

down detailed rules for the guidance of the collectors in the business of revenue collection and also rules relating to their public conduct. (6) They were to keep the several branches of their duty separate. (7) The Collector as well as his European Assistants and the Dewan were forbidden to trade. Apart from these specific obligations the Collectors were enjoined in the " preliminary observations " to the Regulations to be fully alive to the high responsibilities imposed on them and to try to prove equal to them because " the happiness of the individuals under their authority, the prosperity of the country at large, and the interests of the Company, which are inseparably connected with the two former objects," depended in a great measure upon their good management. (8) Among the qualifications required of the new collectors, they mentioned particularly a knowledge of the language of the country as being indispensable and also a general acquaintance with the customs of the country, and the state of the people and local peculiarities. (9)

(10) The arrangements of 1787 were communicated to the Court of Directors in a Letter from Bengal, dated the 31st of July, 1787 and received their approval : ¹

" After an attentive perusal of all your proceedings," they wrote, " we give our entire approbation of the several arrangements which have been made in consequence of the directions contained in our letter of the 12th April, 1786, for reforming and reducing the several Revenue Collectorships, and for vesting the collection of the Revenues, the administration of justice, and the Foujedarry jurisdiction in one person.'

Vide Letter from the Court, dated 18 February, 1789, ' *Bengal Despatches*, ' Vol. 19 (I. O. R).

They also approved the allowances granted to the collectors and other officers.¹ (The functions of the Board of Revenue in the new scheme of things were defined to be "deliberation, superintendence, and control," the details of the business of the Revenue Department being vested in the collector and other subordinate officers.² Their principal duty henceforth was "to take care, that the officers under their authority perform their assigned duties, with regularity, integrity and assiduity" and in case of their committing any offence, to take necessary penal measures.

Concentration of Authority in District Officers of 1787

The new scheme was put into operation, by the appointment of collectors. In the appointment of the new collectors seniority in service was taken into consideration. The district officer now combined in his person the rôles of revenue collector, civil judge and magistrate. They were, in fact, the supreme local representatives of the Government within their jurisdiction.

¹ These varied with the amount of collections and the size of the charge. They were as follows:—

Collectors each	Rs 1,500 per month
For a house and public office	„ 150 „
Senior Assistant	„ 500 „
2nd Assistant	„ 400 „
3rd Assistant	„ 300 „

Rates of commission allowed to collectors upon realised revenues:—

1 per cent upon the first 10 lacks
$\frac{1}{2}$ per cent on the remainder
Rs. 10,000 on 9 and below 10 lacks
„ 9,000 on 8 and below 9 „
„ 8,000 on 7 and below 8 „
„ 7,000 on 6 and below 7 „
„ 6,000 where the collectorships are under 6 lacks.

² Regulations, dated 25 April, 1788, in Colebrooke, *op. cit.*, Vol. III, p. 266.

A long stride had been taken from the 'Supervisors of 1769 to the 'Collectors' of 1787. Strictly speaking, the office of the district officer (Magistrate and Collector) of the present day is to be traced back to that date; but for several years at least, that is, up to the year 1793, the collectors' authority was much greater than that of the presentday collectors. It has been rightly observed :

“ In the time of Cornwallis the District Officer enjoyed greater authority than the Collector of today, for, until 1793 his powers were very inadequately limited by Government Regulations; there were no telegraphs nor railways to bring him effectively under the control of the Central Executive; the specialization of function which came to be so important a feature of British administration, had not begun; and local self-government through the agency of municipal councils and District Boards, which have limited the Collector's responsibility and weakened his authority, were then unknown. It is probable that he worked harder than the Collector today; it is certain that he lived much less comfortably.”¹

(✓) The revenue and judicial work on the civil side thus came to be definitely assigned to the collectors or the Company's servants responsible for district administration. Criminal justice for some years more remained vested in native officials although the collectors had a power of superintendence over them.

(13) In 1790 one more function was given to the collectors, that is, the presidency of the newly created local revenue courts, or Mal Adawlut, as they were called. This was due to the fact that revenue cases took up too much of the time of the Board of Revenue with consequent

¹ A. Aspinall, *Cornwallis in Bengal* (1931), Ch. IX, p. 133.

accumulation of arrears and delay. So it was thought expedient to set up these courts of the first instance, from which cases could come to the Board on appeal.) This marked the zenith in the power of the district officer. As one writer has aptly remarked :

“ In the hierarchy of the administration the collector had become by 1790 the bottle-neck through which all lines of control must pass. Though in all his functions responsible to some superior authority he was in practice virtually independent.”¹

Cornwallis now felt that the time had come to cry a halt to this process and this he did three years later, as we shall see presently.

Commercial Reform under Cornwallis

The Company's administration was organised by Hastings into two main Departments—General and Commercial—between which, as we have seen, a rough separation had been effected in 1774 by the creation of a separate Board of Trade. Cornwallis was too conscious of the importance of the commercial branch to leave it out of his programme of reform. As he himself observed :—

“ Having been early convinced that the welfare of these Provinces, as well as the general prosperity of the Company's affairs depended much on a good plan for conducting the commercial business of this Government, my first care was to ascertain the best principles for carrying on that commerce,

¹ *The Bengal Administrative System, 1786 1818*, By Dr. L. M. Penson in *Cambridge History*, Vol. V (1929), Ch. XXVI, p. 452

and the most effectual means for bringing them into practice.”¹

The Board of Trade was, practically speaking, the supreme authority at the head of the commercial establishment of the Company, being itself imperfectly controlled by the Supreme Council. Under the Board the Company's servants in the commercial branch under the title of Commercial Residents posted in the interior districts secured Investments. For securing Investment three different methods had been tried so far at different periods :

1. Contract with a limited number of native merchants, who dealt with the manufacturers.

2. Agency of the Company's servants, who made advances to manufacturers directly or through their Gomostahs or Banyans for supply of produces.

3. General contract system under which contracts were made by a process of open competitive tender. We have seen that Hastings under the orders of the Directors adopted the contract system in place of the agency system. At the beginning contracts were made with native merchants or agents, the transactions being supervised by the Residents. Later on, the Residents themselves became contractors, practically ousting the native merchants, because nobody dared to disoblige them by trying to compete. They tried to secure goods at the cheapest rates, by extorting the producer and supplied them to the Company at high prices, thus making large profits for themselves. Even members of the Board of Trade were suspected of collusion with these Resident contractors. Apart from this they carried on trade on their own account and in that capacity became formidable competitors of the Company in foreign markets. This was the state

¹ Letter to Court, dated 1 August, 1789, *Bengal Letters Received*, Vol. 28 (I. O. R.).

of commercial affairs when Cornwallis arrived. As he remarked in course of a letter to the Court¹:

“The various abuses or defects which have long prevailed in the Commercial Department have deservedly attracted the serious notice and reprehension of your Honourable Court..... The prevalence of abuses in this Department has become a matter of general belief and notoriety.”

In their secret letter, dated April 12, 1786,² the Court with the approval of the Board of Control directed Cornwallis to make a detailed enquiry into the abuses in the Commercial Department, to be made in the most secret manner, so that the servants of the Company might not try to obstruct it. They had strong grounds for suspicion that the members of the Board of Trade, at least some of them had shared in the profits of the contracts which led to extravagant prices and inferior quality of investments. He was directed further to proceed immediately against persons found implicated in the abuses. As regards the mode of investment to be adopted to put an end to the abuses, the Court suggested alternative modes and left it to the discretion of Cornwallis to adopt any one. They themselves leaned in favour of the contract system subject to some restrictions. While not excluding the Company's servants from entering into contracts, they excepted the members of the Board of Trade and Commercial Residents from such transactions, because they were to supervise these and hear complaints either from manufacturers or contractors. They were also to be forbidden to trade on their own account and by way of compensation, they were to

¹ Letter to Court, dated 1 November, 1788. *Bengal Letters Received*, Vol. 27 (I. O. R.).

