

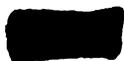
Friday, 21st September, 1917

***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**

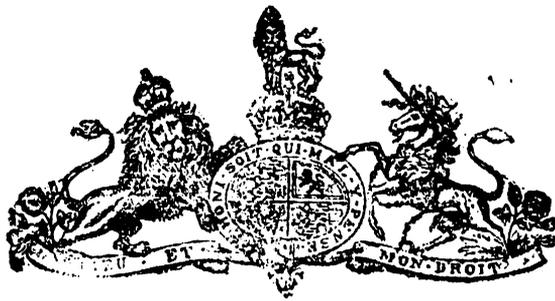
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1918



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 Friday,  
the 21st September, 1917.

PRESENT :

THE HON'BLE MR. G. R. LOWNDES, *Vice-President, presiding*, and 58  
Members, of whom 53 were Additional Members.

### QUESTIONS AND ANSWERS.

The Hon'ble Mr. Srinivasa Sastri asked :—

1. “ (a) Is Government aware that certain persons in high official authority have deprecated the scheme of post-war reforms adopted by the Indian National Congress and the All India Moslem League in last December as impracticable, extravagant and greatly exceeding the changes likely to be granted by the authorities? Constitutional reforms in India.”

(b) Has the attention of Government been drawn to a report that Lord Islington, in his private capacity and not as Under Secretary of State for India, recently outlined before a meeting of Oxford students the constitutional changes which, in his opinion, were suitable for India?

(c) Is it a fact that both the late and the present Secretary of State for India have declared in Parliament that a statement may soon be expected on the subject of constitutional reforms in India?

(d) Will the Government of India be pleased to consider the desirability of—

(i) obtaining the consent of the Imperial authorities in England to the publication in this country of the scheme of reforms that is understood to be under discussion? and

(ii) giving the people of India an assurance that they will be afforded full opportunities of discussing the proposed reforms and making representations to the authorities on them before a final decision is taken? ”

[*Sir William Vincent; Rao Bahadur B. N. Sarma; Sir C. Sankaran Nair; Mr. Kamini Kumar Chanda; Mr. R. A. Mant.*] [21ST SEPTEMBER, 1917.]

**The Hon'ble Sir William Vincent** replied :—

“(a) and (b) The answer is in the affirmative.

(c) and (d) The attention of the Hon'ble Member is drawn to the recent announcement by the Secretary of State.”

**The Hon'ble Rao Bahadur B. N. Sarma** asked :—

**Educational Institutions.**

2. “(a) Have Government under consideration any practical measures for starting, strengthening and equipping agricultural, engineering, commercial and technological educational institutions, with a view to minimising the dependence of this country on Europe?

(b) If so, have any estimates been prepared and will Government be pleased to state the initial and the recurring cost of such measures?”

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

“The Government of India have recently received proposals for :—

- (a) The improvement of the Bihar School of Engineering at a capital cost of about Rs. 3,70,000 and an additional recurring cost of about Rs. 58,000 a year.
- (b) The conversion of the existing Survey School at Cuttaok into a school of engineering at a capital cost of about Rs. 1,40,000, of which Rs. 20,000 will be met by private subscription, and an additional recurring cost of about Rs. 12,000 a year.
- (c) The re-organization of the staff of the School of Engineering at Insein at an additional recurring cost of about Rs. 26,000 a year, and
- (d) The creation of an appointment in the Indian Educational Service for a Principal of the Government Commercial Institute at Calcutta, in lieu of the existing post, at an additional recurring cost of about Rs. 7,000 a year.

Consideration of (a) and (b) has been postponed pending receipt of the report of the Public Works Re-organization Committee and (d) is awaiting consideration of the recommendations of the Public Services Commission. The remaining proposal has only recently been received and the action to be taken is at present under consideration.

So far as institutions for the teaching of agriculture and forestry are concerned the attention of the Hon'ble Member is invited to the reply given to him by the Hon'ble Member for Revenue and Agriculture to a similar question at the meeting of Council held on the 27th September 1916. The matter is still under consideration and no estimates of cost have yet been prepared.”

**The Hon'ble Mr. Kamini Kumar Chanda** asked :—

**Appointment of a Committee to examine long stapled cotton.**

3 “(a) Has any Committee been appointed to examine the question of the cultivation of long stapled cotton and report thereon?

(b) If so, will Government be pleased to mention the personnel of the Committee?”

**The Hon'ble Mr. R. A. Mant** replied :—

“As I said in reply to a question by the Hon'ble Maharaja Sir Manindra Chandra Nandi two days ago it has been decided to appoint a Committee in the coming cold weather to examine the possibility of extending the cultivation of long stapled cotton in India. The Government are not at present in a position to state the personnel of the Committee but hope to make an announcement on the subject very shortly.”

[21ST SEPTEMBER, 1917.]

[*Sir Gangadhar Chitnavis ; Sir William Vincent ; Mr. R. A. Mant.*]

**The Hon'ble Sir Gangadhar Chitnavis** asked :—

4. "(a) Has the experiment of releasing juvenile prisoners conditionally for work with selected firms been tried with conspicuous success in the Punjab. Juvenile prisoners.

(b) Is it a fact that out of 107 boys conditionally released only one misbehaved and two escaped.

(c) If so, will Government be pleased to issue instructions to Local Governments to try the scheme experimentally in other Provinces wherever possible and to report results to the Supreme Government."

**The Hon'ble Sir William Vincent** replied :—

"(a) Yes.

(b) It appears from the Punjab Jails Administration Report for 1916, that 107 juvenile offenders were conditionally released during that year to the Danapur Settlement managed by the Salvation Army at Lahore, and that of these, as the Hon'ble Member says, one misbehaved himself and two escaped from the Settlement. But these 107 boys released to the Salvation Army are distinct from the juvenile prisoners released to selected firms.

(c) There are other Provinces in which experiments are being made on somewhat similar lines. The subject of the treatment of juvenile offenders is one of the most important of those which will come before the projected Jails Committee after the war and will, no doubt, be exhaustively discussed by that body. In view of this, and of the fact that the experiment may not be suited to local conditions in all Provinces, the Government of India do not consider it necessary to issue instructions in the sense suggested by the Hon'ble Member, but they will send a copy of this question and of this answer to Local Governments."

**The Hon'ble Sir Gangadhar Chitnavis** asked :—

5. "(a) Did the Government of the Central Provinces send for approval to the Government of India certain proposals with a view to enable Settlement Officers to consult Malguzars and tenants when rents are fixed by Settlement Officers at the time of settlement? Fixing of rents by Settlement Officers.

(b) Is it not the fact :—

(i) that Malguzars have the great responsibility of realizing rents fixed by Settlement Officers in the fixation of which they have no voice ?

(ii) that in some places where such rents were fixed by the Settlement Officer, complaints were made that rents were heavy and could not be easily realised ?

(iii) that on such representations being made in certain parts of the Central Provinces, the Local Government was pleased to inquire and reduce the rents in response to complaints or representations made by the people or in the Press ?

(c) If the answer to (a) be in the affirmative will Government be pleased to state what orders (if any) were passed on the proposals made by the Central Provinces Government.

(d) If these proposals have not been approved and sanctioned, will Government be pleased to state the reasons which led them to disapprove of the same and will they be pleased to reconsider the proposals in consultation with the official and non-official representatives from the Central Provinces and Orissa where the system of fixing rents by Settlement Officers obtains ? "

**The Hon'ble R. A. Mant** replied :—

"The answer to part (a) of the question is in the affirmative. The proposals referred to were returned to the Chief Commissioner for further consideration, and he has since informed the Government of India that he has decided not to proceed with his original proposals. If further information on the subject is desired, it should be asked for in the Local Council."

324 QUESTIONS AND ANSWERS ; THE TRANSFER OF PROPERTY  
(AMENDMENT) BILL.

[*Captain Ajab Khan ; His Excellency the Commander-in-Chief ; Pandit Madan Mohan Malaviya.*] [21ST SEPTEMBER, 1917.]

**The Hon'ble Captain Ajab Khan, Sardar Bahadur,** asked :—

**6.** “(a) Is it a fact that Civil Sub-Assistant Surgeons who volunteered for military duty in India and cannot revert to civil duty under the existing rules have suffered loss of their private practice and other facilities enjoyed by them while on civil duty?”

(b) If so, will Government be pleased to state what compensation and prospects are given to them in lieu of such loss?”

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

“ In respect of both questions the reply is as follows :—

Civil Sub-Assistant Surgeons are liable to be deputed for ordinary military duty in India during their first five years' service under the terms of their engagement. Men so deputed are not paid compensation to cover any loss of private practice that may be involved in fulfilling the terms of contract. They receive exactly the same pay as their confreres of corresponding grade in the military sub-assistant surgeon branch and benefit substantially to the extent shown below :—

Maximum pay in civil.		Pay in military.	
Rs.		Rs.	
30	... ..	60	
45	... ..	75	
55	} ... ..	95	
65			
80	... ..	110	
100	... ..	125	

Those Civil Sub-Assistant Surgeons who volunteer for general service in or out of India receive their full civil rates of pay, in addition to the full military rates of pay of their grade, plus a special allowance which varies from Rs. 50 to Rs. 100 per mensem according to their grade. These rates, especially those granted for general service, are considered very liberal and should go far to compensate for loss of private practice.”

**THE TRANSFER OF PROPERTY (AMENDMENT) BILL.**

**The Hon'ble Pandit Madan Mohan Malaviya** :—“ Sir, I beg leave to present the final report of the Select Committee on the Bill to amend the Transfer of Property Act. I may, with your permission, say, Sir, that I propose to move at the next meeting of the Council that the Bill should be passed into law.”

RESOLUTION *re* SIMULTANEOUS EXAMINATIONS FOR THE 325  
INDIAN CIVIL SERVICE IN INDIA AND ENGLAND.

[21ST SEPTEMBER, 1917.]

[*Pandit Madan Mohan Malaviya.*]

RESOLUTION *re* SIMULTANEOUS EXAMINATIONS  
FOR THE INDIAN CIVIL SERVICE IN INDIA  
AND ENGLAND.

**The Hon'ble Pandit Madan Mohan Malaviya** :—“ Sir, I beg to move that :—

‘ This Council recommends to the Governor General in Council that the Government of India should move the Secretary of State to arrange that the examination for the Indian Civil Service should henceforth be held simultaneously in India and in England, successful candidates being classified in one list according to merit.’

“ As we all know, Sir, this question is an old one. In 1793 there was the East India Company Act passed under which appointments under the East India Company were limited to certain members who had the sole right of conferring employment in the higher civil appointments in the service of the Company. But when the Charter Act of 1833 came to be framed, a clause was introduced recognising the natural right of Indians to employment in the higher services of their country. That clause was described by Macaulay as ‘ that wise, that benevolent, that noble clause ’ It recognised that though India had come under the dominion of England, it was the natural birth-right of Indians, that if they were qualified by education and character they should be employed in all the higher offices under the Crown. In the course of the discussion that arose on the Bill which subsequently became law, many excellent sentiments were expressed ; but I will invite the attention of the Council to only one utterance, *viz.*, that by Sir Charles Grant in which he said :—

● If one circumstance more than another could give me satisfaction, it was that the main principle of this Bill had the approbation of the House and that the House was now legislating for India and the peoples of India on the great and just principle that in doing so the interests of the people of India should be principally consulted and that the other interests of wealth, of commerce and of revenue should depend upon the legislature promoting the welfare and prosperity of that great Empire which Providence has placed in our hands’

“ When this great and first principle was recognised that the interest of the people of India should be principally consulted in all arrangements for the administration of this country, it was to be hoped that the employment of Indians in the higher services would come about, but not a single Indian had been appointed. When in 1853, a renewal of the Charter of the Company came to be discussed in Parliament Mr. Bright, Lord Stanley and other gentlemen drew prominent attention to the fact, and it was hoped some remedy would be forthcoming ; it was not however until 1854, that the system of competitive examinations was introduced for the Civil Service, Hailybury College was abolished in 1855, competitive examinations were held in 1855 ; Indians were still not able to compete. After the Mutiny, after the Crown took the direct control of the Government of India, the pledge of 1833 was repeated and reaffirmed by the Proclamation of the Queen and in the House of Commons, that Indian subjects of Her Majesty would be entitled to hold any post if they were qualified ; we all know the gracious words of the Proclamation on which I need not dwell. It was hoped after the proclamation that at any rate the claims of Indians would not be ignored but nothing came of it. In 1860, a Committee was appointed by the Secretary of State to suggest the best means for admitting Indians into the service. The Committee considered two proposals. The first was to allot a certain portion of the total number of posts declared in each year to be competed for by Indians in India, and the second was to hold simultaneously two examinations for the Indian Civil Service, one in India and one in England, candidates sitting for either examination having to answer the same papers to be examined by the same examiners, and to be

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classified in one list in order of merit. It is important to draw attention to the Report of this Committee which consisted of Sir J. Willoughby, Mr. Manglos, Mr. Arbuthnot, Mr. Maenaghten and Sir E. Perry, all of whom were well acquainted with India. They reported as follows :--

‘Two modes have been suggested by which the object in view might be attained. The first is by allotting a certain portion of the total number of appointments declared in each year to be competed for in India by Natives, and by all other natural-born subjects of His Majesty, resident in India. The second is to hold simultaneously two examinations, one in England and one in India both being, as far as practicable, identical in their nature and those who compete in both countries being finally classified in one list according to merit, by the Civil Service Commissioners. The Committee have no hesitation in giving the preference to the second scheme as being the fairest, and the most in accordance with the principles of a general competition for a common object. In order to aid them in carrying out a scheme of this nature, the Committee have consulted the Civil Service Commissioners. The Civil Service Commissioners do not anticipate much difficulty in arranging for this.’

‘This Report was unfortunately not acted upon; it was not even made public so far as I am aware, until 1876. In the meantime, in 1867, Mr. Dadabhai Naoroji took up the question, and with the help of the East India Association agitated the question in Parliament. Mr. Fawcett moved a Resolution in the House of Commons urging that examinations should be held simultaneously in London, in Calcutta, Madras and Bombay. He urged that unless this was done the people of India would not have a fair chance of competing for these appointments; that if some scheme like that he urged was not carried out the promise held out in the Charter Act of 1833, and in the Proclamation of 1858, would not be faithfully fulfilled.

‘It was no doubt true,’ said he, ‘that the natives of India might compete in these examinations, but as they could only do so by coming to London, at great expense, and then might be unsuccessful, to say that the examinations were practically open to them was an idle mockery.’

