allowances of prisoners of war.

“The object of the amendment provided for by clause 4 of the Bill is to give a summary court-martial held by an Officer Commanding a detachment the same powers of punishment as when the court-martial is held by an Officer Commanding a corps or department. It is a small change of no great significance.

“Under section 112 of the Act the powers of pardon and remission conferred on the higher military authorities therein mentioned are not exerciseable in respect of sentences imposed in trials for civil offences held by courts-martial under the provisions of section 41. The object of clause 5 of the Bill is to confer upon the military authorities the same power in respect of offences punishable under section 41 as they exercise in respect of offences punishable under other sections of the Act.

“Sir, I beg to move that the Rules of Business be suspended in order to admit of the Bill being taken into consideration.”

The Hon'ble the Vice-President :—“I suspend the Rules of Business.”

INDIAN ARMY (AMENDMENT) BILL; INDIAN PAPER CURRENCY (TEMPORARY AMENDMENT) BILL. 679
[20TH MARCH, 1917.] [*His Excellency the Commander-in-Chief in India; Sir William Meyer.*]

His Excellency the Commander-in-Chief in India:—
“I move that the Bill be taken into consideration.”

The motion was put and agreed to.

His Excellency the Commander-in-Chief in India:—
“I now move that the Bill be passed.”

The motion was put and agreed to.

INDIAN PAPER CURRENCY (TEMPORARY AMENDMENT) BILL.

The Hon'ble Sir William Meyer:—“Sir, I beg to introduce 11-17 A.M.
the Bill to consolidate the enactments amending, temporarily, the Indian Paper Currency Act, 1910.

“This is an emergency enactment, intended to give legality up to six months after the close of the war to Ordinance No. VII of 1916, which extended the powers that were given by the Council last year and are embodied in Act No. IX of 1916. In introducing the Bill which became law as that Act on 21st March last, I explained fully the circumstances which had led to our having to extend the investing powers we had hitherto possessed in respect of the Paper Currency Reserve. To put it briefly, conditions of Indian trade obliged us to satisfy Council drawings by the Secretary of State to an extent we were unable to meet from our Treasury balances, while it was impossible, by reason of the necessity for conserving the stock of gold in London for war and exchange purposes, to allow gold to be put into the Currency Reserve there as a substitute for rupees drawn out on this side. Still less, of course, could gold be allowed to come out to India.

“These circumstances have continued during the current year, and I explained in my speech introducing the Financial Statement how it was only possible to meet the Secretary of State's large Council drawings by adding to our investment at home from the Paper Currency Reserve. I will now explain briefly what the investment situation is.

“Prior to the war section 22 of the Indian Paper Currency Act, II of 1910, as amended by Act VII of 1911, authorised us to invest in all 14 crores of rupees out of the Reserve, of which only 4 crores could be held in sterling. Early in 1915, we found it necessary to extend the regular investment powers to 20 crores, and Act V of that year enabled us to do so: while the Act of last year—IX of 1916—raised the permissible investment in sterling securities to 10 crores, and at the same time allowed the Governor General in Council to issue currency notes for additional amount not exceeding 6 crores of rupees against Treasury Bills to be held by the Secretary of State as part of the Paper Currency Reserve. As I explained in my speech last year, these Treasury Bills are first class and immediately realisable securities, and the best possible substitute for gold in present circumstances.

“Then, under the stress of further demands on our rupee balances here, we had to issue a couple of Ordinances in 1916, which successively raised the limit of the special Treasury Bills holding from 6 to 18 and from 18 to 30 crores of rupees. The latter of these Ordinances, No. VII of 1916, which superseded the former, has currency only for six months, and would expire on the 18th June next when Council will not be sitting. We, therefore, propose to replace it by an Act which will have currency during the duration of the war, and for six months thereafter, and it is for this purpose that I bring forward the present Bill. We do not take any fresh investing power, but merely regularise the existing situation, and take this opportunity to have a single Act which will also embody Act V of 1915 and Act IX of 1916. It will therefore re-enact section 4 of the latter measure, which made it clear

680 INDIAN PAPER CURRENCY (TEMPORARY AMENDMENT)
BILL; KING OF OUDH'S ESTATE VALIDATION BILL.

[*Sir William Meyer; The Vice-President; Mr. Wacha; Mr. J. B. Wood.*] [20TH MARCH, 1917.]

that, in the event of our making further investment from the Paper Currency Reserve in rupees, we could do so by the creation of fresh Government paper *ad hoc*.

"When this temporary law expires, that is six months after the war, we shall revert to the state of things before the war, under which the total power of investment from the Paper Currency Reserve was, as I have said, limited to 14 crores of rupees, of which 4 could be invested in London—unless and until we alter that law with reference to the recommendations of the Royal Commission on Indian Currency and Finance which will come under consideration when normal conditions have been restored. In the meantime, the temporary investments for which we have taken power are yielding us very considerable sums in the way of interest and, as I brought out in paragraphs 12 and 53 of my speech introducing the Financial Statement, we have thereby been enabled to make good progress in building up a Paper Currency Reserve Depreciation Fund which will enable us to meet the loss resulting on the conversion of the consols holdings in the original Paper Currency investment into a firmer and more readily realisable security, to wit Treasury Bills. We shall thus have materially strengthened the position of our Paper Currency Reserve investment.

"I now beg to introduce the Bill, and I also move, Sir, to suspend the Rules of Business to admit of the Bill being taken into consideration."

The Hon'ble the Vice-President:—"I suspend the Rules of Business."

The Hon'ble Sir William Meyer:—"I move, Sir, that the Bill be taken into consideration."

11-23 A.M. **The Hon'ble Mr. Wacha:**—"Sir, I am exceedingly glad of the explanation which the Hon'ble the Finance Member has given us to-day in respect of this amended Paper Currency Act. I have been a close student of currency questions, both in their theoretical and practical aspects, for many years, and I congratulate the Hon'ble the Finance Member that the Paper Currency has been managed with such skilful and consummate ability during this war. Our war finances demanded such arrangements from the Paper Currency, and although there has been latterly, as I see from the papers, a good deal of discussion rather of an ignorant character, I am very glad that the explanation which the Hon'ble the Finance Member has given us to-day will go a great way to satisfy those critics who have opposed it from ignorance or from inexperience. I think, Sir, that no Finance Member has had such a difficult task before him as the Hon'ble Sir William Meyer had during the last two years and a half, and I think he has cleared the path of finance in a manner on which he deserves to be congratulated. It fills with gratitude those who have business relations in reference to this matter. With these words, I beg to support the Bill."

The Hon'ble Sir William Meyer:—"Sir, I beg to move that the Bill be now passed."

The motion was put and agreed to.

KING OF OUDH'S ESTATE VALIDATION BILL.

11-25 A.M. **The Hon'ble Mr. J. B. Wood:**—"Sir, I beg to move that the Bill to validate certain deeds of conveyance and a trust deed relating to certain properties of His late Majesty, Wajid Ali Shah, King of Oudh, and for other purposes, be taken into consideration."

The motion was put and agreed to.

KING OF OUDH'S ESTATE VALIDATION BILL; FREIGHT 381
(RAILWAY AND INLAND STEAM-VESSEL) TAX BILL;
PREVENTION OF CRUELTY TO ANIMALS (AMENDMENT)
BILL.

[20TH MARCH, 1917.] [*Mr. J. B. Wood; Sir Robert Gillan; Mr. Rangaswami Ayyangar; Rai Sitanath Ray Bahadur; Sir Reginald Craddock.*]

The Hon'ble Mr. J. B. Wood :—" Sir, I beg to move that the Bill be passed. As I explained when introducing the Bill, it is of a private rather than of a public character, and as no amendment or criticism has been received since the Bill was introduced, I beg to move that the Bill be now passed".

The motion was put and agreed to.

**FREIGHT (RAILWAY AND INLAND STEAM-VESSEL)
TAX BILL.**

The Hon'ble Sir Robert Gillan :—" Sir, I beg to move that ^{11-30 A.M.} the Bill to impose a tax on goods carried by railway or inland steam-vessel be taken into consideration.

" I explained briefly the objective of this measure when it was introduced, and I have only now one further point to bring to the notice of the Council. We have had some representations from the Steamer Companies. They say that they are in competition with country boats, and that they ought not to be taxed unless at the same time a tax is laid on the traffic by country boats. The point is one that we had considered, and I think that the Council will see our difficulty. We did not at all wish to tax traffic by country boats any more than we wished to tax cart traffic, and if we had, the thing would not have been practicable. We had to recognise, therefore, that in certain cases there might be inequality of treatment. At the same time we did not desire that in any case the tax should operate harshly. The solution we thought was to take power to make exemptions where they were shown to be necessary. For instance, in the case of steamer traffic, as in the case of railway traffic, it may well be found desirable to exempt goods which are carried for less than a certain distance. At any rate, we shall be prepared to investigate cases of hardship, and with the powers which the Government propose to take, we have no doubt that we shall be able to remove any real cause of complaint."

The Hon'ble Mr. Rangaswami Ayyangar :—" Sir, there are ^{11-27 A.M.} certain things that are carried in truck loads and ballast loads such as earth, brick, chunam, metals for the roads and water which should not be measured in maunds. There are also agricultural implements, seeds and manures which should be excluded from the surcharge. It is hoped that all these goods will be exempted under the discretionary powers vested in His Excellency's hands."

The Hon'ble Rai Sitanath Ray Bahadur :—" Sir, I am ^{11-28 A.M.} connected with a Steam Navigation Company, and after the explanation given by the Hon'ble Member in charge of the Bill, I would not raise any objection to it, but I would support the Bill."

The Hon'ble Sir Robert Gillan :—" Sir, I should only like to ^{11-29 A.M.} say, with reference to what has fallen from the Hon'ble Mr. Ayyangar, that the cases that he has mentioned will be considered by us; and the case of road metal carried for District Boards is a case which *prima facie* appears to us one in which an exemption ought to be granted. I now beg to move that the Bill be passed."

The motion was put and agreed to.

**PREVENTION OF CRUELTY TO ANIMALS (AMEND-
MENT) BILL.**

The Hon'ble Sir Reginald Craddock :—" Sir, I beg to move ^{11-30 A.M.} that the Report of the Select Committee on the Bill to amend the Prevention of Cruelty to Animals Act, 1890, be taken into consideration.

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BILL; PATNA UNIVERSITY BILL; INDIAN TRUSTS
(AMENDMENT) BILL.

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Currimbhoy.]

"As Hon'ble Members will have seen, the Bill passed through the Select Committee without any amendments, and in those circumstances I do not think it is necessary for me to add anything to what I said when the Bill was introduced. I, therefore, move that the report be taken into consideration."

11-31 A.M. **The Hon'ble Mr. Rangaswami Ayyangar** :—"Sir, the flaying alive of animals for the sake of their skins need not be restricted to goats alone. There are certain other animals as deer and snakes which are flayed alive for the value of their skins. At some places young lambs also are fried alive in boiling ghee; they say they make the dinner more delicious. Since it is too late to include them in this Bill, I beg to draw the attention of the Government to the desirability of bringing similar amendments before this Council at any other convenient time. The present Bill has our whole-hearted support."

11-32 A.M. **The Hon'ble Sir Reginald Craddock** :—"Sir, I do not know whether it has ever been ruled whether a snake is an 'animal' or not, but in all the other cases mentioned by the Hon'ble Mr. Ayyangar the existing law could be utilized against the cruel slaughter of an animal. This particular Bill, as I explained before, dealt with an evil which has come prominently to notice, and merely secures that an offence already existing should not enjoy the practical immunity from punishment that it has hitherto enjoyed. I do not think I need add anything on that subject."

The motion was put and agreed to.

The Hon'ble Sir Reginald Craddock :—"I now move, Sir, that the Bill be passed."

The motion was put and agreed to.

PATNA UNIVERSITY BILL.

11-33 A.M. **The Hon'ble Sir C. Sankaran Nair** :—"Sir, I regret I am unable to present to-day the Report of the Select Committee on the Patna University Bill. It was only yesterday that the Committee finished their labours, and we have not yet been able accordingly to draft the Report so as to be able to present it to-day. The Bill has been modified and the modifications have secured the unanimous assent of all the members of the Select Committee. I, therefore, propose to ask the Council to extend the time for presenting the Report till the opening day of the Simla Session. In the meantime, as the Bill has been modified in certain material particulars, I would also ask leave to publish the Bill, as amended by the Select Committee. I therefore beg leave, Sir, to move that the presentation of the Report of the Select Committee on the Patna University Bill be postponed till the first meeting of the Simla Session of the Council, and that in the meantime leave be given to republish the Bill in such form as it may be amended by the Select Committee."

The motion was put and agreed to.

INDIAN TRUSTS (AMENDMENT) BILL.