² *Bengal Despatches*, Vol. 13, p. 379.

be granted a commission of $2\frac{1}{2}$ per cent to be paid in Bengal on the prime cost of investment and $12\frac{1}{2}$ per cent to be drawn in London on net profits on sales in England.¹ The number of Residents was to be reduced and they were to be granted similarly a percentage on investment passing through their hands in Bengal and a portion of profits on sales in England, drawn in London. Without loss of time, Cornwallis applied himself "not merely to punish past misconduct or to apply temporary remedies to pressing evils," but to establish, after mature deliberation, a system of the future provision of the (Company's) Investments in Bengal upon solid and satisfactory principles. So far as the first was concerned, on the orders of the Secret Committee of Account, he caused Bills of equity to be filed against members of the previous Board and contractors furnishing raw silk against whom charges of fraud and collusion were made and suspended them from office pending enquiry.² So far as the second was concerned, he differed from the Court of Directors on the efficacy of the contract system in the then existing circumstances. After a detailed investigation of the different modes of investment that had so far been tried he concluded in favour of the Agency system as being the best in the circumstances.³ Under this system the commercial residents were to be in direct charge of Investment, arranging prices, making advances to manufacturers, receiving from them goods produced,

¹ The estimated net yield was to be divided among the four members of the Board of Trade in the following proportions :-

Senior Servant	£ 6,000
The Second	„ 5,000
The Third	„ 5,000
The Fourth	„ 4,000
	£ 20,000

² Vide his letter to them, dated January 15, 1787, in C. Ross, *Correspondence of Charles, First Marquis Cornwallis* (1859), Vol. I. p. 242.

³ Letter to Court, dated 1 November, 1788, *Bengal Letters Received*, Vol. 27.

and supervising the whole business. In fact, they were to represent the Company in the districts in commercial matters. He wholeheartedly carried out the orders of the Directors in the matter of granting liberal remuneration to the members of the Board of Trade and the commercial residents, because he always believed that the best way of getting honest service from servants and averting corruption and abuses was to pay them decently. But at the same time he differed from the Directors in not prohibiting private trade to commercial servants, because he thought, situated as they were, without much of local superintendence, it was not practicable to enforce such an order. So it was wiser not to prohibit what could not be enforced, as that would simply lead to surreptitious and underhand methods.¹ Previously the weavers were often the victims of oppression at the hands of the contractors or the servants of the company; sometimes they were forced to work for the Company alone, without being in its employ or indebted to it. Protection from such oppression was secured to them under a set of Regulations passed on the 23rd of July, 1787. The new system of investment was partially introduced in 1787 and although it had to meet with many an obstacle at the beginning, within a short time Cornwallis was in a position to report to the Directors that "it succeeded so well, as fully to justify the solidity of the grounds on which it had been undertaken and to evince both the practicability and the advantage of that mode."²

The next year turned out to be a particularly bad one, due to some natural calamities, which put the new system to a severe test, but in Cornwallis's opinion, it stood that

¹ Later on Cornwallis changed his opinion on this question and wanted to extend the prohibition in this respect to commercial agents also. *Ide* Cornwallis to Court, dated 2 May, 1792, Home Miscellaneous, No. 79, pp. 515-16 (I O R)

² *Ide* letter to the Court, dated 1 November, 1788, (para. 36) in *Bengal Letters Received*, Vol. 27.

test well, proving thereby its inherent soundness. He reported to the Directors :

“ Indeed I have no doubt that the most essential part of the system itself is already in general practice. I believe that your investment is now reasonably and intelligently purchased, and delivered to the Government at its real cost.”¹

It may be noted that the system introduced by Cornwallis continued without material alteration for the rest of the period of the Company's commercial career.

Reform of Criminal Justice

Thus within a little over a year of his assumption of office, Cornwallis, in accordance with the instructions of the Directors, practically overhauled and purified every branch of the Company's administration. But still one branch remained untouched, that is, the criminal judicature. Although the Company had become sovereigns of their territorial possessions in Bengal, Bihar and Orissa for all practical purposes, they still cherished the fiction of functioning as ‘ King's Dewan ’ only. So they left criminal jurisdiction with the officers of Nizamat, with only some control being exercised by the Company's servants. Cornwallis thought that the time had now come when this highly important branch of administration could no longer be left in native hands, because like Shore he entertained a very low opinion of the character of the natives and regarded them as thoroughly unworthy of any position of trust.

“ We ought not,” he wrote in his minute of December 3, 1790, “ I think, to leave the future control of so important a branch of Government, to the sole

¹ Letter to Court, dated 1 August, 1789 (para. 20). *Bengal Letters Received*, Vol. 28

discretion of any Native, or, indeed, of any single person whosoever."

He thought that his reforms in other branches would be of no effect, without reform of this branch. Although admitting that great caution was necessary in attempting to reform so delicate a branch of civil government, he felt it absolutely necessary to overhaul this branch. Thus he wrote to the Court on August 2, 1789 :—

" I feel myself called upon by the principles of humanity and regard for the honour and interest of the Company and the Nation not to leave this Government without endeavouring to take measures to prevent in future, on one hand the cruel punishment of mutilation. and on the other, to restrain the spirit of corruption which so generally prevails in native courts and by which wealthy offenders are generally enabled to purchase impunity for the most atrocious crimes. I conceive that all regulations for the reform of that department would be useless and nugatory whilst the execution of them depends upon any native whatever."

Cornwallis proceeded in the matter cautiously, however. Before formulating concrete proposals of reform he circulated detailed questionnaires to magistrates with a view to ascertaining the state of the Foujdary Courts, their defects, and collecting necessary information for their remedy. The reports of the magistrates disclosed a sad state of affairs and showed how deep-seated were the evils to be remedied. On the basis of these Cornwallis reviewed the whole position in a Minute, dated December 3, 1790, and formulated proposals of reform.¹

¹ *Vide* Bengal Rev. Cons., 3 December, 1790, p. 191, Range 52, Vol. 22 (I. O. R.)

The questionnaires to the magistrates form an enclosure to the Minute, together with a circular letter to the Magistrates, dated 19 November, 1789, and the answers of different officers

The evils of the system arose from two principal sources : (1) Defects in Muhammadan law, and (2) Defects in the constitution of the courts.

So both these had to be modified. But the question was whether his Government had the competence to alter Muhammadan law. He concluded in the affirmative. He argued first from the commonsense point of view as follows :

“ Being entrusted with the government of the country we must be allowed to exercise the means necessary to the object, and end of our appointment.”

Secondly, he justified it on legal grounds by citing as precedent Hastings's code of judicial regulations of 1772,¹ and more particularly the entire alteration in the provisions of Muhammadan law for the crime of Dacoity together with the superintendence and control over all the new criminal courts, assumed by the Company's servants. Parliament's silence on these measures was taken by Cornwallis to signify its approbation and legal ratification. Further he held that by Section 7 of the Act of 1773, which vested “ the ordering, management and government of all the territorial acquisitions, etc., in the Governor-General

¹ Hastings also argued for interference with native laws more or less on the same lines. He wrote in justification of his modification of the law relating to Dacoity.

“ Although we propose to leave the Nazim the final judge in all Criminal Cases, and the Officers of his Court to proceed according to their own laws, forms and opinions, independent of the controul of this Government, yet many cases may happen which an invariable observance of this rule may prove of dangerous consequence to the power by which the Government of this Country is held, and to the peace and security of the inhabitants. Wherever such cases happen the remedy can only be obtained from those in whom the Sovereign power exists. It is on these that the inhabitants depend for their protection and for the redress of all their grievances, and they have a right to the accomplishment of their expectation of which no treaties nor casuistical distinctions can deprive them. If therefore the powers of the Nizamut cannot answer these salutary purposes,****I conceive it to be strictly conformable to Justice and Reason to interpose the authority or influence of the Company, who as Dewan have an interest in the welfare of the country and as the governing power have equally a right and obligation to maintain it.”

