

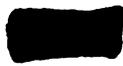
Thursday, 13th September, 1917

***THE INDIAN LEGISLATIVE COUNCIL***

**VOL. 56**

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PROCEEDINGS  
OF  
***THE INDIAN LEGISLATIVE COUNCIL***

***ASSEMBLED FOR THE PURPOSE OF MAKING***

**LAWS AND REGULATIONS**  
**FROOM APRIL 1917 TO MARCH 1918**

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**WITH INDEX**

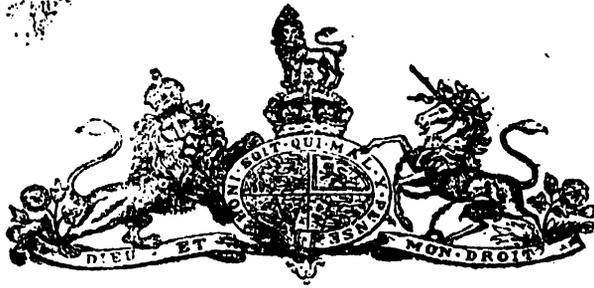
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1918



GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

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

The Council met at the Council Chamber, Viceregal Lodge, Simla, on Thursday,  
the 13th September, 1917.

PRESENT :

The Hon'ble Mr. G. R. LOWNDES, *Vice-President, presiding*, and 55 Members,  
of whom 49 were additional Members.

**PATNA UNIVERSITY BILL.**

**The Hon'ble Rao Bahadur B. N. Sarma** :—“ Sir, the reason why I gave notice of the amendments standing against my name Nos. 17, 18 and 19, namely :—

“ That in clause 7 (5) for the words “ six members ” the words “ three members ” be substituted. ”

“ That in clause 7 (5) after the word “ Syndicate ” where it first occurs, the words “ or ten members of the Senate ” be inserted. ”

“ That after clause 7 (5) the following sub-clause be inserted :—

“(6) Where no reference is made to it by not less than six members of the Syndicate, as required by sub-section (5), it shall be competent for the Senate to review any acts referred to therein on a motion made by not less than ten members of the Senate, and where there is a difference of opinion between the Syndicate and the Senate the matter shall be referred to the Chancellor, whose decision shall be final.”

was to try if possible to induce the Council to make it more easy for members of the Syndicate or Senate, who differ from the position of the Syndicate, to appeal to the Senate in all matters provided for in clause 7 (5). And with regard to the reduction of the number from 6 to 3, I thought I had a good case inasmuch as the minimum administrative members provided for by the Act is 3, and following the precedent of the United Kingdom, that provision should be made for all the administrative members if possible to appeal to higher authority against any decision of the Syndicate, composed of a majority of educationists. But having regard to the peculiar position we are in and the attitude of the Hon'ble Member in charge of the Bill, I do not think any good purpose will be served by moving these amendments and so I beg to withdraw them.”

**The Hon'ble the Vice-President** :—“ I understand the Hon'ble Member's proposal to withdraw is with reference to items 17, 18 and 19. The amendments are by *leave* withdrawn.”

[*Sir C. Sankaran Nair* ; *Rao Bahadur B. N. Sarma.*]

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**The Hon'ble Sir C. Sankaran Nair** :—“ Sir, I beg to move the amendment that stands in my name that in clause 9 (1) (a) for the words “ to such privileges ” the words “ as a college ” be substituted. It is only a question of drafting. You will find in clause 9 (1) (a) ‘ the admission of the institution to such privileges.’ I move the omission of the words ‘ to such privileges ’ and the substitution of the words ‘ as a college ’ instead. The words ‘ to such privileges ’ as they stand now are unmeaning and make no sense. The mistake arose in this way. In the section as it originally stood in the Bill which was introduced by me the words in section 9 were ‘ to any privileges of the University.’ Those words have now been omitted and the Council will find in section 9 ‘ as a college ’ printed in italics substituted. But after omitting those words in that clause by an oversight we did not omit them in clauses (a) and (b) and this is a motion now to rectify that error, I move accordingly that the words ‘ as a college ’ be substituted in section 9, clause (a).”

The amendment was put and agreed to.

**Hon'ble Sir C. Sankaran Nair** :—“ For the same reason I move that the words ‘ as a college ’ be substituted for ‘ such privileges ’ in clause (b).”

The amendment was put and agreed to.

**The Hon'ble Rao Bahadur B. N. Sarma** :—“ Sir, I beg to move the omission of sub-clause 3 (a) in clause 9. The sub-clause reads thus :—

‘ No educational institution shall be admitted as a college of the University, unless the following conditions are complied with, namely :—

(a) in the case of an educational institution teaching to a degree standard, the buildings of the institution are situate in one of the following towns, namely :—Muzaffarpur, Bhagalpur, Cuttack, or Hazaribagh :

Provided that this condition may be dispensed with in any particular case if the Governor-General in Council so directs.’

“ The reason why I felt it necessary to give notice of this amendment was because I thought, and I still think, that the inclusion of such a provision in the Statute would be highly detrimental to the future extension of higher education in the Bihar Province, and is calculated to confirm a large section of my country men who, rightly or wrongly, believe that the Government are not favourably disposed towards the extension of higher education in their view. In these days of educational development when ideals have changed so rapidly and when the position is that almost every young man who is qualified by his brains is entitled at the hands of the State to facilities for the highest development of his faculties which the Universities can give him, in these days it seems to be somewhat sad that these restrictive provisions, unless they are absolutely justified by the necessities of the case, should find a place in the Statute Book. The position of Bihar is admittedly not very satisfactory from the standpoint of higher education. The population numbers 34 million, and including the feudatory states 38, and yet the number of students in the colleges is about one-seventh or eighth of what obtains in Bengal, whose population is only a third or fourth more than that of Bihar and Orissa. There are a large number of districts, 29, and we make provision that there must be colleges in only 6 places and no other colleges can be started anywhere else except with the explicit permission of the Government of India.

“ One reason why the University Court in the London University was recommended to be composed of representatives of all classes was that, even in such

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[*Rao Bahadur B. N. Sarma ; Pandit Madan Mohan Malaviya.*]

a civilised country as the United Kingdom, it was felt that it was absolutely necessary to enlist the sympathies of all classes in the interests of higher education in order that there may be a more satisfactory rate of advance than prevailed heretofore. If that was the condition of things in London three years ago, I must say that it is the interest of us all to see that all the people of Bihar and Orissa should have their patriotic interests roused, that local patriotism should if possible be stimulated, and that every one of them—every wealthy man—should be induced to give of his best for the purpose of starting colleges in the centres in which he is interested. We have only six at present and there is an omission, an unfortunate omission of large places in which I may say the whole of India is interested. For instance, a first grade college at a place like Puri which is resorted to by pilgrims from all over India and where alone caste distinctions are not observed, is a place which would appeal to the instincts of all Hindus. Gya is similarly situated. Darbhunga, the seat of a large and wealthy zemindar, is another place of that description. I have been told that the whole of Tirhoot is practically unrepresented. In such a condition of things I should imagine that this provision should be relaxed and that it should be enacted only when there is an absolute necessity for it.

“ It might be said ‘ you can obtain the sanction of the Government of India in a proper case.’ Sir, I respectfully submit that the energies of the Government of India might be utilized in various directions more useful than in considering as to whether a first grade college should be located or permitted to be located in a corner of Bihar and Orissa when the people are anxious that it should be located. We are all talking about decentralisation, and surely the educated people of Bihar and Orissa, can be trusted to safeguard the interests of existing colleges and higher education therein and to see that no unhealthy institution should be located in a place where the interests of higher education would be jeopardised. I can understand one reason which possibly actuated those who are anxious for this restriction upon location, and that is this. They might have thought that it would induce the promotion of better academic surroundings if a number of colleges could be located in one centre instead of being dissipated over a large number of centres. That is the only possible justification for a restriction of this description. You have some restrictions with regard to the large educational centre, *i.e.*, Patna and that provision is enough to meet the requirements of a residential college. With regard to other places, the present Bill should encourage local patriotism and enable people to start as many external colleges as possible. That seems to be the first desideratum. In Scotland with 4 millions of people you can afford to have 4 Universities in four distinct places. Surely with a population of 34 millions and a vast area rivalling that of the United Kingdom you can certainly afford to have first grade colleges at all the larger centres.

“ It is because, Sir, I felt that the position of the Government might be misunderstood and we should do all that lies in our power to remove such a wrong impression and it is because I felt that the interests of the people of Bihar and Orissa would not be sufficiently protected if these restrictions be enacted that I have ventured to bring before you this amendment. I hope it will be accepted.”

**The Hon'ble Pandit Madan Mohan Malaviya:**—“ Sir, I strongly support the amendment which has been moved by my friend, the Hon'ble Mr. Sarma. It seems to me rather surprising that at this era of the world's progress there should be any desire on the part of any educational or administrative authority to demarcate a line beyond which educational institutions should not be established. In America they have 134 Universities, or rather had a few years ago. I wonder if they have not added to that number during the last few years.

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In England they had 9 Universities up to the sixties; now they have 18, if not more. In Italy they have 21 Universities; in Germany, 22. Now in this country for a large Province like Bihar and Orissa with its extensive area and its large population, it seems rather surprising, as I said, that the Government should desire to limit the area within which or the places where colleges of the first grade should be established. If Bankipore were a particularly healthy place, which I am sorry to say it is not, even then it would not be desirable to say to anyone who might be willing to make an endowment to establish a college at any other place, that he shall not be allowed to do so. Gya is one of the most healthy districts in Bihar. Monghyr was known for a long time as a sanitarium and used to attract lots of people; there is Arrah; there is Chapra. These are all big districts with many lakhs of population. Is it not time, in this twentieth century, that every one of these districts should be encouraged to establish a first rate college within their limits? Is it consistent with the desire of the Government to promote education by the establishment of a University in Bihar and Orissa that they should say to the people that they may establish colleges of the first class only at four centres in the province? For other purposes, for revenue purposes, for administrative purposes, these districts are regarded as large enough to require a full fledged district administration. Why not then for educational institutions also? I submit that there is very great reason why the Government should reconsider its decision on this matter. It is not right that, Canute like, they should say 'thus far and no further,' in regard to educational institutions. Wherever there is a desire among the people to make an endowment for a college, it ought to be encouraged. Who knows that among the rich men who visit Gya year after year there will be none who will be actuated by a desire to endow a first grade college there. Will it do anyone any harm that a college should be established there? You have got your rules and regulations with the stringent requirements of which an external college must comply before it can be admitted to any privileges of the University. Why then take this further power to restrict the growth of colleges within limited centres?

"It may be said that the restriction is meant not to check the progress of higher education but to ensure that it shall be efficient. I hope, Sir, we shall not hear much of efficiency in education now until we have a little more real efficiency in the administration. The cry for educational efficiency has been responsible for the sacrifice of a great deal of educational progress. I fear that many a young man who might have been receiving high education has been hampered and impeded by this fetish of educational efficiency. If the Americans are free to choose any locality they like for establishing a college, wherever they find a suitable healthy site and wherever any monied man is willing to endow a college, why should not His Majesty's subjects in Bihar and Orissa be equally free to do so. I do not think the proposed restriction can be defended, and I hope the Hon'ble the Education Member, and the Hon'ble the Director of Public Instruction of Bihar will see their way to agree to accept this amendment."

**The Hon'ble Sir C. Sankaran Nair:**—"Sir, I am afraid my friends forget that under the existing law a College in Bihar and Orissa can be affiliated only with the consent of the Chancellor. What is done now by this Bill is that that power is withdrawn from the Chancellor or the Governor-General and delegated to the Local Government in the case of Colleges that may be established at these four places, *i.e.*, Muzzuffarpur, Bhagalpur, Cuttack and Hazaribagh.

"In other places if a first-rate college is to be started and affiliated to this University, then the consent of the Governor-General in Council has to be obtained. No new restriction therefore is imposed by this Bill. What restriction there is already exists. Moreover there is no reason for all these apprehensions of my Hon'ble friends, because there is no reason to fear that if the

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necessity arises for the institution of colleges at these places, the Governor General will refuse his consent. I submit to the Council therefore that there is no necessity to go further."

**The Hon'ble Rao Bahadur B. N. Sarma** :—" I know that the Governor General as the Chancellor of the Calcutta University administers the present Patna Colleges ; but, Sir, we have now made a division of duties and hereafter the Lieutenant-Governor is to be Chancellor. So I do not think the Government of India have surrendered very much when they say that a college can be started at the instance of the Local Government. Bengal too is shortly to have its own Governor as Chancellor of the Calcutta University. The point is not that the Governor General in Council will refuse his permission where there is a keen desire to open a college and all the preliminaries have been satisfied. My contention is cannot you trust the Senate ? Cannot you trust the Syndicate and the local people ? Why should people be made to apprehend that Government is against higher education, as they would apprehend if this clause were retained. That in itself would dissuade a lot of people from coming forward and opening new colleges. And for that reason I still hope that the Council will consider whether my amendment is not worthy of their acceptance."

The amendment was put and negatived.