11-35 A.M. **The Hon'ble Sir Fazulbhoy Currimbhoy** :—"Sir, I rise to ask leave to introduce the Bill to amend the Indian Trusts Act, 1882. I desire to take this opportunity of expressing to the Government of India the grateful

[20TH MARCH, 1917.] [Sir Fazulbhoj Currimbhoy.]

thanks of not only my Co-Directors of the Bombay Central Co-operative Bank and myself, but of all those in any way interested in the Co-operative movement in India. The acceptance of this amendment, even in its strictly limited form, will give a great impetus to co-operation.

“The Bombay Central Co-operative Bank came into existence in 1911. The immediate need for such a Bank arose through the increase in the number of Co-operative Societies in the Bombay Presidency, with the result that the question of finding capital sufficient to meet their demands and commensurate with the credit offered by them began to assume serious importance. It became apparent that without the existence of a strong financial organisation which would confine its operations exclusively to advancing loans to Co-operative Societies, the movement would be seriously handicapped. Government were therefore approached with a scheme for a Central Co-operative Bank, and it was demonstrated that it could be worked successfully if Government were prepared to concede certain facilities. For once, negotiations of this nature with Government terminated to the satisfaction of the negotiators, and the Bombay Central Co-operative Societies Act became an accomplished fact. Here, Sir, I may take the occasion to explain that it is this fact of the Bank being registered under the Co-operative Societies Act and not under the Indian Companies Act which has necessitated the introduction of this amending Bill. Under the law as it exists at present, while trust moneys may be invested in debentures of Railways or other Companies, the interest whereon has been guaranteed by the Secretary of State for India in Council, such funds cannot be invested in debentures with a similar guarantee issued by a society registered under the Co-operative Societies Act, 1912. This discrepancy may be further explained by the fact that, at the time of the enactment of the Indian Trusts Act, Co-operative Societies did not exist in India. Further, in order to encourage the growth of the co-operative movement Government have from time to time conferred certain privileges on, and granted concessions to, registered Co-operative Societies. These concessions are partly judicial and partly fiscal. But ‘unlike most European Governments, the Government of India’, to quote from the report of the Committee on co-operation, ‘has hitherto closely adhered to the principle that it should abstain from giving direct financial aid to the movement. From this attitude it has admitted to departure on three different occasions, the most important of these being that it has in the case of the Bombay Central Co-operative Bank, agreed to guarantee interest on debentures issued.’ The terms and conditions of the issue of these debentures is explained at length in the Statement of Objects and Reasons appended to the Bill, and I will not therefore take up the time of the Council by an elaboration of them. I will only briefly explain the nature of the security that the Bank’s debentures offer. The guarantee to the investor is the Government guarantee of 4 per cent. interest until the debentures are redeemed. The investor is secured not only of his interest until redemption, but of the redemption of the debentures themselves by the maintenance of a Sinking Fund under the control of the Government for that redemption. The assets of the Bank, including the share capital, deposits, and reserve and other funds are again all pledged for the redemption of the debentures. The present position is that the assets are worth rupees twenty lakhs and over, while the debentures issued and subscribed amount to Rs. 6,80,000 only. But the assets of the Bank are only a complementary guarantee for the return of the principal, and these must of necessity grow both in extent and security every year through the operation of the Sinking Fund clause in the Bank’s Agreement with the Government. That the Government can and do exercise over the Bank a greater measure of control than over the Railway and other Companies is obvious to all connected with the co-operative movement. Government not only prescribe to whom loans shall be made and to what extent, but even possess the power of laying down where the surplus moneys of the Bank shall be deposited. Moreover a special auditor has been retained under the Registrar

654 INDIAN TRUSTS (AMENDMENT) BILL; BILL TO ABOLISH IMPRISONMENT AND FINE AS PUNISHMENTS FOR FAILURE OR REFUSAL TO FULFIL AN AGREEMENT TO WORK OR LABOUR.

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of Co-operative Societies to audit the accounts of this and other central societies at their own expenso.

"It was presumed at the time the debentures of the Bank were first issued, that as the interest on them had been guaranteed by the Secretary of State, these debentures would rank as securities sanctioned under section 20(c) of the Indian Trusts Act for the investment of trust money. Through the influence of the promoters of the Bank, practically the whole of the first two issues of debentures of the value of Rs. 6,30,000 were underwritten before the bank was floated. But investment in a 4 per cent. non-trustee security is hardly attractive, and in spite of their best efforts, the Directors of the Bank have found it impossible to make the debentures a marketable security. My friend Sir Shapurji B. Broacha, the President of the Bombay Stock Brokers' Association, who was till recently a Director of the Bank, was of opinion that he could not assist in placing the debentures on the market, unless they were recognized as securities authorized under section 20 of the Indian Trusts Act. There is also no doubt that the proposed amendment of the Act is desirable for the purpose of extending the range of safe and profitable investments, in the interest of beneficiaries and those who act for them. Such investment has been proposed by several holders of trust funds, the only difficulty being the non-recognition of the debentures as trust securities.

"It is admitted that if the co-operative movement is to be successful, the problem of rural indebtedness must receive immediate attention, and it is evident that for this purpose a free supply of long-term capital is essential. It was to enable the Bank to obtain long-term capital, and thus to be placed in a position to meet the demands of co-operative societies for long-term loans for the liquidation of the old debts of their members, that the Secretary of State agreed to guarantee interest on the debentures of the Bank. If the agricultural societies in Bombay are to enjoy the facility of obtaining long-term loans for debt redemption and agricultural improvements, it is necessary that the guarantee which the Secretary of State has been pleased to grant should be recognized as a real and effective guarantee by the passing into law of the proposed amendment of the Indian Trusts Act.

"With these few remarks, I beg, Sir, to move that leave be granted to introduce the Bill to amend the Indian Trusts Act, 1882 (II of 1882)."

The motion was put and agreed to.

The Hon'ble Sir Fazulbhoy Currimbhoy :—"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, and in the local official Gazettes in English, and in such other languages as the Local Governments think fit."

The motion was put and agreed to.

BILL TO ABOLISH IMPRISONMENT AND FINE AS PUNISHMENTS FOR FAILURE OR REFUSAL TO FULFIL AN AGREEMENT TO WORK OR LABOUR.

11-42 A.M. **The Hon'ble Pandit Madan Mohan Malaviya** :—"Sir, with your permission, I will not ask to-day for leave to introduce a Bill to abolish imprisonment and fine as punishments for failure or refusal to fulfil an agreement to work or labour. I shall avail myself of the permission to do so in the September Session of the Council, by which time I hope to have collected a great

BILL TO ABOLISH IMPRISONMENT AND FINE AS PUNISH- 685
MENTS FOR FAILURE OR REFUSAL TO FULFIL AN
AGREEMENT TO WORK OR LABOUR; RESOLUTION *RE*
UNIVERSITY AT DACCA.

[20TH MARCH, 1917.] [*Pandit Madan Mohan Malaviya; Nawab Saiyed
Nawab Ali Chaudhuri, Khan Bahadur.*]

deal more of information bearing on my proposal than I at present possess. For this and for certain other reasons into which it is not necessary for me to take the Council at present, I do not ask to-day for leave to introduce the Bill."

The motion was by leave postponed.

RESOLUTION *RE* UNIVERSITY AT DACCA.

**The Hon'ble Nawab Saiyed Nawab Ali Chaudhuri, 11-48 A.M.
Khan Bahadur:—**" Sir, I beg to move the following Resolution :—

"This Council recommends to the Governor General in Council that the necessary steps be taken to draft a Bill for the establishment and incorporation of a University at Dacca, and introduce it into the Council at an early date."

"Sir, this Resolution coming as it does for consideration soon after the Hon'ble the Education Member's announcement the other day that further action with regard to the Dacca University Scheme 'has been postponed until the report of the Commission to be appointed to inquire into the affairs of the Calcutta University has been received,' may give rise to a little misapprehension on the part of the Government, that the Resolution is calculated to embarrass the Government in their earnest desire to improve the University education of Bengal. I may assure His Excellency that I have no such intention. The notice of this Resolution was in fact given prior to the announcement. It is the almost indefinite postponement and the apparently utter neglect of the question of the Dacca University has been subjected to, more than anything else, that has impelled me to bring to the notice of the Government and urge upon them the pressing necessity of giving effect to the Dacca University scheme with the least possible delay. The people of East Bengal, both Hindus and Musalmans, do keenly feel that the proposed University which was promised to them has too long been withheld from them, and that the cause of their higher education has consequently been given a serious set back, from whose effects it will take a long time to recover. Indeed, I can assure His Excellency that the announcement made by the Hon'ble Sir Sankaran Nair can hardly be welcomed by any sincere well-wisher of Eastern Bengal. With all due respect to those who hold the other view, I may respectfully submit that I cannot see what connection there could possibly be between the Dacca University Scheme and the Commission that is going to be.

"I can clearly understand that there is much room for improvement in the Calcutta University. That body with its over-centralized organizations, its unwieldy dependent growth, has deteriorated to such an extent that probably only radical remedies can render it a little less injurious. Nobody who is well acquainted with the existing conditions in the University could have failed to sympathise with or share the feelings of His Excellency, when at Calcutta grave concern was expressed with regard to its future. Every one ought to welcome His Excellency's proposal without the least demur or grumbling, and make the Commission's work as easy as possible. The Calcutta University is an out and out affiliating institution, save for the University classes in Calcutta. And whatever other Universities may in the future be created to lessen its burden, and whatever internal improvements may be effected, the Calcutta University is by its past growth and associations doomed to be nothing but a type of a Federal University. And when His Excellency announced at Calcutta the other day that a Commission would be appointed, and that the services of Lord Haldane, who was engaged in reorganising another Federal institution, could not be secured for the purpose, I took it, and I hope it was but a natural inference, that the new Commission would have

[*Nawab Saïyed Nawab Ali Chauthuri, Khan Bahadur.* [20TH MARCH, 1917.]

a similar work to do here at Calcutta. It never struck me that there could be any one, much less the Hon'ble Member, who could entertain the idea that the Commission should also be called upon to go into the merits or otherwise of an already sanctioned scheme for a teaching and residential University which has not been tried nor found wanting.

"Sir, it might be remembered that the idea of establishing a University at Dacca was at first suggested by no less a personage than Lord Hardinge. When the people of Eastern Bengal were deprived of a Provincial Administration devoted exclusively to their interests, it was feared by them that they would consequently be deprived of the means of sustaining the progress they had already made in education. In order to allay these fears, Lord Hardinge went to Dacca and promised to them in clear terms that he would not in any way allow the annulment to interfere with their growing educational interests. He had been much impressed by the great advance they had made in education during the six years of security and encouragement they had enjoyed under a separate administration. He therefore promised to them a University for Dacca, which would not only keep up the progress they had made, but even accelerate it along the best channels possible. As he was alive to the serious defects of a purely Federal University, and as he did not wish to engraft on the Indian soil one more of the kind, he intended to make that University a teaching and residential one. How keenly alive he was to the pressing necessity of immediately attending to the increasing educational needs can best be seen from the statement he made in reply to an influential Calcutta deputation that waited upon him. Summarising the progress they had made during the few years of the Partition he went on to say :—

'These results were deeply appreciated by the people of Eastern Bengal and Assam, and when I visited Dacca I found a widespread apprehension, particularly among the Mohamedans who form the majority of the population, lest the attention which the partition of Bengal secured for the Eastern Provinces should be relaxed, and that there might be a set back in educational progress. It was to allay this not unreasonable apprehension that I stated to a deputation of Mohamedan gentlemen that the Government of India were so much impressed with the necessity of promoting education in a province which had made such good progress during the past few years, that we had decided to recommend to the Secretary of State the constitution of a University at Dacca, and the appointment of a special officer for education in Eastern Bengal. The fact that this statement was made to a deputation of Mohamedan gentlemen does not, I need hardly say, mean that the University will be a Mohamedan University. The intention was that it should be a University open to all—a teaching and a residential University.'

"Sir, this announcement made in April, 1912, was followed in May, by the appointment of a Committee of Educational experts who, through its various Sub-Committees devoted to particular aspects of the question assisted by the best possible outside advice available, drafted a scheme of a teaching and residential University on the model of Oxford and Cambridge. The report which the Committee submitted was considered at the time as a land-mark in the history of Indian education. Free from those defects incidental to a University of the Federal type in vogue in India, the scheme provided for a University where enlivening culture and learning might be obtained, and where attention would be paid more to build a sturdy and manly character than merely to develop the memorising faculty. Looked at from the viewpoint of the system for teaching and for examination, of discipline, physical training, social life, and residential arrangements, the scheme left nothing to be desired. It is said that with but slight nominal modifications the scheme was approved by the Bengal Government and the Government of India in almost rapturous accents, and received, in a most encouragingly sympathetic mood, the assent and sanction of the Secretary of State for India.