Monckton Jones, *op cit.*, p. 332

and Council," Parliament had by implication positively confirmed the right and legally sanctioned the late act of the Governor-General. He, therefore, concluded in favour of putting an end to the flagrant abuses of the indigenous criminal jurisprudence. What was done immediately was to remove the absurdities of Muhammadan law. The task of systematising the legal system had to wait about half a century more.

As regards the second point, that is, the defective constitution of the courts, he was of opinion that it arose from the absence of all control over them. The judgments of these courts were often arbitrary and irregular and not seldom corrupt. All this he attributed to the criminal jurisdiction having been vested in the hands of natives and he thought that there was no effective remedy for this state of things except by its transfer to the Company's servants. He therefore formulated the following proposals.

The Nizamut Adawlut or the chief criminal court consisting of the Governor-General and Council, assisted by native law officers—the chief Kazi and two Mufties—was to be again removed from Murshidabad to Calcutta, meeting once or twice every week.

It was to take upon itself the exercise of all powers then vested in Mohd. Reza Khan.

A Registrar was to be appointed from among the covenanted servants of the Company to conduct the executive business of the Court.

The Foujdari Courts in the districts manned by Indian judges were to be abolished, their place being taken by four Provincial Courts of Circuit—three for Bengal and one for Bihar. They were to consist of two judges each, appointed from among the covenanted servants of the Company, assisted by two Indian Law officers removable on the orders of the Governor-General in Council and a

Registrar, also a covenanted servant as executive officer with a native establishment. The Courts were to go on circuit through the districts in their division twice a year to try all accumulated cases and after finishing the round fix their residence at the divisional headquarters (Calcutta, Patna, Dacca and Mrushidabad) to try prisoners committed by the city magistrates.

Detailed rules of procedure were laid down for their guidance. The power of hearing and deciding petty cases vested in magistrates in 1787 was further enlarged. He concluded his proposals with a strong plea for giving liberal salaries to judges, magistrates and other officers. He pointed out that although reduction in public establishment had always been in his mind yet the strongest conviction of the necessity of the arrangements alone induced him to propose the addition of these expenses. The Regulations of December 3, 1790, were approved by the Council, with a solitary dissent. So the only remaining vestige of authority of the country government was swept off and the Company became a full-fledged ruling organisation.

Police Regulations of 1792

But still the machinery of criminal administration remained imperfect due to the absence of an efficient police force, and Cornwallis followed up the Reforms of 1790 by a re-organisation of the police establishment of the country. For this purpose the magistrates were required by the Governor-General in Council on October 20, 1790, to report on the local establishments that would be necessary for the preservation of peace in their respective districts and to suggest the best mode of financing them. When the reports of the magistrates were received the whole position was reviewed by the Governor-General in Council

in a Minute.¹ In that Minute it was pointed out that for the effective prevention of crimes it was not enough to provide for the speedy and impartial trial of offenders when apprehended, as was accomplished by the Regulations of December 3, 1790. but it was also necessary to establish an efficient police force throughout the country for effectively bringing criminals to justice. Under the existing arrangement responsibility for policing the country was committed to magistrates assisted by Zemindars, who under the terms of their tenure were held responsible for keeping the peace within their jurisdiction and in the event of a robbery, for producing both the offender and the property plundered.

The landholders were given considerable deduction in their revenue assessment for keeping the necessary establishment of police force. The arrangement, however, proved to be highly unsatisfactory. Not only was the establishment kept by Zemindars very inadequate for the prevention and detection of crimes, but sometimes the Zemindars instead of employing trustworthy persons and allowing them decent pay, disposed of the employments for pecuniary considerations, which were usually purchased by the robbers themselves. The Board, therefore, came to the following conclusions :—

“ For the preservation of the peace of the country and the due protection of the persons and property of the people, it is necessary that the landholders should be deprived of the authority which they now exercise under the before-mentioned condition annexed to their tenure, which, instead of answering the purposes for which it was vested in them, has

¹ *Vide* Minute of the Governor-General in Council, dated the 7th of December, 1792, in *Bengal Rev. Judl. Consultation of the same date*, Range 127, Vol. 85, (I. O. R.). See also App 13 to the 2nd Report from the Select Committee of the House of Commons (1810).

been the chief source of the disorders that have so long prevailed throughout the country.¹ Police officers appointed by Government must be stationed in the different parts of the Provinces with such powers and such regulations as will enable them to bring to punishment those who live by plunder and rapine unless they relinquish that course of life, and deter others from entering upon it by cutting off all hope of escape from the hands of justice."

Accordingly the Governor-General in Council passed a number of Regulations, the chief of which are as follows :

1. The Police of the country are to be under the exclusive charge of officers appointed by the Government. The landholders and farmers are not to keep their police establishments in future.
2. Landholders and farmers are not to be held responsible in future for robberies except when they connive at them or assist robbers.
3. Districts are to be divided into convenient jurisdictions, to be guarded by a Darogah and his officers who are to be stationed in the centre of each jurisdiction
4. These jurisdictions are to be numbered and to be named after the central places.
5. The magistrates are to nominate the Darogahs so that they may select persons duly qualified for the trust, but no Darogah is to be removed from office except upon proof of misconduct to the satisfaction of the Governor-General in

¹ A graphic description of the miserable plight of the inhabitants due to the prevalence of crime and corruption in courts is given in a petition submitted by the inhabitants of Rajshahy to the Board.

(*Vide* Bengal Rev. Judl. Coms., dated 24 February, 1792, Range 127, Vol. 77, pp. 262-70, I. O. R.)

Council and no person is to be appointed without giving security.

Some of the Regulations laid down the procedure to be followed by the Darogahs in discharging their duties. They were to be assisted by a contingent of village watchmen in each village who were to be under their authority. As an inducement to honest work, it was provided that the Darogahs would receive ten per cent on the value of the plundered property recovered by them. But on committing any illegal act they might be proceeded against either in Courts of Circuit or in Dewanny Courts for damages. For the financing of these establishments, on the recommendation of the magistrates, taxes on shops and bazaars were imposed under the Regulations for the establishment of a Police tax passed on the same date. The total expenditure was allocated among the several districts and the magistrate of each district was instructed to collect the quota for his district.¹

Reforms of 1793

Even after effecting all these reforms in the sphere of the administration of revenues, civil and criminal justice and police, Cornwallis could not feel satisfied. He was quite complacent about the administration of criminal justice and police which he effected on his own initiative, for he remarks on February 11, 1793² :

“ the most happy effects have already been felt from the system ; and when the police arrangements adopted on 7th December last shall have been carried completely into effect, there is every ground

¹ Vide Colebrooke, *op. cit.*, Vol. III, pp. 478-81.

² Cornwallis's Minute of 11 February, 1793, Bengal Rev. Cons., Range LII, Vol. 55 (para. 11). See also App. 9 (a) in the 2nd Report of the Select Committee of the House of Commons (1810).

to expect that murders, robberies, and other criminal offences will not be more frequent than must necessarily be expected from the vices and passions to which human nature is subject, and which under the best regulated Governments, will always impel some individuals to commit the worst of crimes."

But he was not so happy about the existing arrangement of administration of civil justice effected in 1787 under the Court's orders of the 12th of April, 1786. Under it a distinction was made between revenue courts and civil courts, although both were presided over by the collectors, the same officers who in another capacity collected the revenues and not unoften, were interested parties in the cases which they were called upon to try. Further, there were all sorts of difficulties in the way of appeal from their decisions, the only appellate authority being the Governor-General in Council. It proved, of course, efficacious from the standpoint of revenue collection, but it was hardly in consonance with strict canons of justice.