‘His proposal was that there should be examinations at Calcutta, Madras and Bombay; there should be the same papers and the same tests as in London, and that the successful candidates, whether English or native, should spend two years in England. There would be no difficulty in carrying out the plan for the examination papers might be sent under seal to India, and the examination being fixed for the same day as in London, the candidate’s papers might be sent to England under seal and inspected by the same examiners, the name of the successful candidates at all four examinations being arranged in the order of merit.

‘The then Secretary of State expressed sympathy with the object of the Resolution, as has often been done in the case of questions affecting Indians, but he did not approve of the idea of holding simultaneous examinations; he stated that he was going to introduce a Bill by which a certain number of posts would be secured to Indians. Mr. Fawcett pointed out that that would not satisfy the aspirations of Indians and would not do full justice to them, but he agreed that the course proposed might be tried and withdrew his Resolution. After that the Act of 1870 was passed, which empowered the Government of India to frame rules to admit Indians to a certain number of appointments in the Civil Service; that proved unsatisfactory. In 1886 the Public Services Commission was appointed, and it went into the question of simultaneous examinations. A lot of evidence was given in favour of such examinations being held in India and in England, but the Commission reported against it. In 1893, in co-operation with Mr. Dadabhai Naoroji, who was then a member of the House of Commons, Mr. Herbert Paul brought forward a motion urging the holding of simultaneous examinations in England and India. That Resolution was carried, but unfortunately the Secretary of State was not in sympathy with it. He sent it to the Government of India. Excepting the Government of Madras, all Local Governments reported against it, and the Government of India did not give effect to it.

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“ Thus, though we have the Statute of 1833 in our favour, though we have the Proclamation of 1858 in our favour, though the Committee appointed by the Secretary of State reported in favour of simultaneous examinations, and though the House of Commons resolved in 1893 that such examinations should be held in the two countries, the proposal has never yet been accepted by the Government. The question of the larger employment of Indians was taken up in 1911, in this Council by my friend Mr. Subba Rao, who moved a Resolution on the subject. In consequence of that the Royal Commission on the Public Services was appointed in 1912. Unfortunately the Commission have reported against it and one more unfortunate circumstance to be mentioned in this connection is that while before the Commission of 1886, a number of European gentlemen, forty-nine of them, deposed in favour of simultaneous examinations, before the Commission of 1913, no European witness except one spoke in favour of it.

“ What is worse, and has pained us most, is that a number of European witnesses, both official and non-official, seemed to delight in giving as bad a character to Indians as they could. The result is that the majority of the Commission have reported against the proposal. But, Sir, our conviction is that justice will not be done to the claims of Indians unless the examinations for the Civil Service are held simultaneously in India and in England. The result of the examinations being held only in England has been that up to 1910, only 80 Indians had succeeded in entering the service by the door of examination as against over 2,600 Europeans. And out of 1,478 officers, who on the 1st April 1917, held posts ordinarily reserved for the members of the Indian Civil Service, including 72 Statutory Civilians and officers of the Provincial Civil Service holding listed posts only 146 or about 10 per cent appeared to be statutory natives of India. Surely this is not a state of things, which is consistent with or carries out the spirit of the Act of 1833, or the proclamation of 1858. I think it was in the debate of 1853, that one speaker had asked how many Englishmen would send their sons to India to compete for the Civil Service Examination on the off-chance of getting admission into it. Speaking in London, about 1878, Mr. Bright said that to hold the examination in England alone and to tell the people of India that they had equal opportunities with Englishmen, was akin to telling them that they must be eight feet six inches in height before they could be admitted into the Civil Service. In view of all that has been said above, the question is whether this recommendation of the Commission is one which the Government ought to accept. I submit most respectfully that it ought not to.

“ In addition to our natural claim to which I have already referred and which has been repeatedly supported by many high-minded Englishmen, we have now a different state of things. The Government of India as it is constituted at present has been described by a member of the Indian Civil Service in a manner which brings out the disadvantages of the present system in very clear words. Sir Frederick Lely wrote in 1905 as follows :—

‘ Perhaps the position may most vividly be brought home to our minds by imagining the same in England. Suppose that in England foreigners were ruling, say the Japanese, who committed the province to one of their statesmen who had never been in Europe before, and surrounded him with a group of men of his own race who got their knowledge of the country chiefly from books and papers at Whitehall, who for the most part could not talk the English language, whose unreserved intercourse with Englishmen was limited to a few Japanese speaking callers in London, and who, when not in London, divided their time between the Scotch Highlands and the Riviera. What sort of Government would it be? It might seem admirable to the people of Tokio but would it be to the men of Yorkshire and Cornwall?’

“ I submit, Sir, that this is the result of practically refusing admission to His Majesty's Indian subjects into the Indian Civil Service. If the examination had been held in India, since 1855, I think it is not unreasonable to think

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that though our English fellow-subjects have very great advantages in the way of educational facilities, and facilities for coaching, and in the fact that the examination is held through their own mother tongue, I think it is not unreasonable to think that there would have been a far larger proportion of Indians in the Indian Civil Service than we have at present. When in 1833, the claims of Indians to the higher ranks of the services were recognised, education had made but little progress. The famous minute of Lord Macaulay had not been written, there were no colleges, no Universities and but a few schools. In spite of that fact the Government of the day recognised that it was only fair that those Indians who could show that by their education, integrity and character they were qualified for admission, ought to be admitted into the higher ranks of the services. Since that time we have had universities established in several parts of India and they have turned out thousands of graduates. They have competed very successfully with their English fellow-subjects in all walks of life to which they have been admitted. In the judicial line, Indian Judges have shown how high they stand both in point of character and ability; they have proved themselves to be the equals of their English brother Judges. In other directions also Indians have proved their capacity in high offices, under the British Government, in Native States, as heads of districts, as Commissioners, as members of Executive Councils, as Dewans of Indian States, those Indians who have had opportunities afforded to them or those who have been able to force admission into the Service, have shown that if they are given an equal chance they are able to render a very good account of themselves. All that we have asked for in this connection from the beginning is, not that we should be put on a favoured footing but that we should be put on a footing of equality. We say that, if two young men are to run a race, all fair rules of the game require that we should start both of them from the same centre, and not compel one to start several miles behind the other, and yet expect the man who started several miles behind the other to succeed in the competition. We want that Indian youths should be subjected to the same test to which English youths are subjected. We do not want any differentiation in that respect. What we do say is that if Englishmen are allowed to sit for the examination in their own country, Indians should also be allowed to sit in their country for the same examination. One might very well say that the more natural, the more reasonable, the more just course would be that examinations for admission into the Civil Services of India should be held in India alone, but the time for it is not yet. In view of the present circumstances of the country, remembering how we are situated at present, in view of the difficulties that have hitherto lain in our path, and of the desire we all have that we, Indian and European fellow-subjects, should move together in brotherly co-operation, and with as little dislocation as possible our prayer at present is, as it has been for the last fifty years that the examination for admission into the Indian Civil Service should be held simultaneously in India and in England.

“ Sir, the not holding of this examination in India has exposed us to great disadvantages, political, economic and administrative. The political disadvantages are obvious. Here we are discussing the question of self-Government, and of the larger admission of Indians into the higher services. We are told we have not held charge of high offices, we have not been dealing with large problems and it is not right that we should ask to be entrusted with these problems at once. Well, if we have been shut out from these advantages, from the exercise of these high functions, the fault is not ours. I submit, Sir, that it is an unreasonable proposition that because we have so long been kept out of these advantages, therefore we should be kept out of them in future.

“ I need not refer again to the remarks of Mr. Gokhale, to which my Hon'ble friend Mr. Sarma referred yesterday in which he pointed out that the

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moral evil of the present system was even greater and more serious than the political and economic disadvantages. The people of this country desire that they should be able to feel that they stand on a footing of perfect equality with their fellow-subjects in England and the United Kingdom. That is practically denied to them by the refusal to hold the examinations simultaneously which leads to the inevitable result that but few can enter through the door in London.

“ So far as the economic evils are concerned, they were again and again pointed out by the late Mr. Dadabhai Naoroji. I do not want to detain the Council by dealing with them at length, but I will refer to a few facts to show how serious the economic evil is. According to a return presented to the House of Commons, in 1892, excluding the rank and file of the British Army, the total of the salaries, pensions and allowances received in 1889-90 by public servants and retired Government officials, drawing salaries of Rs. 1,000 and over, annually, amounted to about 18½ crores, while the real revenue was about 61½ Crores. Of this, only about 3 crores was received by 17,000 Indians, while the remaining 15½ crores went into the pockets of 28,000 Europeans and Eurasians. That the lot of Indians has not improved materially since then is evident as my friend Pandit Hriday Nath Kunzru points out in his valuable pamphlet on the Public Services in India from the statistics published by the Government of India in 1912, which show that out of 5,390 posts to which monthly salaries of Rs. 500 and upwards were attached, no less than 83 per cent. were held by Europeans and Eurasians.

“ Long ago, Sir William Hunter pointed out, that the salaries paid in India are very high, that India cannot afford to pay at the high rate at which the services are remunerated at present. In his pamphlet ‘ England’s Work in India ’ he wrote :—

‘ The truth is that we have suddenly applied our own English ideas of what a good Government should do to an Asiatic country where the people pay not one-tenth per head of the English rate of taxation. I myself believe that if we are to give a really efficient administration to India, many services must be paid for at lower rates even than at present. For those rates are regulated in the higher branches of the administration by the cost of officers brought from England. You cannot work with imported labour as cheaply as you can with native labour, and I regard the more extended employment of the natives not only as an act of justice but as a financial necessity.....The salaries of the covenanted services are regulated, not by the rates for local labour, but by the cost of imported officials. If we are to govern the Indian people efficiently and cheaply, we must govern them by means of themselves and pay for the administration at the market rates for native labour.’

“ You must recognise the fact that if you want to carry on the administration of India efficiently and cheaply, you must employ a larger number of Indians than have been employed hitherto. So that from the economic point of view it is obviously necessary that a larger number of Indians should be admitted into the Civil Service. Then, Sir, there is the advantage of administrative experience which can only be acquired if Indians are admitted into the higher ranks of the service. Mr. Dadabhoy summed up the whole situation in his own inimitable manner in a few words. He pleaded for a beginning for self-government being made by the institution of simultaneous examinations in India and in England, and he urged that that beginning will be the key, the most effective remedy for the chief economic and basic evils of the present system.

‘ A three-fold wrong is inflicted,’

said he,

‘ upon us, *i. e.*, of depriving us of wealth, work and wisdom, of everything, in short, worth living for, and this beginning will begin to strike at the root of the muddle. The reform of the alteration of the services from European to Indian is the keynote of the whole.’

[*Pandit Madan Mohan Malaviya.*]

[21ST SEPTEMBER, 1917.]

“Of course Mr. Dadabhoj did not mean that there should be an immediate or an early replacement of Europeans by Indians as a whole; what he urged was that a beginning should be made in order that Indians should be able to obtain an increasingly large share in the higher services of their country.

“This, Sir, was the state of affairs before the war. What is the position of affairs now? The war, as Mr. Lloyd George has said, has changed things enormously; as one of the members of the Commission has observed, centuries of progress have been effected by this war. Naturally in consequence of it, things have begun to be looked at from a changed angle of vision; and we have been looking forward that our claims, which are based on justice, based on right, claims which were solid and strong before the war and without any reference to the war, will now be regarded as much stronger by reason of the part which Indians have had the privilege of playing in this great world war. I would like to quote here a few remarks from a speech of the Marquis of Crewe. In his speech at the Guildhall in London he said:—

‘It is perhaps even more striking, certainly no less gratifying, that those representing the various races in India, races representing a civilisation of almost untold antiquity, races which have been remarkable in arms, and the science of government, that they should in so whole-hearted a manner rally round the British Government, most of all round the King-Emperor at such a moment as this, and I am certain that the House will desire to express through those who are entitled to speak for it, its appreciation of their attitude and its recognition of the part they have played.’

“And Lord Haldane said:—

‘Indian soldiers are fighting for the liberties of humanity as much as we ourselves. India has freely given her lives and treasure in humanity’s great cause; hence things cannot be left as they are. We have been thrown together in this mighty struggle and have been made to realise our oneness, so producing relations between India and England which did not exist before.’

“Now, Sir, in view of this momentous event, I submit the problem should be looked at in a much more sympathetic spirit than it has been heretofore. Our claim to have simultaneous examinations for admission into the Indian Civil Service held in India as well as in England, was quite strong before the war, and without reference to the war; but the attitude of India during the war has given added strength to that claim. His Majesty’s Government have recently announced the goal of British policy in India. In that announcement we have been told that

‘The policy of His Majesty’s Government, with which the Government of India are in complete accord, is that of increasing the association of Indians in every branch of administration and the gradual development of self-governing institutions with a view to the progressive realisation of responsible government in India as an integral part of the British Empire.’

“His Excellency the Viceroy also in the memorable speech, to which it was our privilege to listen on the 5th of this month, told us that the increased association of Indians in the higher services was one of the matters which was close to his heart and to that of the Government.

“We also have the statement of Mr. Montagu in the speech which he delivered a short time before he was appointed as Secretary of State, and which he reaffirmed after he had been appointed Secretary of State, in which he pointed out how necessary it is that the Government of India should be radically altered. I will not take up the time of the Council by reading large extracts from that important speech, but I will draw attention to only one important passage in it, where he says—

‘Your executive system in India has broken down because it is not constituted for the complicated duties of modern government. But you cannot reorganise the Executive Government of India, remodel the Vicerealty, and give the Executive Government more freedom from this House of Commons and the Secretary of State unless you make it more responsible to the people of India.’

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“ Now that is the position, that the Executive Government has to be made more responsible to the people of India. With the altered state of things which the war has brought about, the recognition of the comradeship of Indians and Europeans, in arms, the recognition of the free contributions and the loyal services rendered during the war, and above all with a full recognition of the fact that the present system has outgrown itself and must be altered, so that the Government shall be made responsible to the people of India, we have to approach this problem for solution. And I submit, Sir, that of all the questions relating to Constitutional reforms there is none which is more important, which lies at the root of the problem, more than this question of instituting examinations for admission into the Civil Service simultaneously in India and in England.