"The financial side of the question was also well considered and provided for. According to the figures given the other day by the Hon'ble the Education Member, capital grants of ten lakhs in 1912 and fifteen lakhs in 1913 were provided. In addition, recurring grants of Rs. 45,000 in April 1912, five lakhs in March 1913, and one lakh in November 1914 were sanctioned for five years from 1914-15 to 1918-19. The scheme was also partly set in motion and Rs. 30,176

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were actually spent over it in 1914-15, while it was anticipated that Rs. 4,40,000 would be spent in 1915-16. How extremely anxious the Government, the Home Government, was to do its duties to the people of Eastern Bengal can be clearly seen from what Mr. Montagu, the then Under Secretary, stated in the House of Commons so long ago as 7th August 1913. He said :—

'The presentment of this scheme opens a new Chapter in higher education in India. Existing Indian Universities have been formed on the model of the London University, although the Indian Universities Act of 1904 has, in a measure, modified this conception. The Universities of Calcutta and Bombay are, it is true, now developing post graduate teaching, but the old Indian University is an examining body affiliating remote Colleges, which they control to a certain extent, but do not teach. The new University at Dacca will have eleven constituent colleges, all at Dacca, all residential, and it will be somewhat similar to the old Universities of Oxford and Cambridge in this country. That is the novel and important point of the scheme. It is to serve as a model for Indian Universities in the future. The University at Aligarh and the University at Dacca will consist of one or more colleges, all local, in which the pupils will reside, and in which it is hoped that we shall obtain something like the best features of English University life. I mention Dacca in connection with Mohamedan education, not because it is to be a Mohamedan University, but because it is situated in the centre of a rather backward Mohamedan community, and therefore will offer to the Mussalmans the best opportunity of University education that they have yet had.'

"Sir, in view of these encomiums and praises showered on the scheme of the Dacca University as it was evolved by the Committee and modified by the Government, I do not know what useful purpose can be served by any forced postponement on account of the new Commission. The unfortunate University scheme has had enough postponements. Since the day when Eastern Bengal was unequally yoked together again with the Western and as a compensation assured of a University for them, the people therein have been merely nursed on repeated assurances. When the war broke out serious misgivings were entertained in East Bengal lest the University question for which the Government had apparently ceased to evince its original enthusiasm might be shelved or indefinitely postponed. In order to allay their fears and to show that the pledge given by Government are not lightly broken, Lord Carmichael said to them in a speech at the Dacca College on the 10th of February 1915 :—

'I can only tell you that I believe the Viceroy and the Education Member of the Government of India meant all that they said about it; and when I remind you who the Members of my Executive Council are, Mr. Lyon, Nawab Shamsul Huda, and Mr. Beatson Bell. I think you need not anticipate any disposition to show the excitability which as Mr. Archbold says 'Want of confidence sometimes produces,' at any rate in so far as you look for help to the Government of Bengal. Mr. Lyon is sitting by me. He will, I feel sure, spend some time in Dacca in considering how a beginning can best be made with the funds available to make the University a reality.'

"In spite of this assurance no real advance appears to have been made. About a year afterwards speaking at the same College, Lord Carmichael said on the 28th January, 1916 :—

'We all know why it is, that a scheme which the Viceroy encouraged, which owed its inception, we may almost say, to the Viceroy's sympathy with Eastern Bengal, which had the warm support of Sir Harcourt Butler, the Education Member of the Government of India, which was formulated by a Committee chosen from amongst the men who best know the educational needs of Bengal, which not only commended itself to the Government of this Presidency, but had secured the approval of the Government of India and, in its main features, of the Secretary of State, must for the time be delayed. We may be sorry, I have no doubt you all are, but you need not be discouraged.'

"Sir, what a fall from the puissant dreams of Lord Hardinge in 1912 and 1913 to the pathetic consolations of Lord Carmichael in 1916! Government enthusiasm for the Dacca University had obviously reached its lowest ebb. Still hopes were not lost. Lord Carmichael had asked us not to be discouraged. It was, after all, the financial difficulty. So it was thought; so were we given to understand. Never did it enter our minds that a scheme which as Lord Carmichael himself said was 'formulated by a Committee chosen from amongst the men who best knew the educational needs of Bengal, which not only commended itself to the Government of this Presidency, but had secured the approval of the Government of India and in its main features of the

[*Nawab Saiyed Nawab Ali Chaudhuri, Khan Bahadur*; *Mr. Bhupendra Nath Basu*; *The Vice-President.*] [20TH MARCH, 1917.]

Secretary of State, could ever be subjected to the fate of having had to receive the blessings or who knows the curse of a Commission that is to be. Sir, no other inference could be drawn from the Hon'ble Sir Sankaran Nair's announcement. For otherwise there was no need to drag in the Dacca University Scheme in this connection and keep it waiting till the Commission sits and finishes its labours.

"Sir, from the very beginning a strange Nemesis has dogged this question. Attempts have incessantly been made from the very beginning to give a purely educational subject a false political colouring, by urging that the creation of the Dacca University would intellectually divide the Bengali nation. This forced hue and cry is capable of taking such automatically voluminous proportions in the Calcutta Press, that a few of those entrusted with the government of the country have often grown nervous over the false apparition, and have been obliged to neglect the huge educational problem to which the Government from top to bottom is committed. The people of Eastern Bengal strongly feel that they have been sacrificed to the clever manoeuvres of certain sections of the Calcutta University and Calcutta Press....."

The Hon'ble Mr. Bhupendra Nath Basu :—"I rise to a point of order, Sir. The language used by the Hon'ble Member is not parliamentary—'clever manoeuvres of certain sections of the Calcutta University and Calcutta Press.'"

The Hon'ble the Vice-President :—"I should be willing to interfere if I thought it really unparliamentary, but I think the Hon'ble Member must allow some latitude to the Member from Dacca, whose feelings no doubt carried him away."

The Hon'ble Nawab Saiyed Nawab Ali Chaudhuri, Khan Bahadur :—"For otherwise they cannot understand the hesitancy, doubt and uncertainty which have assuredly marked the attitude of the Government of India during the later development of this question. They cannot understand, at least I for one cannot understand, though I have the whole of East Bengal on my side, how a Government which in those days of stress and financial difficulty could contemplate enormous expenditure to establish a University at Patna which was never thought of when the pledge was given to East Bengal and showed itself willing to rush through the scheme connected with it with an almost remarkable precipitancy, can consistently explain how it was that out of the sanctioned capital grant of Rs. 25 lakhs and a recurring grant of Rs. six lakhs and odd for the Dacca University only a pittance of 30,176 rupees could be spent during five long years, and how in spite of the fact that it was anticipated that Rs. 4,46,000 would be spent in 1915-16, we were not shown what was spent in reality. Strong fears are therefore expressed that the Government have not asserted itself against the forces that have been working at Calcutta to strangle to death the Dacca University Scheme. One nation, one University—that has been the selfish cry of a few Calcutta patriots who would in the name of the whole of Bengal, particularly the Eastern which they certainly do not represent, like to keep the entire conduct of higher education in Bengal into their own hands.

"This line of sentimental and apparently patriotic reasoning was well answered by Lord Hardinge, so long ago as 1912 when it took its birth. Addressing the Calcutta Deputation referred to above, Lord Hardinge said :—

'I may say at once that no proposals which could possibly lead to the internal partition or division of Bengal would meet with any support from the Government of India. Any such measures would be opposed to the policy embodied in the announcement of His Imperial Majesty and to the views of the Government of India. The constitution of a University at Dacca and the appointment of a special education officer at Dacca rest solely on grounds of educational policy both general and local, which are already appreciated by a considerable section of the public, and which I hope that you will appreciate after you have heard what the views and intentions of the Government of India are.'

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"He then explained how in sympathetic response to the persistent and widespread demand in India for teaching and residential Universities, the Government of India had included in the educational programme prepared long before the annulment of the Partition, the constitution of such Universities including one at Dacca. The Calcutta University had outgrown its natural proportions and some relief was necessary. Comparing English Universities with the unwieldy Calcutta University, he went on to say :—

'The inadequacy of the then existing systems to meet local circumstances and the severe strain imposed by increasing numbers upon the Calcutta University were urged so long ago as 1886 as reasons for the establishment of a University at Allahabad. The argument of numbers is far stronger to-day. Can it seriously be contended that it is compatible with educational progress to face the steadily increasing burdens on the Calcutta University in a spirit of inaction? How can the huge numbers continue to be examined satisfactorily, and how can the distant colleges continue to be adequately inspected? Are we to be content for ever to have one University for the re-united provinces in the teeth of experience in other countries? I cannot believe it.'

He concluded by saying :—

'I have only again to thank you. I wish to impress upon you the greatness of the work in which we are called on to co-operate. I am hopeful that the large issues of educational policy on which the future of India so greatly depends will be viewed with a wide out-look and apart from personal or political interests, and in asking for your help and co-operation in this great task, I feel sure that my appeal will not be in vain.'

"Sir, how far this exhortation was taken to heart by the Calcutta gentlemen and how far the 'personal or political interests' the Viceroy spoke of were subordinated to the general good of the country, these five years have clearly shown. I need not specially go into this aspect of the question. I have only to add that the argument of numbers which Lord Hardings put forward to point out the necessity of another University in Bengal has by this time gathered increasing weight and strength. At the time when he spoke in 1912, re-united Bengal had about 15,788 scholars in its different colleges. We have now about 21,114. This number is much smaller than the actual number of scholars the Calcutta University has had to deal, having as it does its jurisdiction over a wider area than Bengal. But for obvious reasons I have confined myself to Bengal. This number, as I have shown in my speech on the Patna University Bill during the last Simla Session, demonstrates the necessity of having at least two to four Universities in Bengal to make it conform with other Indian Universities. Taking the number of those who are entitled to join the colleges we have among them this year about 6,006 who have passed the Matriculation Examination and to cope with this number and a much larger still, as we have to take into consideration the results of kindred examinations, we have only one University in the Presidency. Of the 6,006 passes this year East Bengal alone has about 2,386; and for this huge number we have only a slender number of colleges, and no independent University. The number of passes in Matriculation in East Bengal is increasing by leaps and bounds. During the last three years there has been an increase of about 1,000 from 1,388 in 1913 to 2,386 in 1916. Does not this increase justify the creation of a University in East Bengal? Owing to the advanced facilities offered by Calcutta and its University, the parents in East Bengal are obliged to send their children to Calcutta. Calcutta life and atmosphere and education have, I may be permitted to say, no charm for the people of East Bengal. Under pressure of necessity they have to send away their children to Calcutta, having had to remain in constant dread and suspicion about their progress. The costly life in Calcutta is a deterrent factor in the way of poor parents. They have longed to have a University of their own, very near their own hearths and homes. They have longed to have a system of education which will no longer warp moral and intellectual development of their children and shatter their constitution, but a system which will afford them a healthy and enlivening education and culture, and which will go to build a manly and sturdy character. That is why they have so long been anxiously expecting to see the Dacca University speedily

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established amidst them. But as the fates would have it, the University has not as yet come.

“Sir, what is still worse and what we strongly feel is, that whatever we had and whatever we were promised at the time of the annulment, is fast slipping from our hands. Dacca was to have a teaching and residential University. In order to facilitate its work the Government decided to raise the Engineering School at Dacca to the status of a college by shifting the Engineering College at Shibpur to Dacca. The Calcutta people objected to this. A Resolution was moved to this effect in the local Council. But the Government realising that Dacca was best suited for a college of the kind, tried to remain fast in their decision, and as a concession to Calcutta clamour promised to them a more important Technological institution. This promised Engineering College has not been established at Dacca. What we have instead is that the Engineering School which we already had at Dacca has been shorn of its important limbs, the Survey classes and the Electrical Mechanical sections being taken away, thus causing a steady decline in the average number of students from 125 to about 30. The coming University has thus been practically deprived of a ready-made institution for the purpose of having an Engineering College attached to it. The Dacca University Committee had recommended a Medical institution for Dacca with the existing Bacteriological Laboratory attached to it. What we see now is that this Laboratory has been abolished. The Dacca University Committee had recommended the provision of an institution for well-to-do classes to be maintained purely out of private funds. In the name of equality and fraternity the Calcutta people opposed this. What is the result? We have now at Calcutta the Hastings House High School maintained entirely out of public funds. Misfortunes never come singly. The late Government of East Bengal had sanctioned Rs. 1,49,000 for the establishment of a Mohamedan Hall at Dacca to meet the increasing demand for a hostel for Musalman students. The very last of the various kind acts of Sir Charles Bayley, the last Lieutenant-Governor of the unfortunate Province, was laying the foundation stone of this Hall. It was in fact the fulfilment of the dream of that much maligned and unfortunate man, the first Lieutenant-Governor, Sir Bamfylde Fuller. The Dacca University Committee recommended that this Hall should be attached to the Muslim College provided in the scheme. With the postponement of the University the question of the Hall has also shared the same fate. Sir, whatever the late kind and sympathetic Government of East Bengal had done for the educational advancement of the people is thus slowly being undone. Eastern Bengal before the partition, in spite of the love and patriotism of our Calcutta patriots, was a neglected area. It was only during the partition days that it was possible for the Government exclusively to devote itself to pay due attention to its educational needs. Speaking of the progress which was made in higher education, Lord Hardinge pointed out to the famous Calcutta deputation:—

‘I need only point out that when the new province was found not a single private college was in receipt of Government aid, while Government was spending less than 1½ lakhs in aiding private institutions. In 1910, there were four aided colleges, and Government spent over 3½ lakhs in aiding private institutions. I cannot withhold my tribute of admiration for the work done by the Government of Eastern Bengal and Assam in the teeth of great difficulties.’