**The Hon'ble Rao Bahadur B. N. Sarma** :—" Sir, I beg leave to withdraw amendment No. 23 that in clause 9 (3) (a) the word ' or ' before the word ' Hazaribagh ' be omitted and the words ' Patna, Gya, Arrah, Chapra, or Monghyr ' be inserted after the word ' Hazaribagh."

**The Hon'ble the Vice-President** :—" Amendment No. 23 is by leave withdrawn."

**The Hon'ble Pandit Madan Mohan Malaviya** :—" I beg to move, Sir, that to clause 11 of the Bill the following further proviso be added ; I will read it in the form in which I have modified it and of which I have informed you. I hope I have your permission to do so. It runs as follows :—

' Provided further that nothing in this section shall affect the power of the Benares Hindu University to admit to its admission examination, students of any school in Bihar and Orissa which has been recognised for the purpose.'

The reason for this amendment is this. The Benares Hindu University is not allowed to affiliate colleges situated outside Benares, but it is allowed to recognise schools, *i.e.*, to admit students of schools which have been recognised for the purpose to its admission examination. Under the regulations of the Benares Hindu University, it can admit to its admission examination either a pupil of a recognised school or a private candidate. A recognised school is a school which has been recognised for the purpose of sending up students to the admission examination of the Benares Hindu University, by the Local Government of the Province or of the Native State where it is situated.

" Section 11 as it stands at present says that ' notwithstanding anything in any other law for the time being in force, no University in British India other than the Patna University shall, after the commencement of this Act, admit any educational institution in the province of Bihar and Orissa to any privileges whatever.....'

" Under the regulations of the Benares University, which were framed by order of the Governor General in Council and which are therefore law, the Local Government of Bihar can recognise a school for the Benares University in order that the students of that school may go up for the admission examination of the University. But if the section 11 should remain as it is, laying down that no other University shall admit any educational institution in Bihar to any privileges, it will deprive

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a school in the province of Bihar, even if it is recognised by the Local Government of Bihar and Orissa, for the Benares University of the privilege of sending up students for the admission examination of the Benares University. The language used being what it is, *viz.*, that 'no University.....shall admit any educational institution in Bihar and Orissa to any privileges whatever,' if the section stands, the result will be that while the Local Government of Bihar and Orissa may recognise a school for the admission examination of the Benares University, the Benares University will not have the power to admit any student of such a school to its admission examination. I am sure this is not contemplated. I am sure it is due to an omission to take note of the Regulations of the Benares University and I hope the Hon'ble the Education Member will be pleased to accept my amendment.

"I wish to mention one thing more, that as the Council is aware, the Benares Hindu University is an All-India University, in the sense that it has its Patrons and its supporters all over the country. His Excellency the Viceroy is the Lord Rector, and the Governors of every Province are *ex-officio* Patrons of the University. Many of the Ruling Princes in different parts of India are also its Patrons. They have subscribed to its funds. The general public in all parts of India have also subscribed to its funds. It was in view of these facts that the Government were pleased to recognise that though they could not allow the University to affiliate colleges outside Benares, they should allow it to admit pupils from schools in whatever part of India they may be situated, if they have been recognised for the purpose by the Government of the place where they may be situated, and I hope, Sir, that that privilege will be allowed to stand untouched, unaffected by this Bill. If my amendment is accepted, that object will be secured."

**The Hon'ble Sir Sankaran Nair:**—"I fully sympathise with the purpose which the Hon'ble Member has in view. It is not the intention of the Government to deprive the Benares University of any of the privileges which it now has in the province of Bihar and Orissa, and if the words in the Bill did deprive the University of such privileges, I would have agreed to this amendment. But I think—and I am advised, that this amendment is unnecessary, because the words in the Bill have not that effect. The Benares University will have the same privileges in the province of Bihar and Orissa as it has elsewhere in India. The Bill itself only deals with the admission of any educational institution to certain privileges. They do not deprive any University of its right to admit any students to examinations. If afterwards it is found that those words are construed to deprive the Benares University of the privileges which they enjoy the act may then be amended. But, as I have said, I do not think that the words in the Bill have any such effect and therefore I think this amendment is unnecessary. On that ground I oppose it."

**The Hon'ble Pandit Madan Mohan Malaviya:**—"Sir, I am very thankful to the Hon'ble the Education Member for expressing sympathy with my amendment and for giving an assurance to the Council that it is not intended that the section as it stands should deprive the Hindu University of any privileges which it enjoys under the Benares Hindu University Act and its regulations. But I submit, Sir, that as the Hon'ble Member has seen that there are two opinions about this matter, and as he says that if there is any difficulty felt in the future there will be no objection to an amendment being brought forward to remove that difficulty, I most respectfully submit that it is much better to accept this amendment, to which no exception has been taken on the merits, now, rather than to make it necessary later on, if it should eventually prove necessary, that there should be another Bill introduced to rectify this matter....."

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[*Sir C. Sankaran Nair; Pandit M. M. Malaviya; Rao Bahadur B. N. Sarma; Mr. M. B. Dadabhoy.*]

**The Hon'ble Sir C. Sankaran Nair** :—" Will you allow me, Sir, to explain that this amendment is put in as a proviso to a section and as it deals with a matter not dealt with in the section it is undesirable to insert the proviso."

**The Hon'ble Pandit Madan Mohan Malaviya** :—" I shall not, Sir, press this to a vote; I accept the assurance of the Hon'ble the Education Member."

The amendment was by leave withdrawn.

**The Hon'ble Rao Bahadur B. N. Sarma** :—" Sir, my friend, the Hon'ble the Raja of Kanika, who is most interested in the matter, is under a vow of silence. The clause as it stands might possibly be considered to include the provision, and I do not therefore propose to move my amendment that in sub-clause (b) of clause 14 (1) (i) the following words be inserted at the end:—

'and the minimum number of persons to be so included.'

With your permission, Sir, I shall withdraw it."

The amendment was by leave withdrawn.

**The Hon'ble Sir C. Sankaran Nair** :—" I move, Sir, that the Schedule printed on the notice of amendment be substituted for the First Schedule to the Bill. It contains the names of the members of the Senate. I may say that the list has been accepted by the Local Government, by the non-official members coming from those provinces and by the official members."

The amendment was put and agreed to.

**The Hon'ble Sir C. Sankaran Nair** :—" I move, Sir, that the Second Schedule printed on the notice of amendment be substituted for the Schedule as it now stands, which contains no names. This Schedule contains the names of the members of the Syndicate. It was framed by the Local Government and the non-official members have accepted that Schedule. It submit, therefore, that we might safely accept it."

The amendment was put and agreed to.

**The Hon'ble Sir C. Sankaran Nair** :—" I now move, Sir, that this Bill to establish and incorporate a University at Patna, as amended, be passed. It may be that the Bill does not satisfy the extreme advocates of efficiency or those who think that the representatives of popular opinion and sentiment have not obtained full control. That, perhaps, is in itself a recommendation. I move, Sir, that the Bill be passed."

**The Hon'ble Mr. M. B. Dadabhoy** :—" Sir, I do not propose to detain the Council more than a minute or two at this stage. As one who took some part in criticising the original Bill when it was presented last September in this Council, I think it my duty to express my satisfaction and gratitude to the Hon'ble Member for Education for the manner in which he received the many important suggestions that were placed before him by the public as well as by the members of the Select Committee, and the spirit of compromise which he showed in accepting those suggestions. In the Bill as it stands many important alterations and changes have been made. We all welcome the changes regarding the inclusion of the Diamond Jubilee College, Monghyr, among the external Colleges. Again, the reduction of the term of the Vice-Chancellor's appointment from five to three years as well as the provision for the adequate representation on the Senate of all the Faculties of the University and of persons permanently resident in the Orissa Division are necessary and desirable changes. The Bill, to my mind, though it meets many requirements and satisfies many demands, is still not an ideal one. However, as the Select Committee's Report shows, it is a compromise which has been accepted by the Bihar and Orissa Members and that fact makes criticism by representatives of other provinces very difficult. The Bill is a considerable improvement on the former Bill.

[*Mr. M. B. Dadabhoy; Raja of Kanika; Rai Bahadur Krishna Sahay.*] [13TH SEPTEMBER, 1917.]

There is a healthy change in the policy as well. But the Bill is still open to criticism in two important matters. Firstly, in respect of the powers given to the Chancellor and, secondly, in respect of the powers of independent action given to the Syndicate. The powers given to the Chancellor in the Patna University are the same as those given under the Benares Hindu University Act. But, to my mind, the difference in the conditions of management of the two universities makes the application of one uniform rule to both wrong in principle and inexpedient in practice. However, as the Bihar representatives have accepted these changes I do not think it necessary to state anything further on the points. It now remains for all of us to wish this university a brilliant and prosperous career. Let us all hope and wish that it will grow from year to year in usefulness and importance, and in the fulness of time it will produce generations of scholars well-equipped and qualified to discharge the duties of citizenship of this great Empire and to hold their own against the best products of other universities, and who will be respected as much for their character and attainments as for their steadfast devotion and loyalty to the Crown."

**The Hon'ble the Raja of Kanika :—**" Sir, I heartily support the motion which has been put before the Council. As one associated with this question from its very early stage, it gives me no little pleasure to help at its conclusion. I offer my thanks to the Government of India for introducing this Bill at a time when the attention of Government is engaged with the pre-occupations of the war. I also thank the Government of my province for suggesting some of the liberal provisions contained in this Bill. Our thanks are also due to the Hon'ble Member in charge of the Bill for the tact and sympathy with which he piloted this Bill. We all know the opposition which the draft Bill raised throughout India and also in this Council before it was referred to the Select Committee. Had it not been for the sympathetic attitude of the Hon'ble Member in dealing with the different questions, probably this Bill would have been wrecked, and Bihar and Orissa would have gone at least for some years without a University. The Bill was only acceptable to the people after it was materially changed by the Select Committee. Though there is still room for improvement, I think it has been a satisfactory compromise and in some respects an improvement over the existing University Acts. I hope the University which will be created by this Bill will gradually grow in usefulness and vigour and will prove a source of benefit to the people of my province whose education has been rather neglected in the past. I must express my gratification at the fact that the interests of Orissa are safeguarded by the provisions that a certain number of fellows to be determined by the regulations shall be persons permanently resident therein, and that at least one member of the Syndicate, in addition to the Principal of the Ravenshaw College who sits as an *ex-officio* member, shall be a person permanently resident in Orissa.

" At the same time I might mention here without being misunderstood that the people of Orissa will no doubt be placed at some disadvantage until they have a university of their own but until that time comes I hope and trust that the Ravenshaw College, the only college in Orissa, will be so equipped as to teach up to the higher standard. With these few words, I beg to support the motion."

**The Hon'ble Rai Bahadur Krishna Sahay :—**" Sir, I am glad that all controversy about the Patna University Bill is now hushed into silence and that it is going to be passed into law to-day. I have no doubt that the news will be received with satisfaction throughout the province of Bihar and Orissa. The Patna University Bill has had an eventful career, a career which was perhaps as eventful as any measure of policy that has emanated from the Government of India and passed through this Council. The controversy which raged round some of its provisions, the heat that was introduced into that controversy

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[*Mr. Krishna Sahay ; Mr. K.K. Chanda ; Mr. Srinivasa Sastri.*]

by critics taking opposite views with regard to them, threatened its progress and even jeopardised its existence. I am happy to think that the Government of India kept steadily in view one fact which stood above all, in connection with this Bill, the one fact which was of paramount importance and above all controversy, and that fact was that the Province of Bihar and Orissa after its separation from Bengal and its own constitution into a separate administrative unit needed a university of its own, that moreover it was the intense desire of the people of Bihar and Orissa to possess a university of their own. I believe, Sir, that in this matter the aspirations of the people of Bihar and Orissa were in complete accord with the wishes of the Local Government. Now that we are going to have a university of our own I have no hesitation in saying that it will usher in a new era of educational progress in the Province and lead to its fuller self-development which we all have so much at heart. It is now my pleasant duty to offer on behalf of the people of my Province the deep debt of gratitude they owe to the Government of India for having undertaken legislation to endow the Province with a university of its own even in these anxious times on account of the war, our gratitude is to them all the greater and more profound for that reason. Our thanks are no less due to the Hon'ble Sir Sankaran Nair for having piloted the Bill through its successive stages, sometimes difficult and delicate stages, with that consummate ability and skill which we have learned to associate with his name ; and last though not least our thanks are due to the Local Government for the calm, judicious and conciliatory attitude which they adopted from the beginning towards this Bill and which has contributed so much towards its success and so greatly facilitated its passage through the Council."