Cornwallis's attitude towards the question was fundamentally different from that of the Company, which, as was natural to a commercial body, cared more for revenues than for principles of justice. Steeped in traditions of English jurisprudence, with its emphasis on the 'rule of law' and independence of the judiciary, Cornwallis did not feel happy about this combination of different powers in the collectors, which the Directors justified in 1786, as we have seen, on the ground of conformity to "subsisting manners and usages of the people," as also to the requirements of simplicity and economy which they so much emphasised. He laid very great emphasis on the important place of the judiciary in the administrative system of a country and on the importance of securing impartial administration of justice for the security of person and

property, the main object of civilised government on which depended the happiness and prosperity of the people. In his view the interests of the Company and its political safety coincided in this point with the welfare of the people. But the existing arrangement did not promote this object or ends of justice. According to his analysis the evils of the system were to be traced to its historical origin. To put the thing in his own words ¹ :

“ Upon our first obtaining possession of this country, it was expected to be rendered as immediately advantageous as possible to those for whom it was acquired. *The Government was urged to raise a high Revenue, and to provide a large Investment,* without being allowed time to inform themselves of the best means of answering the public expectations, without material detriment to the country. *All other objects were made subservient to these two and individuals readily fell in with the views of the public, as being most favourable to their own.* It will accordingly be found that in the civil branch of the Government, all the early arrangements were framed chiefly with a view to mere collection of the Revenue.”

As a result of this attitude, he contended, too much importance was attached to the collection of revenue to the neglect of the function of administration of justice. Of these two functions of the collector the latter was considered as a subsidiary one. He did not receive any salary as judge or magistrate. Neither did his exertions in this capacity merit any special reward ; nor his lapses any punishment. But “ the least failure in realising the Revenue is immediately noticed, and subjects his

¹ *Ibid*, para 27 Italics ours

character to imputation, besides occasioning a diminution in his commission."

Naturally at the prospect of failure of revenue, the collector relaxed the application of strict principles of justice and sometimes even connived at the oppressions of ryots by farmers and Zemindars. Cornwallis regarded the concentration of executive authority in the collectors as a menace to the liberty of the people.¹ The people were without any effective remedy against their decisions for all practical purposes. Complaints were rarely lodged against them, and even in the event of their having been lodged, the person deputed to hold the enquiry would be helpless in ascertaining the truth in the face of their great influence. And even supposing the collector was punished, which is not very probable, there was no guarantee against the successor not treading the same path. Because it was the system that was to blame and not the man. Hastings was also similarly apprehensive of the despotic authority of the collector, and he found the remedy in the concentration of all authority in the supreme Government, by abolishing local agency altogether. Cornwallis, however, tried quite a different remedy. He retained

¹ On this Cornwallis observes "The Collector unites in his own person the high powers of Judge in all matters of property of Magistrate, and of Receiver of the Revenue, he is the channel of the information upon which Government forms its determination of the Revenue to be assessed on each estate in his district, and through which it communicates with its subjects; he may suppress regulations which affect their most valuable rights, and the most important arrangements regarding property. In these various capacities there is not an individual in his district whose person and property is not some time or other within the reach of his authority, such power vested in an individual, and at a great distance from the seat of supreme control excites terror in the minds of the people, instead of inspiring them with confidence in its protection; and as they can form no judgment of our Government, but as it is thus shown to them in our representative, the Collector, there is little encouragement for them when oppressed to rely upon our justice for relief." (Para. 32 of the above Minute)

the collectors, but diminished their authority by splitting up their diverse functions and transferring their judicial functions to a different set of officers.¹ The *Mahl Adawhuts* or Revenue Courts were abolished, revenue cases being made cognizable by the newly created civil courts in each district presided over by European judges. The magisterial powers of the collectors were also vested in these judges. Cornwallis wanted the office of the judge to be the foremost in importance in the civil line. So the persons selected for them were to be distinguished for their integrity, ability and knowledge of the manners, customs, and language of the natives. Their allowances were to be commensurate with the importance of their trust. The task of the collectors being very much simplified under the newly arranged Decennial Settlement and lightened by the transfer of judicial functions, Cornwallis proposed that these offices might be conveniently held by the head assistants of the collectors, and the existing incumbents of collectorships might be without difficulty relegated to the offices of *Zillah* judges or judges of the Provincial Courts, as they had qualified for the work in their existing capacity of Dewanny judges.

To facilitate appeals and place them within easy reach of the people, two things were done : First, four Provincial Courts of Appeal, each consisting of three judges, called Judges of Circuit, were established in the cities of Patna, Dacca, Murshidabad and Calcutta, their jurisdiction being the same as that of the criminal courts of circuit of 1790. Secondly, the judicial regulations requiring a deposit from plaintiffs for the institution of suits as also the one imposing a limitation on appeals were abolished.

¹ In this step it is not unlikely that Cornwallis was influenced by Montesquieu's theory of separation of powers, which was at the height of its popularity at the time, just as, only four years back, the authors of the American Constitution had been.

The gamut of civil and criminal justice under the new arrangement may be represented as follows :—

Civil Zilah Courts—Provincial Courts of Appeal—Sudder Dewanny Adawlut.

Criminal Zilah Courts—Courts of Circuit—Sudder Nizamut Adawlut.

To provide against congestion of cases in the district courts and for the convenience of parties in the interior, a Regulation was enacted authorising the appointment of Native Commissioners to hear and decide, in the first instance, suits of personal property not exceeding the value of fifty rupees.¹ They were to be paid by a small fee on the value of the suit. To secure effectively the people from the oppression of the officers of Government and uphold the rule of law, it was provided that native individuals were to be permitted, under certain restrictions, to prosecute the officers of Government and the Government also through the medium of its officers, in the courts of justice for any injuries which they might sustain in their persons or property in opposition to the existing Regulations. British subjects carrying on trade in the interior districts often oppressed ryots with impunity, because while they could proceed against the natives in the ordinary courts, they themselves could be proceeded against only in the Supreme Court at Calcutta, which was too difficult a process to be resorted to by ordinary men. To guard against such oppression it was provided that no British subjects except Government officers and civil and military covenanted servants of the Company were to be allowed to reside beyond the limits of Calcutta unless they entered into a

¹ In a way this may be said to be the first introduction of Indians into the newly organised administrative machinery. Later, as will be seen, exigencies of administration led to an increasing entry of Indians into the administration, not only in the judicial branch, but other branches as well, together with an increase in their powers and responsibilities.

bond rendering themselves amenable to the country courts of judicature in any civil action instituted against them by natives. Even judges of the different courts were made suable for illegal acts, under certain conditions which secured them against frivolous charges.

The judges of the Zilah and City Courts, were empowered to propose Regulations through the Provincial Courts of Appeal to the Sudder Dewanny Adawlut. Similarly, the Appeal Courts had the privilege of proposing Regulations to the Sudder Dewanny Adawlut, and the latter in turn to the Supreme Board, the idea being perhaps that Regulations should be based upon informed advice of the judges administering them. Regulations passed in each year were directed to be printed and circulated to Government officers and courts for giving them sufficient publicity. Some retrenchment was effected by abolishing a number of offices as well as by amalgamating the establishments of the Sudder Dewanny and Nizamut Adawluts.

But at the same time Cornwallis made a strong representation, as on other occasions, for granting liberal salaries to collectors, judges and officers of courts according to the importance of the offices.