“ There is one other aspect of the question which I think I ought to ask the Council to bear in mind in this connection. Things have changed, they have changed greatly. The prayer for simple justice which we have gone on repeating, and, I say it with regret, repeating vainly for fifty years, cannot be disregarded. Indians feel that, in being excluded from the higher appointments of the services of their own country, they are being very unjustly dealt with. They find that the peoples of many other countries have made and are making great progress in all directions, that in many of them the systems of government have undergone a change to the great benefit of the people. They find that a new life has come over Japan.

“ In the last fifty years Japan has reorganised itself and has won a place amongst the foremost nations of the world. When they contrast the condition of Japan with what it was in the last fifty years, with the progress made in the condition of India during the last 60 years, since the Proclamation of 1858, they cannot help drawing inferences and making comments which are unfavourable to the present system of Government. Indians dearly want to feel, they want to realise that in India, as subjects of His Majesty the King-Emperor George V and his successors, they can and they shall rise to the same height in their own country to which the Japanese have risen under the Mikado. They feel that other countries, even Asiatic countries, have been making great progress and they find a difference in the treatment given to the youth of this country. The British Government have established Colleges and Universities in our midst and have given us good education. We feel grateful for it. But the Governments of other countries have done one thing more, which the Government of this country has not done to the same extent. After having educated the youths of those countries, they have opened all the portals of higher service to those youths. In this country these higher portals have been practically closed against us, and, as has again and again been pointed out by several English writers, if you will not allow the advantages which ought to flow from the acquisition of higher knowledge to come to those who have received that knowledge, you will necessarily create dissatisfaction and discontent. Having regard therefore to the justice of our claim, to the entirety of the circumstances and considerations which have come into existence because of the war, having regard to the circumstances of surrounding countries, and of the civilised world generally, the Government ought not to hesitate any longer in instituting simultaneous examinations for admission into the Indian Civil Service in India and in England.....”

**The Hon'ble the Vice-President:**—“ I have to remind the Hon'ble Pandit that he has already exceeded the time limit.”

**The Hon'ble Pandit Madan Mohan Malaviya:**—“ I am sorry, Sir, I was not conscious of it. The subject is one which touches the hearts of us all, and I hope you will kindly allow me just a few minutes more to bring my remarks to a close.”

**The Hon'ble the Vice-President:**—“ I hope the Hon'ble Pandit will be as brief as possible.”

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**The Hon'ble Pandit Madan Mohan Malaviya:**—"I was going to deal with the question of the character of Indians which has largely, it seems, influenced the decision of the majority of the Commission, but I will reserve it, if it should become necessary for me to do so, for my reply. But before concluding, Sir, I wish to make an earnest appeal to the Government to take up this question in an earnest spirit and to solve it. There ought to be no necessity for discussing it at any great length. We have got the authoritative opinion of the Parliamentary Committee of 1860, we have got the authority of the House of Commons of 1893, we have got the opinions of many gentlemen who appeared before the Public Services Commission in 1886, and of many more who appeared before the Royal Commission of 1912, in favour of simultaneous examinations. We remember that the Committee of 1860 pointed out that there could be no better way of honourably fulfilling the pledges which had been given than by instituting such examinations. I wish also to make an appeal to my friends, the members of the Indian Civil Service. My friend the Hon'ble Mr. Sastri made an appeal to them yesterday. I wish, if I may, to support it, I would earnestly ask them to look at the question from the point of view that the honour of the English sovereign, the honour of the English Parliament, the honour of the English nation, is involved in the fulfilment of the pledges which have been given to us during the last eighty years. Many of your own statesmen have said that those pledges have not been faithfully fulfilled. Lord Lytton once said that they had been made a dead letter, and Lord Salisbury cynically urged that there was no good in keeping up an hypocrisy. But I am sure the documents containing the pledges will not be treated by the great English nation as a mere 'scrap of paper.' I am sure they realise that the honour of every Englishman, the honour of every Britisher, is involved in the honourable fulfilment of those pledges, and that those pledges can only be faithfully fulfilled by the holding of examinations for admission into the Indian Civil Service simultaneously in England and in India. One of the members of the bureaucracy has appealed to the members of the Indian Civil Service to decide their duty with reference to this question. I feel that it lies with them more than with any other body of men to help us to realise what we believe to be our birthright. In concluding his book on bureaucracy Mr. Bernard Houghton says:—"

**The Hon'ble the Vice-President:**—"The Hon'ble Member must not read quotations at this period of his speech. He has already exceeded the time limit."

**The Hon'ble Pandit Madan Mohan Malaviya:**—"I will take only a minute, Sir."

**The Hon'ble the Vice-President:**—"Very well, I will give you a minute more."

**The Hon'ble Pandit Madan Mohan Malaviya:**—"Mr. Bernard Houghton says:—"

'And the members of the Indian Civil Service, easily the finest in the world,'

I am sure this will gratify the hearts of my friends,

'may recall with pride, even when handing over the sceptre of supreme control they have wielded so long, that their dominion in India has not been without its glories. To have replaced turbulence and disorder by peace, to have established courts of impartial justice, to have cast over the country a close network of roads and railways—all these are achievements which will ever redound to the honour of themselves and of England. But perhaps the greatest of boons, albeit an indirect one, which India has received at their hands has been the birth of a genuine spirit of patriotism. It is a patriotism which seeks its ideals, not in military glory or the apotheosis of a king, but in the advancement of the people. Informed by this spirit, and strong in the material benefits flowing from British rule, India now knocks

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at the portal of democracy. Bureaucracy has served its purpose. Though the Indian Civil Service were manned by angels from heaven, the incurable defects of a bureaucratic government must pervert their best intentions and make them foes to political progress.'

Not all of them, I am sure, Sir.

'It must now stand aside, and, in the interest of that country it has served so long and so truly, make over the dominion to other hands. Not in dishonour, but in honour, proudly, as shipbuilders who deliver to seamen the completed ship, may they now yield up the direction of India. For it is the inherent defects of the system, which no body of men, however devoted, can remove, which render inevitable the change to a new polity. By a frank recognition of those defects the service can furnish a supreme instance alike of loyalty to the land of their adoption and of a true and self-denying statesmanship'.

"I earnestly hope, Sir, that my friends of the Indian Civil Service will approach this question before us in the spirit in which this appeal has been made to them by one of the former members of their Service, and I trust that, approaching it in that spirit, they will help us to obtain such a solution for which we ask of this very important problem which concerns our welfare."

**The Hon'ble Mr. C. H. Atkins:**—"I should like to get up at this early stage of the debate, not because I have anything useful to lay before this Council, but to express my own disappointment with the speech of the Hon'ble Mover and to express a hope that perhaps other speakers may give us something more useful to listen to. The Hon'ble Mover has dealt with the subject generally; he has made a passionate appeal to us, members of the Indian Civil Service, to open an access to the service by having simultaneous examinations. He has not dealt with the practical difficulty. He said a few unpleasant things; he said some pleasant things. We all feel the many difficulties; we feel the difficulty of our Indian friends and we also feel the practical difficulties of what they ask for. But the speech we have heard might better have been delivered on yesterday's Resolution, and I do not think it has helped the question which is now before us. I understand that Government wish to hear the opinions of Hon'ble members; they wish to get help from them. We have to consider what the result of simultaneous examinations would be. I think it is generally admitted that the change is not to come too suddenly, and that for a time the preponderance of British officers will have to prevail. Although we grant that there was objection to the proposal put forward yesterday that we should not lay down rules as to a definite number of British officers to be maintained, at the same time, from conversations with Hon'ble Members, I think they all admit that the change must come slowly, that for a time the preponderance must remain. And a result possibly of simultaneous examinations might be that the constitution of Government will be altogether altered.

"There is no doubt about the ability of Indian boys and it is quite possible that in the case of a simultaneous examination they might carry off a very large proportion of the appointments. It would seem *prima facie* to be better to fix some proportion that should be taken by Indians and that examinations for entry to so many appointments should be held in India. We want, I think, to get ideas as to how this can be worked, to get some solution of the practical difficulties. The question of expense has to be considered. One of the arguments for admitting more Indians is that the present officers are too expensive. Well, I do not think you will get British officers for less, and if any expense is to be saved it means that the pay of Indian officers must be less than that of British officers. That again would mean the maintenance of a separation between the two services, the Indian and the British. That is one of the difficulties, I think, and one that I have not seen the solution of. Of course all the same appointments may be open to members of both services and in that way the services may be one and the same. But I take it if anything is to be saved the pay of the Indian recruited officer will have to be less than that of the

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British. I would again ask the Hon'ble Members to give us something useful in the way of suggestions. The time for these passionate appeals is past. It has been admitted that something has to be done and the desire is to know what."

**The Hon'ble Mr. K. V. Rangaswamy Ayyangar:—**  
"In this connection I should say that last year by this time one of my good friends Dr. S. Subramania Iyer made an important pronouncement in a public entertainment that the Civil Service Examinations should be held exclusively in India. The other day when we had the notice of this Resolution of Panditji I suggested to him that I had in contemplation a notice of amendment which would make the Resolution mean that the Examinations should be held entirely in India. Even though by this step there is doing justice for Indians and there is more economy and efficiency for the Government, yet the Hon'ble mover asked me that we should wait to suggest the proposal in my intended amendment, till we are able to first secure the co-operation of the Government in this moderate Resolution. On his advice, I did not send in the amendment. Now that the Government of England or India is only attempting at economy and efficiency of administration even at the sacrifice of the luxuries of the different nations I do not think it would be impossible for holding the examination of the Indian Civil Service exclusively in India.

"Whether it is exclusive Examination in India or a simultaneous one, at least one examination should be held in India. The extreme poverty of India does not afford its sons to invest such a large amount on the journey to England and the costly maintenance there. The Home loving tendencies of the Indians and the deep domestic attachment and kinship forming our characteristics retard all the impetus to go a long distance. Only very few parents will be willing to barter a long absence of their sons for even the Indian Celestic services. The climatic conditions of England do not entirely suit our health and habits. Further, rightly or wrongly, there is a scripture to interdict Hindus from sea voyages and many of them are mostly very loyal to their scriptures. The first obstacles are over-ridden by a very few people and our object is only to remove obstacles and place open competition within the reaches of all the gifted sons of the land.

"Further, I know one instance, which would at once show to what extent Indians are subject to disappointments even after overcoming all obstacles and after taking all the risk, trouble and expense by going there for competing the test. The instance I refer to is a talented Indian, who having passed the Indian Civil Service creditably was not taken into the services, because he could not ride his horse well. If India had not got enough of its sons who are not worthy of the responsibility, confidence and ability, then it is another matter and we have no case at all. I can confidently say that the men who are in the provincial services who had passed the old Provincial Civil Service tests can very easily compete for the Indian Civil Service Examination. There was a case in Madras of one who having failed to secure a pass in the Provincial Civil Service, had the pluck to go to England where he creditably succeeded in passing the Indian Civil Service Examination. The test, if accepted to be held in India; would attract the best men and would be doing sheer justice to the sons of the soil. Especially, in times of war, when conditions are such that sea voyages become increasingly difficult, such a course as holding an examination here would be very much urged upon. The Government would do well to take a lesson from the Industrial men of England, who instead of the out-of-date method of importing products from India and sending them back as various finished goods are now resorting to start those Industrial Mills in India itself."

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**The Hon'ble Sir William Vincent:**—"Sir, for reasons which I explained yesterday, the Government cannot accept this Resolution. Indeed, I do not suppose that the Hon'ble Member seeks at this stage to do more than ventilate the subject; and he has done so, if I may say it, with great ability. I may mention here also that I do not share the Hon'ble Mr. Atkins' opinion that he has not done so with very reasonable moderation, because I think we all understand and know that the subject of this Resolution is one upon which Indians feel very strongly. I am sorry that more Hon'ble Members have not spoken in order that I might have had the advantage of hearing their arguments before I had to speak myself; but in any case I can assure the Council that any arguments that are adduced will receive careful consideration.

"I do not propose, nor would there be time for me, to enter into any prolonged discussion of the arguments for and against this Resolution; but there are some salient points to which I think I ought to draw attention. The first is the suggestion that the Commission seek to exclude Indians from the Indian Civil Service....."

**The Hon'ble Pandit Madan Mohan Malaviya:**—"May I explain? I did not mean to say that the Commission seek to exclude Indians. I said the fact of the examination being held in England alone results in Indians being excluded to a large extent."

**The Hon'ble Sir William Vincent:**—"I repeat that the suggestion the Hon'ble Member made was that Indians were being and were to be excluded from the Service. Now this is really not so. The Commission propose that a percentage of the Service should be recruited in India and the question which the Government have to consider is the best manner in which the recruitment can be effected with due regard to securing the proper representation of different classes of Indians and so as not to endanger the British character of the administration. These are the real points for decision. The Hon'ble Member also suggested that the adoption of his Resolution would in some way lead to economy. But it has never been suggested, as far as I am aware, that Indians admitted into the Indian Civil Service either through simultaneous examinations or separate examinations should be paid at different rates from Europeans. Turning again to the recommendation of the Commission I ask the Council to remember that there was only one dissentient member on this point, Mr. Justice Abdur Rahim, and that all the other members including Sir Mahadev Chaulal were opposed to the views of the Hon'ble Mover on this question. The reasons which they give are, I think, worth quoting in this Council, possibly many Hon'ble Members are aware of them but some may not have read the report carefully. The Commission say:

"It was also suggested to us, though almost exclusively by the Indian witnesses, that there should be simultaneous examinations in England and India, conducted in both cases by the Civil Service Commissioners and with the same papers and a common list embodying the results. Few, however, pushed this suggestion to its logical conclusion. Some, for example, expressly proposed a British minimum from the outset, whilst many, who saw no necessity for imposing a minimum at the present juncture, admitted that a time might come when such would have to be established. In this uncertainty quite apart from the practical difficulties which must surround any simultaneous system in totally different longitudes and in separate continents, will be found the main reason for rejecting this precise solution of the problem. For such an arrangement must either be accompanied by a fixed proportion between Indians and Europeans or it must not, and in either case the results will be equally open to objection. In the former, the fundamental anomaly will be introduced, by which men, who pass lower in the examination, will be preferred on racial grounds to those who have passed higher. In the latter the maintenance of the British character of the administration will be made to depend on the chances of an examination."