**The Hon'ble Mr. Kamini Kumar Chanda** :—“ Sir, in giving my support to the motion before the Council, relating to the Patna University Bill, as amended, I shall say only one word. I not only associate myself with the reservation which my hon'ble friends Mr. Basu and Mr. Sastri made in the Report of the Select Committee, namely, that the provision in this Bill regarding the relations between the Senate and the Syndicate shall not be applicable to other universities but I go further and submit that this Bill should be considered as having been passed in very peculiar circumstances and applicable to a particular province only, and that it is not to be regarded as a model for the remodelling of existing universities or the founding of other new university. The Bill as amended by the Select Committee is admitted to be a very great improvement on the original Bill ; it is a matter for satisfaction that it has made a notable advance upon existing universities in the matter of the composition of the Senate. I would wish that the Bill as revised by the Select Committee had gone further in the direction of providing for the election of the Vice-Chancellor. I am in agreement with the amendments of my hon'ble friends Mr. Sarma and Dr. Sapru in this matter but, understanding that my colleagues from the Province of Bihar and Orissa who are most affected by the Bill, are satisfied with its provisions, I thought it would be out of the way on the part of other provinces to propose other amendments in the Bill. With these few words Sir, I support the motion and wish the new university a most brilliant and prosperous career.”

**The Hon'ble Mr. Srinivasa Sastri** :—“ Sir, it would be a pity if this Bill were allowed to pass into law without a statement made as to some of the features of the measure which have not clearly emerged from the discussion. It has been said that this Bill is a compromise. Perhaps, however, the most important respect in which it is a compromise is not sufficiently realised. It is a compromise between two types of universities ; the first is the federal or affiliating university and the other is the unitary or residential university. This Bill, starting perhaps as a residential university, has slowly expanded into what is partially a residential and partly an affiliating university. Naturally therefore

[Mr. Srinivasa Sastri.]

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it does not satisfy the extreme exponents of either type, and there are many moderate exponents on either side who fear that it may be dogged by the defects of both types, while it may but partially realise the excellences of either. We have internal colleges provided for in this Bill and external colleges, and our university authorities will have their attention directed to two types of functions, the first with reference to the internal and the other with reference to the external colleges. I take it, Sir, that there is a strong desire that the teaching functions of the university should not be swamped by the affiliating functions. If there were a large number of colleges scattered over a wide province the university authorities would find their hands full of their affairs, and may not find time and energy for the development of the teaching aspect of the university. That, I believe, is the strongest argument for restricting the areas where colleges might grow up. We must not forget the genesis of the university. It arose out of the desire of the new Province, both Government and people, to have a university of their own and not be subject any longer to the control of the Calcutta University which for one reason or another it is now the fashion to denounce. In this desire, as I said, both Government and the people participate, therefore while it was considered desirable to have a unitary type of University in Bankipore, it was at the same time considered a pity that the other colleges should have to continue under the control of the Calcutta University, and it was for that reason, I think, decided to allow the first grade colleges in the province to be affiliated to this new University. If in this respect it is a compromise there are some satisfactory features in this Bill to which I shall now refer. It represents, Sir, I am glad to acknowledge, a considerable advance on the constitution of the older universities in India. In this University as it is proposed, the Senate would be largely composed of elected Fellows. Out of about 90 Fellows, we shall have *ex-officio* and ordinary, about 50 will be elected. That represents a proportion far in excess of the one-fifth elected element that we have in the older universities. It is not only in respect of the proportion that one is bound to express gratification, but the manner in which this elective element is worked out is also very satisfactory. We have in the first place a certain proportion of this elective element to be supplied by the teachers from the various colleges. I well remember, Sir, when the old Universities Act was passed in 1904, strong attempts were made by non-official people to get the teachers direct representation on the Senate. But it was then considered too much of an advance; however, it is now satisfactory to find that the views of Government have changed and they have constituted the best electorate possible out of the teaching element in the colleges.

“I am also glad to acknowledge that the schools that will have relation with this new University are likewise to have a certain amount of representation. In my own province of Madras, I well remember taking part in an agitation for getting the school masters, at any rate the Head Masters, representation on the University. The authorities of my University were always very severe on our schools and they said what has a school master got to do with the University. It is very gratifying that at present in the Patna University the Head Masters will find representation to the number of five.

“There is also, Sir, another principle of considerable importance recognised in this Bill, to which I wish to draw the attention of the Council. It has been somewhat of a weakness in other Universities that the first grade colleges, although affiliated, have not been given the importance due to them. It has been left for example to the Chancellor from time to time to nominate the Principal even of a first grade college, and I know of a case in which the Principal of one of the largest colleges in our presidency teaching up to the B. A. standard was not given a seat on the Senate. Many attempts were made to get him on the Senate, but for some reason or another we found it till recently impossible. This Bill recognises the right of Principals of colleges teaching

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up to the B.A. standard to sit *ex-officio* on the Senate, and that, I think, is a principle of very great importance. It is not only with regard to the constitution of the Senate, but I must say also that the constitution of the Syndicate is a good deal better than the constitution of the syndicates of the older Universities. We have, Sir, in the first instance the number of syndics expanded from 15, which represents the maximum of the older universities, to 18, and out of these 4 ought to sit *ex-officio*, and these 4, two are Principals of important colleges who should not be left to the chances of an election.

“ Then, Sir, I am very glad to draw the attention of the Council to another feature of great importance marking a constitutional step in advance of the older Universities. In the older universities the work of affiliation and disaffiliation of colleges, which might be said to be the principal work of the University, is not a function of the Senate at all. The present rule is that, when the authorities of a college which is proposed to be started make an application for affiliation the syndicate after making due enquiries record an opinion, yes or no. The Senate after making further enquiries if they like, record another opinion yes or no. The two opinions are forwarded together to Government who decide the matter. Legally, therefore, the act of affiliation or the act of refusal of affiliation is an act of the Government and not an act of the University. In this Bill we make a great step in advance. The Government cannot affiliate a college unless such affiliation is already recommended by the Senate. That, I think, gives the Senate a power and dignity not enjoyed by the Senates of the older universities. I do not say that this is altogether the ideal to be reached, but it marks a step in advance, for which we ought to be grateful.

“ There is another feature in this Bill to which I should like to draw the attention of this Council, and that is with regard to the discrimination which universities always make between purely legislative and administrative functions. The Senate is usually charged with the legislative functions. The administrative or executive duties are always left more or less to the initiative of the Syndicate. We allow as a matter of practice in the older universities almost complete freedom to the Syndicates in all administrative matters. Their action in these respects comes before the Senate only upon appeal. That appeal in this Bill is somewhat restricted, and that is a feature which critics have disapproved as marking a decline in the progress of university constitution, I should like to point out that no university hitherto, to my knowledge, has exercised its revisional power over the acts of its syndicate in purely administrative matters. The Bill before us attempts to lay down this broad distinction and specify some functions under each head. This must be very helpful in the actual working of the Patna University, and marks another respect in which it would differ for the better from the existing Universities. Let me say a word on the question whether the right of appeal is unnecessarily restricted. In my opinion it would have been more satisfactory if the right of appeal were allowed upon three members of the Syndicate representing that a decision should be revised. But we have it here as 6. Well, 6 is a number which it would be very difficult to get on the Syndicate of the new University which is just starting its life. However as time goes on it may be possible to amend this Bill and I will not, while congratulating ourselves on the passage of this Bill, dwell too much on that aspect of the question.

“ Now, Sir, I come to the last point, one which I consider as the most important aspect of any university constitution. We have got to find how far the University enjoys freedom from external control in its daily function. Analysing the Bill, I find that the Local Government, and in that expression I include the

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Chancellor for the purposes of this criticism, the Local Government have ten different ways in which they may exercise control over the administration of the University.

“ I will enumerate them, Sir, rapidly. In the first place the Chancellor has the right of inspection, which in the older universities, omitting Benares, he has not, and he has also the right of annulling any provision or any act which in his opinion contravenes the provisions of the Act. Then he appoints the Vice-Chancellor. Then there are the *ex-officio* Fellows, the Director of Public Instruction and the Vice-Chancellor besides the members of the Executive Council of the Local Government. Then there are as many as 25 Ordinary Fellows whom the Chancellor nominates, and who therefore exercise a sort of internal control over the proceedings of the University. Then the Chancellor nominates associations or public bodies which in their turn have the right of appointing a certain number of Fellows to the Senate. Then we have got as many as four members *ex-officio* on the Syndicate, one of whom is the Director and the other is the Vice-Chancellor while the other two are Principals of Government colleges. Then the Chancellor has to approve in every case of a proposal for the conferment of an Honorary Degree. Then, what we do not find in the older Act, there is the provision that the Chancellor himself, on the recommendations of the Senate, has to make the appointment of all the members of the University staff. Then he has to approve of the affiliation or disaffiliation of colleges, and finally any regulations which the University may pass cannot take effect unless they have received the previous sanction of the Government. Now this long catalogue in my opinion represents, Sir, an excessive amount of control over the University. If any body, under the supreme Legislature, has the right of attaining as much as possible to self-government, in my opinion it is the University. The University deals with matters with which experts alone are competent to deal. Except when matters rise to capital importance and have political aspects, it is not desirable that the Government should seek to control the functions of a University. I should therefore like in course of time that certain of these forms of control should be taken away and the Universities should be left with what after all is the essence of their life, namely, freedom. You read books on Universities and you will find both Professors and others interested in their development constantly crying out for internal freedom. Now the constitution that we devise for our Universities may be never so perfect, we may fill our laboratories with apparatus which is up-to-date, we may fill our libraries and weight the shelves with heavy tomes, but after all the efficiency of a university depends on the quality of the professors, on the perfect cordiality which prevails between the learner and the teacher, on the academic atmosphere that prevails, on the freedom to apply themselves without fear to the pursuit of truth and knowledge. Political subordination, liability to control in small matters from outside, these sap that freedom, and I therefore appeal to those who may have it in their power to govern this University hereafter, to the official representatives of Bihar and Orissa here, and to non-official representatives, and through them also to the local Government that their management should allow as much as is possible under this constitution of this spirit of complete internal freedom. Bihar, Sir, is a young Province; its educational opportunities have not been ample. It is still undeveloped, if one may say so, educationally, and it is therefore of the utmost importance that this University should be administered with the greatest possible sympathy and with the desire to promote and not in any way restrict—as somebody has given expression to his apprehension to-day—not in any way to restrict the facilities of the people for higher education.

“ I have nothing to add, Sir, but to express my wish, as I am sure it is the wish of this Council, that this University should start with every opportunity for full development and under the most favourable auspices.

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**The Hon'ble Mr. J. G. Jennings :—**“ Sir, I rise to support the Bill. I have travelled over the length and breadth of the Province of Bihar and Orissa and I have found everywhere that the Bill as it now stands is very welcome and that the University as it is outlined in the present Bill is eagerly looked forward to. I have consulted persons of all sorts and conditions, leading politicians and private men, and educationists of all ranks, and I am convinced that the great bulk of the province are whole-heartedly in favour of the Bill as it now stands. There has been give and take in the formation of the Bill under the hands of the Select Committee, which was of a thoroughly representative character. In the Select Committee each side showed a genuine desire to meet the views of the other and to come to an agreement acceptable to all. The Bill as it stands represents such an agreement. It is acceptable to that large moderate party which is composed happily of Indians and Europeans, of officials and non-officials alike. I earnestly advocate that the Bill be now passed, and I can assure the Council, as one who is acquainted with every part of the Province, that the people of Bihar and Orissa will be deeply grateful to them, if they receive their University in this form.”

**The Hon'ble Dr. Tej Bahadur Sapru :—**“ Sir, I entirely associate myself with those of my friends who have congratulated the Hon'ble Sir Sankaran Nair and the other members of the Government on the success of this measure. I think it is also fair that we should acknowledge the services, I might say the signal services, rendered to the Province of Bihar by the members of the Select Committee. As I said yesterday, the task of the non-official members was by no means a very easy one and I am free to recognise that the task of the official members was perhaps equally difficult. Happily, however, a compromise has been arrived at which is satisfactory not only to the Province of Bihar but to the rest of the Indian community at large.

“My friend the Hon'ble Mr. Sastri has in his very luminous and exhaustive speech brought out the salient features of this measure and I do not propose to dwell on them over again. There is no doubt that the Bill as it stands to-day is a very much more liberal and progressive measure than it was when it was first introduced. I remember that when it was introduced many of us felt despair and I also remember that it gave rise to a storm of agitation in Bihar, which was sympathised with in other parts of India. It is equally gratifying to our feelings to-day that public opinion has triumphed and that the Government have seen their way to offer such a recognition to that public opinion as it was entitled to, and that the measure as it is now going to be passed is one which will be very acceptable to the people of Bihar.

“ Sir, the constitution of the Senate I am free to admit is in some respects much more liberal than the constitution of the Senate of which I happen to be a member. Similarly I am free to admit that the constitution of the Syndicate too is in some respects more liberal than the constitution of the Syndicates of the older Universities. It is equally gratifying that the powers of affiliation and disaffiliation, which at one time seemed to give rise to grave apprehension, have been revised and that they stand now on a very satisfactory footing. Sir, all this and perhaps much more may be claimed for this Bill, but I am afraid sometimes people and I might include in that word the Government put too much faith in Acts of Parliament. You can no more make a people learned by Act of Parliament than you can make them moral or temperate. After all the problem of education in India is not a problem of legislation, of Acts or Statutes. It seems to me that the real problem of education in India is the problem of the teacher or the professor. It has been, Sir, a reproach to our University education in India that, while the Universities have been turning out graduates every year by hundreds, very few scholars have been produced, and that the present system of education has not been able to rekindle that originality of mind and

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of thought which at one time distinguished India among the civilised nations of the world. In fact as one critic has said in the words of Tennyson 'knowledge comes, but wisdom lingers.' But I doubt, Sir, if even true knowledge has been given by the present-day Universities in India.