"It would, in my opinion," he argued, "be unjustifiable in every point of view, towards a people who pay so great a Revenue, and from whose industry our country derives so many advantages, to deny them the benefit of such part of the public revenue as may be necessary to defray the charges of good government; and I trust I have clearly proved that the proposed arrangements are calculated for that purpose, as well as essential to the future security and prosperity of the British Dominions in Bengal. To have suffered therefore the increase of expence, estimating it (as I have done) at the greatest possible amount, to operate as a bar to the

adoption of them, would have been a destructive and even a criminal species of economy."¹

Although the plan involved expenditure, Cornwallis gave immediate effect to it without waiting for the sanction of the Court of Directors, thus acting contrary to the positive direction of the Company in their letter of 12 April, 1786. That alone shows how great an importance he attached to it.

Cornwallis Code of 1793.

On a survey of Cornwallis's reforms so far, it will be noticed that at the beginning of his regime the chief aim had been economy, purification and simplification. For the purpose of purification the holders of all important offices were to be Englishmen and were to be paid liberal salaries. For simplification and economy all redundant posts were to be abolished or offices with similar duties amalgamated. In the second period of reform, however, the outstanding aim was the protection of the ryots from oppression and the promotion of the welfare of the people. In terms of one of the Regulations, the Government divested itself of the power of infringing in its executive capacity the rights and privileges, which, in its legislative capacity, it had conferred on the land-holders.

Cornwallis systematised the reforms effected in the different branches of administration by issuing a series of Regulations no fewer than forty-eight, which came to be known as the "Cornwallis Code."² In a way its importance lay in defining the existing system which at that time was urgently called for. The Regulations were of an all-embracing character, touching, as they did, the land revenue system, civil and criminal justice, the police as

¹ *Vide* Minute of 11 Feb. 1793, *op. cit.*, (para. 120).

² For an abstract of the Regulations in the Code, *vide* Aspinall, *op. cit.*, ch. V pp. 95-98. See also Appendix H.

well as the commercial organisation. Thus Regulation I of the Code revolutionised the land revenue system by introducing the much-discussed Permanent Settlement. Regulation II defined the duties and functions of the Board of Revenue in the new order. Although the Code mainly stereotyped the existing system it was not something rigid and inelastic; it contained within itself the germs of expansion and change. By Regulation XX a special procedure was laid down for the proposal of new Regulations by officers. Speaking of the Code, W. S. Seton Karr observes :—

“The Cornwallis Code, whether for revenue, police, criminal and civil justice, or other functions, defined and set bounds to authority, created procedure, by a regular system of appeal guarded against the miscarriage of justice, and founded the Civil Service of India as it exists to this day.”¹

Administrative Reorganisation.

A survey of Cornwallis reforms would remain incomplete without a reference to his efforts at reorganisation of administrative establishments. This was begun, as already noted, during Macpherson's regime in pursuance of a provision of the Act of 1784.

Macpherson literally followed the direction from home and effected economies in establishment by abolishing some posts and reducing the salaries of others. In May, 1786, he created a temporary Secret Department of Reform to push forward the plan. Cornwallis, however, was not guided merely by considerations of economy, but also those of expeditiousness in the conduct of business.

“Important however,” he wrote to the Court on November 3, 1788, “as the objects of economy

¹ W. S. Seton-Karr, *The Marquess of Cornwallis* (1898), Ch. IV, p. 95.

must be admitted to be, I confess that I consider it as of a secondary nature to that of establishing useful arrangements for employing and facilitating the dispatch of business at the public offices. From the materials before you it is open to your own judgement whether we have succeeded in the execution of our own intentions, which as I have already remarked, were to *improve the mode of carrying on the public business* of this Government in point of economy, order and dispatch and to exhibit the nature of the duties, and the precise amount of the 'incomes' of all the Company's servants to the clear observation of your Honourable Court." ¹

His reorganisation embraced all parts of the service—both in the districts and at the headquarters. When Cornwallis assumed office the headquarters establishment consisted of three departments—(1) Public or General, (2) Revenue and (3) Commercial, under two Joint Secretaries. On July 25, 1787, the Secretariate was recreated under one Secretary General with three Sub-Secretaries to keep separately the records of the three Departments. To carry out reorganisation work on a systematic plan the Governor-General in Council resolved on January 31, 1788, to create a branch of the Secret Department styled the Secret and Separate Department of Reform, and to devote one day every week to the examination of the state of public offices in the various departments. By January, 1789, all the branches of the establishment had passed under the scrutiny of the Board in the Secret and Separate Department with the result that

¹ *Vide Home Miscellaneous Series, No. 369, p. 415. (I. O. R.). Italics ours.*

the administrative machinery was thoroughly overhauled.¹ In June, 1788, when the work was nearing completion, the Governor-General in Council wrote to the Court² :—

“ We have almost finished the Review in which we have been engaged for some months past of the different offices and establishments under the Government, and many arrangements of a general as well as particular nature have taken place, which we trust will not only make some saving in the annual expence but will tend most essentially to simplify and expedite all the branches of the public business.”

It is not necessary for our purpose to enter into the details of the reorganisation of the several departments, but we may discuss shortly the principles underlying them and the lines on which the reorganisation was effected. The principal aim was to avoid all useless expense, and at the same time to simplify and facilitate the despatch of all branches of public business. So all redundant offices were abolished. The heads of Departments were asked to lay before the Board the minimum establishment required by them to carry on their work, specifying the duties of each office and the proper salary to be paid in their view. Departments discharging duties of a similar character were amalgamated, and civil servants instead of being permitted to work in different Departments were definitely assigned to one Department only. No new offices were created except under extreme necessity. Responsible officers were to be paid adequate salaries, but all other perquisites and allowances were to be stopped.

¹ A summary of the work of the Secret Department of Reform is given in a letter of the Board in the Secret and Separate Department to the Court, dated 9 January, 1789. Home Miscellaneous Series, No. 369, pp. 423-543 (I. O. R.).

² General Letter, dated the 5th of June. 1788 (para. 11)

Guiding Principles of Reorganisation.

The principles underlying the reorganisation were formulated by Cornwallis in a Minute, dated the 31st January, 1788, as follows¹:—

- “(a) That the offices for conducting the business of this Government be as few as possible, and no more than the public business requires.
- (b) That the establishment of writers and inferior servants in each office be regulated by the business in it.
- (c) That the salary and allowance to every officer of Government be proportioned to the responsibility of the office he holds, and the unavoidable expences of the situation.
- (d) That the allowances annexed to the principal and most responsible offices be such as will enable the possessors of them, with proper economy to return to Europe with a competency in a moderate period of service.
- (e) That the salaries to the inferior officers and servants of Government be equal to their subsistence.
- (f) That no Company's servant be allowed to hold an office under two different Departments.
- (g) That all the principal offices be held by Company's servants.
- (h) That it be declared and understood that no officer of Government is to derive any advantages from his office or situation beyond those authorised and allowed.
- (i) That in the application of the preceding principles the strictest economy compatible with them be adopted.”

¹ Home Miscellaneous, No. 369 (I O R.), pp. 426-47. See also Letter from Governor-General in Council to Court, dated January 9, 1789, in ‘Bengal Letters Received.’ Vol. 27.

The main task of reorganisation and overhauling of the Departments was completed by the end of 1788. As a result of the reforms of 1790-1793, the judicial establishment underwent a remarkable change. In 1793 the judicial establishment, both on civil and criminal sides, was separated from the Revenue Department and placed under an independent Judicial Department. At the end of Cornwallis's regime, therefore, the civil service of the Company came to be organised under four main Departments: (1) Public or General, (2) Revenue, (3) Judicial and (4) Commercial. On his achievement in the matter of administrative reorganisation he writes as follows to John Motteux, the then Chairman of the Company¹:

"I have been a most rigid economist, in all cases where I thought rigid economy was true economy. I abolished sinecure places, put a stop to jobbing agencies and contracts, prevented large sums from being voted away in Council for trumped-up charges; and have been unwearied in hunting out fraud and abuse in every department. As a proof that I have succeeded, you will see this year what never happened before—that our expenses have fallen short of our estimates."