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Now, I think it may be said that the case against simultaneous examinations rests in great measure on the basis that the maintenance of English methods of Government in India necessitates a substantial proportion of Britishers in the service. Some Members, I dare say, hold this to be incorrect; many more will hold it to be controversial, and I admit that it is controversial, and it was in fact one of the many difficulties which necessitated the appointment of this Commission, a Royal Commission, to investigate the subject. It is quite true that the last word has not been said on the Report of that Commission. But I think that the Hon'ble Member will recognise that recommendations arrived at after such careful inquiry are entitled to be treated with some respect, and it seems better to approach them in a liberal spirit rather than lightly to brush them aside. I have not had time to examine the evidence at all; I have just glanced at portions very cursorily but even that has shown that not a few Indians whose opinions are entitled to respect hold that simultaneous examinations are undesirable. I can give the names of some of them if the Hon'ble Member wishes.

"The views of the Commission on the point are perhaps entitled to the greater respect because they are in complete accordance with the views of previous Commissions and also with the views of the Government of India and of the Secretary of State for many years. The *locus classicus* on the subject will, I think, be found in the Government of India despatch of 1893 from which I quoted yesterday. The conclusions of which were concurred in by the Secretary of State. I have no time to cite the whole of arguments in the despatch, but I should like to quote one or two portions of the summary at the end. The Government say firstly that no concessions of simultaneous examinations were necessary for the fulfilment of so-called pledges; and secondly that the practical difficulties in introducing a system of simultaneous examination would be extremely serious. Now this is a point to which the present Commission also advert. I do not wish to dilate upon it, and it is not really of primary importance; but there are obvious difficulties in conducting simultaneous competitive examinations  *viva voce* in different continents. Further, recent experience gives some colour to the view that the leakage of information as to papers is not entirely negligible; but I do not want to press this point, because I admit it is a minor one. The Government of India go on to say—

'It is conceded that in order to ensure the efficient administration of the country a minimum of British officials is indispensable, and such a minimum could not be maintained if simultaneous examinations were held.'

They go on.

'Again competitive examinations in India would certainly have the effect of admitting a large number of competitors deficient in the qualifications necessary for the higher ranks of the service and whose antecedents and origin would not be such as to command the confidence and good will of the classes for whose welfare they would be responsible. On the other hand it would exclude the most valuable and capable assistance which the Government could obtain from Indians in the Sikhs, Muhammadans and other races, accustomed to rule and possessing exceptional strength of character, but deficient in literary education.'

"Mr. Shafi will possibly not admit that the Punjab is behind hand in education just at present, here I should like to pause and place before the Council figures which I have had collected as to the results of the Civil Service examination from 1906 up to date. I have taken figures from 1906 because I believe in that year the age limit was changed. Here are the results. In all 34 Indians got into the Indian Civil Service in the period through the competitive examination held in England. Of these 25 were Hindus and 1 was a Muhammadan. The presidencies of Madras, Bombay and Bengal absorbed 26 out of these 34 places. The Punjab, Burma, Central Provinces and Assam did not produce a single successful candidate during these years. I state these figures subject to

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correction, and I should be glad if any one will put me right if I am wrong because I have not had time to verify them carefully. Nor do I want to base too much upon them, because obviously the same results might not have followed if simultaneous examinations had been held. But the possibility of similar results cannot on the other hand be entirely neglected, and I think the figures are the more significant when it is remembered that though Muhammadans and others freely resort to the United Kingdom for their education, many orthodox Hindus—and they would be very successful according to what my Hon'ble friend Mr. Ayyangar said—are at present unable to proceed to England for this purpose.

“ In this connection I should like also to refer to certain figures which I have obtained from the Finance Department as to the results of competitive examinations for appointments in that department. The figures, I should explain, are not figures of open competitive examinations and their value is *pro tanto* diminished. The examinations are held among a number of nominated candidates. I do not therefore seek to base too much upon them, but I do ask the Council to consider them and I put them before the Members more as an illustration of what some of our difficulties are in this matter. Now, in the Finance Department the Government have admitted 24 candidates into service in the last ten years. Of these ten were Madrasse Brahmins. The total number of Brahmins is 14, the total number of non-Brahmin Hindus is 8, and the total number of Muhammadans is again 1. Now, Sir, as I said before I do not seek to build any argument upon these figures. I merely put before the Council facts. It may be right, it may be desirable that the Government should be Government by Brahmins. I am not offering an opinion on the point; but I put the facts before Council that Hon'ble Members may judge for themselves. It is also a question for consideration, I think, whether the races of the North-West Provinces of India would readily accept complete administration of their provinces by gentlemen who, though possessed of the highest intelligence and great educational qualifications, were in their opinion, lacking in qualities which they regarded as essential.

“ It is doubtful, for instance, if the entire Administration of the North-West Frontier Province could safely be entrusted to gentlemen of this class. Indeed, I think myself that if I were a local resident I should be inclined in such a contingency to realize my property and convert it into some portable form. Similarly, in a Province like Burma, it might be argued that if the whole of the Civil Service were filled with Indians the Burman would have a genuine grievance. I may observe that the general trend of the evidence in Burma was against the employment of Indians there at all. Now it may be urged that the whole of this assumes that the result of simultaneous examinations would be to destroy the British element in the service. I do not say that would be the result but I do say that it is one of the possibilities which the Government of India have to contemplate and this question becomes more important if the cumulative effect of the various Resolutions proposed be considered. If these Resolutions are accepted, the Civil Service is to be debarred from all high office whether executive or judicial, and the recommendations of the Public Services Commission as to remedies for grievances relating to pay or pension are to be negated, in other words this Service which has already lost much of its attractiveness, in the eyes of Englishmen, is to be rendered less attractive still, so that fewer candidates of the best class may be tempted to compete for it. At the same time simultaneous examinations are to be introduced so that the best young men out of 300 million people, some of very high intelligence, very well educated, may compete with the few English lads who would seek to enter the Service under the new conditions. Now, I put it to the Council whether a possible effect, I do not say that it would be the effect, but whether a possible effect of this might not be the immediate Indianisation of the whole Service, if it did not lead to the whole service being filled

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by Hindus from the South and West of India. I am not committing the Government of India to saying that this result would follow, I am not stating, nor do I wish to say for a moment, that for these reasons the Government of India are unwilling to accept the resolution ; but I am putting before Council considerations which show that this question is one of great gravity which can only be decided after consideration of various possibilities. I do not wish to press the point further, I seek merely to indicate some of the difficulties of the position. Finally though I have already drawn attention to the point I wish again to point out that although the Commission rejected the principle of simultaneous examinations, they at the same time made definite proposals to secure that Indians should receive an increased number of appointments in the Service. In such circumstances it cannot be said that they were biassed or unwilling to consider what are very just claims. The policy of the Government of India and the Secretary of State in this matter has also been explained in the debate yesterday and with that policy the Council is familiar. Nevertheless, I am afraid that for the reasons which I have already given, and without committing the Government in any way, to accept or reject this proposal, I cannot accept the Resolution which has been moved by the Hon'ble Member."

**The Hon'ble Mr. Srinivasa Sastri:**—"Sir, the Hon'ble Mr. Atkins wishes us to tackle the practical difficulties in the way of our adopting the Resolution. What practical difficulties there are he has not indicated very clearly, but there was a reference in his short speech to one of the difficulties which I will attempt to tackle, not on my own authority, but on the authority of eminent people, who have been examined by this very Commission. I think one of the difficulties he alluded to was that which may be experienced in holding an examination in India identical with the one that is held in England. On that point I would refer him respectfully to the evidence tendered by Mr. Stanley Leathes, the first Civil Service Commissioner in England. He opined that it was possible to hold such examinations here. Of course it would be necessary to send out some men with experience in the holding of examinations, he even suggested that in the conduct of the *viva voce* examinations, and where Indian subjects were concerned, he would not object to the appointment of Professors of Indian Colleges. Then the other difficulty which Mr. Atkins suggested was one to which the Hon'ble the Home Member has also referred, at considerable length, and that is the difficulty of obtaining a guarantee that a certain British minimum would be maintained in the Service. This would lead me to cover the ground partially gone over yesterday, but I will try to be very short. The Commission objected theoretically to the establishment of a proportion at all, and, looking at the Statutes great lawyers have held the opinion that to prescribe a minimum either on one side or the other is not lawful. That is not a point on which I am competent to say anything. But what have the Commission done themselves? They have proposed two examinations, one to be held in England and one in India and they have fixed a proportion, a proportion on the Indian side, but they strongly object to fixing one on the British side. They have set 25 per cent as the maximum of Indians that may be admitted into the Services.

"There is only one other point to which, at the risk of being some what invidious, I wish to refer because the Hon'ble the Home Member, careful as he was not to commit either himself or the Government of India, still indicated a considerable diffidence. He told us that if simultaneous examinations were held in India it would lead to the over-representation or to the exclusive representation of certain communities greatly to the detriment of the other communities.

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**The Hon'ble Sir William Vincent:**—"I did not suggest that, I did suggest that, whether this result would follow was one of the points which the Government would have to consider. I certainly said that, but if I said more than that, I did not intend it."

**The Hon'ble Mr. Srinivasa Sastri:**—"I accept the correction, Sir. But still there is a difficulty suggested and I am trying to deal with it. It is not a difficulty which the Hon'ble the Home Member has yet persuaded himself to believe. This difficulty will exist for ever. There are different communities in India, and as far as I can look forward to the future, it is not possible to attain a complete assimilation of all the communities that now are consciously considering themselves as distinct from one another. Then is it proposed to postpone the fulfilment of the pledges and the grant of what we consider our due till this impossible end is attained? That seems to me to be the logical end of those who suggest the difficulty as one that will stand in the way of simultaneous examinations. Muhammadans, Sikhs and other people it seems, would at once start up in clamour if simultaneous examinations were adopted. What are they doing to-day? Have they the representation in the higher branches of the service to which they are entitled and to which they will say they are entitled in future? They have not got that now. If the Government of India, I mean, if the authorities—I should not speak of the Government of India alone in this connection—if the authorities make suitable provision for the representation of those communities, those who advocate simultaneous examinations would be prepared to consider any proposals that might effectuate the object. The Commission themselves, while putting forward this difficulty, have not appeared in my opinion in their own practice, that is to say, as judged by their recommendations, to attach very considerable weight to this difficulty. On the contrary both they and the several witnesses who gave evidence before them, have laid clear line of demarcation between this eminent service in India, the superior service in India, and all other services. While they consider that it would be a suitable object to keep in view in recruiting for the Provincial Civil Service and for the other services to see that all the communities receive adequate representation; they have considered, however, that in the Indian Civil Service, the highest in the land which was called upon to administer on the largest scale, it is not desirable to give this particular object, namely the representation of the different communities, the same importance. In their own recommendations they have fixed the number 9 as the limit of Indian representation. They have allowed 7 to be competed for in more or less an open competitive examination. 2 however are to be retained under the patronage of the Secretary of State...."

**The Hon'ble Sir William Vincent:**—"May I rise to say one word, Sir. I think that the Hon'ble Member's remarks would be more relevant when the alternative Resolution of my Hon'ble friend dealing with the question of proportion and numbers comes on?"

**The Hon'ble the Vice-President:**—"I understand that the Hon'ble Pandit's alternative Resolution is only to be moved in the event of the present resolution being lost."

**The Hon'ble Sir William Vincent:**—"I hope that he will withdraw it."

**The Hon'ble Mr. Srinivasa Sastri:**—"Besides, Sir, I am mentioning this only as giving a clear indication of the mind of the Commission themselves, as may be inferred from the recommendations, that this principle of adequate representation of all communities plays only a very small part. Therefore what I am urging is that this difficulty of having adequate representation for all castes and communities in India, for all provinces and for all

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universities also, should not deter us from adopting what might otherwise recommend itself as a suitable means of rendering justice to Indians.

“ There is, Sir, only one other point which remains for me to touch, and that is the question of the attractions of the Civil Service for English youths. That is a point which would appear again and again in the course of our discussions. I think the Hon'ble Home Member was a little previous in alluding to it, and it is therefore part of my duty to refer to it. The attractions of the Indian Civil Service for British youths, I am not of course in a position exactly to judge, but they seem to me to be very great, and I am not one of those who think that they need at all to be rendered greater. If, however, the apprehensions of the Hon'ble the Home Member or of those for whom he was for the moment speaking,—apparently he was not speaking for himself at the time,—if these apprehensions should prove true, I am one of those who think that that is one of the difficulties that we shall have to face in the course of our upward progress, but in my opinion it is by no means the greatest difficulty that we shall have to face.”

**The Hon'ble Mr. M. A. Jinnah** :—“ Sir, the position that has been taken up by the Hon'ble the Home Member is one which, I must say, has not satisfied me. The Hon'ble the Home Member has pointed out every possible argument that he could lay hold of against simultaneous examinations. Having done that, he wound up by saying, very ingeniously, very cleverly, that the Government do not commit themselves in any way at all. Well, if the Hon'ble the Home Member has taken the trouble to solve all these difficulties,—I have no doubt that he as one of the Members of the Executive Council will put all those difficulties before the Executive Council,—I have no doubt that to a certain extent he has given an indication of his own opinion. I would never have taken part in this debate, but since the Hon'ble the Home Member has invited the opinions of non-official members I would like to meet those difficulties. First of all, the Hon'ble Mr. Atkins said that we never put forward reasons for simultaneous examinations but he never put forward any against it except one which my Hon'ble friend Mr. Sastri has dealt with. Now, Sir, I do not wish in any way to convey any idea of criticising the Civil Service unnecessarily. The position is this. The people of India say ‘ you lay down any test you like, but give us equal opportunities.’ Why should the people of India not have equal opportunities? Now, it has been said that the competitive test is the best possible test that we can think of, and I propose, with the permission of the Council, to quote the words of Mr. Balfour which I had the honour of putting forward before the Public Services Commission. This is what Mr. Balfour says :—

‘ There can be no doubt for example that a man who can succeed in a severe competition must have great powers of work, great powers of concentration, great powers of maturing a subject, and great powers of reproducing his knowledge. The existence of these mental powers is shown to demonstration by success and they are all of them of the utmost use in every walk of life and not least perhaps in that of the Indian Civilian.’

“ Now the first difficulty which the Hon'ble Member puts forward is that it would certainly not maintain the preponderance of the British element. Now, Sir, may I know why it is necessary to have a preponderance of the British element? Why? If, as we are contemplating, we are not going to have I hope for a very long time a bureaucracy that will be the masters of the people, but a bureaucracy that will be the servants of the people, and that is what we are aiming at, and if our hopes are realised in the reconstruction of the Government, we hope that the bureaucracy which under the present constitution are the masters and the rulers, will be the servants responsible to the people and under the control of the people. If that is to be realised, may I, Sir, know why there should be a substantial element of the British? We want a service, we want

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men who will serve us, who will discharge their duties efficiently and faithfully to the Government. I have always failed to understand this argument.