"I am one of those men, Sir, who believe in the efficiency of education, but my conception of efficiency, if I may be permitted to say so with all respect, is very different from the official conception of efficiency. I do not believe in the multiplication of rules and regulations and disciplinary measures. I believe very few of these are really wanted. To raise the standard of education you cannot raise it merely by raising the number of marks or stiffening the examination or by making it altogether more difficult for a student to pass the examination. You can only raise the standard when you endow your university with professors who would be an honour to the University, and who would dominate the intellectual and moral existence of their pupils. Unfortunately, one's experience of Indian Universities has been that, while there is always too much care for efficiency, the real problem of the professor and the student is ignored. I sincerely hope and trust that, when the Bihar University is started, we shall be presented with the new and salutary example of existence of cordial relations between students and professors, professors who will command the confidence of their pupils and who will give an entirely different tone to their character and to their thought. Sir, it is with these hopes that I have ventured to rise to support this measure. I sincerely hope and trust that the measure which we are passing to-day will revive the faded glories of Bihar and once again restore Patna, the modern substitute of Pataliputra, to its ancient glories. With these hopes, Sir, I cordially support this measure."

**The Hon'ble Mr. E. H. C. Walsh:**—"I strongly support the Bill. I will not detain the Council but would like on behalf of my Province to thank the members of this Council for the support which they have given to the Patna University Bill.

"It is not necessary for me to refer to the various points in which the Patna University will differ from the older existing Universities. They are fully stated in the Report of the Select Committee, and have been very fully and clearly reviewed by the Hon'ble Mr. Sastri.

"I will merely refer to two points in which the present Bill constitutes a very marked liberal advance on the present Universities, namely the provision of an elected majority on the Senate and on the Syndicate, and to the fully representative nature of the first Senate and Syndicate which the Bihar Government has nominated, contained in the two schedules of the Bill.

"I think that everyone will admit that the Government of Bihar and Orissa have agreed to liberal concessions, and have fully provided for the representation of the popular element in the administration of the University, and that the Bill, as it now stands, represents a real advance in the direction of meeting the wishes of the educated classes.

"From the time of the constitution of the Province, both the people and the Government of Bihar and Orissa have desired that the Province should have its own University, and the control of its own education.

"I feel sure that the Bill will be welcomed by the whole Province, and that it will lead materially to the development and prosperity of the Province."

**The Hon'ble Mr. Mahomed Ali Jinnah:**—"Sir, my province has not been very articulate in the course of the progress of this Bill and I do not wish, Sir, to remain absolutely silent when this Bill has come to the stage

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of being passed by this Council. I have very great pleasure in, if I may say so, offering my best blessings to this University which is going to be established in Bihar and Orissa. There are only two or three matters that I think I need refer to briefly. The first is that I have silently watched and certainly have no hesitation in appreciating the attitude of the Government taken up from the very beginning, and what is more their attitude has satisfied the non-official members who were on the Select Committee; and although amendment after amendment was moved in this Council by other members, those non-official members who represent Bihar and Orissa remained absolutely silent. That convinced me of one thing, that certainly Bihar is ready for provincial autonomy, because they maintained a sphinx-like silence just as Government sometimes do. Another thing which I want to refer to is that I think our hearty congratulations are due to the Hon'ble Sir Sankaran Nair, the Educational Member, who has piloted this Bill so successfully and so satisfactorily through this Council."

**The Hon'ble Mr. Mazharul Haque** :—" Sir, the Patna University Bill has reached the stage when it is going to be placed on the Statute Book of the land. It was the long cherished desire of the people of Bihar to have a University of their own, and with the passing of this Bill into law that desire will be fulfilled. Sir, when this Bill was introduced by my Hon'ble friend, Sir Sankaran Nair, it was received with intense disapproval by the people of Bihar and by the whole country. But now when it has emerged from the Select Committee, it has emerged in a shape in which it can hardly be recognised. Undoubtedly, there are some defects in the Bill; I recognise that myself. But, Sir, where is the human institution about which it can be said that it is perfect. I have no hesitation in saying that in many of its provisions this Bill is a great advance even on the present Act of 1904, and it has been received as such by my province. There were discussions in the Select Committee, and at times we were afraid that we had come to the breaking point and that the whole of this Bill would be wrecked. But it was due to the great tact and sympathy of the Hon'ble the Education Member that that critical stage was passed, and I may say, Sir, that it was greatly due to your own self in the way you presided as the head of this Committee. It would be ungrateful of me not to mention here the conciliatory attitude of my Local Government—of Sir Edward Gait and his Government—and also of the helpful attitude of my Hon'ble colleagues, Messrs. Jennings and Sharp.

"It was their help which made this Bill a possible one. Sir, All these stages have passed and now I hope the Patna University will be conducted in such a way that it will be satisfactory to the people for whom it is designed. As my friend the Hon'ble Dr. Sapru has said, the success or failure of a University depends entirely upon the relations between the students and their professors. I personally do not believe in complicated regulations and statutes and what not. If the professors treat their students properly and with loving-kindness, the University is bound to be a success: otherwise it is sure to be a failure; and it depends upon the Local Government of Bihar what professors they will have in their University. You may have, Sir, any number of elected members on the Senate and the Syndicate but they will not help to make the University a success.

"In conclusion, Sir, I hope that this University will perform the functions for which it has been designed. It is going to the country with the blessings of all the official and non-official members of this Council and I wish it godspeed in its career of usefulness."

The motion was put and agreed to.

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**RESOLUTION *re* ASSIMILATION OF THE LEGISLATIVE AND ADMINISTRATIVE SYSTEM IN THE PUNJAB TO THAT OF THE PROVINCE OF BIHAR AND ORISSA.**

**The Hon'ble Khan Bahadur Mian Muhammad Shafi** :—“ Sir, I beg to move that—

“ This Council recommends to the Governor General in Council that the legislative and administrative system in the Punjab be assimilated to that of the Province of Bihar and Orissa. ”

“For purposes of comparison I have selected the province of Bihar and Orissa, not because we in the Punjab envy our brethren of that Province the good things which a bountiful Providence through the agency of a beneficent Government has bestowed upon them, but because, to use the language of one of her prominent citizens, Bihar is ‘ equipped with almost all the executive and judicial paraphernalia of an advanced administration.’ But to appreciate the true significance of the comparison which I am about to make it is necessary for Hon'ble Members to bear in mind two facts. The Punjab is, in its territorial extent, much larger than the province of Bihar and Orissa, and the provincial share of the annual revenues in her case exceeds the revenues of Bihar and Orissa by over 50 per cent. Sir, I do not propose to review the past history of the constitutional and administrative developments which have taken place in the various Indian Provinces in order to demonstrate the undeniable fact that the Punjab has at almost every stage received what I cannot help describing as stepmotherly treatment at the hands of Government. It is sufficient for the object which I have in view today to place before Hon'ble Members the principal points of difference between the legislative and administrative systems of the two Provinces in order to bring home to this Council the need of the reform which I wish to press upon the Government of India.

“Turning first to the domain of legislation, the full statutory strength of the Provincial Legislative Council of Bihar, with an area of 111,829 square miles, is 50 members, while the total statutory strength of the Provincial Legislative Council of the Punjab, with its area of 135,880 square miles, is only 30. At present, the Legislative Council of Bihar consists actually of 44 members, of whom 21—that is to say, almost 50 per cent—are elected; while, thanks to the sympathy of His Honour Sir Michael O'Dwyer, our Provincial Council has already reached its maximum strength—that is to say, it consists of 30 members, of whom only 11 or about 33 per cent are elected. The Provincial Legislative Council of Bihar elects 2 representatives of that Province on the Imperial Legislative Council, while our Provincial Legislative Council elects only 1. The Province of Bihar, in addition, elects 2 members of this Imperial Legislative Council, 1 representing the Moslem community of that Province, the other representing the landholding classes; while in the case of the Punjab the representative of the Moslem community as well as the representative of the landholding classes is nominated by Government instead of being elected by their respective constituencies.

“Coming now to the executive and judicial administration of the two Provinces, I would ask Hon'ble Members to bear in mind the fact that while the provincial share of the revenues of Bihar and Orissa amounts to 3 crores and 17 lakhs of rupees according to the Budget of 1916-17, the provincial share of the revenues of my Province is 4 crores and 80 lakhs. With a revenue then exceeding the revenue of Bihar by over 50 per cent the Punjab does not possess either an Executive Council or a High Court; and even going down to the lower rungs of our executive and judicial ladder, our officials are comparatively underpaid.

“These are the principal points of difference to which I want to-day to invite the attention of this Council, and it is towards the removal of these differences that my Resolution is mainly intended.

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“What is it that lies at the root of these remarkable differences? Is it because it is supposed that the Punjab is an educationally backward province? It will be within the recollection of Hon'ble Members that in reply to a question which I put in this Council this time last year, a statement was furnished showing the number of candidates from Bihar and Orissa, the United Provinces of Agra and Oudh and the Punjab who had appeared at the various examinations of the Calcutta, the Allahabad and the Punjab Universities respectively in the years 1915-16.

“It would be, I think, unnecessary for me to-day to take Hon'ble Members through the figures of the two years. I will, for my purpose, confine myself to the state of things revealed by the figures of 1916. In the year 1916, 266 candidates appeared in the Matriculation examination from the province of Bihar and Orissa, while 4,710 candidates appeared in the same examination from the province of the Punjab: 746 candidates appeared in the Intermediate in Arts examination from Bihar and Orissa while 922 appeared from the Punjab; and in the Science Faculty 122 from Bihar as compared with 391 from the Punjab. Coming to the B. A. examination, I find that in that year 346 students appeared from Bihar while 845 appeared from the Punjab. In the B. Sc. examination only 26 students appeared from the province of Bihar and Orissa while 57 appeared from the Punjab. And in the M. A. examination the figures are 18 against 66; while in the M. Sc. examination no candidate appeared in Bihar while there were 16 from the Punjab. In the Bachelor of Teaching examination the figures were 25 against 66; in the Bachelor of Laws examination 32 against 101; and while no student appeared in the Bachelor of Medicine examination from Bihar and Orissa, 15 appeared from the Punjab. In short, the total number of students who took their chance in all the University examinations from the matriculation upwards from the province of Bihar and Orissa was 4,129, while the total number of the Punjab candidates was 7,637. It should be remembered that these figures do not include what are known as the Oriental Faculty examinations of the Punjab University. I have confined myself only to those examinations in which our University stands on the same footing as the other Indian Universities. It is, therefore, I say, impossible to give educational backwardness as a reason for the remarkable difference in the legislative and administrative systems of the two provinces.

“Is it, then, the relative superior political importance of the province of Bihar and Orissa as compared with the province of the Punjab which lies at the basis of this remarkable difference? With reference to this part of my case, I venture to submit that the province of the Punjab is politically of greater importance to the Empire than not only Bihar and Orissa but every other province of India, be it Bombay or Bengal or the United Provinces of Agra and Oudh. From the early years of its annexation there never has been any campaign in or beyond the frontiers of India, may even in China or Africa, in which our Government has been involved when the Punjab has not played the lion's part in upholding the honour and glory of England. In this world-war in which the British Empire is at present engaged in fulfilment of sacred obligations arising out of international treaties and in the vindication of the right of smaller kingdoms and smaller nationalities to work out their own regeneration on their own lines, the part which the Punjab has played is one of which we in the Punjab are justly proud. About one-half of the total strength of the Indian Expeditionary Force is drawn from our province, and over half of those who have already shed their life-blood in the service of their King-Emperor or have been wounded on the various battle-fields of the three continents are Punjabi soldiers. Over 64 per cent of the entire number of recruits who have enlisted in the Indian Army since the commencement of this terrible war have been drawn from our province; and the major portion of the various labour corps which have been sent to Mesopotamia or to Flanders have

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also been recruited in the Punjab. Poor as our province is, it has taken the third place in the Indian War Loan, only coming after Bombay and Bengal, and has subscribed to the loan an amount which at one time it was thought the Punjab would probably not be able to do. When we saw that the Aeroplane was going to play a very important part in this warfare it was the Punjab that took the first step to subscribe a large fund in order to present a fleet of aeroplanes to His Majesty; and in the Imperial Relief Fund and in other funds which have been started in connection with this world-war, the Punjab has played an important part. It seems to me that ready as India is, as no one can have had any ground for doubting, 'at all times to support the cause of the Empire whole-heartedly and unstintedly the Punjab has contributed more than its share in that support. It is idle to say under those circumstances that there is any reason for treating the Punjab differently from the other provinces in the matter of its legislative and administrative systems.

" Now, to take up two or three of the principal points of difference. Our Legislative Council, as I have said, consists of thirty members only. What is the result? The result is this: that all the important interests in the Punjab are not adequately represented. The few electorates that there are are unwieldy. For instance, in one of the municipal groups, which elects one member to the provincial legislative council, you have Lahore, the capital of the province situated in the centre of the central districts of the Punjab and Dehra Ghazi Khan, on the edge of the south-western border, in one constituency. If the number of our members were to be raised, the result would be that the population of the Punjab would be adequately represented on their provincial council, that the distribution and constitution of the electorates would be consistent with sound principles and that there would be no complaint, such as we have heard in the past, of this community at one time and of the other at another time being inadequately represented.