Elsewhere he observes²:

"Upon the whole we feel a conviction that our observations and labours will prove of utility to your affairs, and that the regulations and arrangements which we have made will promote the establishment of regularity in the conduct of the business of this Government, uniformity and simplicity in the accounts of its receipts and expenditures, and

¹ Letter, dated 16 December, 1787. *Vide Ross, op cit.*, Vol. I, p. 306.

² Secret and Separate Letter, dated January 9, 1789, para. 215.

restrictions upon the latter preventing any abuse of them or improper increase in their amount."

It will appear that although he kept in view economy in establishment, that was not the principal consideration that weighed with him in effecting reorganisation. He valued honest and zealous service above economy, which at the expense of the former was in his opinion false economy.

"I shall never think it a wise measure in this country," he observed, "to place men in great and responsible situations, where the prosperity of our affairs must depend on their exertions as well as integrity, without giving them the means, in a certain number of years, of acquiring honestly and openly a moderate fortune."

He condemned the spirit of false economy of the Directors in strong terms when, after he had sanctioned commissions to the collectors in 1787, he apprehended from the tenor of a letter written by them that they would disapprove of his action. In a private letter to his friend H. Dundas, dated August, 26, 1787, he wrote ¹:—

"But I never can or shall think that it is good economy to put men into places of the greatest confidence, where they have it in their power to make their fortune in a few months, without giving them any salaries.

If it is a maxim that no Government can command honest services, and that pay our servants as we please they will equally cheat, the sooner we leave this country the better. I am sure under that supposition I can be of no use, and my salary is so much thrown away."

But he was no pessimist. He had rather a strong conviction that if the servants were remunerated on a scale which

¹ Ross, *op. cit.*, Vol. I, p. 278.

allowed them a decent living and a moderate saving on retirement, the level of their public conduct was bound to improve.¹

Morale of the Services raised—devices to that end : (a) Liberal salaries

From the preceding survey of the various measures of reform it will appear that Cornwallis not only reconstructed the administrative machinery of the Company with reference to its new duties and responsibilities, but also made every attempt to build up a civil service on modern lines to run that organisation, and in this task he was eminently successful. Although Hastings also before him tried to purify the services, he was not successful to the same extent as Cornwallis, because, as we have seen, he had to work under many handicaps which did not beset Cornwallis. Up to his time the members of the Company's civil service were to a great extent imbued with the spirit of commercial adventurers eking out their poor salaries with any amount of perquisites, many of them of a questionable character, and that not unoften with the connivance of the authorities, more busy furthering their private interests than those of the Company or of the public. Cornwallis wanted to banish this tradition altogether and to build up a regular administrative service of a state. That required a twofold stimulus of rewards as well as punishment.²

¹ See his letter to the Court, dated August 18, 1787, *Ibid*, p. 274.

² In his Minute of January 31, 1788, Cornwallis observed :

" All that I mean by these observations (regarding the responsibilities of the Company's servants) is to attract the attention of the Court of Directors to the magnitude of their affairs in Bengal, and to evince the necessity of animating the zeal of their servants, and encouraging the improvement and exertion of those talents which alone can secure the advantages derived from the possessions of the Company in the East, by a well-arranged and well-executed system of Government. This object can

In his opinion, mere punishment of abuses and malpractices would not remedy the evil ; it would perhaps only drive it underground to find outlet through other channels. The wisest course was to remove the prime cause by giving the servants enough legitimately, in order to deter them from having recourse to illegitimate gains; for he believed that the generality of people prefer having a moderate competence by open and avowed means than making a fortune by questionable means. He particularly detested the idea of giving them low salaries, in consideration of their gains from other sources, because that indirectly encouraged the illicit practices. He insisted on giving the servants decent salaries and in lieu thereof demanded a high standard of public ethics and unflinching devotion to public business alone. If in spite of adequate remuneration they deviated from the path of rectitude, such deviation might be justly and effectively punished. But mere punishment of lapses, unaccompanied by liberal salaries, could never secure integrity. Cornwallis observed :—

“ If rigorous punishment be ordained as the penalties of every deviation from the strict line of rectitude, and the Government should depend upon these alone for enforcing honesty, the event will disappoint their expectations. Distress will overcome principle, and although no argument can justify an immoral action, yet reason and humanity will plead in favour of distress and temptation. On the contrary, when a fair reward is allowed for labour and honesty, negligence and speculation should be deservedly punished with all the rigour which the law or the rules of the service can inflict.”

only be effectually obtained by a uniform distribution of rewards on the one side, and of punishment on the other.” (Quoted in Aspinall, *op. cit.*, p. 35.)

Moreover, he argued that their duties were now of such a character that their successful performance demanded from the service some degree of enthusiasm and ardour and not mere clinging to routine, and this could not be expected without satisfaction of their pecuniary needs. After providing for liberal remuneration, not only did he demand honesty and integrity, but he further insisted that all servants, whether in the commercial or the administrative branch, should give up all other pre-occupations and devote themselves completely to public business alone. He wrote to the Court in 1792 ¹:

“ In my opinion the Company will not be well served, and I will even go further and say that the honour and interest of the British nation will never be safe in India until it shall be established as an invariable rule at all the Presidencies, that Company’s servants shall be confined to public business only, and particularly that those in office shall on no account be permitted to be members of Agency or Banking Houses, or to transact mercantile business of any kind upon their own account.”

(b) *Fight against Patronage.*

He followed another salutary principle for securing the efficiency of the service, and in this he was perhaps much in advance of his time—we mean his *fight against patronage*.

At the time the Company’s service had become, so to say, the dumping ground for friends and relations of the Directors and those connected with them. Jobs were distributed without reference to qualifications.² The evil had assumed such proportions as to lead even to needless

¹ Cornwallis’s letter to Court, dated 2 March, 1792, in *Home Miscellaneous Series No. 79*, pp. 515-16, (I. O. R.).

² This has been enlarged upon in greater detail in the next Chapter.

multiplication of offices, and the Court in its letter, dated September 21, 1785, directed the Government in Bengal not to yield to pressure of influential persons at home, and to be guided by no other consideration than the exigency of administration in effecting retrenchment and economy. But it required a man of Cornwallis's stamina and position to withstand pressure from high quarters at home. He went to the length of refusing candidates recommended by the Prince of Wales¹ and even the Queen. He wrote to Lord Sydney :

“ Lord Ailesbury has greatly distressed me by sending out a Mr. Ritso, recommended by the Queen, but I have too much at stake. I cannot desert the only system that can save this country, even for sacred Majesty.”²

He refused to entertain a candidate recommended by his friend Dundas and wrote to him :

“ I must, my good friend, recall to your recollection that no Governor in India can confer an office or employment worth holding, or indeed any substantial favour, on a person who is not a covenanted servant of the Company, without essentially injuring the public interests, and committing an act for which he deserves to be impeached.”³

He was so much worried by the constant solicitation of job-hunters that he wrote in disgust to Lord Sydney :⁴

“ I am still persecuted every day by people coming out with letters to me, who either get into jail, or

¹ *Vide* letter to Lord Southampton, dated 7 November, 1789, in Ross, *op. cit.*, Vol. I, p. 445.

² Letter, dated 15 August, 1787. *Ibid.*, p. 273.

³ Melville papers, Letter, dated 15 October, 1792, quoted in Aspinall, *op. cit.*, p. 31.

⁴ Letter, dated 7 January, 1788, Ross, *op. cit.*, Vol. I, p. 310.

starve in the foreign settlements. For God's sake do all in your power to stop this madness."