“The Hon’ble Member said well, now, supposing you have to send men to the North-Western Frontier, what will be the position? If you have a Brahmin he may be very efficient as a literary man, full of knowledge. In other words he conveyed that a Brahmin, if he got into the Civil Service, would be nothing but a bookworm and would not be a man possessing manly qualifications.

**The Hon’ble Sir William Vincent** :—“ Indeed, I said nothing of the kind.”

**The Hon’ble Mr. M. A. Jinnah** :—“ May I know what the Hon’ble Member meant. Why should not a Brahmin who has passed the test laid down, any test you like, educational, physical or otherwise,—why should not a Brahmin who has passed that test be put in charge of any Province or any district; will the Hon’ble Member explain that? What will happen to the North-Western Frontier if he goes there? The Hon’ble Member says ‘Oh! the man with any property, if he was living there would at once convert his property into a portable state.’ If the Hon’ble Member is so much afraid of a Brahmin he may be sure the residents of the North-Western Frontier will also obey his orders. But Sir, I go further, how are these Provinces now managed by the Civil Servants? We know perfectly well Sir, that in these Provinces the people are more or less not civilized, people who do not obey the law in the same way as the civilized parts do. We know Sir, military officers have been sent, military officers have been governing those Provinces, even the Punjab was a non-regulated Province for a very long time and surely such Provinces as are of that character can always be managed by other officers who would be able to prevent the residents of those Provinces from turning their property into a portable state.

“ I have mentioned the two arguments, namely, preponderance and the question of Provinces such as Burma and the North-West Provinces. The other argument was that we have got in this country different classes of people such as the Muhammadans, Hindus, Parsis, Sikhs and so on, and the Hon’ble Member quoted certain figures with regard to examinations in the Finance Department as I understood and with regard to the Civil Service examinations that have been held in London. Well, now, Sir, on this point my answer is this. A man like the late Mr. Dadabhai Naoroji who represents the Parsi community, a man like the late Mr. Gokhale who represents Indians, men like Sir Pherozeshah Mehta who represents the Parsis and men like His Highness the Aga Khan who, as we all know, carried enormous weight with Muhammadans, they all gave their evidence before this very Commission, urging upon the Commission that they wanted simultaneous examinations. Now Sir, are the opinions of such men not to be taken into consideration. Did they not know the interests of their own communities? The Hon’ble Member has given figures; he says the result would be that probably the Muhammadans would not get their proper share. Well, Sir, I can tell you this that the Muhammadans are to-day in a much better position than perhaps the Hon’ble Member knows and are quite prepared to compete with their Hindu brethren, and therefore there need be no anxiety of any kind whatsoever on the part of Government for the Muhammadans. I grant that we are backward to a certain extent, I grant that there is a larger number of Hindus in this country than Muhammadans, but assuming that a larger number of Hindus do get into the Civil Service will that be more objectionable to the Muhammadans than that a larger element of the Europeans should get in? I want to be frank, I do not want to give any offence, but why should it be any more objectionable to the Muhammadans if

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the Hindus are more than if the Europeans are more? Therefore I say that is an argument which I submit has no place here. What we want Sir, is this, we want an efficient service. Let it be open to competition to any one, to Europeans, Hindus and Muhammadans, Parsis, etc., and the fittest get in—the survival of the fittest should be the rule for recruiting the highest service.

“Then I give you what my objections are at the present moment to the Civil Service examination being held in London only. Sir, we know perfectly well, and let me tell you this that the Indian element which you get now by this door, which is a door which really more obstructs the Indians from getting in because you put so many difficulties in the way, a man has got to go to London, a man has to get money, a man has to take the chance and the risk of working for years and at the end of 5 or 6 years, if he fails in the Civil Service he is good for nothing .....

**The Hon'ble Sir William Vincent** :—“ I always understood he went to the Bar!”

**The Hon'ble Mr. M. A. Jinnah** :—“ No, the Hon'ble Member is very much mistaken. If he cannot get into the Civil Service he will be much less able to get on at the Bar. However that is beside the point. Therefore you expect people to go to London all the way taking all these risks and then at the end find themselves, if failures, with nothing to do. On the other hand if you had simultaneous examinations in this country you would find better men, better talents will have an opportunity of competing and you will get better men, I venture to say better men will get in, if you had examinations here in India as well as London. Therefore, Sir, I strongly object to the present system of recruiting for the Civil Service, and I say that it is obvious to any thinking man that, while theoretically the Civil Service examination is open to the sons of India, practically every possible difficulty is put in their way and the result of that is that you find (I believe I am right) that out of 1,300 Civilians holding various posts in this country, today there are no more than 60 or 70 Indians. Well, that is the state of things, that although in theory it is open to His Majesty's subjects in India to compete for the Civil Service, to all practical purposes the door is really closed.

“Now we say open that door properly and let there be honest equal competition. Let the best talent of India compete for it. Put any test you like, and then, whoever is the fittest should get into that service. I do not see any reason against it or any objection to or any answer to that proposal. Therefore, I would ask the Hon'ble Mover to divide the Council on this Resolution and let us record our most emphatic opinion on this Resolution, by our vote.”

**The Hon'ble Khan Bahadur Mian Muhammad Shafi** :—  
“Sir, I am in entire agreement with the Hon'ble the Home Member when he says that my friend the Hon'ble Pandit Madan Mohan Malaviya placed his case before the Council with extreme moderation. With most of what fell from the lips of the Hon'ble Pandit I am in entire accord. I agree with him that a state of things in which, for the Indian Civil Service, an examination is held in England and in England alone is in the highest degree unsatisfactory. I am further in entire agreement with him that, when we examine the figures and find that only 10 per cent. of the appointments in the Indian Civil Service cadre are held by the people of this country, it is a state of things, the sooner put an end to the better. But when we closely examine the speech delivered by my Hon'ble friend, it is directed to establishing the necessity of an examination being held in this country. The Civil Service Commission also have recommended that an examination should be held in India, and the real point for discussion, it seems to me, was whether that

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examination should be simultaneous, as advocated in this Resolution, or should partake of the nature of the examination, which is suggested by the Public Services Commission. That was the real issue before the Council, and I venture to submit that, as regards this issue, my Hon'ble and learned friend the Pandit has said nothing in his very able and lucid speech.

"The difficulties which, according to the Public Services Commission—I do not say I endorse all that has been said in that connection by the majority of the Commission—stand in the way of a simultaneous Indian Civil Service examination being introduced in this country have been stated by them in their Report. My Hon'ble and learned friend in his speech did not deal with any of those difficulties. The scheme put forward by the Commission of the kind of examination which they advocate is supported by them in that Report by certain arguments and certain considerations which they have enunciated. My Hon'ble and learned friend has not combated those considerations and those arguments. I entirely agree with him that the examination for the Indian Civil Service to be held in India should be of the nature of a competitive examination so that the best intellect of the country may have the chance of competing for the appointments held by the Indian Civil Service. I also agree with him that it should be simultaneous in this sense that the same subjects should be the subjects of examination here in India as are the subjects of examination in England and the same papers should be set to the examinees in this country as are set to the examinees in England, so that there should be not the slightest difference whatsoever in the standard of the two examinations. But where I differ from him is this. I am not in favour of the examination in India being an open competitive examination in the sense contemplated by my Hon'ble friend's Resolution. It seems to me that in a country like India the best intellect of every province and of every community should have a fair chance of competing for the Indian Civil Service appointments. That is the sum total of the argument which it seems to me lies at the root of the recommendation made by the Public Services Commission, and I think that is a consideration which is well worthy of consideration by Hon'ble Members. As I said just now I do not want any favour for any community or for any province whatever, but I want that the best intellect of every province and of every community should have a fair chance of competing for the Indian Civil Service appointments.

"So far as what fell from the lips of the Hon'ble the Home Member is concerned, that possibly the people of the Punjab or of the North-West Frontier Province would not like to have for their Collectors, gentlemen from Madras or from Bengal, all I would like to say is this, that I do not for a moment share this apprehension nor do I agree with the view which he has expressed in this connection. I think that once a fair chance is given to the people of the North-West Frontier or to the people of the Punjab for competing in this examination, after that, the best man, the best Indian, no matter whether he be a Punjabi, whether he be a Bombay man or a Madras man, would be welcome to Indians of every Province and of every class. What I want to see secured is that the Muhammadans, the Sikhs and the Hindus of every province should have a fair chance, and that is possible only if a combined system of selection and competition, such as is recommended by the Public Services Commission, is adopted.

"Personally, I do not agree with the majority Report in the Public Services Commission that only 25 per cent of the total number of what are called higher appointments in the Indian Civil Service should be reserved for Indians in this country. I think there was absolutely no reason why 25 per cent only of the higher appointments should have been so reserved and why a certain fixed proportion of the entire number of appointments held by the Indian Civil Service should not be reserved for Indians in this country. Moreover, I think that

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25 is too small a percentage and will not meet the requirements of the situation. When I gave evidence before the Royal Commission on the Public Services on behalf of the Punjab Moslem League we claimed that 40 per cent of the total number of appointments held by the Indian Civil Service should be reserved for being filled up in this country, and I still adhere to that view. It seems to me that the real point has been missed by the advocates of this first Resolution. If they had given us their arguments against the combined system of selection and competition and in favour of the simultaneous Civil Service examination we should have been in a position to judge of the relative merits of the two cases. Personally, as I have said, I am entirely in favour of the system suggested by the Public Services Commission, but am not satisfied with the proposal that only 25 per cent of the appointments in the higher rungs of the Civil Service ladder be filled up in this country. I would like to see at least 40 per cent of the appointments filled up in this country.

“With these few words, I regret, I am unable to support the Resolution as put forward by my Hon'ble friend.”

**The Hon'ble Dr. Tej Bahadur Sapru :—**“I must begin, Sir, by congratulating the Hon'ble the Home Member upon the frank recognition that he has been pleased to give to the strength of Indian feeling upon this question; but having congratulated him on that part of his speech I must part company with him. The Hon'ble the Home Member referred to the report of the Royal Commission in the course of his speech. I think he is certainly entitled to refer to it and to rely upon it; but at the same time I think it is necessary that a word of warning should, on behalf of the Indian community, be uttered against too much reliance being placed upon that report. It will be within the recollection of the Hon'ble Members of this Council that when the appointment of this Commission was announced a great deal of dissatisfaction was expressed in this country with its constitution. I make no reflection upon the honourable gentlemen who were members of that Commission, but it is only true to say that the feeling at that time was, and the feeling at the present moment also is, that progressive Indian opinion was not adequately represented on that Commission. There was no doubt our great and revered leader, Mr. Gokhale, on that Commission. There was also Mr. Justice Abdur Rahim, whose politics at that time were unknown to the country and who fortunately for us has given expression to our sentiments as no other man in the country could have done. There was no doubt Mr. Chaubal also, but so far as Mr. Chaubal is concerned, I will say with the utmost possible respect for him that he never belonged to the progressive party in India. Having said that much, I must invite the attention of the Council to one other important circumstance with regard to that Report, and it is this. The Commission was appointed before the War and the Report was written at a time when there was some talk of a change in the angle of vision but when the readjustment had not taken place. Sir, it is important to bear in mind that the report of the Commission has not appealed to the Indian community at large, and I think it is a great mistake to suppose that we Indians are going to be satisfied with the recommendation that 9 persons should every year be selected for the Civil Service in India. Sir, in the recent announcement which was made in the House of Commons by Mr. Montagu it was said that it was the policy of British Rule in India that there should be an increasing association of Indians in the administration of the country. That being so, I fail to see how that object can be achieved with any degree of success if we accept the recommendation of the Public Services Commission. Of the 9 men who are recommended by the Public Services Commission to be taken from India, seven are to enter the Indian Civil Service by the open door of competition while 2 are to enter it by a back door, and it is quite obvious that the men

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who enter by the back door can never occupy the same status and position as the men who enter the Service by the open door. Now, Sir, I may frankly say that Indian opinion will never reconcile itself to a position like this.

“ I will now refer to some of the objections that were pointed out by the Hon'ble Home Member. He expressed his solicitude for the proper and adequate representation of all classes in India. I do not take exception to that solicitude; but what really are the facts? I will show by illustration that there is no basis for those apprehensions to which he gave expression in the course of his speech. He said there are so many Brahmins that they are likely to preponderate in any particular province and that gentlemen from the west or from the south may flood a particular province. Now let us take the province from which I come. You find from the last Civil List that the Civil Service Cadre there consists of 232 men. Of these 232, 15 are Indians, and of these 15 there are only 4 men whom you could describe as genuine United Provinces men. Bombay has been very kind to us. It has supplied to us half a dozen men in the Indian Civil Service. Similarly there are two gentlemen from Bengal, and one or two from other parts of the country. But I can assure you that none of us in the United Provinces has ever felt our self-respect lowered because the majority of the Indians in the Indian Civil Service there come from other parts of India. We have got on with them splendidly. We are proud of them and we look upon them as if they were really men of our Province.

“ It has been said ‘ that may be so, but what about the North-West Frontier Province?’ May I with all respect ask whether the experiment has ever been tried there? Have you ever sent an Indian there, and has the population there refused to be governed by an Indian member of the Indian Civil Service? I submit, Sir, that the objection that has been raised is merely theoretical; it has not yet been proved by real experiment. Sir, objections of this nature, based upon class representation, are, to my mind, absolutely out-of-date. You must take stock of the new forces which are coming into existence in India. Then, with regard to the Muhammadan community, Sir, it has been said the Muhammadan community might not be sufficiently represented in the Indian Civil Service if the examination was held in India. I apprehend no such danger. As one who has been directly connected for many years past with the Allahabad University I am prepared to affirm that in my opinion the Muhammadan undergraduates and graduates who come up there for various examinations are not inferior to the Hindu undergraduates intellectually. If we can boast of a distinguished Hindu scholar like Dr. Ganesh Pershad, we can also boast of a distinguished Muhammadan scholar like Dr. Zia-ud-Din. If Muhammadans are not so well represented in the Indian Civil Service as their intellect, capacity and character entitle them to be, we have got to go to other reasons, and the main reason is their poverty. How many Muhammadans are there in Bengal, in the Punjab or any other province who can afford the luxury of sending their boys to England on the off-chance of their coming out in the Indian Civil Service? There are certainly more Hindus who can afford to bear that risk. I submit, Sir, that too much is sometimes made of the Muhammadan opposition. But here perhaps I may be permitted to remind this Council that in a memorandum which was recently submitted by some members of the United Provinces Council we find such distinguished members of the Muhammadan community as the Hon'ble the Raja of Jehangirabad, and the Hon'ble Nawab Abdul Majid, supporting the recommendation about simultaneous examinations in India.