" So far as the question of an executive council for our Province is concerned, I would remind Hon'ble Members that the Punjab Hindu Conference as well as the Punjab Moslem League Conference have for years past, almost every year, been passing Resolutions calling upon the Government to give an executive council and finally last year in our Provincial Legislative Council a Resolution was moved by one of the elected representatives of our Province recommending that an executive council should be given to our Province. H. H. Sir Michael O'Dwyer adopted what was a very correct attitude, if I may venture to say so, in connection with the subject, an attitude which indicated his sympathy with the legitimate aspirations of the people. He allowed the non-official Members to have an absolutely untrammelled say in the matter and the result was that the Resolution was carried by practically the unanimous opinion of all the non-official members, elected as well as nominated.

" Coming to the question of a High Court, some years ago in the Provincial Legislative Council a Resolution was put forward advocating the elevation of the Punjab Chief Court to a High Court. The Local Government recommended to the Government of India that this reform be introduced into our province. The Government of India I believe recommended to the Secretary of State that the claim of the Province should be conceded. I have been told that the elevation of the Chief Court to the status of a High Court will involve additional expenditure and therefore the introduction of the reform has been postponed until after the war. Well, all I can say is that the additional expenditure at the most would amount to one lakh and our province is rich enough to be able to afford that additional expenditure. It seems to me that the postponement of every kind of reform, even a reform that is long overdue, to a period after the war is not only unjustifiable but is calculated to cause great disappointment to the people of my Province.

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“Sir, some Hon’ble Members may have wondered why in the Resolution I have addressed to the Council to-day I have made no reference to larger questions such as the appointment of a Governor in Council, provincial autonomy and so on, which constitute prominent features of the various post-war reforms put forward in this country and in England. In view of the advice given by His Excellency in the memorable pronouncement delivered by him on the opening day of this session which I venture to say with confidence sent a thrill of satisfaction throughout the length and breadth of the country, and in view of the forthcoming visit of the Right Hon’ble the Secretary of State in connection with these very post-war reforms, it would be premature as well as ill-advised on my part to discuss these large questions. To-day my sole object is to ventilate the past grievances of my province and to invite the attention of the Government of India to certain points in our provincial administration with reference to which, in my humble judgment, reform has been long overdue. I have no hesitation in saying that whatever may be the nature of the post-war reforms which may eventually be decided upon by the Government, my province will expect absolutely the same treatment which may be extended to the other major provinces of India. I am content to-day to invite the attention of the Government of India to some features of our provincial administration with reference to which reform has in my humble judgment been long overdue. The suggestions I have ventured to make satisfies the three tests laid down by His Excellency the Viceroy in the speech to which I have just referred, they are obviously judicious, in the highest degree practical and unquestionably based on justice and right. With these few words I commend my Resolution to the acceptance of the Council.”

**The Hon’ble Sirdar Sundar Singh Majithia:**—“Sir, it is close upon seventy years that my province passed under the British Crown and formed part of the great British Empire. Since then it has taken rapid strides in every direction and the improvement has been steady. Canals carry the water of the Punjab rivers to arid plains which are being transformed into green fields adding to the grain store of the world. Railways are spreading their net-work and thus afford a handy agency to transport the produce of the land to different parts of the country in much less time than in bygone days. Educational institutions are springing up everywhere thus carrying the torch of light and learning to the remotest corners of the province. Punjab is enterprising and the restrictions of caste not being so rigidly observed as in other parts of India the sons of the soil are to be found in far off climes and countries thus helping the growth of public opinion which is not confined to the upper classes only. All this we owe to the progressive character of the British Government. I am proud to say that though mine is a younger province but in record of services to the Empire it has surpassed all other provinces of India. The heart of the Punjab is true and brave. The sons of the Punjab ever since the annexation have given their all in the service of the Empire. In this great war our soldiers with their lives stemmed the tide of the enemy forces which was invading the fields of France and Flanders. The history of Neuve-Chapelle and Gallipoli when it is officially published will bear witness to the heroism and the splendid services of the brave sons of the Punjab to the cause of the Empire.

“Though we are comparatively poor we have not done badly in the Indian War Loan securing for our province the third position in the list of subscriptions. Now with such a record of progress in all directions and the services rendered to the Empire, not for any reward, but as a loyal duty to our august Sovereign, it is sad to find that we Punjabis have not been placed on a par with the other major provinces of India, so far as legislative and administrative systems of Government are concerned.

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“ Bihar and Orissa, a new province, which came into existence as a modification of Lord Curzon’s partition of Bengal, has been given a higher system of administration while the Punjab is still left in the cold. After nearly seventy years of civilised rule we have a right to be placed on the same footing as other major provinces of India. Surely, Sir, we Punjabis may be considered to have passed through those primitive stages when rough and ready methods of administration were needed and it is time that Government were pleased to give the province a higher status. It is matter of congratulation that we have been promised a High Court and now we may reasonably expect an Executive Council with an equal number of Indian Members and all the other privileges which are conferred on other major provinces of India as the result of Mr. Montagu’s consultation which may be suitable to our local conditions. Yesterday I received a telegram from the Secretary of the Indian Association, Lahore, and have also seen some comments in the provincial papers on the subject of the Hon’ble Mr. Shafi’s resolution. Our critics seem to think as if we were bent on bartering our birth-right and recklessly mortgaging away our future. I have no hesitation in affirming that neither the representatives of the Punjab nor the Government of India have ever dreamed of such a thing. Indeed, I hold that as the Punjab has been foremost in its services during the war it must also be foremost in the matter of constitutional reforms. The Legislative Council of the province is indeed so small that even important interests of a growing province do not find an adequate representation. In this connection I would beg leave to bring to notice the claims of my community which has supplied the largest number of soldiers to the army and maintained a steady flow of recruits. The Sikhs with less than one per cent of the entire Indian population have furnished in this war twenty per cent of the fighting strength of the total Indian army. I submit that the representation of my community ought to be in the same ratio as the share taken by its members in the war. The principle of special representation for important minorities has been recognised by the Government of Lord Minto ; we Sikhs who are decidedly a minority though an important one—do claim special representation in the Provincial and Imperial Councils. The predominant note in the speeches delivered by His Honour the Lieutenant-Governor of the Punjab in his recent recruiting tour in the province was the recognition of the response which the Sikhs had made in this war, and I have every reason to hope that our claims will find a strong advocate in our sympathetic Lieutenant-Governor. We Sikhs look up to His Excellency the Viceroy to give us our due. Our services have been often highly commended, but we hope that His Lordship who believes more in deeds than in words, will grant us substantial recognition. We have no intention to press this point at the present juncture when all our resources in men and money should be at the disposal of the Empire ; but when the proper time comes, we trust and hope that Government will be pleased to give our claims a generous recognition.

“ I welcome, Sir, the motion of my Hon’ble friend, and give it my hearty support and trust it will receive favourable consideration of the Government of India. I am sure the wide-awake Lieutenant-Governor of our province whose sympathy, interests and insight are unquestioned will support the claims of our province and forward our cause.

“ With these few words I beg to support the motion of my friend, the Hon’ble Khan Bahadur Mian Muhammad Shafi.”

**The Hon’ble Sir William Vincent** :—“ Sir, on behalf of the Government of India I gladly and freely admit that the great services which the Punjab has rendered to the Empire during the War, both in men, money and

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materials, have been such as to entitle it to ask that any reasonable demand which is, supported by public opinion in the province, should receive very sympathetic treatment at the hands of Government. In fighting men not only has the Punjab, and the States connected with it, supplied more than 60 per cent of the total number of combatants enlisted in the Indian Army in the past, but at the present moment efforts have been made further to increase the number of recruits and so successful have those been that in the month of July the total number of men recruited from this province exceeded 16,000 men of whom 14,000 were combatants. The contributions of the province to the war loan which amounted to 445 lakhs are also indicative of the loyalty of the people and their desire to render assistance to Government. Further, the province has given approximately 50 lakhs of rupees to various Funds connected with the war including the Imperial Relief Fund, the Red Cross Fund and the Punjab Aeroplane Fund contributions to which alone amounted to 14½ lakhs. I ought to say, Sir, that these figures are inclusive of contributions made by the rulers and peoples of Native States who have given very generously to funds of this character.

“ Nor, Sir, has the Local Government been backward in recognising these services, and as is right and proper, this recognition has been primarily directed to the agricultural classes from whom the Indian army is mostly drawn and who have made the greatest sacrifices. Thus, in the matter of land revenue, I am informed, that the recent settlements concluded in the districts which have supplied a large number of recruits have been the most lenient in India, and in many districts the term of settlement has been increased to 30 years as against the normal period of 20 years.

“ Similarly, in the large canal colonies special priority and favourable terms are given to the agricultural classes who have rendered good service to Government and the Punjab Government has recently placed at the disposal of His Excellency the Commander-in-Chief an area of 180,000 acres of land for allotment to those Punjabi soldiers who have rendered special and meritorious services in the War and to the heirs of those who have lost their lives on service. I am informed further that in view of the urgent demand among the agricultural classes for an extension of primary education, all possible efforts are being made to meet the demand and it is proposed indeed to make such education compulsory where the Local Government can satisfy the Government of India that there is a desire for it, and that with due assistance from the Government the necessary facilities can be provided. In the direction of fostering co-operative credit and of undertaking special measures to secure for the agricultural classes a fair representation in the various departments of Government, I believe also the efforts made in the Punjab have not been equalled, or at any rate exceeded, in any other Province. Nor, Sir, can the recent announcement as to the grant of King's Commissions to Indian officers fail to be of material benefit to the Punjab, from which Province such a large proportion of our fighting men come.

“ Sir, the Hon'ble Member now asks us to move in another direction, namely, that of constitutional and administrative changes. He refers in particular to the creation of a High Court, the constitution of an Executive Council, an increase in the numbers of the Provincial Legislative Council, and some change in the representation in the Imperial Council. Finally, he has suggested improvements in the pay of the subordinate judiciary. The Hon'ble Member has compared the position of the Punjab with that of my own Province and he has argued that the Punjab is less favourably treated. Sir, I have shown, I hope I do not wish in any way to depreciate the great services of the Punjab in the war and always to the Empire, but I doubt if it is necessary to make any invidious comparisons between the two Provinces. I think also that I may say

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that well as the Punjab has done in the way of combatants, the Province will never lack a trumpeter as long as the Hon'ble Mr. Muhammad Shafi represents it in this Council.

“ I think that the simplest method of dealing with the particular proposals which the Hon'ble Member has put forward is to take them *seriatim*. I begin with that of the question of a High Court. The position is a very simple one. As the result of strong and repeated recommendations of the Local Government, this proposal has been accepted both by the Government of India and by the Secretary of State, and the project is now only delayed by the definite instructions of the Secretary of State that the change in the constitution of the Court is only to be effected subject to financial considerations and after the end of the war. The policy of the Government of India in this matter is therefore declared and they cannot take further action save upon some special and urgent application from the Local Government.

“ Turning to the question of an Executive Council, I have read with great interest the report of the recent debate in the Provincial Council and the arguments that were adduced on the proposal. Sir, all I can say is that if the Local Government approach the Government of India in this matter, I will engage that the proposal receives careful and sympathetic consideration. The Hon'ble Member is however aware that the question of an Executive Council for the United Provinces has not been definitely settled nor has the Council for the Province materialised and it is unlikely that during the present financial stringency the Government of India will be willing to incur the additional expenditure which the creation of a Council in the Punjab would involve. There were of course particular reasons for giving an Executive Council to Bihar. At the time of the creation of the Province the people were under Council government and it was thought desirable, when creating the new Province, to retain that form of Government and to avoid making any changes which might excite feeling and resentment.

“ There is a subsidiary point to be considered in this connection and that is the constitution of these Councils. I think that the question whether the constitution and numerical strength of the Council in Bihar and Orissa is that which is best suited to meet the administrative requirements of another Province from the point of view both of efficiency and economy is one which will require careful consideration before the Government of India committed themselves to any undertaking on the subject. Similarly, there is the question of expenditure which is a very important factor. The Government of India understand, however, that this question of an Executive Council is engaging the close attention of the Local Government and that they will receive a report from His Honour the Lieutenant-Governor on it soon, and they have no doubt that the considered opinion of the non-official members of the Legislative Council will receive the weight to which it is entitled. I think therefore at present it would be premature for me to say anything more than to undertake carefully to consider any proposal which comes up.