It is difficult to say how far he was able to exterminate this evil altogether, but there is no doubt that his stern and uncompromising attitude on the question had the effect of considerably checking it. Appointment from outside the covenanted service was later satutorily forbidden by the Act of 1793 which provided that all vacancies in the civil line of the Company's service in India under the degree of Councillors should be filled up from amongst the civil servants of the said Company only, actual residence in the country for a period, varying with the amount of the salary of the post in question, being also required of the servant.¹

(c) *Europeanising Superior Offices*

Another thing that he did for what he thought to be in the interest of the improvement of the service was to put Europeans alone in all superior positions. Like Shore,² Cornwallis also entertained a very poor opinion of the character of Indians and believed that purity in service could not be secured unless Europeans were appointed to all responsible positions. As we have seen above, he adopted this as one of the guiding principles in the task of reorganisation of establishments. It was this distrust in the capability of Indians to hold responsible positions that impelled him to take over the administration of criminal justice from the control of the Naib Nazim under the direct charge of the Company. He recommended the employment of Indians in inferior positions in all departments, but he honestly believed that in the interests of the natives themselves they could not be entrusted with

¹ Vide Section 57 of the Act of 1793 (33 Geo. III, C. 52).

² Vide Shore's Minute of 13 January, 1782 in Beng. Rev. Cons. of 18 May, 1785.

responsible positions. The idea of self-government as the goal of British rule was as yet a far cry and Cornwallis did not think it a practical proposition at all, although he was inspired in all his reforms by a solicitude for the welfare of the people, as he conceived it, which according to him was the rock of stability of British rule. In his Minute of 11 February, 1793, he frankly observes ¹:

“Although we hope to render our subjects the happiest people in India I should by no means propose to admit the natives to any participation in framing Regulations.”

Throughout his regime he consistently followed this policy, although against the positive direction of the Court of Directors in their letter of 12 April, 1786, which runs as follows ²:—

“It (refers to the carrying on of collections in districts without any native agency as proposed by Macpherson) would in many cases not be practicable, and in general, by no means eligible in point of policy. At the same time, when the talents of the more respectable natives can with propriety and safety be employed in the management of the country, we think it both just and politic to carry that principle into effect..... We do not hesitate to declare, as a leading feature of our future system that the multiplication of British subjects in the interior Districts or in the subordinate detail of Indian offices, is not necessary to good government nor productive of any benefit to the Company adequate to the vast expense attending it. We conceive also that the natives

¹ Cornwallis's Minute of 11 February, 1793 Beng Rev Cons Range LII, Vol 55 (I. O. R).

² Paras. 17 and 18 of letter, dated 12 April, 1786 Beng Despatches, Vol. 15.

in general are most competent to the duties of detail in that climate, and in fact have always conducted the laborious parts of them."

Unlike the other means adopted by him for the improvement of the service, this is not, however, above criticism. Of course, the standard of public morality of the Indians employed in the Company's service was none too high. But the same thing was true of the European covenanted servants of the Company before the Cornwallis reforms, as appears from his own account. The situation was not much better at the time even in Cornwallis's own country. So it was not wise to exclude natives categorically from all positions of trust and responsibility unless he believed in the congenital incapacity of Indians, and for such a view there was not sufficient evidence, as later experience has also positively established.

Cornwallis seems to have believed that good government is better than self-government, which, however, has not been accepted as true even in his own country.

There is every reason to believe that if he applied the same remedy to the Indian members of the service as he did to the European, the result would not have been less satisfactory. Perhaps the Directors were nearer right in holding the opinion that it was not good policy to exclude Indians from such employment as could safely be entrusted to them. Particularly, was this true of legislative and judicial work. Experience showed that both laws and their administration by European judges suffered in quality, because of their lack of intimate and detailed knowledge of local conditions, and very soon Cornwallis's policy of distrust of Indian agency in administration had to be given up. Be that as it may, Cornwallis's intentions were above reproach. What he wanted by all these means was a civil service purged of all the prevailing abuses and he

was successful in his attempt to a considerable extent. The testimony of Cornwallis's successor, Sir John Shore (later Lord Teignmouth) on this point is convincing. He wrote :—

“ I will venture to say there is little speculation, or sinister emoluments. In this respect the reform is not only considerable, but visible. Our present system is an effectual war to those intrigues which affected the Commerce, the Revenues, and every branch of the public Administration.”¹

Cornwallis did not remain satisfied with merely devising ways and means for getting a pure service. He also took care that the system of administration contained within itself correctives against the abuse of power by the officials. That was the keynote of the Reforms of 1793. Cornwallis held that the efficacy of the existing system depended entirely upon personal factors, rather than upon the personality of one man in the district, with the lurking danger of abuse and corruption. So he proposed to substitute in its place a system “ upheld by its inherent principles, and not by the personal qualities of those who would have to superintend it.” In the system he then inaugurated adequate safeguards were provided against abuse of power by the members of the service and encroachment on the rights of individuals.

It would not perhaps be any exaggeration to say that Cornwallis for the first time freed the Company's civil service from the traditions of its commercial origin and placed it on the footing of a regular civil service based on modern principles of public administration.

¹ Shore to Inglis, 1795, *in* *Life and Correspondence of Lord Teignmouth*, Vol. I. p. 329.

CHAPTER VI

THE COMPANY'S CIVIL SERVICE—CONTRIBUTION OF THE FORT WILLIAM COLLEGE AND ITS EVOLUTION

Abuse of Patronage of Directors and the Need of Training of Company's Servants

The consolidation of the Company as a stable ruling organisation in India was bound to raise, sooner or later, the question of proper selection and, necessarily, of the system of education and training. As Sir John Malcolm very rightly remarks, dwelling on the vital necessity of a constant supply of the best type of administrators for India ¹ :—

“ the task of conquest was slight in comparison with that which awaits us, the preservation of the empire acquired. To the acquisition, men have been encouraged and impelled by the strongest of all the impulses of the human mind : fortune and fame have attended success ; the preservation must be effected by that deep and penetrating wisdom, which, looking far to its objects, will oftener meet reproach than praise.”

Elsewhere he observes ² :—

“ If a succession of men of great talents and virtues cannot be found, or if the operation of any influence or party feelings and principles prevents their being chosen, we must reconcile ourselves to the serious hazard of the early decline, if not the loss, of the great power we have founded in the East.”

¹ Sir John Malcolm, *Political History of India, 1784-1823*, (1826) Vol. II, Ch. IX, p. 85.

² *Ibid.*, p. 77.

The best method of selection, he says, admits of much speculative opinion but as regards the general principle there could be no two opinions.

“Any principle which excludes knowledge, talent, and virtue, in whatever rank or condition of life these qualities are found, from such fair and legitimate objects of honourable ambition, must destroy the competition necessary to form men for the government of British India.”

These sentiments were perhaps a little ahead of the times with which we are dealing. The logical working out of these would perhaps lead to a competitive selection of civil servants and promotion by merit, which had to wait a long time for their acceptance even in the most advanced countries of the West. But from what we have seen of the mode of recruitment of the Company's civil servants in a previous chapter it would appear that it was based on a negation of such principles. It stands to the credit of Wellesley as a statesman that he realised the necessity of some system of training for civil servants with a view to the proper equipment for their duties at the stage in which he found them. The mode of their appointment did not at all ensure the possession of the qualities required of them, although there might be chance cases of successful servants even under that system. In his Minute of 10 July, 1800, on the foundation of the Fort William College,¹ with which we shall deal later, he remarks :—

“Duty, policy and honour require, that it should not be administered as a temporary and precarious acquisition,.....

“It must be considered as a sacred trust, and a permanent possession. In this view, its internal

¹ Extracts from the Minute will be found in Appendix I.

government demands a constant, steady, and regular supply of qualifications, in no degree similar to those which distinguished the early periods of our establishment in India, and laid the foundation of our Empire. The stability of that Empire, whose magnitude is the accumulated result of former enterprise, activity and revolution, must be secured by the durable principles of internal order; by a pure, upright, and uniform administration of justice; by a prudent and temperate system of revenue; etc....."