**The Hon'ble Sir William Vincent:**—“ Did the Hon'ble Member say Nawab Abdul Majid?”

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**The Hon'ble Dr. Tej Bahadur Sapru** :—" Yes."

**The Hon'ble Sir William Vincent** :—" Is that correct, that he was in favour of simultaneous examinations?"

**The Hon'ble Dr. Tej Bahadur Sapru** :—" Yes, that is correct. He wrote a note of dissent but not on this point."

**The Hon'ble Sir William Vincent** :—" But did not this gentleman tell the Commission he was not in favour of simultaneous examinations?"

**The Hon'ble Dr. Tej Bahadur Sapru** :—" I am speaking, Sir, of the memorandum which was submitted to the Local Government very recently, I believe, in May last. People do change their opinions and it is a tribute to the strength of our cause that men do so. Why, for the matter of that, I find my friend the Hon'ble Mr. Shafi supporting our argument to-day .....

**The Hon'ble Khan Bahadur Mian Muhammad Shafi** :—" My learned friend should remember that I have to-day expressed the same view that I expressed before the Royal Commission."

**The Hon'ble Dr. Tej Bahadur Sapru** :—" I am glad, Sir, to be corrected on that point. Therefore, I submit this bogey of Muhammadan interests being endangered is absolutely unreasonable. When you find Muhammadans of position and eminence who ought to know their own interests supporting this, I submit the time has come when arguments of this character, which are really ante-diluvian, should be summarily dismissed. The fact of the matter, Sir, is that the whole system is perfectly unnatural. To ask Indians that they should send their boys six thousand miles away to compete with Englishmen in order that they may come back and serve their own country is absolutely unnatural; and if all this talk about the increasing association of Indians in the higher administration has any element of sincerity, as I hope it has, then, Sir, the only reasonable thing that you can do is to get over those prejudices and not take shelter behind arguments which cannot stand any scrutiny now, and to open the door to us through which we wish to enter into the highest portals of administration. On these grounds, Sir, I beg to support strongly the resolution moved by my Hon'ble friend "

**The Hon'ble Sir Dinshaw Wacha** :—" Sir, I am sorry to say that the arguments urged against the resolution brought forward by my friend the Hon'ble Mr. Malaviya do not convince me. As far as the difficulties are concerned, I have heard of these difficulties before in almost all official arguments brought against simultaneous examinations; these arguments are very old and they are being trotted out every time. I see that this time also they have been trotted out by the Home Member. I remember reading these things thirty years ago when the House of Commons passed a resolution (in 1892) in favour of simultaneous examinations, and the Government of India issued a blue-book in which all these arguments, which are now being trotted out, were repeated. So far, then, they are all stock arguments which are dragged in every time in order to oppose this very simple and just resolution which has been brought forward to-day. Now, as to the difficulties, what are they? The Home Member says there are difficulties in the matter of holding examinations both in England and in India at the same time. How far the conducting of an examination in England and in India is a horrible, a terrible, thing I do not know! The same questions might leak out in England as out here. No, there is nothing in that reasoning. I may say, Sir, that the local Cambridge examinations, Junior and Senior, are simultaneous examinations; questions are, of course, put on the same day in England and in the different centres in India, in Madras, Calcutta, Bombay and elsewhere; the answers are

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all sent to London where they are, of course, examined and one list is made out in which the results are declared. Where is the difficulty in the case of the Civil Service Examinations? I do not see any difficulty that the Civil Service Commissioners can find so far as these examinations are concerned. Even with regard to the *viva voce* part of these examinations, surely, there are more than one or two Civil Service Commissioners; one of them can always be deputed when the examination takes place to come out here and conduct the *viva voce* examination on the same day that the London candidates are examined there. Where is the difficulty? I do not see any at all. Sir, it is the case, that when there is a selfish interest to be preserved and conserved, difficulties always arise; red herrings are drawn across the path and this is one of the red herrings which the Honourable Home Member has brought forward to-day.... .”

**The Hon'ble Sir William Vincent** :—“ I really must rise to a point of order. I was only quoting the arguments which had been advanced against the proposal; I did not pretend to put forward arguments of my own. I think that it is unfair to suggest anything else.”

**The Hon'ble Sir Dinshaw Wacha** :—“ That may be; the arguments in general are the arguments of the Civil Service.”

**The Hon'ble Sir William Vincent** :—“ The Hon'ble Member may say that they are the arguments of the Civil Service, but he has no right to father them on me.”

**The Hon'ble Sir Dinshaw Wacha** :—“ The Hon'ble Member is a member of the Civil Service, and I consider that he is here as Home Member and as a member of the service which governs India.”

“ Well, Sir, as to the other arguments. In former days, when the Congress was held, we were told that it was a Hindu Congress and that the Muhammadans did not join in it. ‘Of course, when there is a difference of opinion, how can we agree to all the propositions urged by a Hindu Congress.’ So we were not unfrequently told by the Government. But the Hindus and Muhammadans are amalgamated. There is unanimity of thought, speech and mind between both communities. Government now trot out the question of Brahmins and non-Brahmins. That is the usual way with the bureaucracy, and there is nothing particular about it. I understand it to be intelligent enough. But what if there are Brahmins and non-Brahmins? There is the Charter Act which lays down clearly that ‘proved merit and ability’ shall be the only qualifications for the public service. One may be a Brahmin, or a non-Brahmin, or an Australian, or a Canadian, or a Negro or a Hottentot, what about that? So far as the Service is concerned we are to have the best men for the Indian Government. There is nothing further to be said about it. Take the case of the Civil Service in England. Is there any distinction made between the Welsh, Scotch, English, Irish, and so on. There are men of all races and denominations. Take the Austrian Government, does the Home Member mean to say that none of the representatives of the different communities and races there hold very high appointments or are appointed governors or posted to high offices? Did the Austrian Government complain that there was a Magyar or a Slav or a Czech or some one of that sort in its public service? There is that difficulty; but what does it matter? Why then should we have any more difficulty here with Brahmin preponderance or Muhammadan preponderance or Parsi preponderance or any other? The Charter Act is clear on the point; it says ‘men of proved merit and ability’ shall only be employed in the public service. Then it is laid down that there shall be no ‘governing

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caste' in India. Where is the governing caste? The governing caste is the Civil Service; they are the governing caste, and yet the Brahmin is denounced. I cannot at all, Sir, understand that argument. Therefore, so far as the two principal arguments urged by the Home Member are concerned, they do not, I am sorry to say, hold water at all. Then, look at the other side. There is what you call a list of 'present discontents.' It is not one discontent but there are six, perhaps more; and in this list of present discontents, simultaneous examination holds the first place. And why? Because it is the oldest discontent against which for more than fifty years, from 1830 onwards, the people have been crying and crying. Time after time it has been brought before Parliament and still nothing has been done. And up to this time not a single strong argument has been brought forward against it. All the arguments that have been brought forward by Government here or by the Secretary of State before Parliament are these specious and fallacious arguments only. That is the position; and yet after fifty years of education, after universities have been established and thousands after thousands of students have passed through them, after being told that India is rapidly progressing in educational matters and in moral and material condition, you say 'No, simultaneous examinations shall not be held.' As my friend, Mr. Jinnah, put it well, 'why should there be any examination at all in England?' The examination is for service in India: if that is the case what does it matter whether it is held in India and in England alike? It is the old story of the Saxons and the Normans. I will not use any strong words as to how the Saxons felt when the Normans got appointments and how they chafed under their disabilities. I wish the Home Member and all the other Members of the Civil Service will put themselves in the category of the Saxons and us in the category of Normans and say how they would feel and how they would like to be governed by them. I say to the Civil Service, enter into our skins, into the skins of us Indians, and find out what the Indian feeling and sentiment is. The answer, as far as India is concerned, is 'the service is Indian and the examination must be confined to India alone.' Let Australians, Canadians, Irishmen come, let them all come. We welcome them but of course, those who have shown the best merit and ability should alone be employed. But at present these are all the artificial barriers of the bureaucracy and it is for these reasons that simultaneous examinations are opposed by the service. With these words I support the Resolution."

**The Hon'ble Rao Bahadur B. N. Sarma:**—"Sir, having regard to the cardinal principle on which the Government has been proceeding in the matter of recruiting for the Civil Service I quite agree with the Hon'ble the Home Member that there are difficulties which have to be faced by the holding of simultaneous examinations in India and in England. I shall not repeat my arguments used in the debate yesterday as regards the proportion of Britishers. It is urged that there is a danger, an immediate danger and one which will face Government in the not distant future that the preponderance or inequality will disappear if simultaneous examinations are held in India and England. What does the argument come to? It comes to this that as things stand, India must agree to be governed by inferior Britishers because in competitive examinations, more Indians than Europeans will succeed. If that be the result then certainly we Indians ought to prefer to be governed by superior Indians rather than by inferior Britishers. I for one believe firmly that for a very long time to come such a change will not be possible having regard to the immense progress in Education which has been made by Englishmen and the comparative poverty in educational institutions in India and that therefore the danger is not a practical danger. If a minimum is to be set I think it would be more frank and would give greater satisfaction to the people to do so than to veto simultaneous examinations. A difference in status among the members of the Indian Civil Service and a consciousness on the parts of some

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that they have entered the service by a more difficult door and under a stiffer examination are equally to be avoided and provided against. The examination in India which has been suggested by the Public Service Commissioners is an examination somewhat different from that in England they recognise it and they get over the difficulty by stating that the order of merit and rank will be arranged according to the total number of marks which successful candidates in India, and in Great Britain would secure at the final examination that is to be held during the probationary period. Englishmen and Indians alike have a right to say 'on ground of policy Government are obliged to add the marks and fix the order of seniority ; we have come in under a severer examination and are consequently superior to you'. Simultaneous examinations would avoid the difficulty and the anomaly of Britishers securing fewer marks being preferred to Indians who get a larger number, in order that the minimum British element may be met. If it is a way of escape that is wanted there is a way out of the difficulty. It may be said that candidates from England take up Latin and the modern languages of Europe in preference to Sanskrit, Arabic and other languages, these are optional no doubt but Indian candidates would take the latter group rather than Latin and Greek and to that extent the examinations are different and therefore the British candidate who secures fewer marks is not necessarily inferior. I think the Government should not press this difficulty against holding simultaneous examinations. There would be heartburning if a man who got more marks is passed over for a man who got fewer marks but the heartburning would be nothing compared to the present when the door is practically completely shut against us. I may point out to the Government that the feeling during recent years against the Government attitude in the matter has been so strong that there is a section of our community which is urging that examinations should be held only in India. I do not say that this is a reasonable attitude nor is it necessary to express an opinion on it, but we must take note of the feeling which is due to the *non-possimus* attitude taken on the subject. The second objection taken by the Public Service Commissioners namely that there are difficulties in the examinations being held in two continents, has been met by previous speakers. Mr. Stanley Leathes pointed out that there was considerable difficulty but that on the whole he did not think there was an insuperable difficulty....."

**The Hon'ble Sir William Vincent:**—The question was put to Mr. Stanley Leathes.

'I understand that the Civil Service Commissioners at the present time think it would be wholly impracticable to conduct simultaneous examinations in England and in India.'

'The answer was—

'Yes'.

**The Hon'ble Rao Bahadur B. N. Sarma:**—"That was what I was alluding to but it would not be an insuperable difficulty to have another examination ; it would not be difficult to send examiners to India ; *viva voce* examinations might also be held. The third objection taken by the Commissioners is that, simultaneous examinations would be bad for Indian education. That, Sir, would raise a smile among Indians. The whole of educated opinion in England was dead against the lowering of the age, on the ground, that university education would be adversely affected—the Public Service Commissioners were not solicitous about the higher education of Britishers but are very anxious lest the holding of simultaneous examination in India might prejudicially affect Indian education.

"Sir, I think that if the examinations are held here, our educational institutions will be improved considerably, there will be a greater stimulus for more reasons than one for the advancement of higher education, and

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therefore, far from there being any decay in the quality of Indian education there will be a rapid advance and progress in the quality of Indian education. Well, what was the reason that was suggested? It was said that though the subjects were the same, the groups taken were somewhat different. But if we turn to the curriculum we shall find that apart from Latin, Greek and modern languages there is not the slightest difference between the other subjects or the grouping either under the old curriculum or under the curriculum suggested in India and in England; and, if any argument can be adduced in favour of holding the examinations in this country, I should think that, in Indian interests, for Indian purposes, it would be far better to have a man who matured in British literature and thought is acquainted with the eastern literature, and is educated in the best of eastern thought, rather than one who has read only the Greek and Latin authors. Of course, there is a wide difference of opinion on that subject, but so far as the Indians are concerned, we would certainly prefer one who has been trained in the eastern thought, in Sanskrit, Arabic and Persian, rather than one who has been trained in Greek and Latin alone. Well, Sir, there is not much in that third argument that was taken up by the Public Service Commissioners that the system of holding examinations in India is bad for Indian education.

“ Now, Sir, an argument has been advanced here that certain sections of the Indian community would predominate if the simultaneous examinations were held here. I quote from page 400 of the Public Services Commission's Report. This is the opinion of Mr. Justice Abdur Rahim :—

‘ His Highness the Aga Khan joined his weighty voice with that of the leaders of the congress in demanding simultaneous examinations for the Indian Civil Service and the representatives of the Sikh Khalsa and the Pathans of the Punjab, the Moslem League along with the spokesmen of the communities more advanced in western education, were unanimous in entering their emphatic protest against the suggestion that the presence of Indians in the higher official ranks would be distasteful to the people themselves, and specially in a province or a community other than that of the Indian official.’