“ As to an increase in the numerical strength of the Legislative Council, there appears to be great force in the contentions of the Hon'ble Member and it is *prima facie* an anomaly that a Province with the revenue, and of the general importance, of the Punjab should have a smaller Legislative Council than Bihar. I might remind the Hon'ble Member, however, that the population of Bihar is approximately 34 millions as against 20 millions in the Punjab. I only mention this because he has throughout his speech referred to area and not to population. Here, again, however, the real reason for the difference in the strength of the Legislative Council is the fact that when Bihar was constituted it was thought advisable to provide a Council there of the same strength as that of

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the parent Province. But I must draw the Hon'ble Member's attention to two important points here; in the first place, as he has already pointed out the Punjab Council has already reached the maximum strength provided by the law and no further increase can be effected unless the Government of India Act, 1915, is modified; in the second place, the subject is really very intimately connected with those questions which will be investigated during the visit of the Secretary of State for India to this country, and it would be obviously premature for the Government to make any definite statement on it. I may say further that so far as I am aware—I speak subject to correction—no representation has been made to the Local Government on the subject and I am quite sure that His Honour will afford any suggestion of the kind that is made to him very careful consideration.

“The position as regards the numbers of elected members in the Provincial Council has been explained by the Hon'ble Member. The Government have, however, under consideration a proposal to increase the number of elected members to 14 and to reduce the number of nominated members proportionately. Further, I should like to point out in this connection that in 1909 the number of elected members was only 5, and it has already been increased up to 11. I think that these changes and the proposed further modification to which I have referred indicate the policy of the Local Government, and if the numerical strength of the Council is increased I have no doubt that the policy of increasing the number of elected members will also be considered. I did not quite understand the reference to the Imperial Council. The Hon'ble Member said that three members were elected from Bihar and only one from the Punjab.....”

**The Hon'ble Khan Bahadur Mian Muhammad Shafi:—**  
“What I stated, Sir, was that the Legislative Council of Bihar elects two members as its representatives.”

**The Hon'ble Rai Bahadur Krishna Sahay:—**“It has only one.”

**The Hon'ble Khan Bahadur Mian Muhammad Shafi:—**  
“I am very sorry for the mistake.”

**The Hon'ble Sir William Vincent:—**“The position is really very simple. There are three members in the Imperial Council from Bihar and three from the Punjab. The difference is this, that from the Punjab one member only is elected and two are nominated, of whom I believe my Hon'ble friend is one. These two latter members are, as I understand, nominated, in the case of the Muhammadan representatives after consultation with the leading Muhammadan associations in the Province, and in the case of the landholders' representative, after consultation with the Chiefs' association or some similar landholders' association of a representative character. The question of converting the Muhammadan seat into an elected one is however, I believe, under consideration.

“There remains the question of improving the pay of the subordinate judiciary, and here again the first thing really is the question of expense. I am sure the Hon'ble Member will recognise that during the war when additional burdens have been placed on India any additional expenditure is a serious matter, and I do not think he quite appreciates either the extent or the danger of the large increase in recurring expenditure which he proposes. The creation of a High Court will involve a considerable charge on the revenues, the constitution of a Council means further expenditure, and if in addition to this the pay of the judicial officers were increased as he proposes, the cumulative effect on the finance of the province would be very serious.

“I must also remind the Council that the Secretary of State has laid down that, so long as the war lasts, no fresh expenditure of an unremunerative character is to be incurred unless there is an urgent necessity for it. Finally, so far as

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I am aware, we have not at present under consideration any proposals of the Local Government on this subject of increasing the pay of the judiciary. If, however, we do receive such proposals, and a good case is made out for them, the matter will be carefully considered.

“ Sir, I have explained the attitude of the Government towards this Resolution. I am afraid, for the reasons stated, I cannot accept it in its present form ; but I think I have said enough to assure the Hon'ble Member that the subject of his Resolution is entitled to, and will receive, very sympathetic treatment at the hands of the Government.”

**The Hon'ble Rai Bahadur Krishna Sahay :—**“ As a member of this Council coming from Bihar, I think it my duty to make my position absolutely clear to my friends from the Punjab. I have every sympathy with the Hon'ble Mr. Shafi in the very modest request that he has put forward before the Council on behalf of his province. In the very able and informing speech which he has just delivered he has unfolded before the Council the statistical, financial, educational, political and military virtues of his province. I am free to admit that the Punjab deservedly occupies a very high place, though not the highest that my friend has claimed for it, as a component part of British India. We are also proud of the very valuable services which have been rendered by the Punjab during these strenuous times of war. Speaking for myself, I have absolutely no objection to the 'assimilation' which my friend claims ; I hope the Council will not also grudge him the 'assimilation' that he claims.

“ I am pleased with the reference which my friend has made to the Province of Bihar, and the fact that he has taken that province as his model cannot fail to be flattering to us.

“ There was one little inaccuracy in the speech of my Hon'ble friend which has been corrected by the Hon'ble Sir William Vincent. That was that he was under the impression that the Bihar Legislative Council sent two members to the Imperial Council as their representatives. I wish it had been so. As regards the numerical strength of the two provinces also, I suppose my friend has an effective answer from the Hon'ble the Home Member. But with all that I think the Punjab has deserved well of the Government and of the country ; and the request that my friend the Hon'ble Mr. Shafi has put forward before the Council comes to this only that his province should have a Legislative Council of a larger size with a non-official majority and that His Honour the Lieutenant-Governor there should be assisted by an Executive Council. I do not know whether my Hon'ble friend claims a separate High Court. If he does, I have every sympathy with that. I am very glad that the Hon'ble the Home Member has given such a sympathetic reply to all the grievances that my friend has placed before him as regards his province.”

I support the resolution.

**The Hon'ble Rai Bahadur Bishen Dutt Shukul :—**“ Sir, I rise to support this Resolution. While doing so, I think I should make my position clear as I am afraid that this Resolution has given rise to some misunderstanding in certain quarters. In view of the illuminating speech that has just been delivered by the Hon'ble Mover, I find that the request which he makes will not affect the future fate of the Punjab under the post-war reform scheme. After all, the institution of Council Government in each province is one of the principal features in the memorandum of reforms

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which many members of this Council have submitted, and I believe we are not doing anything prejudicial to the reform scheme as a whole if we lend support to the principal part of it, with this important modification, however, in the Resolution before us, that the head of the province should invariably be some prominent public man from England.

"It is under these circumstances that I rise to accord my support to this Resolution which has been so ably moved by my Hon'ble friend, and while according support, I would not like to disguise the fact from the Council that it is not altogether from a disinterested motive that I am doing so. What one province gets to-day, I am sure another province will get to-morrow. The Hon'ble the Home Member has already stated in reply to my question that I put yesterday that the Government would be willing to consider the question of giving an Executive Council to our province if public opinion there is sufficiently strong, and this reply encourages me in the belief that at no distant future we will also have the advantage of Council government. Sir, there has always existed a real desire in my province also to have a Council Government, and although it may be that in pressing the demand we may not have shouted sufficiently loud nor have agitated nor have submitted any lengthy representations, but this should not be taken to mean that no real desire exists in our province. Rather the people of my part of the province have always appreciated the benefits of Council Government. And if they have not agitated it is not because the desire did not exist, but because the people of my part of the province are generally by disposition a quiet sort of people. And when the Government has already recognised the advisability of introducing Council Government in other provinces, we expect that the claims of our province will not be overlooked, but rather that the initiative in our case should come from the Government. I therefore support this Resolution which has been moved by my Hon'ble friend with all the earnestness and emphasis that I can command.

"Sir, we are on the eve of a great change in the internal polity of India. Everything points to a great upheaval in popular interest in matters of administration, Government will be more and more subject to popular pressure in various directions from day to day, and unless prominent Indians are associated in a direct and responsible manner in the higher work of government by being made to share the responsibility of Government as colleagues in the Executive Councils of the provincial Governments they will always be lacking in one of the essential elements which will certainly make for considerable strength of the administration. Considerations of expenditure, Sir, need not, I think, stand in the way of carrying out a reform of such vital importance. When the Government have already under consideration the recommendations of the Public Services Commission which involve a heavy increase in the outlay, I do not think it would be a good thing to allow this reform to stand over.

"With these few remarks I beg to support this Resolution and I congratulate the Hon'ble Mover on the sympathetic reply which he has just received from the Hon'ble the Home Member."

**The Hon'ble Mr. Mahomed Ali Jinnah:**—"Sir, as the Resolution is worded, I am afraid I cannot give my support to it. I thoroughly sympathise with its object, which is the limited ambition that the legislative and administrative system of the Punjab should be assimilated to the one which prevails in Bihar and Orissa. Sir, this reform is overdue, and I am glad my Hon'ble friend the Mover of this Resolution has at last after such a long time realised that his province was not properly treated. But now that he has aroused himself and brought up this Resolution, unfortunately he has brought it up at a moment which seems to me wholly inopportune. We know that the general question of constitutional reform, which affects the Province of

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the Punjab as well as the Government of India, is going to be taken up very soon. We have all seen the pronouncement made by the Secretary of State for India and we know that he is coming out to India for that very purpose. I personally, Sir, have held this view, that the Punjab should have a Governor in Council and not a Lieutenant-Governor. The Hon'ble Mr. Shafi however is much more modest in his views and he says he will be quite content to get what Bihar has got. I for one do not agree with him. I think the Punjab should have a Governor in Council like any other Province, like Bombay or Bengal; and I also go further than the Hon'ble Mr. Shafi does in another direction. I think the High Court should be under the control of the Government of India, like the High Court of Calcutta. That is a question of the utmost importance, not only to the Punjab but to every other Province, and the sooner the question is seriously taken up the better. I have no doubt it will be taken up when the general scheme of reform is being discussed. I am therefore unable to support the Resolution in the form in which it has been moved. I may tell you, Sir, I may tell the Council here, that considerable misapprehension has been aroused in the Punjab in view of the form in which the Resolution has been worded and the time at which it is brought before this Council. Several telegrams have reached us in which people have expressed grave apprehension about it. However, the reply which the Hon'ble the Home Member has given to this proposal will I have no doubt satisfy not only the Punjab but the whole of India, namely, that the Government will give it their sympathetic consideration and of course that was the only reply which the Government could have given at this stage. Therefore the question resolves itself into this, that this question of the Punjab must be taken up along with the general question of the constitutional reforms which should be introduced in India after the war. In these circumstances, I am unable to support the Resolution much as I sympathise with its object. I cannot support it, because it ought to have been brought long ago and the present moment is an inopportune one. Further, the form in which it has been put is not satisfactory, because in my opinion the Punjab should have a Governor in Council and a High Court under the control of the Government of India."

**The Hon'ble Sir Michael O'Dwyer:**—"Sir, I have been a silent member of this Council for four Simla Sessions because the interests and aspirations of the Punjab were so ably and adequately represented by its non-official members that no intervention on my part was necessary. But to-day's resolution raises issues so closely bound up with the recent history and future progress of the province that I feel constrained to break the cold chain of silence which has hung o'er me so long—in this Council if not outside—and to join in the discussion.

"In the first place I must congratulate the Hon'ble Mover on the eloquence with which he has championed the claims of the Punjab to a broader legislative and administrative system; I congratulate him even more in spite of the criticisms which his Resolution has received on the eminently sane and practical manner in which he has pressed those claims. Eloquence is a common enough quality in India; common sense and sanity of judgment are unfortunately less common; both are essentially Punjab qualities. They are also pre-eminently British qualities, and it is the common possession of those qualities—a heritage perhaps from the parent Aryan stock—that has led, ever since the destinies of the two were united, to mutual comprehension, mutual confidence and mutual co-operation between the British Government and the people of the Punjab. It is the fashion now-a-days in certain quarters to sneer at this mutual co-operation between the Government and the people. It is the fashion to picture the Government and the people as occupying hostile

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camps, and to substitute agitation for co-operation. My own unhappy country furnishes a sad instance of what that policy has led to elsewhere. It should be a warning to us in India. In opening this session His Excellency the Viceroy appealed for mutual confidence and co-operation between the Government and the people in considering the problems before us. Let us see what that co-operation has already accomplished in the Punjab. Within 70 years it has raised the Punjab from one of the most backward and impoverished provinces of the Empire to one of the most prosperous and progressive. It enabled the Punjab to save India in the mutiny, and in the present war it has enabled the Punjab to achieve those splendid results not only for India but for the British Empire which we have heard recited to-day.

“ At the risk of repetition I cannot refrain from going over some of the ground covered by the Hon'ble Mover and the Hon'ble Member in charge, and telling you in a little more detail what the Punjab has done.

“ With less than one-thirteenth of the population of the Indian Empire the Punjab furnishes 60 per cent. of the Indian army recruited in India. Though the drain on its manhood was already considerable at the outbreak of the war, it has responded to the King-Emperor's call with a promptness and a vigour which find no parallel in provinces that claim to be more advanced. Out of the 278,000 combatants recruited in India within the last 3 years, no less than 155,000 or nearly 60 per cent. were drawn from the Punjab—excluding some 40,000 non-combatants—leaving 120,000 from among the remaining 290 millions of the Empire.

“ The Council may be interested to hear how this total of 155,000 is made up, and the point is not without bearing on the resolution. For the claims of the province to a wider legislative and administrative system have been based largely on the services of those men, and it is well that we should know who they are. The composition is roughly as follows :—

Muhammadans ... 70,000—Punjabi Muhammadans	...	60,000
Hindustani Muhammadans	...	8,000

And here I may say that the number would have been even greater were it not that many Muhammadans of the East Punjab distinctly object to being enlisted and styled as Hindustani Muhammadans, and I have now made a representation to His Excellency the Commander-in-Chief that they should be called what they actually are—Punjabi Muhammadans.