“Sir, we are again being thrown away into the cold shade of neglect. When the annulment was made we knew that owing to the clamour of a few influential and interested sections in Calcutta, we were being sacrificed. But as the announcement was made in the name of our Sovereign, we loyally acquiesced in the decision. But we expected that the Government would be alive to our educational needs which were most pressing. When the Dacca University was promised to us, we at least felt that the Government was earnest in its endeavours to keep up the advance we had made in the field of education. The proposed University was moreover of a novel type, novel to us at any rate in India. Apart from its teaching and residential character, one of its satisfactory features lay in its Departments of

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Brahminic and Islamic studies. The Indian student could, if he should desire, receive education in his national lore; could have access to the invaluable treasures of his glorious and historic past, as well as the treasures from English literature and English history. The aim was to present to the Indian student the best from the West and the best from the East. The proposed University therefore, though not denominational, was in fact more useful than the Hindu University at Benares or the Muslim University that may come into existence at Aligarh. And we of Eastern Bengal thought that here was some ground for consolation. But to our great misfortune it is still deluding us like a distant mirage. Nobody is sure whether it will ever come and whether under Calcutta influences its scheme will not be crippled and distorted before it emerges out of the hands of a new Commission. The department of Islamic studies, I may say in passing, was specially provided for in view of existing and unalterable features in the education of Musalmans who formed the predominant majority in Eastern Bengal. Under the scheme a special matriculation course was sanctioned for the benefit of the *Madrasa*-going population. This course is now in complete force and a large number of students are being trained to be ultimately sent up to the Dacca University to qualify themselves for the faculty of Islamic studies. As the latest Report of the Director of Public Instruction (1916) says:—

'The reformed scheme sanctioned under Government Resolution No. 450 T. G., dated the 31st July 1914, came into force during the year. The Government Senior Madrasahs at Hooghly, Dacca and Chittagong, the Government Junior Madrasah at Rajshahi, all the aided Senior Madrasahs and all the recognised Junior Madrasahs have adopted the scheme and have reorganised their staffs.'

'Sir, the first examination under the scheme will be held in 1919, and if in the meantime the Dacca University is not ready to receive those that would pass this examination, I am at a loss to understand what has to become of them. Sir, the Government having definitely committed itself to the scheme and set it in motion in part, and the Government having from time to time reiterated their earnest desire to complete the arrangements as soon as feasible, it is idle to traverse once again the ground covered by the scheme, or to expect that the new Commission can appropriately have anything to do with it. (The mere fact that a few vested interests in the Calcutta University desiring to keep everything into its hands are from the very beginning dogging its footsteps in complete derision of the united voice of the Hindus and Musalmans of Eastern Bengal, should not be enough to jeopardise the interests of the Dacca University, by mixing with it the question of improvement of the Calcutta University. To postpone necessary and already sanctioned reforms in Bengal till the Commission reports, as my friend the Hon'ble Mr. Basu suggested in the Resolution of which he had given notice and which he withdrew, followed eventually by a tacit and public announcement to the same effect, is in my humble opinion consciously or otherwise striking the death knell of the Dacca scheme. In view of the pressing educational needs of East Bengal the scheme ought to be given effect without the least possible delay. As the Hon'ble Sir Sankaran Nair himself pointed out the Government of India sanctioned a total capital grant of Rs. 25 lakhs. This with the yearly recurring grant of Rs. 6,45,000, let us say for the first four years till the end of 1917-18, would come up to Rs. 50,80,000. This amount ought to be lying in the Government Treasury quite unused. It would, I need hardly point out, be more than ample to enable the Government to give effect to the scheme in its entirety, as it might be remembered only Rs. 38,45,000 were needed under the scheme. Having kept the amount in hand almost completely unutilised these four years, and having wasted such useful time for reasons unknown to the public, it would be futile if any one could be disposed to argue at this late hour that funds do not permit the execution of such a big scheme. Even if such an argument has any value at all, I would, with all deference to the opinion of those who would hold such a view, respectfully point out the case of the Patna University on which the Government was so ready to spend money. After all the Dacca scheme is not such a tough business as is imagined. If the

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monetary difficulty is so very pressing you may not give effect to the whole scheme all at once. A modified programme to start with might be adopted, providing, of course, for the fruition of the full scheme as time goes on. You have already four Colleges at Dacca. The Government Secretariat buildings are available for use. There are other buildings as well which will quite suffice for housing a few more colleges and for providing accommodation for professors and students under the residential system. It might be remembered that this was one of the reasons why Dacca was considered the best place for experimenting with a residential University. With the creation therefore of only the proposed Mohammedan College for the use of those who will come out of the new Madrasah Matriculation course, you will have a nucleus of colleges with which you can begin the University. When funds permit, you can slowly introduce the other features of the scheme into it. For this you do not require a huge amount. A small beginning can be made at once to relieve the pressing needs at Dacca. The Government should consider it a solemn duty to come to the aid of Eastern Bengal, the cause of whose higher education has been suffering for want of a University. Eastern Bengal has long suffered in diverse ways by its remoteness from the seat of the Calcutta University. It has long held high expectations of the coming University for Dacca. And if after all this travail and serious expectations almost tantalising the proposed University is to be snatched away from them or smothered under Calcutta influences, I respectfully submit that the Government could not be misled to inflict on the education of Eastern Bengal a heavier and more deadly blow. Already fears are entertained that when the new Commission would re-organise the Calcutta University, the champions of 'one nation, one University' would come forward and say that the University for Dacca is superfluous. The people of Eastern Bengal, both Hindus and Musalmans, are therefore most anxious that a Bill should be introduced into the Council at least during the next Simla Session to govern its constitution and the University be set in motion, in howsoever a humble way, early next year. To postpone the establishment of the University any further will be to throw Eastern Bengal into a state of agitation which every well-wisher of the country ought to avoid. The *Herald*, the only daily organ of Hindu public opinion in East Bengal, concludes a series of articles on the urgency of the establishment of the Dacca University in these words:—

'Any further postponement of the matter would create the keenest disappointment, and its dropping would rouse an agitation in East Bengal which annulled the partition and which began to arise once against the scheme solely out of misconception and was stopped by the sagacity of the Viceroy.'

"I hope His Excellency and the Hon'ble the Education Member will realise the gravity of the situation, and will kindly see their way to accede to the prayers of East Bengal by accepting my Resolution."

12-19 P.M.

The Hon'ble Sir C. Sankaran Nair:—"Sir, I rise at this early stage to explain the attitude of Government towards this Resolution. My Hon'ble friend, it appears to me, is under some grave misapprehension, and I am glad that he has brought forward this Resolution which will enable me to give him a satisfactory explanation and to tell him that his apprehensions are ill-founded. He has been at pains to show that Lord Hardinge had made a promise to establish a University at Dacca and that we should not go back upon that pledge. So far as I am aware, there has never been any intention on the part of Government to withdraw from the position then taken up or to go back upon that pledge, and I am certain there is no such intention now. The Government intend to establish a University at Dacca so soon as circumstances permit. There have been doubts as to the colleges that were to form constituent colleges of the University; there have been doubts as to the scheme of the University, but so far as I know, there has been no wavering on the part of the Government on the main question itself as to whether there should be a University at Dacca or not.

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[*Sir C. Senkarar Nair.*]

"Having said so far, in ordinary circumstances, I should have been willing to accept the Resolution without saying anything more. The Resolution only asks the Government to take steps to constitute a University at Dacca. There is no difficulty for me on behalf of Government in giving that promise. But after the speech which has just been delivered it is only with certain explanations and certain reservations that I can accept this Resolution. My Hon'ble friend took pains to show that the University at Calcutta requires relief, and that therefore it was necessary to establish a University at Dacca. There has never been any doubt about it. The proposal to establish a University at Rangoon to relieve Calcutta University is under consideration, and it is hoped that there will soon be a University at Rangoon. A Bill to establish a University at Patna partly for the same purpose has been introduced into the Council, and as I told the Council a little while ago, the Bill, as modified in the Select Committee, has secured the unanimous consent of all the Members of the Committee, and this will be presented to the Council shortly.

"A scheme was submitted by the Dacca University Committee for the establishment of a University there. It was considered by the Bengal Government; it was considered by this Government; certain modifications were introduced into it, and the Secretary of State has accepted the scheme with such modifications which have in some respects modified the original scheme as submitted by the Committee and we have drafted a Bill embodying that scheme.

"Well, I will now explain the circumstances which led to the delay in introducing that Bill. Both the Patna University Bill and the Bill that has been drafted to establish a University at Dacca—I have got the Bill which has been drafted in my hands,—both of them contain certain provisions which involved a wide departure from the existing Universities Act. In both of those Bills powers are conferred upon the Chancellor and the Vice-Chancellor which are very different from those contained in the existing Act. In both of those Bills the position of the Syndicate and the Senate called the Convocation and the Council in the draft University Bill has been reversed. The Syndicate is the governing body, the Senate is only a legislative assembly. In both of those Bills restrictions have been placed upon the establishment of colleges—restrictions which do not find a place in the existing Act. In neither of those Bills have powers been given to the Senate to frame regulations for the recognition of schools. These provisions, involving as they do a wide departure from the existing Act, were such that it was naturally felt that they were bound to create some opposition; there was greater probability of an agreement between the Government and the non-officials on the Patna University Bill, because the Patna University Bill created a University which was partly federal in character, but that was not the case with the Dacca University Bill. That Bill was introduced in response to a request from the members of this Council coming from Bihar and Orissa, and what was the result? As soon as they realised the results of that measure, they at once turned round and denounced the Government for having introduced such a measure as that, and they told us in this Council that rather than accept a Bill of that sort they would go without a University. Well, it is the policy of the Government that during the period of the war they should not pass a controversial measure through the Council, by official majority, and the Government accordingly had to come to the conclusion that the Bill, considering the opposition to it, should be withdrawn. Now, I ask the Council whether it would have been right in these circumstances to have introduced the Dacca University Bill which contained provisions similar to those in the Patna University Bill; whether it would have been right for me to have come before the Council with that measure knowing as I did that it contained provisions which had excited such strong opposition that I would have to withdraw the Bill. I submit to the Council that I would not have been justified in doing so, yet that is what my Hon'ble friend here practically asks me to do. Till yesterday morning I was under the impression that I would have to withdraw the Patna University Bill. But what has happened yesterday has introduced a great change. As I have

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said already we have so modified the Patna Bill as to make it, so far as the Select Committee is concerned, a non-controversial measure, and it is my hope that the Council will be able to pass it as a non-controversial measure. The Bill, as modified, has not been published yet. It will be published soon. My Hon'ble friend is quite entitled to tell me that he is only asking me to accept the Resolution so that steps may be taken to draft a Bill for the establishment of a University at Dacca, and that does not ask for the introduction of a Bill of any particular kind or form. It is a fair question to ask and he is entitled to get an answer. The Patna Bill as modified will be presently published, and if he and his friend who also comes from Eastern Bengal are of opinion that they can accept a Bill of that kind for Dacca, then it would be a matter for the favourable consideration of the Government whether they should not introduce such a Bill as early as possible. I cannot give a promise on behalf of Government, because it was only yesterday that the Bill was modified, and there has not been sufficient time for the Government to consider whether, with reference to Dacca also, they could make the modifications which have been made by the Select Committee with reference to the Patna University Bill. With that explanation and a reservation presently to be referred to, I would accept the Resolution.