“ Now with regard to the much misunderstood Brahmin, may I say a word, Sir? I do not mean to claim that the Brahmin has any superior qualities which the other communities inhabiting this country do not possess. But I venture to say that ancient history shows that the Brahmins ruled over the North-West Frontiers and a portion of Afghanistan, the ancient Ghandhara country, that it was the Maratha Brahmins who held sway over practically the whole of India before the British came to this country, that the ancient warriors of Hindustan who led armies were Brahmins, that the Brahmins of the Punjab and the United Provinces are found in large numbers in the armies of Hindustan, and recently in Madras more Brahmins volunteered for the Indian Defence Force than people belonging to any other community, and I am certain that the Brahmin community in India, which is 14 millions strong, has got the nerve, the capacity and the brain power to hold its own against any other class in India or elsewhere, and I feel that the Hon'ble the Home Member need not think seriously of winding up the business if the Brahmins were to rule. May I also ask whether the Britishers preferred the Germans or the French or any other nation in the ancient days to other classes of the nobility; and the higher middle classes and the nobility ruled practically the whole of England for centuries and perhaps do so even now. I therefore think this argument of using certain communities against one another is one which I think had better be dropped in modern times. ”

**The Hon'ble Mr. E. H. C. Walsh :—**“ Sir, I do not intend to express any views of my own on this Resolution. But I wish to refer to certain remarks and arguments in the speech of the Hon'ble Sir Diushaw Wacha.

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“The Hon'ble the Home Member has stated certain difficulties with regard to the proposal to adopt simultaneous examinations in England and in India, which will have to be considered before a conclusion on the point can be arrived at. The Hon'ble Sir Dinshaw Wacha has referred to these as old stock arguments which were brought forward against this proposal thirty years ago, and on other occasions since when the proposal has come up for consideration, and says that they have all been answered again and again, and are now, according to his own expression 'being trotted out again'. And he argues that this shows that they are of no value.

“The Hon'ble Member's argument, however, entirely overlooks the fact that the proposal has, on full consideration, not been adopted on the previous occasions, and it therefore follows that the arguments which were then adduced against it, were held to be substantial. The fact therefore that the difficulties which have been referred to by the Hon'ble the Home Member, were then also pointed out and considered, so far from in any way lessening their force and value, considerably adds to it.

“Had these difficulties and objections not then been pointed out and considered, their present value would be very much affected, and they would be open to the very obvious and reasonable criticism that these difficulties were not found to exist when the matter has been previously considered, and must therefore be groundless as regards the same proposal of the present Resolution.

“As the Hon'ble the Home Member has said that the Government of India will consider this question, and the other questions arising out of the recommendations of the Report of the Public Services Commission after taking the opinions of the Local Governments and also of the public outside this Council, it is, I think, necessary to remove the entirely unwarranted idea, which may be produced by the speech of the Hon'ble Sir Dinshaw Wacha that the difficulties now mentioned are any the less real and material because they have been previously put forward and have been found to be substantial. That very fact on the other hand is essential to them, and adds to their present force.”

**The Hon'ble the Raja Sir Muhammad Ali Muhammad Khan, Khan Bahadur of Mahmudabad** :—“Sir, I give my entire support to the Resolution which has been moved by my Hon'ble friend Pandit Malaviya. I am sorry to find that the argument of the Hindu-Muhammadian controversy should have been advanced from the Government side. This is a worn out argument, and we are not prepared to accept this argument against a Resolution for simultaneous examinations. Sir, the All-India Moslem League, has already supported the introduction of simultaneous examinations through its Honorary Secretary who gave evidence before the Royal Commission. I am therefore in a position to make this statement on behalf of the All-India Moslem League that the Moslem League and the Moslem community support entirely the proposal for simultaneous examinations.”

**The Hon'ble Mr. F. J. Monahan** :—“Sir, I am tempted to say just a few words mainly because the Hon'ble Sir Dinshaw Wacha in the course of his speech I think attributed a certain set of views on this subject to the whole of the Civil Service. We have heard today arguments for and against the system of simultaneous examinations in India and England, certain strong arguments against it, arguments against the present system of an examination held exclusively in London, certain arguments in favour of an examination held exclusively in India and against that also possibly I think certain arguments might be adduced. And really one impression that one might derive from the discussion would seem to point to an examination held exclusively at Aden, or

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I believe there is a place called Port Soudan on the coast of the Red Sea, which is in British territory, and which, perhaps, might be found approximately equidistant between India and Great Britain. But, speaking seriously, I think it has been correctly pointed out that there is a close connection between the subject of this Resolution, and that of the Resolution which was discussed yesterday. Apart from practical difficulties about holding simultaneous examinations, which, as the Hon'ble Home Member admits, is, comparatively, a minor point, the real argument in favour of the present system seems to be the view that the Indian Civil Service should contain a preponderating proportion of British officers, that it is, in fact, mainly a European Civil Service, that there should be a European Civil Service, and that the European Civil Service, logically, should be recruited by examination in London. The arguments in favour of that view are stated compendiously in different forms. It is said in the recommendation of the Public Services Commissioners that the nature of British responsibility for the good governance of India requires the employment of a preponderating proportion of British officers in the Indian Civil Service, or it is stated that it is necessary in order to maintain the British character of the administration. Well, of course, necessarily, these are compendious statements of the reasons, and perhaps not very explicit, but sometimes it is attempted to explain these reasons a little further and reference is made to the inherent qualities of the British race, and that it seems to me is an argument that excites a little resentment, and I think possibly with some reason, although the argument is supported by high authority, because it seems to suggest an inference which is not altogether fair, not altogether just, to the people of this country. There is no doubt that the inhabitants of the British Islands have certain inherent qualities, also certain inherent defects I suppose, and it may be said that their inherent qualities, or some of them qualify them eminently to carry on the administration of this country. On the other hand, it might be argued that some of their inherent defects are a considerable handicap to them in carrying on the administration of any country except their own. And it may also be said that the educated, advanced people of this country have certain inherent qualifications for the administration of their own country, in their permanent interest in the country and intimate acquaintance with the people of it. But, when all that is said, I think it will be admitted that, at any rate when British rule was established first in India, there was a practical difficulty in finding Indian officials qualified to carry on the administration on modern, what we may call advanced and civilised lines. That is no reproach to the people of this country. It was due to certain circumstances in the political history of the country which had retarded its development. Well, in course of time that difficulty of finding qualified officials has been very largely removed as regards certain communities in the country,—not entirely removed as regards all of them, and, apart from that difficulty, so far as it still exists, there is the fact that there are British interests in the country to be considered, British communities and their interests to be protected, and, I take it, those two considerations are the arguments in favour of the continued maintenance of a European Civil Service in this country, and, while there is a European Civil Service, it should, it may be argued, be recruited in London. It may easily be imagined that at some future time the functions of this European Civil Service may be considerably changed,—its position may be considerably changed. It may be relieved of a great many of its present functions and powers, which may, some of them possibly, be transferred to representative bodies, and others to services recruited entirely in India. That is a development in the future which may possibly be looked forward to. Even when such a state of things might come about, it might perhaps even then be necessary to maintain a European service in this country for the safeguarding of British interests. But the Public Services Commission had not to deal, I take it, with the remote future; they had to make recommendations for the present, and

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their recommendation is that a European Service should be maintained with a preponderating British element in it, that it should be recruited by examination in London because it is a European Civil Service, I take it, and because it is to have a preponderating British element, and they made certain suggestions for facilitating the admission of Indians to that Service. Now, Sir, it is not my intention to give, and I trust that I have not given, any more than the Home Member, any indication of my own opinion on this question. I have merely attempted to state a few issues that might have become obscured clearly for the consideration of members of this Council."

**The Hon'ble Sir Dinshaw Wacha** :—" May I say one word of explanation. In no Act of Parliament has this question of predominance been laid down. It is only the view of the Public Services Commission."

**The Hon'ble Pandit Madan Mohan Malaviya** :—" Sir, I am very thankful to the Hon'ble the Home Member for the way in which he has received the resolution, and to my Hon'ble friends who have made up for the deficiencies of my very poor speech in supporting the resolution. I may assure the Hon'ble Mr. Atkins that I do not resent his remarks; I really wish that I had done my duty in putting forward this resolution before this Council, in a far better way than I have done. I wish I had not been presumptuous enough to take it up, but it fell to my lot to take it up, and I have done it in the way I could. But Sir, I wish that when he complained that I had not met practical difficulties, Mr. Atkins had mentioned what in his opinion those difficulties are, so that possibly I or some of my friends might have met them. As the Hon'ble Mr. Sastri has pointed out, he has not done so. The one or two he mentioned are of a very small character. One of these was the difficulty of arranging for the *viva voce* examination in this country. That was a difficulty which was referred to by the Hon'ble the Home Member also. But that was answered sixty years ago. The Civil Service Commissioners were consulted on that point by the Committee which was appointed by the Secretary of State for India.

" They clearly said in their report that in order to aid them in carrying out a scheme of the nature they recommended—

' The Committee have consulted the Civil Service Commission, and the Civil Service Commissioners do not anticipate much difficulty in arranging for that.'

" That was in 1860. In 1868 in discussing the same question in the House of Commons Mr. Fawcett said :—

' An objection might indeed be taken on account of part of the examination being *viva voce*; but some of the best scholars from English Universities held professorships in India and were perfectly competent to conduct *viva voce* examinations.'

My friend the Hon'ble Mr. Sastri has mentioned the opinion of Mr. Stanley Leathes and the Hon'ble Sir Dinshaw Wacha has also pointed out that this is not a real difficulty.

" The second point mentioned by the Hon'ble the Home Member related to the leakage of questions. Unfortunately recently, there have been some leakages; but these have been very recent, and they have been very few and far between in the history of even the Calcutta University; and all the other Universities taken together have on the whole done very well, and I submit, Sir, that if the Government of India can preserve the secrets of the Finance Department, it should not be impossible for those who will be entrusted with the carrying out of the examination for the Civil Service to preserve the secrets of the question papers. A secret of the Finance Department might mean untold wealth to a person who might disclose it. But be it said to the honour and credit of

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those Indians and Europeans who have been connected with the Finance Department of the Government of India, that never has such a thing happened and, I hope it never will.

“It seems to me, Sir, rather late in the day to put forward those old arguments which, as the Hon'ble Sir Dinshaw Wacha has pointed out, have been trotted out over and over again. A Government which is able to meet the Germans, an inveterate foe, with their 20 or 30 years of preparation for a gigantic war, a Government which is able to call forth all the aid of knowledge and science to combat that enemy, should certainly not be found wanting in capacity and ability to devise means for holding an examination simultaneously in India and in England. Then, Sir, India has not been found to be deficient in anything which science and knowledge have discovered. Why not then have certain examinations for the purpose of dealing justly with the people of this country?”

“Now, Sir, the one thing that lies at the bottom of this question is whether my European friends, members of the Civil Service and others, if they think at this time of the day that the present state of things is just or fair to Indians, or that it should be allowed to continue without repeated protests, protests which will continue until the Government will find the situation intolerable. I ask in all sobriety, not in anger, nor in bitterness, all my friends sitting here whether they desire that the members of the Civil Service and a certain number of our other English fellow subjects should retain a preponderance in the Indian Civil Service and the other services at the cost of the goodwill of the people of India? I am sure, Sir, no reasonable man would say ‘yes’ to that. We know, as the Hon'ble Mr. Monahan said, that, when British rule was first established in India, for certain reasons it was necessary to invoke the assistance of British officers. Those reasons do not now exist. Thanks to the education which the Government have provided for us, thanks to the progress which has been made in various other directions, we are well able now to compete with our English fellow subjects, and to fill many offices which have been filled by them heretofore. We do not ask that the preponderance of our English fellow subjects, in the services should not remain for some time. That preponderance will continue for a long time to come even if simultaneous examinations are introduced next year. The preponderance arises from the fact that our fellow subjects have had the start of us for seventy years. It will be maintained for the reasons that they have greater educational facilities. For these and several other reasons the preponderance will continue for some time. And we do not object to a fair number of Britishers being in the service for some time. But I think the object should be steadily to work for the fulfilment of the promises, of the pledges made. I am sorry that any body should call them so-called pledges, and the more so that any member of the Government should use any such expression. They are honest pledges, solemnly made, and an honourable, fulfilment of those pledges demands that Indians shall be admitted in increasing numbers into the Indian Civil Service and that the number of Englishmen shall decrease year by year, not because there is any ill-feeling in us towards Englishmen, but because it is right and just that Indians should preponderate in the service of their own country. I do not think that my European fellow subjects, my British fellow subjects will urge that, taking into account the entirety of circumstances as we find them in India, there is any justification for imposing the additional burden upon the Government of India. The Suzerainty, as one of my Hon'ble friends pointed out yesterday, does not demand the maintenance of a preponderating British element in the services of the country. We own and acknowledge the suzerainty gladly, because we have been assured that our natural claims will be dealt with justly, because those solemn promises and pledges have been made. It will be idle at this time of the day for any one to say that those claims are not going to be honestly satisfied. Any Britisher who said so

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would be going entirely against the Act of Parliament of 1833, and the Proclamation of 1858, and will be showing himself wanting in that faithful devotion to the pledges of the British Crown and Parliament which is expected of him.

“ Sir, there are certain objections which have been raised on the ground that opinion in India was divided and that, with the exception of one member, the whole Commission voted against it. Well, Sir, as my friend the Hon'ble Dr. Sapru has pointed out, the composition of the Commission was very unfortunate. Protests were made against it at the time, but, I am sorry to say, those protests were not heeded, and more representatives of educated Indian opinion were not put on the Commission. We are proud that Mr. Justice Abdur Rahim has put forward the case of educated Indians with the ability and clearness that he has done. That he expressed the general sense of educated India is evident from the resolutions passed in support of his views by the Congress, the Muslim League, the various provincial conferences and by numerous public meetings throughout the country. I am sure the Hon'ble the Home Member will find from the records of his office that my statement is absolutely correct. I believe sufficient evidence has been placed before the Government of India to show that the minority report of Mr. Justice Rahim expressed the sense of educated India, and not the report of the majority.

“ With reference, Sir, to the statement that Indian opinion was divided on the question of simultaneous examinations, I wish to read to the Council the opinion of one widely esteemed countryman of ours and that is H. H. the Agha Khan. In supporting the demand for such examinations, he said :—

‘ I am in favour of simultaneous examinations in England and India. I would give full effect to the Resolution of the House of Commons of June 1903, which will do away with any feeling of discontent that may exist at the idea that the Indian Civil Service has been kept as a preserve for Englishmen and that the children of the soil are kept out from their proper and legitimate share in controlling the administration of the country.’

“ Then, Sir, it was said that the Sikhs were not in favour of it. Three Sikh gentlemen gave evidence before the Commission, one of these had to be interpreted through an interpreter, and of the other two, one expressed himself in favour of simultaneous examinations. It is thus clear that enlightened Muhammadan opinion, which commands respect of the community, is in favour of simultaneous examinations, and that Sikh opinion is also partly if not entirely in favour of such examinations.