Pathans...	...	1,000
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Kashmiris	...	1,000
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Sikhs	...	43,000—They form less than one-hundredth of the population of the Empire but furnish one-sixth of the fighting forces.
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Hindus	... 41,000	Jats	...	...	... 16,000
		Dogras	...	...	... 13,000
		Ahirs	...	...	... 5,000
		Rajputs...	...	...	... 2,500
		Gujars	...	...	... 2,500
		Brahmans	...	...	... 2,000
Indian Christians...	1,000				

“ These numbers were almost exclusively furnished by the agricultural classes, and this is a point which I wish to emphasise.

The figures are exclusive of the Imperial Service Troops furnished by our Punjab States. The Maharajas of Patiala, Jind, Kapurthala, the Rajas of Sirmur and Faridkot, the Nawabs of Bahawalpur and Maler Kotla have all sent to the various fronts splendidly equipped contingents which are serving with credit to themselves and with honour to their respective States.

“ That is what we have already done in the Punjab, we are proud of it but we are not content with it. We are prepared to do as much again and are taking active steps to do so. In June and July the Punjab furnished over 23,000 combatants far more than the rest of the Indian Empire.

“ Though the burden is heavy and the sacrifice is severe, with God's help we shall not bend under the burden nor shrink from the sacrifice. But we should be glad if other provinces would show due recognition of our efforts and bear a more equitable share of the burden.

“ We should be glad if those who are so fond of basing political claims on the loyalty of India and the sacrifices of the Indian army—which is mainly a Punjab army—would show their loyalty to the King-Emperor and their sympathy for the province which is bearing the burden of sacrifice, not by words, however eloquent, but in some practical form, for instance, by active help in the recruiting campaign in those provinces which have hitherto made such an inadequate response to the King-Emperor's call.....

**The Hon'ble Pandit Madan Mohan Malaviya:**—“ I rise, Sir, to a point of order. Is His Honour in order in referring to these matters ? ”

**The Hon'ble the Vice-President:**—“ They appear to me to be relevant to the resolution before the Council.”

**The Hon'ble Sir Michael O'Dwyer:**—“ I thank you for your ruling and I am glad to know that I am in order in making this suggestion.

“ This we are entitled to ask for but what do we find ? I will quote an extract from a Bengali paper, dated 5th July, contrasting the lofty patriotism of Bengal with the mercenary materialism of the Punjab.

“ Colonel Boudier, the recruiting officer in Bengal, has stated that from the Delhi Division alone 2,000 recruits are being secured every week while not 500 are being secured in a month from Bengal. This statement is true in one sense. . . . The class of men from Delhi, the Punjab and the United Provinces who become sepoy's accept this service under the stress of hunger. Unless they can become fighting sepoy's they come to Bengal and accept service as darwans under the Babus. Furthermore they are without any education and

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the profession of arms is their sole means of livelihood from generation to generation. There can be no comparison between them and the Bengali lads. . . . The sepoys of the Bengali *paltan* have not enlisted as sepoys for the sake of wages. . . . By comparing them with the wage-earning sepoy of the North-West, Colonel Boudier has hurt the feelings of the Bengali sepoy and the Bengali people. This comparison is in a large measure humiliating.'

"Such is an appreciation from Bengal of the men who are prepared to sacrifice their all in the defence of the Empire including Bengal.

"Again, while our men of the Punjab are rallying in their hundreds of thousands to the service of their King and country, we find politicians in other provinces—I am happy to think we have none such in the Punjab—actually dissuading their fellow-citizens from joining the Indian Defence Force.

"So far the united efforts of prominent politicians have succeeded in raising some 3,600 applicants for the Indian Defence Force. I must correct myself or I shall be again accused of a reprehensible untruth, I should say the efforts of most of the prominent politicians—for from pique or petulance some of them thought fit to stand aloof. . . .

**The Hon'ble Pandit Madan Mohan Malaviya** :—"I rise to a point of order. Has that any relevance to this question? I think on the present resolution it does not arise."

**The Hon'ble the Vice-President** :—I would suggest to the Hon'ble Member that there is nothing strictly irrelevant in what has been said. If I am to stop every possibly irrelevant remark in this debate, my task will be a very heavy one.

**The Hon'ble Mr. Mazharul Haque** :—I only hope, Sir, that we shall not be stopped when we speak like this.

**The Hon'ble the Vice-President** :—I shall hope to accord to the Hon'ble Member the same license that I am allowing to His Honour the Lieutenant-Governor.

**The Hon'ble Sir Michael O'Dwyer** :—Of these I am glad to find that the Punjab, though it came late into the field, has produced one-fifth. His Excellency the Viceroy at the last meeting commented on the meagre results. They will appear even more meagre when I inform the Council that I could lay my hand on half a dozen gentlemen in the Punjab, none of them claiming to be prominent politicians, but three of them non-official members of my Legislative Council, each of whom has provided over 3,000 combatants since the war began. Sir, consider how the anxieties of His Excellency the Commander-in-Chief would be relieved and my work as President of the Punjab Recruiting Board would be lightened if on a personal appeal from His Excellency, the 30 non-official members of the Council—excluding the Punjab—would undertake between now and the end of the war each to produce 3,000 combatants! Could there be any more worthy, more patriotic task?

"Take another aspect of the case. While the Punjab soldier is shedding his blood in three continents in gallant resistance to the King-Emperor's enemies, we find he is receiving with little recognition and little support from many of his fellow countrymen at home. And some of those gentlemen, forgetful of the security they owe to the British Navy and the British Indian Army, regardless of the terrible crisis through which the Empire is passing, callously discussing and even actively preaching the doctrine of passive resistance to the King Emperor's Government. Some of those men have, I believe, taken an oath to be faithful and bear true allegiance to His Majesty the King-Emperor. By

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what subtle reasoning they reconcile their oath to their practice is a mystery which I will not attempt to solve. Any how that conception of loyalty is not understood by us in the Punjab. The Punjab has no use even for passive loyalty, still less for passive resistance. I only hope that those who preach those pernicious doctrines elsewhere will be guided by the advice given by His Excellency at the last meeting, and at least in their own interests will see fit not to extend their propaganda to a Province where disloyalty under whatever name we may disguise it has never taken and will never take root. ....

**The Hon'ble Mr. Mahomed Ali Jinnah** :—“ I rise to a point of order. I want a ruling as to whether the Hon'ble Member is entitled to make these remarks and invidious distinctions comparing his province with other provinces. I want a distinct ruling, Sir.

**The Hon'ble the Vice-President** :—“ The Hon'ble Member shall have a distinct ruling. To-day has been a day of comparisons. Comparisons, we have heard, are odious, but we have had comparisons made in this debate by more than one Member, and I cannot prevent another Member who wishes to reply to them from making further comparisons. I cannot hold that comparisons though odious, are to-day irrelevant.”

**The Hon'ble Sir Michael O'Dwyer** :—Sir, I crave your indulgence for this digression. But I claim to understand the temper and feelings of the people of the Punjab and in justice to them I feel bound to emphasise the distinction between their genuine and spontaneous loyalty and the sinister attitude of those who would take advantage of the embarrassments of the Empire in her hour of need.

“ I need say no more on the question of men. But take our contributions in money.

“ The Punjab is not a Province of great wealth though thanks to the combined efforts of the administration and the people it enjoys a high degree of agricultural prosperity based on our wonderful irrigation system. We have little or none of the great industries, of the foreign trade, of the great estates which bulk so large in the wealth of other Provinces; and yet our contributions far exceed those of Provinces to which we are much inferior in wealth and population. In this respect the Punjab has given another instance of its self-sacrifice and loyalty. ....

**The Hon'ble Mr. Mahomed Ali Jinnah** :—“ May I point out that the Hon'ble Member has exceeded 15 minutes.”

**The Hon'ble the Vice-President** :—“ The Hon'ble Member is at least a minute too soon, and the interruptions which have taken place probably account for at least another minute.”

**The Hon'ble Sir Michael O'Dwyer** :—“ Again take the matter of materials. The provision of food-stuffs for our millions of troops in the field and the millions of workers in the United Kingdom has been one of the most serious preoccupations of the war. In this respect India is rendering valuable assistance, but I believe I am within the mark in saying that two-thirds of the food-stuffs exported from India—excluding Burma—are drawn from the Punjab.

“ So far I have dwelt on the services of the Punjab rendered in direct connection with the war and I would like to add that in that splendid record

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the Ruling Princes and Chiefs of the Punjab from His Highness the Maharaja of Patiala have played a great part, a part worthy of their noble traditions. But perhaps the most signal proof the province has given of its practical loyalty is the manner in which it has combated internal disorder and repressed incipient rebellion.

“Hon'ble members are doubtless familiar with the serious dangers which menaced the security of the Province during the first two years of the war, the *Ghadr* conspiracy and other overt and covert movements engineered by the King's enemies within or without India with the object of subverting the Government. But perhaps they are less familiar with the action, the prompt, vigorous and decisive action, taken by the people of the Punjab—Muhammadans, Sikhs and Hindus—to range themselves on the side of law and order and to stamp out sedition and anarchy. There was no hesitation, no sitting on the fence, no mawkish sympathy with red-handed crime, no insincere apologies for so-called misguided youths pursuing noble ideals, no subtle distinctions between evolutionary and revolutionary patriots.

“The Punjabi like the British is perhaps lacking in that mysterious quality known as spirituality. If you were to try and explain to him what it means he would probably shake his head and say no doubt it was an excellent thing, an admirable virtue something like charity and like charity often used to cover a multitude of sins.

“He might even go so far as to compare it in the latter respect with that equally vague term Home Rule, which many of our politicians propound as a legitimate and constitutional ideal while many of our revolutionaries have put it forward as the goal they have in view when attempting to subvert the King's Government by the sword, the pistol and the bomb. If any Hon'ble Member doubts the accuracy of this statement which I repeat with a full sense of responsibility, I would refer him to the evidence and the judicial findings in the various Punjab Conspiracy Cases, I would refer him to the files of the *Ghadr* newspaper and I would also ask him to verify his facts before recklessly launching an accusation of reprehensible untruth against the author of the statement. If any such accusation has been made whether in ignorance of the facts or otherwise, it would be honourable to withdraw it.

“I fear I may have spoken at undue length of the services of my Province to which His Excellency the Viceroy paid an eloquent tribute at his recent visit to Lahore. But this is my first and perhaps my last opportunity of bearing witness in this Council to the great qualities of the people I have known and loved for over 30 years. From what I have said it follows that I welcome most heartily the assurances given to-day that their steady loyalty and manly services are appreciated at their true value by the Government of India and are receiving and will continue to receive full and suitable recognition.

“Some of the forms which that recognition might take are indicated in the speeches of the Hon'ble Mover and the Hon'ble Member for the Home Department. The joint representation of the Local Government and the Government of India have already obtained the Secretary of State's sanction to the High Court at the end of the war if financial conditions allow, and I am happy to be in a position to say that I anticipate no difficulty on that score. The attitude of the Local Government and of the Government of India towards the question of an Executive Council has already been explained, and I need only repeat that the question is receiving close and sympathetic consideration from my Government which will endeavour to base its recommendation on the true interests of the Province as a whole. The same principle will govern our attitude in regard to the strength and constitution of the Legislative Council when the question is raised.

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“ I would here explain that in the matter of Legislative Council we are on a rather different footing from other large Provinces as we were much later in making a start. The first Legislative Council was not established till 1897 and was entirely nominated. The system of election, which is still regarded with disfavour by the majority of the rural population, was of slow growth in the Punjab and was first introduced under the Council Regulations of 1909. Even then only 5 seats were open to election. The number has since then been steadily increased at the instance of the Local Government, as experience was gained and suitable constituencies were forthcoming, and our Council now consists of 11 elected members, 11 official members and 6 nominated non-official members besides 2 seats for experts. In connection with the general scheme of political reform the Punjab Government will be quite willing to consider the question of increasing the total strength of the Council (though having regard to population the present number compares favourably with other large provinces) and also of further increasing the proportion of elected members. But here I might say that there is no Province where special arrangements to secure due representation of races, religions, classes and interests are more necessary. All provinces have their Hindu-Muhammadan problem, we have the very important Sikh interests to consider as well. Of our population 55 per cent. is Muhammadan, 33 per cent. Hindu and 11 per cent. Sikh. In 1909 all three seats then open to election were carried by Muhammadans. In 1912 out of 6 seats 4 were won by Hindus, 1 by a Sikh and only 1 by a Muhammadan. Last year of 11 elected seats, 5 fell to Hindus, 5 to Muhammadans, 1 to a European and none to a Sikh.

“ In the past it has therefore been necessary to rectify these anomalous results by resort to nomination and in the future we must continue to adjust matters by the same method or by a system of minority representation—most probably by both combined.