“ My Hon'ble friend has asked me ‘ What has this new Commission to do with Dacca and why should you wait for it ? ’ He is afraid that if this new Commission is appointed to consider the condition of education in Bengal, it is possible that the Bengal politicians might get round the new Commissioners coming from England and persuade them to submit a Report to show that there is no necessity for a University at Dacca. Well, with reference to that, what I have to say is this. The Dacca University Scheme was submitted by the Dacca Committee in 1912. The London University Commission submitted their report in 1913. The Hon'ble Members have heard my friend say that the Committee recommended the establishment of a University on the lines of the Cambridge and Oxford Universities. Now, after the publication of the London University Committee's Report, the scheme that has been submitted by the Dacca University Committee has been sharply criticised from the standpoint of that University Committee's Report, and it is those very features that have been sharply criticised which form an essential part of the Dacca University scheme. They may be right or they may be wrong. I do not say anything with reference to that, but it is surely worth while for us to consider whether we are now to go on with a scheme which is opposed in principle in many respects to the London University Committee's Report that has been submitted. To those Hon'ble members who wish to see on what points the Dacca University scheme differs from the type recommended by the London University Commission, I can give a note which has been prepared in my Department. I say now the first point is, is it worth our while to go on with a scheme, which has been prepared by the Dacca University Committee, when we find that it is opposed to the principles which according to the London Commission must form the basis of a proper university scheme. If the Commission after inquiry hold those recommendations of the London University Commission as applicable to the conditions in India, we shall have to amend the Dacca University Act ? On the other hand, there is also this to be noticed. Indian educationists of eminence have criticised the Dacca scheme and the London Report from the opposite standpoint. According to them the poverty of the classes in India who resort to university education, and the purely utilitarian character of the English education which they seek—they do not seek it for culture, for that purpose they go to their Arabic and Persian and Sanskrit—render it undesirable to introduce in India the type of University therein advocated. The various differences between the castes, the classes and the religions make it difficult they say to accept the ideal of a University where all the professors and all the students work with common ideals : and the great area over which the classes are distributed who seek University education, those make it impossible, according to eminent educationists in India, to import into India that type of University which requires the colleges to be grouped at a centre. All these are questions that have

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to be considered. Well, I ask my Hon'ble friend whether, in these circumstances, it would be safe to go on with the scheme that has been elaborated by the Dacca University Committee when we have a Commission which is sitting soon at Calcutta to inquire into the conditions of University education in India. You have also to remember that sinister motives, I may say, have been attributed to Government in this respect. When they advocate a residential type, it is freely said in the newspapers that this is being done, not really for the improvement of higher education, which according to them is only the ostensible reason put forward, but really to check the expansion of higher education in India. In these circumstances, is it not very desirable that, before the Government proceed with a scheme of this kind, they should have the question examined by a presumably impartial Commission? My friend is afraid that these Commissioners, who come from London, might be won over by the Calcutta politicians, and they might persuade them to say that no University is necessary at Dacca at all. I think there is very little fear of that. So far as the establishment of a University is concerned, as I said, the Government is pledged to it, and the Government have to do it and it will have to be done. The only question is as to what the scheme will be. As to that, the men who are coming out know the principles of University life, they ascertain the Indian conditions, they discuss the questions with Indians here, and they may be trusted to come to conclusions which are deserving of all respect. And in those circumstances, though there would be no objection on the part of Government to introduce a Bill, on the lines settled by the Select Committee but with such modifications as may be required for Dacca, still the final consideration of the Bill, even if introduced, will have to wait for the report of the Calcutta University Commission. With this explanation, Sir, and with this reservation, I have no objection to accept this Resolution.

The Hon'ble Nawab Saiyed Nawab Ali Chaudhuri, Khan Bahadur:—"Sir, I must express my sincere thanks for the kind and sympathetic way...."

The Hon'ble Mr. Bhupendra Nath Basu:—"Do you mean, Sir, to confine this debate merely to the mover of the Resolution and to the Government Member? There have been serious charges made against us."

The Hon'ble the Vice-President:—"I propose to allow the Hon'ble Member who moved the Resolution the opportunity of withdrawing his Resolution if he wishes to do so after having heard the speech of the Member in charge. I propose to do nothing else; I do not propose to close the Resolution. If the Hon'ble Member who moved the Resolution wishes to withdraw it, I propose to give him the opportunity of doing so."

The Hon'ble Nawab Saiyed Nawab Ali Chaudhuri, Khan Bahadur:—"I must express my sincere thanks for the kind and sympathetic way in which the Hon'ble Member has assured us..."

The Hon'ble Mr. Bhupendra Nath Basu:—"Sir, is it open...."

The Hon'ble the Vice-President:—"I think I must be a little tolerant with the Hon'ble Member. I am only giving him an opportunity at this stage of withdrawing his Resolution if he wishes to do so. If he wishes to do so gracefully I am sure none is more willing than that that should be done than the Hon'ble Mr. Basu."

The Hon'ble Mr. Bhupendra Nath Basu:—"Do you mean, Sir, that if the Hon'ble Member withdraws, we shall have no more opportunity of answering the charges made?"

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The Hon'ble the Vice-President:—"Under the rules if a Resolution is withdrawn, any Member can ask that it be put to the vote. If the Hon'ble Member desires to withdraw his Resolution, I am sure the Council will allow him to do so in graceful terms."

The Hon'ble Pandit Madan Mohan Malaviya:—"May I rise to a point of order. I submit that when a speech has been made traversing a large area, it is only fair to the Hon'ble Members....."

The Hon'ble the Vice-President:—"The Hon'ble Member must not contest the ruling of the Chair."

The Hon'ble Nawab Saiyed Nawab Ali Chaudhuri, Khan Bahadur:—"I must express my sincere thanks for the kind and sympathetic way in which the Hon'ble Member has assured us. My request, as is obvious, was quite a moderate one and I am glad that the Educational Member has been pleased to accede to it.

"It is a relief to me"

The Hon'ble the Vice-President:—"I think the Hon'ble Member must realise that he is exceeding the license which I accorded to him".

The Hon'ble Nawab Saiyed Nawab Ali Chaudhuri, Khan Bahadur:—"My object was to have the Bill introduced and he has given us the hope that we will get a University though it might be improved by certain suggestions of the Commission. We, therefore, expect that we will have a University and that a Bill will be introduced. So I do not want to press the Resolution and I beg to withdraw it."

The Hon'ble Mr. Bhupendra Nath Basu:—"I beg to ask that the proposed Resolution be debated upon. I do not consent to the Resolution being withdrawn."

The Hon'ble the Vice-President:—"I regret that, under the Rules, the only power I have, when a Resolution is withdrawn, is to put it to the vote if any Hon'ble Member asks that it be put. There is no power under the Rules to discuss a Resolution that has been withdrawn."

The Hon'ble Pandit Madan Mohan Malaviya:—"May I ask whether, in proposing that the Resolution be put to the vote, a Member is entitled to state his reasons for doing so? I ask for a ruling on that point?"

The Hon'ble the Vice-President:—"I must rule that the only right that a Member has is to ask that a vote be taken, not to speak on the Resolution."

The Hon'ble Mr. Bhupendra Nath Basu:—"While we must submit to the ruling of the Chair, I must say that it is obviously—I will not use the word 'unfair'—very hard on us against whom allegations have been made of a most reckless and unfounded character that we should be compelled to sit quietly down under it without having a word to say in reply."

The Hon'ble the Vice-President:—"I am quite sure that the Council will be willing to give the Hon'ble Member an opportunity of moving a Resolution of his own to correct it, but it is possibly an unfortunate part of our procedure that a Resolution is not open to discussion once the Hon'ble Member, after making his speech, has withdrawn it."

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The Hon'ble Mr. Bhupendra Nath Basu :—"That is, if I may say so, to stop the mouths of other Members of Council."

The Hon'ble the Vice-President :—"We had a striking instance of that the other day. I can only decide according to the Rules. That is my interpretation of the Rules, and I am sure Hon'ble Members will accept it as the only possible ruling in the circumstances."

The Hon'ble Dr. Tej Bahadur Sapru :—"But if there are any unparliamentary expressions in the speech of the Hon'ble Mover, as I understood you, Sir, to hold there were."

The Hon'ble the Vice-President :—"I certainly did not so hold."

The Hon'ble Dr. Tej Bahadur Sapru :—"I thought, Sir, you had said there were one or two unparliamentary expressions in the Hon'ble Mover's speech."

The Hon'ble the Vice-President :—"I said nothing I had heard was an unparliamentary expression."

The Hon'ble Dr. Tej Bahadur Sapru :—"I ask for a ruling whether it is not right that unparliamentary expressions should be expunged from the proceedings of the Council."

The Hon'ble the Vice-President :—"I have already ruled that there were no unparliamentary expressions which reached my ear. I can only now give any Hon'ble Member who wishes to ask that the Resolution be put to the vote, an opportunity of doing so. If not, I propose to give leave to withdraw it."

The Hon'ble Mr. Bhupendra Nath Basu :—"Supposing I give an Hon'ble Member a kick on his back and then say I withdraw my kick. Is that enough? Should not the speech be withdrawn? If he withdraws his speech I have nothing to say, but if you are allowed to administer a kick and then say 'I withdraw,' it is very unfair to us if you do not hear what we have to say in our defence or in our justification. I do not question your authority, Sir, but I certainly submit that the procedure which you are putting forward before us is one which is calculated to give an impression that both sides of the question may not be heard."

The Hon'ble Mr. Mahomed Ali Jinnah :—"Sir, I rise to a point of order. Is the Hon'ble Member entitled to make a speech?"

The Hon'ble the Vice-President :—"I really think the Hon'ble Member is going far beyond the license which I desire to accord to him. I am quite sure that he does not wish to question my ruling or make a speech on this subject. Under the illustration the Hon'ble Member put, if he felt aggrieved, the Courts would be open to him."

The Hon'ble Mr. Bhupendra Nath Basu :—"Unfortunately our proceedings are privileged."

The Hon'ble the Vice-President :—"I think the Council will feel that this discussion must now cease. Unless any Hon'ble Member wishes to ask that a vote be taken, I will give leave to withdraw the Resolution. I can only hear, therefore, any request for a vote to be taken."

698 RESOLUTION *RE* UNIVERSITY AT DACCA; RESOLUTION
RE ROYAL COMMISSION ON THE PUBLIC SERVICES.

[*Pandit Madan Mohan Malaviya; The Vice-* [20TH MARCH, 1917.]
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The Hon'ble Pandit Madan Mohan Malaviya:—"I want your leave to put another point of order before you, if you will permit me. So far as to-day's ruling is concerned I must bow to it and I do bow to it. But there are two points which arise for consideration in the Rules as they stand. One is where a Member makes a speech and withdraws his Resolution before any other Member has spoken. In that case it may only be open to any other Member of Council to say that the Resolution should be put to the vote without speaking. I bow to that ruling. But when another Member gets up and speaks, as, for instance, the Hon'ble Sir William Meyer did the other day on my Resolution, then I ask you, Sir, to rule whether, after that, it is not open to other Members of the Council also to express their opinions on the matter placed before the Council, before the Resolution is actually withdrawn."

The Hon'ble the Vice-President:—"Surely the Hon'ble Member understands that I have already ruled on this point. I am sure he does not wish to dispute my ruling. I now give leave to withdraw the Resolution."

The Resolution was, by permission, withdrawn.

**RESOLUTION *RE* ROYAL COMMISSION ON THE
PUBLIC SERVICES.**

12-47 P.M. **The Hon'ble Pandit Madan Mohan Malaviya:**—"Sir, I beg to move the following Resolution:—

'This Council recommends to the Governor General in Council that the Government should not take action on the recommendations of the Royal Commission on the Public Services in India until reasonable opportunity has been given to Members of this Council to bring forward such Resolutions as they desire on the recommendations contained in the Report.'

"Sir, addressing this Council the other day, His Excellency the Viceroy was pleased to say, with reference to the report of the Public Services Commission, that the recommendations in the report 'cover a very wide field, and comprise many important and urgent proposals. In view of this fact and of the time that has elapsed since the Report was signed, it has been decided, with the Secretary of State's approval, to accelerate its consideration as much as we possibly can. We intend first to examine the general principles that the Commissioners have laid down, and next to proceed to a discussion of the detailed proposals. This should make both for expedition and for consistency'. His Excellency went on to say that 'instead of following the usual lengthy procedure of exhaustive correspondence with Local Governments, we propose to set out the definite issues which arise in connection with each Service or Department and to discuss all except unimportant cases in conferences with representatives nominated by the Local Governments.'

"I submit, Sir, that in view of the fact that the Commission was appointed in response to a recommendation made by this Council, and also of the fact that the subjects dealt with by the Commission are all of very great importance, in which the Indian public is deeply interested, this Council should have an opportunity given to it of expressing its opinion on the many recommendations which have been made by the Commission before they are dealt with by the Government. Those recommendations involve large questions of policy; they also involve a considerable amount of additional expenditure, both recurring and non-recurring. It is desirable that before large questions of policy and large questions involving expenditure are taken up for final settlement, this Council should have an opportunity of expressing its opinion on those questions. The recommendations made by the Commission will hold good for a long time, and that is another reason why, before the Government decide what course they will adopt with regard to the various recommendations, they should give an opportunity to the representatives of the public in this Council to express public opinion on them. Thi

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need has been intensified by the war. The Commission were appointed before the war began, but they reported while the war was going on. But unfortunately, they do not seem to have been affected by any change in the angle of their vision as some other people appear to have been. The problems with which they have dealt are problems which deeply concern the Indian educated classes; they have agitated the Indian public for over a generation. The proposals which have been put forward by the majority of the Commission, have been arrived at in many cases from points of view which are not the Indian points of view. The Indian point of view has no doubt been very ably expressed by Mr. Chaubal and Mr. Justice Abdur Rahim. Except on one or two points public opinion endorses their recommendations, and is very grateful to them that they expressed the Indian point of view so well as they have done. But, Sir, the questions involved being of great national importance, and it being now for the Government to decide what line of action should be adopted in relation to the Commission's recommendations, it is only fair both to the Government and to the public, that we, the chosen representatives of the people, should seek an opportunity to discuss the various proposals before they are finally decided upon. The majority of the Commissioners themselves recognise that the proposals which they have made will involve very great expenditure. They say in their Report that their proposals for increased expenditure have been framed without regard to the prior claims of the present war on the revenues of the country, and that they may need to be given effect to gradually; so that as the Commissioners themselves did not expect that the majority of their recommendations, at any rate, would be given effect to at once, no harm will be done if my Resolution is accepted.