“ Lastly, Sir, an argument has been advanced which, I must say, every one of us Indians must regret. We know that we have many religions and castes in our country; but is there a country in the world in which there are not many religions and many communities? Is it the misfortune of India alone? I am proud that we have so many religions and so many races inhabiting this country. But I am glad to be able to say that Hindu-Muhammadan differences, Brahmin and non-Brahmin differences are not so widespread or so deep as they are said to be and that there is a general agreement among us in connection with the demand we are putting forward. It has been said that if the number of Brahmins is large in the higher services, there will be a general feeling of jealousy against them in the other section of the community. Well, Sir, I make an offer to the Government of India, though I do it without consulting my friends. If that is the only objection the Government have to urge against the holding of simultaneous examinations, I venture to say on behalf of my Brahmin friends throughout the country, that for as many years as the Government will think that the public interest demands it, Brahmin boys will keep back from competing for this examination if the Government will let the rest of my countrymen compete for it. I do not wish to raise any question of Brahmin or non-Brahmin. The late Mr. Gokhale was a Brahmin. The late Mr. Dadabhai Naoroji was a Parsi, but is there an Indian who does not hold them in reverence, who would have hesitated to fall at the feet of Mr. Dadabhai Naoroji, and who does not regard him as the greatest Indian patriot?

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“ Is there a Muhammadan in the country who did not love Mr. Gokhale as dearly as he loved any other brother ?

“ There is my friend Mr. Sastri, the honoured head of the Servants of India Society. He is a Brahmin. But what is it to him that a man is a Hindu, a Muhammadan or a Christian ? Is he not serving all his countrymen alike ? Does he not want and work that justice should be done to all ? It is in that spirit that many distinguished Brahmins have worked in the past. If any have worked in a contrary spirit, I am sorry for them. But it does not behove the Government, or anyone speaking on behalf of Government, to bring forward this argument against the Brahmins, that they alone have intellect and ability to enable them to hold their own against other competitors. It has been said that if the races inhabiting the North-West Frontier Provinces were asked to submit to Brahmins, there would be rebellion that life and property would not then be safe in that Province. With all deference I am surprised that the Hon'ble the Home Member should have allowed this argument to appear in his speech even by way of narration of other people's arguments. I do not speak of Brahmins in any spirit of vainglory. Brahmins, non-Brahmins, Muhammadans, Christians, Parsis, Europeans, all castes and communities inhabiting India are alike the subjects of His Majesty. It is our duty to cultivate and promote good feeling among us all. We are working here in that spirit and in no other spirit. But Sir, to say that these Frontier Provinces will not submit to Brahmin domination.....”

**The Hon'ble Sir William Vincent** :—“ I really said nothing of the kind. The Hon'ble Member will allow me to correct him.”

**The Hon'ble Pandit Madan Mohan Malaviya** :—“ To suggest a doubt as to how the Frontier races would look upon the domination of Brahmins.....”

**The Hon'ble Sir William Vincent** :—“ I referred not to Brahmins particularly but to persons from the West and South of India generally.”

**The Hon'ble Pandit Madan Mohan Malaviya** :—“ Language it has been said, was not made to conceal thought. I fear my Hon'ble friend, without any disrespect to him, uses language which is meant to conceal the full meaning of the suggestion. I do not mean any disrespect, but there it is. However, I will take it in the way he said it. If I am wrong in doing so, I am sure he will excuse me.

“ Not long ago, in the reign of Ranjit Singh, a Kashmiri Brahmin—General Nand Ram—was the Governor of Kabul. There have been many other Brahmin Governors, and administrators. In Mysore, in Travancore, in Gwalior, in the Holkar's territories, in Kashmir as well as in many Native States in Rajputana, Brahmins have filled the highest posts with credit to themselves and benefit to the States. The Government have no right to say that if Brahmins are appointed they will be lacking in those qualities which are needed in executive work. But we are not pleading here either for Brahmins or non-Brahmins. What we say is put our educated young men to a fair test along with your British youth. If they succeed in that test, admit them into the service: If they do not succeed, no matter whether they be Brahmins, non-Brahmins, Musalmans, Christians, Parsis or any other class of Indians, keep them out of the service; but do not in fairness exclude them merely because they have the misfortune of being Indians, merely because they happen not to possess the unnatural advantage which has arisen owing to our weakness and your strength, of being in this country in the possession of its government. I mean no disrespect to any one, but every Englishman must recognise that it is owing merely to a fortuitous circumstance that Indians are to day under British rule. Before that rule was established in this country, Indians governed India, and even today one-third of India is governed by Indians. If it should

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please His Majesty the King-Emperor to allow Indians tomorrow to govern their country in a larger measure than heretofore, I am certain they will not be found wanting. All that I am pleading for is fair play. Let us have fair play. English gentlemen pride themselves on playing the game. I ask my British fellow subjects, and Irish fellow subjects too—I ask them to play the game. Is there one gentleman here who will deny in private that it is not fair to Indians to require them to go to London to compete for admission into the service of their own country? I cannot believe there is. I therefore ask for support from each and all for the proposition I have laid before the Council. I plead earnestly for such support, and I hope my friends will recognise that I am justified in doing so. I hope I will not be misunderstood. I am speaking with the best of intentions. I feel that it is good for my country that British Rule should continue here for a long time to come; and I hope it may never be necessary for Indians and Britishers to part company. But an essential condition of that co-operation is that Indians and Europeans should have equality of opportunity, that Indians should not feel that in their own country, in their own motherland and under their own King-Emperor, they cannot rise beyond a certain limit merely because they are Indians, whatever talents they may possess, whatever character they may possess, whatever qualifications they may possess and whatever their services to the Crown. However unspotted and unsuspected their loyalty may be, they cannot rise beyond a certain point simply because they have the misfortune of being Indians. I submit, Sir, that it is against that we are fighting, and I assure you we are fighting in the best interests of the connection between India and England.....”

**The Hon'ble the Vice-President:**—“I must ask the Hon'ble Pandit to bring his remarks to a conclusion. I have already allowed him to exceed the time-limit. It is nearly 2 o'clock and I think the Hon'ble Member realises that we must finish this debate today. As it is I shall only be able to give the Hon'ble the Home Member a few minutes to reply.”

**The Hon'ble Pandit Madan Mohan Malaviya:**—“He has replied, Sir.”

**The Hon'ble the Vice-President:**—“The Member in charge has the right to the last word under the Rules.”

**The Hon'ble Pandit Madan Mohan Malaviya:**—“Very well, Sir, I will finish in a minute. As I am pressed for time I think I cannot do better than conclude by quoting one passage from the report of Mr. Justice Abdur Rahim in which he has put our case in a nutshell. He says:—

‘The main object of the proposal is to remove the otherwise insurmountable handicap against Indian candidates which now artificially secures for British candidates a virtual monopoly of the most important and best paid civil appointments. It is based on the principle that appointments to public offices in India must be settled on the test of qualifications and not on presumptions arising from race or place of birth. If the desire to secure what is mildly called a ‘British minimum,’ but which, in the contemplation of the majority of the Commissioners, really means 50 per cent. or more of these posts, is to be given precedence over the test of qualifications, that can only be justified on *a priori* considerations of racial superiority. This according to the Indian view, should be regarded as inadmissible. Their contention is that the test of an examination such as that conducted by the Civil Service Commissioners should be supreme and the advantages which racial characteristics or training give to British candidates ought to, and will in fact find expression in the results of the examination. The English candidates have the advantage of the language and of a more efficient system of training and education: that ought to suffice—as all Indian witnesses think it will—to secure for such of them as are of average intellectual gifts a predominance in the service. Only those British candidates whose mental powers are below the average will fail in the competition. Any arrangements which would secure men of the latter class, far from ensuring the British character of the administration, would only do serious disservice to it as well as to the prestige of the British people.’

“I have nothing to add to that, Sir. I hope my Resolution will be accepted.”

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**The Hon'ble Mr. M. A. Jinnah:**—"Sir, I rise to a point of order. Has the Member in charge the right of reply after the mover has replied."

**The Hon'ble the Vice President:**—"Certainly. The Hon'ble Member has no doubt read the rules."

**The Hon'ble Sir William Vincent:**—"Sir, I have only a very few words to say in reply, and I seek really to remove one or two misapprehensions which seem to me to have crept into the debate. In the first place, it has been assumed that the Government is definitely committed to opposing this principle of simultaneous examinations, because I said for particular reasons I could not in present circumstances accept this Resolution and because I cited certain arguments against the proposal. Well, I tried to make it clear and if I failed it is due to some fault of mine—that the Government are not committed to any decision on this question.

"The Hon'ble Mr. Jinnah charged me with only quoting arguments against the proposal. Sir, my answer is really a very simple one. What was there left for me to say on behalf of the proposal after the Hon'ble Pandit had spoken? He had exhausted all the arguments in favour of it, and in the circumstances I wanted to place the Council in possession of particular arguments against it which must also be weighed by the Government of India. There has again been a suggestion that the Commission and the Government really intend to be unjust to Indians and that they intend to make it necessary for them to go to England in order to secure entry into the Civil Service....."

**The Hon'ble Pandit Madan Mohan Malaviya:**—"May I rise to point out, Sir, that we have never suggested that the Government want to be unjust. We are fighting against the recommendations of the Commission."

**The Hon'ble Sir William Vincent:**—"If I am incorrect I withdraw the statement. I understood that that was the suggestion. There was certainly a suggestion that injustice was contemplated in regard to Indians in that they were to be forced to go to England to enter into the Civil Service. This is far from what the Commissioners, as I understand them, propose. They distinctly propose to open an avenue in India for Indians to get into the Civil Service and the only question really is whether the scheme which they propose is as suitable as a system of simultaneous examinations.

"Then we have been told that Sikhs and Muhammadans, I think it was Mr. Sastri's argument, do not at present secure proper representation in the service and that they will therefore not lose by the proposed changes? I think also that the Hon'ble Mr. Jinnah suggested that there was no reason why Government should assume that Muhammadans and Sikhs would prefer Europeans to Brahmins in the Civil Service. Well, the answer is that the Commission do not seek to perpetuate the present state of affairs, and if there is any injustice to Indians I am sure the Government will support them in getting it removed. What the Commission seek to introduce is a system by which the number of Indians in the Service may be increased and *pro tanto* the number of Europeans decreased. But the further question will arise for consideration as to whether something should not be done to secure due representation of all classes by means of a separate examination in this country.

"The Hon'ble Mr. Jinnah also referred to a period when the character of the whole administration would change and when it would be no longer necessary to maintain the British character of the Indian Civil Service, because they would be, as I understood, servants of the people, that is to say under the control of some form of legislative or popular assembly. Well, the answer to that is that we are at present considering the position of things as they are. If these recommendations of the Commission are accepted they will

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have to be put in force at once, and whatever the future may hold during that transition period at any rate it is—I do not wish again to put it too strongly—it is of importance that the British character of the administration should be maintained. If however during the whole course of this debate I have failed to make one point clear, namely, that the Government are in no way hostile to the idea of Indians being more freely admitted to the Indian Civil Service, that they approach that question perfectly openly and that they are not committed even on the question which is now under discussion, then I can only regret my failure to express the intentions of Government more explicitly.

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

**Ayes—20.**

The Hon'ble Sir G. M. Chitnavis.  
The Hon'ble Pandit M. M. Malaviya.  
The Hon'ble Dr. Tej Bahadur Sapru.  
The Hon'ble Raja Sir Rampal Singh of Korri Sudauli.  
The Hon'ble Raja of Mahmudabad.  
The Hon'ble Mr. V. S. Srinivasa Sastri.  
The Hon'ble Sir Dinshaw Wacha  
The Hon'ble Sir Ibrahim Rahimtoola.  
The Hon'ble Rai Sitanath Ray Bahadur.  
The Hon'ble Maharaja Sir M. C. Nandi of Kassimbazar.  
The Hon'ble Raja Rajendra Deo of Kanika.  
The Hon'ble Mr. K. K. Chanda.  
The Hon'ble Sir Fazulbhoj Currimbhoj.  
The Hon'ble Rai Krishna Sahay Bahadur.  
The Hon'ble Mr. Mazharul Haque.  
The Hon'ble Mr. M. B. Dadabhoy.  
The Hon'ble Rai Bishan Dutt Shukul.  
The Hon'ble Mr. M. A. Jinnah.  
The Hon'ble Rao Bahadur B. N. Sarma.  
The Hon'ble Mr. K. V. R. Ayyangar.

**Noes—34.**

His Excellency the Commander-in-Chief.  
The Hon'ble Sir William Meyer.  
The Hon'ble Sir Sankaran Nair.  
The Hon'ble Mr. G. R. Lowndes.  
The Hon'ble Sir George Barnes.  
The Hon'ble Sir William Vincent.  
The Hon'ble Sir Robert Gillan.  
The Hon'ble Sir Pardey Lukis.  
The Hon'ble Sir Reginald Gamble.  
The Hon'ble Mr. C. H. Kesteven.  
The Hon'ble Sir Verney Lovett.  
The Hon'ble Colonel S. L. Aplin.  
The Hon'ble Mr. G. B. H. Fell.  
The Hon'ble Sir William Maxwell.  
The Hon'ble Mr. D. de S. Bray.  
The Hon'ble Mr. F. C. Rose.  
The Hon'ble Sir James DuBoulay.  
The Hon'ble Mr. C. E. Low.  
The Hon'ble Mr. J. G. Jennings.  
The Hon'ble Mr. H. Sharp.  
The Hon'ble Mr. R. A. Mant,  
The Hon'ble Mr. H. F. Howard.  
The Hon'ble Major-General A. H. Bingley.  
The Hon'ble Mr. A. P. Muddiman.  
The Hon'ble Mr. M. E. Couchman.  
The Hon'ble Mr. M. N. Hogg.  
The Hon'ble Sir Hugh Bray.  
The Hon'ble Mr. F. J. Monahan.  
The Hon'ble Sir James Walker.  
The Hon'ble Mr. E. H. Walsh.  
The Hon'ble Sir John Donald.  
The Hon'ble Mr. W. J. Reid.  
The Hon'ble Mr. C. H. Atkins.  
The Hon'ble Mr. C. A. Kincaid.

The motion was therefore negatived.

The Council adjourned to Monday, the 24th September, 1917.

SIMLA ;  
The 3rd October, 1917. }

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