“ I have covered the main points in which the Hon'ble Mover would assimilate our legislative and administrative system to that of Bihar and Orissa and I am glad to find that though we may differ as to details, there is no difference in principle between us. The other matters to which he has referred are matters relating to the improvement of the pay and prospects of the various services. They will come under consideration in connection with the recommendations of the Public Services Commission and I think the Hon'ble Mover hardly needs an assurance from me that as far as the Provincial Government is concerned—I cannot naturally bind the Cerberus who watches with such vigilance over the Treasure House of the Government of India—they will be considered in no carping or niggardly spirit.

“ And now, Sir, I would invite the consideration of the Council to a broader aspect of the matter.

“ Bihar and Orissa has been selected for comparison with the Punjab. But as the Hon'ble Mover and his supporters would be the first to admit, we in the Punjab have our own proud traditions which we desire to retain, our own aspirations which we hope to realise. We desire that our future development, whether political, social or economical, should not slavishly copy, that of other provinces with which we may have little in common, but should follow the genius and aptitude of our people.

“ Take one cardinal feature of the province. We have no great territorial aristocracy like other provinces, but we have what is perhaps even more valuable. We have over most of the province a large class of landed gentry or prosperous yeomen living on the land, in close touch with the rural masses of whom they are usually the recognized leaders, and an invaluable support to

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the administration. Over all the province we have that splendid body of stalwart peasant proprietors, Muhammadans, Hindus, Sikhs—whose energy and enterprise guided by a Government in which they have never lost confidence, have built up the prosperity of the Punjab—and whose loyalty and sturdy valour have built up the fabric of the Indian Army. These are the two classes to which the Punjab Government has looked and never looked in vain in times of stress and difficulty, those are the two classes to which we owe almost exclusively the magnificent contributions which the province is now making in men and materials. In recognising the services of the province during the war it is only just and reasonable that those classes should receive first consideration.

“The political and administrative reforms already discussed and others which may follow in due course will appeal primarily to the educated urban class, which is in the best position to appreciate and profit by them: but they will leave the vast majority of the two classes in question cold.

“The question, then has been asked by the Hon'ble Sardar what then have we done or what are we going to do to show our gratitude to those who have so strong a claim on us? I am glad to think that we have already a good record on the credit side. The great improvement in the pay, pensions and allowances of the Indian Army has already given a powerful stimulus to the fighting classes, the ear-marking of 180,000 acres of colony land for allotment to men who have rendered distinguished services in the field is a further encouragement, while the recent announcement in regard to the grant of commissions will specially appeal to the landed gentry.

“Again the classes in question are almost exclusively land-holders and there is no part of the world where the ownership of land is so highly prized and so jealously guarded as in the Punjab.

“At one time under our rigid law of contract and in the absence of any restriction on usury (a defect which we now have reason to hope will soon be remedied) the sturdy peasantry of the Punjab were being rapidly expropriated by the money-lending and commercial classes eager to acquire land both for the profits and the social status attaching to it. The Government of the Punjab was faced 20 years ago with a serious political and economic problem. It had the courage—whatever defects it may have, the Punjab Government I think like the Punjab people has never been lacking in courage—in spite of much agitation and opposition from the moneyed classes and even from those who posed as leaders of the people, to face the problem and to tackle it effectively by passing into law the Punjab Land Alienation Act of 1900. That Act about which there were so many misgivings and head shakings at the time supplemented by the beneficent system of co-operative credit, is now regarded by the Punjab zamindars as their Magna Charta. It is to it we owe the fact that we are appealing to-day not to a sullen, discontented and half expropriated peasantry, eager perhaps for a change which might restore them to their own, but to a loyal and contented body of men who realise that the Government has stood and still stands between them and ruin and who consequently rally in their tens of thousands to its support.

“But we have not only done what legislative and administrative measures could do to maintain the zamindars in possession of their paternal acres, we have also relieved congestion and increased their prosperity by opening up to them several millions of acres in the great canal colonies. In allotting those lands we have invariably given them priority, seeking not so much the profit of Government as the advantage of the rural population.

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" In the older colonies we have allowed the colonists who came in as Government tenants to purchase for Rs. 12-8-0 per acre, or even less, land which they could sell next day for Rs. 200 to Rs. 300 per acre; and even in the more recent colonies they are allowed to purchase the proprietary right, which has a present average value of Rs. 250 per acre, for a sum which must not exceed Rs. 100 per acre—the payment being spread over 30 years. We have also made large grants, I would draw the attention of the Hon'ble Sardar to this, covering some hundreds of thousands of acres in the various colonies, to the landed gentry and yeomen of the Province, on the same lenient conditions thereby restoring the prosperity of many an ancient and loyal family. We have other great projects of canal extension and colonization in contemplation and the knowledge that they will further promote the prosperity of our landed classes will be one of our strongest arguments in pressing them to realisation.

" Again, take the question of land revenue settlements. The Punjab Government has long accepted it as a principle of revenue administration that the peasant proprietors, especially in those districts from which the Indian Army is largely drawn, shall receive special favour in assessment. The re-assessment of all the rich districts of the Central Punjab has been completed within the last 5 or 6 years, and I am in a position to say that Government has really imposed a demand above half of the half net rental which is supposed to be the standard of assessment in the Province. At the same time where agricultural conditions are fairly stable and fully developed it has raised the term of settlement from 20 to 30 years. The result of this leniency is to appreciate enormously the value of proprietary rights which 50 years ago sold at from 5 to 10 times but now sell at an average of 170 times the land revenue demand, a figure which excites the envy and admiration of other Provinces, even those under permanent settlement.

" All these things are done in the interests of our zamindars and especially of those tribes and classes which enlist so freely in the Indian Army.

" To take a concrete case. A few weeks ago I had to decide on the term of settlement of a district in the North Punjab. The previous terms had always been 20 years or less and there were several arguments for adhering to that term. But the district is essentially one of small peasant proprietors and is among the first four or five in India in providing men for the Army. That fact turned the scale, and the Punjab Government readily sanctioned a thirty years term outside the tracts now coming for the first time under canal irrigation. I could multiply such instances but I think I have said enough to establish my claim that the Punjab Government is not forgetful of those who have deserved so well of the State.

" But Sir, we are not content with this; we want to do more and we are taking practical steps to do more for the progress and prosperity of the people and especially of the rural population to whom we owe so much. What are the evils from which they chiefly suffer? The most obvious are ignorance, disease, crime, abuse of office and corruption by those in authority, and finally excessive litigation and the law's delay.

" Some people tell us that the panacea for these and all other evils is self-government and that it should be granted at once or within a definite period." While sceptical about its being a panacea, I readily admit that self-government within the Empire in a form suitable to the traditions and aptitudes of the various component parts is a legitimate and an accepted ideal.....

**The Hon'ble Pandit Madan Mohan Malaviya:**—" I again rise to a point of order, Sir. Are we to hear an address on self-government?"

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**The Hon'ble the Vice-President:**—" Does the Hon'ble Member really wish me to answer the question ? "

**The Hon'ble Pandit Madan Mohan Malaviya:**—" I submit it is not relevant."

**The Hon'ble Sir Michael O'Dwyer:**—" I confess, Sir, that I am trying to establish the fact that we want to better the position of the Punjab and its people. But I would remind those who press for it that the ideal can only be realised when the three indispensable conditions, laid down not by any bureaucrat eager to retain power but by so high an authority and so great champion of popular rights as Mill, are fulfilled. Those are—

- (1) That the great majority of the people shall desire it.
- (2) That they shall be capable of exercising it.
- (3) That they shall be able and willing to undertake the responsibilities—among them external and internal defence—which it entails.

" His Excellency at the opening meeting of this session undertook on behalf of the Government of India the responsibility of assisting the people to reach the goal, and indicated the three main lines of advance towards it. But speaking of my own Province while I would welcome speedy progress I may say that those conditions are not likely to be fulfilled for many a long day.....

**The Hon'ble Mr. Mahomed Ali Jinnah:**—" I would ask the Vice-President if there is any time limit to the speech of His Honour ? "

**The Hon'ble the Vice-President:**—" His Honour has exceeded the ordinary time limit with my permission."

**The Hon'ble Sir Michael O'Dwyer:**—" Meantime—while the people with the aid of Government are fitting themselves for self-government the meaning and responsibilities of which at present but few understand—it is our duty to do what we can to ensure to them good Government which all desire and which all have a right to expect, for it was guaranteed to them in the most solemn manner by the Queen's Proclamation of 1858. This I venture to assert we in the Punjab are doing. I refer to these matters because it has been said that the Punjab has been treated in a stepmotherly way by Government and I want to show what Government has done and proposes to do for the Punjab.

" Take the common evils affecting the masses which I have already mentioned. We hope to combat ignorance and disease and at the same time promote local self-government by conferring larger powers on local bodies which will enable them with support and financial assistance from Government to extend widely the facilities for primary education, sanitation and medical relief. Among other measures a Bill is now being drafted by my Government which will enable Local Bodies to make primary education free and compulsory in areas where the majority of the people clearly desire it and where adequate school facilities are provided.

" Again, at the risk of being considered reactionary by advanced politicians, I venture still to hold the old fashioned view that the protection of the lives and property of the people is the first duty of a civilised Government and must have priority over all others. With the active co-operation of the great mass of the people we are waging a successful campaign against crime. Last year the reduction in serious crime was 16 per cent., and this year it promises to be even greater as the co-operation between the people and the police is steadily growing closer.

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“A more difficult problem is the struggle against official corruption and abuse of power because it is one in which the assistance of an oriental people long accustomed to view these as necessary evils is not readily forthcoming. But here too we have boldly undertaken the task. The people already realise that the Government, while it will show no mercy to the false accuser, is actively on their side in exposing the bribe-taker and the extortioner; and many such even in high places have been already brought to justice.

“To find an effective remedy for the abuse of litigation and the law's delay is the most difficult task of all for we are dealing with people who regard the law courts as providing the interest and amusement which western countries find in the theatre, the race-course, the football ground and the boxing ring. We have tried many palliatives but I confess so far with indifferent success.

“But we do not despair, and by the codification of the customary law governing the civil rights of the rural population which we have now undertaken, we hope to attain ultimately a measure of precision and certainty which will reduce frivolous litigation and speed up the slow processes of the law.

“I fear I have wearied the Council with this long narrative of what we have done, are doing and propose to do to honour the claims which have been established by the people of the Punjab, and especially the rural population. The measures are practical and substantial rather than showy and will perhaps appeal but little to the impatient politician. But in these days when we are in danger of being deafened by political harangues, of being blinded by the shower of political manifestoes, it is well occasionally to return to mother earth, to clear our minds of shams and illusions, and to ask ourselves what will all this noise and talk do for the man on the sod, the man behind the plough, the man ‘whose life is a long drawn question between a crop and a crop.’ It is on him after all that the burden of empire mainly rests. In the Punjab I hope we have not been forgetful of him.

“I will endeavour to sum up my arguments in a few propositions—

**The Hon'ble the Vice-President** :—“I would suggest to His Honour that the time has come to adjourn the Council and possibly it may be desirable to postpone the remainder of this discussion.”

**The Hon'ble Sir Michael O'Dwyer** :—“I have just finished, Sir, if you will give me one minute.

**The Hon'ble the Vice-President** :—“Certainly.”

**The Hon'ble Sir Michael O'Dwyer** :—“(1) The traditional good understanding and co-operation between the people of the Punjab and their Government have enabled the Province not only to overcome every attack on internal order and security but also to contribute out of all proportion to its population and resources to the defence of the Empire in this mighty struggle.

(2) The Province has thereby established *prima facie* its claim to the wider legislative and administrative developments indicated in the resolution the principle of which as modified by the Hon'ble Sir William Vincent has my complete support.

(3) But neither in the Punjab nor elsewhere can man live by politics alone, nor even by the political reforms now foreshadowed, and we have to look round for more direct and practical methods of recognising the services of the Punjab and especially of its fighting classes.

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(4) I have indicated the substantial recognition already given by Government, and I have attempted to outline some of the further measures which are proposed.

(5) I am confident that to-day's discussion will enable the Government of India and this Council to realise what they owe to the splendid loyalty and the virile manhood of the Punjab, that it will stimulate other provinces to similar if not equal sacrifices and that we in the Punjab can rely on the practical support of the Government of India and of this Council in honouring the debt.

“ One word more while claiming no exclusive merits for our administration in the Punjab, I hope we have kept before us the lofty ideal set forth in Queen Victoria's Proclamation of 1858 :—

‘ It is our earnest desire to administer its (*i.e.*, the Indian) Government for the benefit of all Our subjects resident therein. In their prosperity will be Our strength; in their contentment Our security; and in their gratitude Our best reward.’

“ I claim that the august words of Her Majesty of blessed memory have been substantially fulfilled in the Punjab of to-day and that with the same mutual confidence and co-operation between Government and the people they will continue to be realised in the Punjab of the future.”

**The Hon'ble the Vice-President:**—“ The Council will now adjourn till Wednesday the 19th September.”

**The Hon'ble Pandit Madan Mohan Malaviya:**—“ Mr. Vice-President, before we adjourn I have one request to make.”

**The Hon'ble the Vice-President:**—“ The Hon'ble Member will have the opportunity of speaking when the Council re-assembles. ”

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The Council adjourned till Wednesday, the 19th September 1917.

SIMLA ;  
The 21st September, 1917. }

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