"The questions that have been dealt with by the Commission represent long standing grievances. We Indians have been agitating for the last fifty years and more to have a larger share in the services of our country. Our venerable grand old man, Mr. Dadabhai Naoroji, who has written and spoken so much and so often on this subject, has not yet given up the hope of seeing simultaneous examinations for admission into the Indian Civil Service established in India. The Indian National Congress came into existence in 1885, and at its very first session it earnestly urged the holding of such examinations in India. And in the very next year, in response to the recommendation of the Congress and of other public bodies, the Government was pleased to appoint the Commission of 1886. That Commission was asked to suggest measures which would do full justice to the claims of natives of India for higher and more extensive employment in the public services of their country; but unfortunately it failed to achieve its object. Its recommendations were of quite a retrograde character. As has been pointed out by Mr. Chaubal, if the Rules of 1879 had continued in force, there would by the end of 1914 have been about 260 appointments to the higher service made in India in a period of 35 years. Instead of that the Commission recommended that 108 posts should be fixed for Indians for all time, and the Secretary of State further reduced that number to 93. Ever since that report was published and the decision of the Secretary of State was known, Indians have continued to complain of the injustice done to them; and after years of agitation, the Government was pleased in the year 1911 to accept the recommendation of this Council made on a Resolution which was moved by my friend, the Hon'ble Mr. Subha Rao, to appoint a Commission to remedy the injustice. The Commission was appointed in 1912. It signed its report in 1915. But the recommendations of the Commission were of so obviously retrograde a character that the Government themselves thought the report should not be published during the war. I do not think there could be any stronger condemnation of the general recommendations contained in the report of the majority than the fact that Government thought it fit to withhold its publication until January last.

"That the apprehensions of the Government were fully justified has been seen in the result of the publication of the report. It has been condemned in the public press; and it has been condemned at various public meetings which have

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been held for the purpose. I would not probably have thought of bringing this Resolution before the Council, did I not see from the remarks which fell from His Excellency the Viceroy that the proposals were going to be considered by Government at an early date. We should have hoped that at this time of the war, the proposals would not be so dealt with, not only because they involved large questions of policy, and of controversial policy, but also because they involved large expenditure. But I still hope that, after considering what we are going to say, the Government will be pleased to stay their hand and not be in a hurry to deal with the recommendations of the Commission. We have hardly had an opportunity yet to study those recommendations in their entirety. The recommendations no doubt cover only one volume, but the evidence and the notes cover many; and as the Session is a short one, it will be possible now to deal with this matter in the Simla Session only. I submit therefore, Sir, that the Government should be pleased to give us an opportunity to discuss them in that Session before it comes to deal with the recommendations of the Commission.

" The general principles which the majority of the Commission have laid down have created much discontent. It should be hardly necessary for me to refer to them to-day but for the fear that in certain quarters the depth of Indian feeling in this matter is not realised. From the time we began to read of the Charter Act of 1833, we Indians have cherished the conviction that in the public services of our own country we would be treated as standing on an equality with our European fellow-subjects. This was also promised in Her Majesty's Proclamation of 1858. Various English Statesmen have in the most solemn terms acknowledged the sanctity of that promise; and yet to our deep regret, in the year of grace 1915, we find this Commission, appointed to do justice to the claims of Indians for employment in the higher services of India, making recommendations which make the position of Indians in many respects worse and not better. Now, Sir, the principle that the majority of the Commissioners have laid down is that there shall be a preponderating proportion of British officers in the higher services of what they call the first group, and in which they place the Indian Civil Service and the Police Department. We Indians take up a more reasonable attitude. We do not ask for any proportion to be fixed. We do not ask to be protected by a certain proportion being always reserved for us. All we ask for is a fair field. We ask for fair play. We ask to be put to the same test to which our European fellow-subjects are submitted, and we say: 'If we fail in that test let us be ruled out; if we succeed, let us be admitted as freely and as honourably as our European fellow-subjects.' But the majority of the Commission have said that in their opinion on grounds of policy this preponderance of the European officers must be maintained for an indefinite period of time. I submit, Sir, that no self-respecting Indian can submit to a proposition like this. We all must respectfully protest against it. The policy recommended is in clear contravention of the Charter Act of 1833; it is entirely opposed to the Proclamation of the Queen, and to the statements of various Secretaries of State and Viceroys. What we ask for is entire equality with our European fellow-subjects in entering the higher ranks of the public services of our own country. The majority of the Commissioners have proposed that only 9 per cent of the higher posts in the Indian Civil Service should be reserved for Indians, because they have themselves explained that under their scheme in practice Indians will not be able to obtain admission through the door in London. As the Council is aware an influential Committee appointed in 1860 by the Secretary of State for India, reported in favour of simultaneous examinations 'as being the fairest and the most in accordance with the principles of a general competition for a common object.' But the majority of the Commission have in spite of the practically unanimous opinion of Indians to the contrary declared that simultaneous examinations for admission to the Civil Service should not be held in India. I submit, Sir, that there can be nothing more unjust than that Indians, who want to serve their own country and their King

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and who are willing to be put to the same tests to which their European fellow-subjects are, should not have an opportunity of undergoing that test unless they leave their homes and spend several years in a distant country. I submit that no grosser injustice could be perpetrated than is involved in such a system. And yet the majority of the Commissioners have not only upheld that system, but tightened it further. They have reduced the age-limit from 22-24 to 17-19. Not content with that—perhaps the majority of the Commissioners felt that even then some Indians might go to England and compete successfully with their European fellow-subjects—they have made yet another proposal, and that is, that a candidate before he can be admitted to the examination must produce a certificate that he had attended a school course for a continuous period of three years up to a time within six months of the examination itself at a school recognised by the Civil Service Commissioners.

“The Commissioners have no doubt said that in the case of candidates going from India, the Civil Service Commissioners should have the discretion to dispense with such a certificate; but that can only happen in the case of a few. The result therefore is that in the future if an Indian should want to enter the Indian Civil Service through the examination in London, he must go to London at the age of 14 and spend three years there and then compete with his English fellow-subjects in the examination. I submit, Sir, this is bolting the London door against the Indians, while saying that it will still be open to them.

“Then look at the recommendations regarding the police service. That service has been put on a higher pedestal even than the Indian Civil Service. For the police service a five years' course of study in London has been recommended as the *sine qua non* for admission. The age of admission is to be 19 to 21; but a candidate is required to be in London for five years; in his case not even an exception can be made, he must reside in London for five years and study there as a *sine qua non* for admission to the examination.” I submit that these two proposals taken together, namely, the lowering of the age and the condition about residence at a recognised school, actually bolt the door against Indians so far as the London door is concerned. What has been given instead is that nine appointments shall be made through other means than that examination; two are to be by nomination, and seven are to be by an examination to be held in India. Now, Sir, I do not see the smallest reason why at this time, when thousands of Indians have received the highest education in this country, when they are willing and anxious to be subjected to an equal test with their English fellow-subjects, they should not be given an opportunity to sit in this country for an examination identical in every respect with the one held in London.

“The Commissioners have laid down that in services of what they call the second group, the European element need not preponderate for an indefinite period of time; but, there, too, they require that the number of Europeans should preponderate for a long time to come, and they propose as much as three-fourths of Europeans and one-fourth of Indians. In the Education Department also they have recommended that the European element should predominate to the same extent as in the Indian Civil Service, but there, too, they are anxious that the number of Europeans should be very large, nearly three-fourths of Europeans to one-fourth of Indians. Now, Sir, on this point, I wish to draw the attention of Council to a scheme put forward by Mr. Justice Abdur Rahim that was drawn up in consultation with Mr. Gokhale. Mr. Gokhale, who had given much time and thought to the question of the employment of Indians in the public services, recommended that there should be no recruitment of untried Englishmen, fresh from the universities, for educational work in India. However carefully the first selection of such men might be made, a certain number of them are bound to disappoint expectations, and there is no room now for such failures in our educational service.” He said: “For Englishmen, however, who have distinguished work to their credit, there is and will long remain ample room in India, but for obvious reasons their number cannot be a large one. Such men

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should be secured for any reasonable salary that may be necessary to induce them to go out to India.' But the Commission have ignored the views of our late lamented friend, and have disregarded the recommendations of Mr. Justice Abdur Rahim, and have recommended that even in the Education Department—though we have the unfortunate fact that many recent recruits in that department have not been distinguished for their scholarship—the number of young English graduates should not only be maintained but increased.

"I do not wish to go into the other proposals because my time is limited; what I have said sufficiently shows the attitude which the majority of the Commissioners have adopted towards the aspirations of Indians. The reasons given for insisting upon the three years' previous study in England in the case of the Indian Civil Service cannot stand examination. It was not considered necessary hitherto that there should be such a condition as a three years' study at a recognised school; nor was there a condition of five years' residence and study in England in the case of the police service; and I am very sorry to say that I can only characterise the reasons assigned as disingenuous.

"The proposals regarding the increase of salaries are not less objectionable. For decades past we have been complaining that having regard to the national average income in India, the salaries which are paid in the Indian Civil Service are enormously high and disproportionate. Little did we think that these salaries would be increased. Yet, we find, that the Commission have proposed an increase of these salaries. Not content with that they have proposed that the contribution of 4 per cent. now made by the officers to the Pension Fund should be done away with. Mr. Abdur Rahim has pointed out the injustice of this proposal. He has shown that there is absolutely no reason either for the increase or for the relief which is given in the matter of the contribution to the annuity. Mr. Ochaubal has shown that these will lead to an enormously larger expenditure than the Commission have thought of. At page 884 of the Report, Mr. Ochaubal says that the net increase in cost involved in the recommendations of the Commission as estimated by them is Rs. 42,25,760, but that this is not a correct estimate. He shows that the cost involved in the proposal to abolish the 4 per cent. contribution towards the pension of Indian Civil servants will be about Rs. 9 lakhs; the increased maximum pension proposed will mean an additional Rs. 9 lakhs; the additional pensions proposed to certain high officers will mean an added cost of Rs. 3 lakhs, and super-posts in the Educational Department will mean another Rs. 5 lakhs, the total amount inclusive of all increases will amount to Rs. 46 lakhs. 'For all practical purposes, therefore', he says, 'if all our recommendations are to be given effect to, the Secretary of State must be prepared to sanction an additional cost of Rs. 88,25,760.' When we consider, Sir, how our expenditure charges under the heading of general administration have increased during the last few years, when we think of the burdens which have been laid on the people during the last two years, when we think of what further burdens might be laid on them in future as a result of the war, I cannot contemplate with equanimity a proposal to add 88 lakhs more to the civil expenditure. In particular I cannot contemplate with equanimity the proposal to increase salaries the decrease of which we have prayed for during the last thirty years. I do not see how the Secretary of State or the Government of India will, after the strain of the war, direct and indirect, accept these recommendations. We know that taxation has reached a very high level, and we know the difficulty which Government finds in meeting any extra item of expenditure which has to be met. In view of this fact alone, apart from considerations of policy, it is necessary that these proposals should be subjected to careful consideration and scrutiny in the light of public opinion before the Government comes to any conclusion in regard to any of them. The matter vitally concerns the people of India in all respects, both in respect of policy and in respect of the expenditure involved. For these reasons, Sir, I strongly urge that the Government of India should be pleased not to take action on the recommendations of the Commission until it has given reasonable opportunity to the Members of this Council to move such

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Resolutions as they may desire with reference to those recommendations. Nothing is likely to be lost by such a course being adopted. I hope that the war will be over before many more months elapse, and I hope that when the war is over, the question of the employment of Indians in the higher ranks of the services of their own country will be looked at from a just and statesman-like point of view. We have long begged and implored the Government to deal with this question in a fair and just way. We have hitherto not succeeded to the full extent; we are grateful for what recognition has been given to our claims; but we feel that the question must now be approached in a different light and with a greater determination to deal justly with the people of this country, who own a allegiance to His Majesty, the King-Emperor. Every one of the recommendations of the Commission on the larger questions of policy will require to be revised. Indians are looking forward to a great change in the attitude of Government after the war; towards everything that concerns them, and this question of the employment of Indians is one of the most important of such questions. Upon the proper solution of it will depend many other questions in which we are interested, the question of self-government, the question of Indians acquiring a larger voice in the administration of our own country. For all these reasons, I hope that the Government will be pleased to accept my recommendation and allow these important matters to stand over until we can deal with them in a fair and satisfactory manner."

The Hon'ble Mr. Bhupendra Nath Basu:—" Sir, I take this, 1-11 P.M.
the earliest opportunity, of standing up so that the Mover of the Resolution may not be guilty, or be permitted to be guilty of the cowardly practice of levelling things against us under cover of a Resolution and then withdrawing the Resolution and thereby preventing a reply. I am sure that my friend Pandit Malaviya would be incapable of such a practice, but nevertheless I take time by the forelock against being ruled out by order of the Chair. I will submit a few observations in regard to the Resolution that has been brought before us. Sir, what is it? what was the genesis of this Commission? There was a cry, an insistent cry, from every part of India that we Indians were unduly, unjustly, kept out of the proper share that was due to us in the higher services of our country and, Sir, there was good and just reason for that cry. Rulers may come and rulers may go, Viceroys may come and Viceroys may go; I speak of them with all respect—but they leave little impression upon the character or course of our administration. Councillors may sit and talk and abuse each other, and they may be permitted to sneak away, but they also do not, as at present constituted, much matter in the affairs of life; but what it is that does matter is the great Civil Service of India; a body which lasts for ever. Men may come and men may go, but my friends the members of the Civil Service, say they will go on for ever with their traditions of which they are justly proud, but alas! they become hide-bound and cast in a rigid mould. They are good men, they are guided by the one principle of doing the best that they can for the people of India; these are things which we readily admit, but they sometimes fail to see how their administration operates upon the people for whose good they labour in India. Sir, for us therefore, not for the appointments, not for the handsome salaries, it was for the purpose of putting in our claim in the higher machinery of Government, for putting in some wheel at least in that machinery, that we Indians have been pressing for a long time—for the recognition of the great principle that Indians should have an adequate share in the administration of the country—be given facilities for admission into the Civil Service. Well, Sir, for this reason we have asked for simultaneous examinations. Just imagine, Sir, if English lads were told to go to Kamschatka to qualify for the Civil Service of England to learn—I do not know what language the Kamschatkians talk, to learn their language, to pass examinations in their language, and then go back to England to rule. What would be the attitude of Englishmen towards that arrangement? The same has been our case. I have taken an extreme case not to show that the conditions

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are exactly similar, but I have tried to show by the well-known principle of *reductio ad absurdum*—the difficulty, I should say the absurdity, of the present arrangement. You ask boys of India to pass difficult examinations in your own language; do you for a moment realise the great handicap that the language test imposes upon us—a great and pressing handicap? Why you should not be content with that you are at a loss to know. You go further; you are not content with imposing on us the task of learning your language or trying to learn your language,—and it is one of the most difficult to learn—you ask us to go to your country for the examinations; we do our best to comply with your tests in our country, and then if we are declared fit to be put on the same level as English youths we ask ‘why not admit us?’ The report of the Commissioner says ‘that will not be enough, there are other considerations’. I do not ignore them. You say ‘not only are you to learn our language, but you must go to England to pass your examinations’. Well, Sir, whether that is right or wrong, whether such a procedure can be justified in the higher court of humanity or not, we have submitted to it; we have submitted to it under protest, and we have agreed, if you think a sojourn to England is necessary, to give the necessary experience to our youths aspiring to the public service to our boys making that sojourn, but let them go with the certainty that they will be admitted into the precincts of the Civil Service. Let them pass their examination in this country under the same test. That is the point. Sir, the Commission have thrown these 22 bulky volumes at our heads, with what result? We could have competed, we Indians could have ventured to acquire your language to some extent at least if we had been given a chance. But the Commission sits in judgment on our claims, and says ‘here is our judgment, we have double-barred the gate, we have reduced the age from 22 to 17, because 17 is the age that suits our boys who leave schools, the time may not suit you but it suits us; we have done more—we have said that previous to the examination there must be a three-years’ residence in a public school in England. We have done yet more. We have scored out Sanskrit, Arabic and Persian from the languages; are you not content? are you not content that instead of this though we have practically absolutely done away with that inconvenient scrap of paper ‘the Queen’s Proclamation, we have not taken away your chances altogether. We have given you seven appointments to be competed for in India; are you not content?’ I ask you, Sir, I ask the representatives of the Civil Service who are arrayed against me, no I beg their pardon, I will not say arrayed against, but in front of me, I ask them would they expect any body of Englishmen in England to accept such an arrangement if it was proposed in the case of English youths? But what they should not accept in their own case would they expect us in India to accept? I have taken only one example—one prominent example from this blessed Commission which has cost I do not know how many thousands of pounds, and will no doubt bring decorations to the Commissioners. But, Sir, is not one example enough, one example enough—a very strong expression was coming into my mind—to clearly demonstrate that what the Commissioners have done is not acceptable to the people of India? It is an insult to their common sense; it is a denial of right; if we were told in clear and unequivocal language that ‘the Civil Service is closed to you’ that we could have understood, plain language we can understand, but subterfuge we do not understand.

“I say it is an insult to the common sense of India. Why, Sir, what is the use of a Commission like this? What is the use of all this expenditure of money and energy for the sake of seven appointments to be competed for in India? And these seven appointments to be given under what conditions? not by open competition, but by selection by our Universities. Well, Sir, there again you are trying to bring in an element of elimination. I do not wish to discuss the recommendations of the Commission in this Council at this stage, but I do rise to give a great warning that better far, better far, abandon the report of the Commission, for the conditions of things have entirely changed. The two years of war have accelerated Indian conditions by nearly fifty years. The Commission is an anachronism; it is altogether out of date; leave it alone. India will not

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be sorry. But if you worked upon this Commission without ascertaining the public feeling of India, without finding out how far the recommendations of that Commission were acceptable to the masses of the people of India—and if I am incorrect in using the term masses—how far such recommendations were unacceptable to those classes for whom the Commission was meant, you would be taking a grave risk indeed. You talk of discontent. My friend here forges instruments for the fettering of the body; but do not forge instruments for the fettering of the mind. You talk of discontent, you talk of disaffection; but do not take measures which will intensify and accentuate that discontent and that disaffection. Do not, for God's sake, do anything which will create greater distrust of the motives of the Government of India than even the present arrangements would seem to justify. For, Sir, whether Home Rule comes or not, whether Self-Government on Colonial lines comes or not, whether it comes in twenty years or fifty years, what we shall feel, what we daily feel is that, whatever may be the future, if you give India a greater share in the higher administration of the country by including a larger number of Indians in the Civil Service, you will make, apart from other questions, you will make your system of Government more acceptable than it is. Therefore, Sir, I think it is a very modest request which my Hon'ble friend Pandit Malaviya has made, namely, that no action should be taken upon the Report of this Commission before the opinions of public bodies and of the Members of this Council in open debate have been ascertained. For, after all, Sir, if you do not do that, what is it that you do? The Commission gives the members of the Civil Service increased emoluments, increased facilities for leave and pension, it gives them an increased hold upon the services, it restricts in a greater degree the admission of Indians into the Civil Service. Should you be the judges in your own case? You may be,—you are honourable and honest men; but who is the man who would venture to sit as a Judge in his own case? Who is he, Sir? And in this matter, in which practically the case is between the Civil Service and ourselves, would it be right without the enlightenment which may come from public criticism and public debate, is it right that you should be entrusted with the very serious power of deciding in your own case? Sir, I may have spoken with some degree of warmth, and if I have spoken with any degree of warmth, I sincerely apologise to this Council. It may be due in no small part to the just irritation from which I was suffering by reason of the proceedings of the earlier part of the day. It may also be due to the just disappointment which we have felt at the recommendations of this Commission from which we expected so much. But discounting all that, and putting all that out of mind, take me as a humble spokesman of India, and give me the same amount of latitude which you in a Court of law would have allowed a party appearing in person, the same degree of latitude which you would have allowed if I were appearing without an advocate; take me only as a person pleading before the bar of the Executive Government of India. I hope you will allow me the same latitude, and allowing me the same latitude, you will overlook my shortcomings in putting my case. I hope you will bear in mind the request that has been put forward by my Hon'ble friend, Pandit Madan Mohan Malaviya, and I would say that, do what you may, but consider before you do, and give the country a chance of being heard through the mouths of their chosen representatives."

The Hon'ble Sir Reginald Craaddock :—"Sir, I have every sympathy with the desire of the Hon'ble Members of this Council that they should be given full opportunity to discuss all the more important proposals of the Public Services Commission. I quite understand why it is that the Hon'ble Pandit and the Hon'ble Mr. Basu are so anxious to have this opportunity. I do not wish to complain of any warmth of language that they may have used, but my position at present is such that I cannot address this Council either to defend the proposals of the Commission or to

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support them, or to say what part Government may approve or what part they may disapprove. I cannot therefore attempt to answer any of the arguments advanced by my Hon'ble friends, or to express any opinion whatsoever regarding them, or to say whether I accept them or not. They know, I think, that, as far as I am personally concerned, I have always been anxious to give opportunities for Indians of ability to serve in responsible positions, and I am sure that the Government of India, just as I do, view with every sympathy the natural desire of Indians to take a more important part in the administration. But as the Hon'ble Pandit has himself said, the recommendations of this Commission are very numerous. They cover an enormous amount of ground; they cover every service that exists; they cover all branches of those services, the Imperial, the Provincial and, by implication in many cases, the Subordinate Services. They deal with questions regarding the recruiting and training for these services; they deal with conditions like the amount of probation required, they deal with questions of leave, pay and pensions, and they deal with the relative proportions in which Europeans and Indians may for the present be expected to enter these services. The systems of promotion, the systems of removal, all these questions come before them in respect of all the Civil Services of India. In these circumstances, it would be impossible for the Government to accept an omnibus Resolution of this kind which would bind itself absolutely to withhold all sorts of action, intermediate or otherwise, or perhaps some preliminary decision on minor points and so forth. Any such acceptance of a Resolution in such broad terms would hardly be possible to the Government. As an Executive Government it must reserve to itself liberty of action in these respects. But I can assure the Hon'ble Members that no important principle in which they are likely to be deeply interested can possibly be settled without this Council having had an opportunity to express their opinion upon it. If, as is most probable, these great questions of principle are under discussion when the next opportunity arises for the Legislative Council to meet, very naturally the opinions expressed by this Council will receive, *inter alia*, the most careful consideration of the Government. Having given this assurance, I hope that Hon'ble Members will feel satisfied with it and will not ask the Government to pledge itself, as I said, to an omnibus Resolution which they might perhaps unwittingly, if they accepted it, be liable to break. I want to give them the full assurance that the Legislative Council will have every opportunity of expressing their opinions, without however binding the Government to limit the authority of the executive to the extent, and over so many matters of detail, which the acceptance of the Resolution would entail. I hope that Hon'ble Members will be satisfied with the statement I have made on behalf of the Government."

1-24 P. M.

The Hon'ble Mr. Mahomed Ali Jinnah :—"Sir, I particularly did not wish to speak on this Resolution until I heard the Hon'ble the Home Member, because the subject is such, Sir, that even the most balanced mind is likely to be upset if you are going to discuss this question. Personally I have always felt that it was unfortunate that the Report of the Public Services Commission should have been published at this juncture. However, it has been published. Since the Report has been published many of us feel very keenly disappointed, nay bitterly disappointed, with it. But we did not venture at this juncture to bring these questions into this Council, because admittedly these questions would be of a most controversial character, and therefore many of us have refrained, in deference to the understanding, the unwritten understanding, which has been arrived at between Government and the non-official Members, that at this juncture we should not indulge in any really controversial matters, and I am really very glad that the Hon'ble the Home Member has given us this assurance that Council will have full opportunity of discussing the Report before Government decide to take any action in the matter. Personally I am satisfied and I do not think this question ought to be pressed any more on this occasion."

RESOLUTION RE ROYAL COMMISSION ON THE PUBLIC SERVICES. 707

[20TH MARCH, 1917.] [*Khan Bahadur Mian Muhammad Shafi ; Pandit Madan Mohan Malaviya ; Sir Reginald Craddock ; The Vice-President.*]

The Hon'ble Khan Bahadur Mian Muhammad Shafi :— ^{1-36 v.31.} "Sir, I desire to associate myself with all that has fallen from the lips of my friend the Hon'ble Mr. Junah. I think that, after the assurance that has been given to the Council by the Hon'ble the Home Member, a further discussion of the controversial problem embodied in the Resolution proposed by my Hon'ble friend Pandit Malaviya is neither desirable nor calculated to serve any useful purpose, and I trust that my Hon'ble friend will see his way not to press the Resolution at present."

The Hon'ble Pandit Madan Mohan Malaviya :— "May I ask the Hon'ble the Home Member, Sir, whether proposals involving expenditure will be held over? He has been good enough to say that all the more important questions will be held over. If he will be pleased to say that proposals involving expenditure will be held over, I shall have nothing more to say. I shall be very thankful if he can see his way to give us that additional assurance."

The Hon'ble Sir Reginald Craddock :— "As I said before, I cannot absolutely pledge myself to say that not a single rupee will be spent without reference to the Legislative Council, but I think it is highly probable that if I wanted to embark on large expenditure, or anything involving large expenditure, my Hon'ble colleague the Finance Member would certainly bar the way, and I do not believe that any expenditure which can be called appreciable is likely to be undertaken while the war lasts. Before that the Council will have had opportunities, I am sure, of expressing their opinion both on the main questions and on the question of expenditure."

The Hon'ble Pandit Madan Mohan Malaviya :— "Sir, I thank the Hon'ble the Home Member and the Government for having accepted the Resolution, with the reservation that they have made. I am very thankful and I have nothing more to say."

The Hon'ble the Vice-President :— "Do I understand the Hon'ble Member to withdraw his Resolution? It is merely a matter of form. The Home Member, on behalf of the Government, did not accept the Resolution."

The Hon'ble Pandit Madan Mohan Malaviya :— "I thought the Resolution was accepted; if you think it is necessary for me to withdraw it

The Hon'ble the Vice-President :— "I only wish to know whether I should put the Resolution to the Council or not. I am entirely in the Hon'ble Member's hands."

The Hon'ble Pandit Madan Mohan Malaviya :— "I thought the Hon'ble Member accepted it with a reservation. May I know exactly what the position is?"

The Hon'ble Sir Reginald Craddock :— "I expressly limited myself from accepting the Resolution, and gave an assurance which I hoped would satisfy the Hon'ble Member."

The Hon'ble Pandit Madan Mohan Malaviya :— "I am quite satisfied with the statement the Hon'ble the Home Member has made, and I must leave the matter there."

708 RESOLUTION *RE* ROYAL COMMISSION ON THE PUBLIC SERVICES.

[*The Vice-President; Pandit Madan Mohan Malaviya; Mr. Bhupendra Nath Basu.*] [20TH MARCH, 1917.]

The Hon'ble the Vice-President:—"I am afraid I must then put the Resolution to the Council".

The Hon'ble Pandit Madan Mohan Malaviya:—"If I may explain myself, I feel that if the Resolution is practically accepted, it does not look well that the Resolution should be withdrawn, but if you think the formalities of the Council Rules require that it should be withdrawn I am quite willing to do so".

The Hon'ble the Vice-President:—"I am sure Hon'ble Members understand that I have nothing to do but carry out the rules. The rules say that a Resolution can be withdrawn. If not, the rules say that it shall be voted for, aye or no. I have no choice in the matter; the Hon'ble Member has a choice".

The Hon'ble Mr. Bhupendra Nath Basu:—"Sir, having regard to the assurance of the Hon'ble the Home Member, I venture to advise my Hon'ble friend to withdraw".

The Hon'ble Pandit Madan Mohan Malaviya:—"I withdraw my Resolution".

The Resolution was, by permission, withdrawn.

The Council then adjourned to Wednesday, the 21st March, 1917.

A. P. MUDDIMAN,

Secretary to the Government of India,

Legislative Department.

DELHI:

The 26th March, 1917.

APPENDIX A.

Statement showing the number of leave and other vacancies that have occurred in the ranks of the Indian Agricultural Service during the last ten years and the proportion thereof which has been filled by members of Provincial or Subordinate Agricultural Services.

Province.	Total number of vacancies.	Number filled by officers of the Provincial or Subordinate services.
Madras	20	18
Bombay	24	11
Bengal	8	<i>Nil.</i>
Bihar and Orissa	10	7
United Provinces	24	4
Punjab	13	6
Burma	5	2
Central Provinces	6	2
Assam	8	<i>Nil.</i>
Pusa	58	11

APPENDIX B.

[Referred to in answer to Question No. 2.]

Statement showing under certain heads the incomes of District Boards in the different Provinces during the quinquennium ending 1914-15.

Province.	Year.	Land revenue.	Local rates	Contributions from Government.	Other sources of revenue.	Total.
		Rs.	Rs.	Rs.	Rs.	Rs.
Madras	1910-11	1,081	36,54,143	14,07,183	20,89,421	80,11,807
	1911-12	550	36,53,045	21,92,600	30,30,784	88,86,948
	1912-13	760	37,55,218	25,31,398	31,14,578	94,06,060
	1913-14	1,353	38,86,552	38,93,353	33,07,451	1,10,83,614
	1914-15	1,029	29,97,152	38,45,782	43,53,447	1,11,02,410
Bombay	1910-11	1,09,583	21,42,471	23,81,100	6,93,061	64,20,903
	1911-12	1,98,493	23,37,673	27,24,905	10,69,508	63,30,760
	1912-13	2,06,179	32,21,114	30,21,054	10,12,712	74,00,069
	1913-14	3,61,676	34,13,534	33,04,004	10,43,554	81,27,827
	1914-15	2,94,535	31,63,520	37,40,565	9,83,242	82,10,862
Bengal	1910-11	239	29,02,861	16,24,958	10,86,780	56,10,844
	1911-12	287	20,16,562	18,03,301	12,76,899	60,02,049
	1912-13	236	20,20,509	21,67,917	12,88,723	63,27,385
	1913-14	563	68,44,685	22,85,178	18,72,105	64,52,616
	1914-15	383	63,88,305	19,78,310	18,17,117	91,81,121
United Provinces	1910-11	16,313	36,93,605	21,41,364	20,04,757	78,56,039
	1911-12	16,408	36,60,198	23,12,761	20,13,842	80,02,207
	1912-13	16,707	36,83,310	21,88,249	21,63,083	80,41,358
	1913-14	21,743	36,97,409	30,63,260	44,08,899	1,21,10,311
	1914-15	50,419	60,27,073	24,45,429	23,59,710	1,17,72,634
Punjab	1910-11	338	37,14,323	13,25,583	11,47,040	61,87,586
	1911-12	2,345	37,55,215	13,59,500	13,66,854	63,78,923
	1912-13	2,513	29,49,745	19,81,270	15,13,530	64,47,063
	1913-14	2,307	32,75,881	30,23,380	16,33,029	79,32,637
	1914-15	2,333	33,74,145	32,50,000	15,03,843	81,00,927
* Burma . . . . .	...	...	...	...	...
Bihar and Orissa	1910-11	58	24,64,634	10,11,154	7,77,014	42,52,890
	1911-12	127	23,55,823	11,86,123	7,40,525	42,82,608
	1912-13	156	23,56,721	12,80,876	7,21,386	43,68,638
	1913-14	2,264	48,19,898	18,97,376	8,15,638	75,35,076
	1914-15	6,025	51,16,985	14,05,839	8,37,357	73,66,703
Central Provinces and Berar	1910-11 . . . . .	...	3,95,714	6,76,781	7,06,362	23,78,302
	1911-12 . . . . .	...	10,37,931	7,04,467	3,01,073	26,43,521

* There are no District or Local Boards in Burma.

Statement showing under certain heads the income of District Boards in the different Provinces during the quinquennium ending 1914-15—contd.

Province.	Year.	Land Revenue.	Local rates.	Contributions from Government.	Other sources of Revenue.	Total.
		Rs.	Rs.	Rs.	Rs.	Rs.
Central Provinces and Berar	1912-13	...	10,42,567	3,08,877	10,30,213	23,71,157
	1913-14	...	10,49,031	10,83,700	11,64,915	32,77,646
	1914-15	...	10,81,288	14,98,824	10,71,404	36,51,511
Assam*	1910-11	80,487	7,40,063	5,23,205	2,41,005	15,44,859
	1911-12	29,887	7,59,974	6,39,436	2,41,303	16,70,549
	1912-13	42,107	7,45,323	12,59,323	2,26,947	22,73,116
	1913-14	45,850	7,99,375	20,20,387	2,69,625	31,35,748
	1914-15	43,837	7,72,143	16,44,920	2,53,440	27,16,340
North-West Frontier Province	1910-11	...	2,05,442	1,49,503	60,435	4,15,380
	1911-12	...	2,01,620	1,11,116	69,601	3,82,337
	1912-13	...	1,99,017	2,33,763	67,169	5,44,939
	1913-14	...	2,05,208	2,33,964	68,322	5,47,489
	1914-15	...	2,15,677	2,36,584	75,227	5,77,488
Coorg	1910-11	4,238	30,591	17,500	39,468	82,493
	1911-12	5,071	30,986	7,000	31,703	74,759
	1912-13	4,335	31,324	43,500	31,188	1,10,767
	1913-14	5,305	30,916	16,821	40,338	93,380
	1914-15	6,414	31,365	14,658	31,596	84,033
Delhi	1910-11					
	1911-12					
	1912-13					
	1913-14	...	22,471	29,714	16,866	79,051
	1914-15	...	31,838	...†	30,607	62,440

* In Assam there are only Local Boards corresponding to District Boards in other Provinces.

† Figure not shown in the report.

Note—The "Augmentation grants" made by the Government of India in 1905, were—

Madrās 14 lakhs; Bombay 7 lakhs; Bengal 12·50 lakhs; United Provinces 8 lakhs; Punjab 6·50 lakhs; Burma 4·50 lakhs; Central Provinces 2 lakhs; Assam 1·50 lakhs; North-West Frontier Province Rs. 41,000; Ajmer-Merwara Rs. 5,000; and Coorg Rs. 7,000.

APPENDIX C.

[Referred to in answer to Question No. 3.]

Statement showing the total number of emigrants (excluding children) who proceeded under indenture to Trinidad, British Guiana, Jamaica, Fiji and Surinam during the six years 1910-15.

Year.	Trinidad.	British Guiana.	Jamaica.	Fiji.	Surinam.
1910	2,320	1,518	...	3,529	...
1911	3,825	1,961	775	3,920	...
1912	2,403	2,234	1,360	3,093	1,093
1913	1,141	1,280	775	3,031	1,577
1914	296	755	...	1,418	663
1915	558	1,066	...	2,289	...

The above figures include children between the ages of 10 and 14 from the Port of Calcutta, as the reports received from the Government of Bengal do not distinguish statutory adults (i.e., persons over 16 years of age), from non-adults.

APPENDIX D.

[Referred to in answer to Question No. 3.]

Statement showing the total number of emigrants (including children) who proceeded under indenture to Trinidad, British Guiana, Jamaica, Fiji and Surinam, during the six years 1910-15.

Year.	Trinidad.	British Guiana.	Jamaica.	Fiji.	Surinam.
1910	2,480	1,616	...	3,845	...
1911	3,567	2,120	816	4,204	...
1912	2,037	2,392	1,457	3,373	1,216
1913	1,236	1,840	624	3,223	1,773
1914	423	806	...	1,575	748
1915	623	1,158	...	2,509	...

APPENDIX E.

[Referred to in answer to Question No. 3.]

Statement showing the number of time-expired emigrants who returned from the Colonies during the five years 1911-12 to 1915-16. The figures (which exclude children) represent the number of those who received free or assisted passages.

Year.	Trinidad	British Guiana.	Jamaica.	Fiji.	Surinam.
1911-1912	332	462	...	267	408
1912-1913	379	448	160	295	...
1913-1914	493	801	...	388	658*
1914-1915	Nil (owing to the "Emden's" activities, there was no return ship in this year).	412	...	510	4
1915-1916	526*	...	109	Report giving information not yet received.	...

* Includes non-immigrants and also rejected immigrants and others.

APPENDIX F.

[Referred to in answer to Question No. 4.]

Statement showing expenditure incurred by Government on primary schools, after excluding that on buildings, equipment, training and inspection.

Province.	1909-10.	1910-11.	1911-12.	1912-13.	1913-14.	1914-15.	1915-16.
	₹	₹	₹	₹	₹	₹	₹
Madras	10,79,089	11,68,818	13,96,957	15,37,793	17,14,600	20,50,846	20,17,598
Bombay	18,96,376	20,17,180	22,82,380	26,76,320	30,26,311	33,50,507	33,47,321
Bengal	3,64,815	3,56,321	2,41,528	3,22,833	2,95,809	3,23,646	3,77,287
United Provinces	37,470	65,898	49,668	49,046	45,210	47,806	52,005
Punjab	35,945	38,409	32,372	35,746	24,737	26,420	32,686
Burma	2,54,201	1,79,410	1,54,878	1,63,564	2,18,833	2,47,873	2,85,115
Bihar and Orissa . . . . .	...	..	1,90,478	2,02,705	2,37,794	2,66,823	2,91,276
Central Provinces and Berar	1,55,620	1,54,597	1,27,426	1,36,596	1,39,941	1,50,307	1,67,613
Assam	1,02,034 (Eastern Bengal and Assam.)	1,11,082 (Eastern Bengal and Assam.)	41,385	37,549	39,809	56,244	67,927
North-West Frontier Province	1,841	1,516	1,403	1,576	980	953	1,098
Cooch	8,063	9,516	9,447	13,534	18,023	20,476	22,173
Delhi . . . . .	...	...	...	1,682	1,503	2,352	1,445
TOTAL	39,84,823	40,92,097	45,28,767	51,99,044	57,53,060	65,44,253	66,14,054

These figures do not include all the grants made by Local Governments to local bodies for the purpose of primary education and they do not include the sums spent upon primary education in secondary and other kinds of institutions.