Whether Wellesley's scheme of education for civil servants which was inspired by the above sentiments was calculated to promote his object in view is a question which may be discussed later. Nor would one at the present day endorse his attitude to the Indian possessions. But the point we are here concerned to make, is that he for the first time realised the necessity of ensuring some qualifications in the civil servants which did not necessarily emerge from the mode of recruitment prevalent at the time, *viz.* that of unrestricted patronage in the hands of the Directors.

Wellesley's scheme, at its lowest, served as a sort of a corrective to the vicious character of the patronage of the Directors and we shall discuss it in that light. But before doing so, it would be useful and interesting to discuss the enormity of the practice not only at that time, but even later.¹ That there was corruption and abuse in the distribution of patronage was known to everybody, but at times it became so flagrant as to stir even the rather indulgent public conscience of those days. Thus in 1793

¹ A full account of the corruptions and a systematic traffic in patronage will be found in "A Report from the Select Committee of the House of Commons to enquire into abuses of Patronage of the East India Company, 23rd March, 1809." *Vide Parliamentary Papers*, Vol. II of 1809.

Parliament was moved to deal with it by the Charter Act of the year. In the first place, it reduced the area of patronage by making appointments in the civil line of the Company's civil service below the rank of members of the Executive Council open only to members of the Covenanted Civil Service. In the second place, it imposed an oath on the Directors against making nominations for some consideration, in the following form :—

“ I do swear, that I will not directly nor indirectly accept or take any perquisite, emolument, fee, present or reward, whatsoever, for or in respect of the appointment or nomination of any person or persons to any place or office in the gift or appointment of the said Company, or of me as a Director thereof, or for or on account of stationing or appointing the voyage or voyages of any ship or ships in the said Company's employ, or for or on account of or any ways relating to any other business or affairs of the said Company.”

This was enforced by a bye-law of the East India Company (c. 6. sec. 5) by a penalty in case of acceptance of any monetary consideration, in double the amount, together with disqualification for holding any place whatsoever under the Company. Apart from the oath subscribed to on his election, a director at the time of nominating a Writer had to make a specific declaration on the petition in the following form :—

“ I recommend this Petition, and do most solemnly declare that I have given this nomination to . . .
 and that I neither have received myself, nor am to receive, nor has any other person to the best of my knowledge or belief received, nor is to receive, any pecuniary consideration, nor

anything convertible in any mode into a pecuniary benefit on this account."

In the case of military cadets, there was a further safeguard in the form of a declaration to be signed by the nearest of kin of the candidate to the effect that the nomination was secured gratuitously, without any monetary consideration being directly or indirectly paid for it. Moreover, the printed preparatory instructions, circulated by the Company for the use of the cadets nominated, included one to the effect that any person who shall have obtained a nomination to a situation, civil or military, in the Company's service, either directly or indirectly by purchase, or agreement to purchase through the medium of an agent or other person, was to be dismissed and rendered incapable of holding any situation in future. But as would appear from the revelations made in course of enquiry by the Parliamentary Select Committee mentioned above, all these devices did not prevent a very extensive traffic in these nominations. The Directors themselves from time to time appointed committees¹ to enquire into alleged abuses. Such committees sometimes called upon the Directors to state in writing the names of his nominees with the reasons that induced him in nominating, the parties receiving nomination also being called upon to produce proof of not having received it for any consideration. In spite of all this the fact of extensive traffic in nominations, both for writerships and cadetships, was clearly established before the Parliamentary Committee. The Committee, of course, absolved the Directors of any wilful complicity in such transactions. The evidence tendered before the Committee proved the existence of a sort of a systematic ring which carried on the traffic as a business,

¹ One such was appointed on 25 April, 1798. Another of a new Direction was appointed on 14 August, 1799.

the nomination passing through a chain of middlemen who reaped the profits, both the Director nominating and the candidate nominated being innocent and ignorant of the whole affair.¹

The Committee remarked :—

“ The oath taken by the Directors seems as effectual as anything which can be devised for the purpose of guarding against corruption, so far as the Directors themselves are immediately concerned; and your Committee have already remarked, that no case of corruption or abuse, which has been before them, affects any Member of that Court. It is, in the passing through several hands, which happens frequently with regard to the more numerous and less valuable appointments of cadets, that opportunities for this sort of negotiation are presented, which, without a greater degree of vigilance and strictness on the part of each Director, at the time of making such nomination, it will be impracticable to prevent in future.”

The Committee recommended by way of remedy the vigorous enforcement of the existing penal rules imposing the penalty of dismissal on the candidates nominated and the loss of the privilege on the Directors nominating, in case of proof of an illicit traffic. Because they thought,

“ the unpleasant duty of increased vigilance is not likely to be performed without some incitement of benefit or disadvantage, attendant upon the exercise, or neglect of it; and it is equally conformable to experience to presume, that patronage

¹ One Mr Tahourdin who figures in a number of cases revealed before the Committee appears to have specialised as such a middleman. It transpired further that seats in Parliament were negotiated through the disposal of Indian patronage.

will continue to be abused, so long as no inconvenience is felt by the person primarily giving, or by the person ultimately receiving it."

It might involve hardship in many cases, the Committee admitted, because many of the young men nominated were often ignorant of the circumstances under which his nomination was secured for him through fraudulent agents, but it could not be helped. Assuming, on the findings of the Committee, the ignorance and innocence of the Directors in all cases, which it is rather difficult to believe, the degree of gullibility of the Directors concerned appears to be astonishing, and further, the negligence and want of vigilance on the part of a responsible body of men as they presumably were, particularly in full view of the knowledge of the existence of a body of such fraudulent agents, should seem to be striking and inexplicable. It is not at all improbable that some of them connived at such practices from interested motives. But in any case the fact remains beyond dispute, being confirmed by the evidence of many witnesses before the Parliamentary Committees appointed from time to time to enquire into the affairs of India, that the Directors in making nominations to writerships were more often influenced by considerations of family connections and kinships and friendship than the qualifications of the candidates. This is not at all to be wondered at, seeing that, in the first place, patronage was looked upon as an indirect remuneration of the Directors' office and as a means of finding careers for young men connected with them; in the second place, there was no sense of public responsibility to check them. So the fault lay more with the system than with the men, and it may be noted in passing that in that age, the distribution of public offices even in England was hardly free from such blemishes. Now so long as the Company remained a purely commercial concern the process of selection did not materially

injure the interests of the Company; because the duties of the civil servants were mainly of a clerical nature, for which very great ability was not demanded. But at the time we are speaking of, the system proved a hopeless failure in supplying the right type of men required to undertake the new type of responsibilities. Yet it was evident that the abolition of the power of patronage of the Directors was unthinkable at the time. Even one ministry, *viz.* the Coalition ministry of Fox and North fell on that issue. In the circumstances Wellesley took the next best alternative, *i.e.*, to give a systematic training to the Writers after their nomination, before they actually entered upon their duties. Arguing the case for a systematic education and training for the young servants of the Company in a letter to the Court, he writes :—

“ Your servants are nominated to the highest stations of civil government, without any test of their possessing the requisite qualifications for the discharge of the functions of these offices. No such test could now indeed be required, none having been prescribed, and no means having been afforded to individuals of acquiring the necessary qualifications for public stations.”¹

So it will not perhaps be very incorrect to look upon the scheme as a corollary to and also corrective of the abuses of the patronage system of recruitment to the Company's service.

The Origin of Fort William College

The idea of establishing an institution of the kind of Fort William College first occurred to Wellesley from the

¹ Letter, dated the 9th of July, 1800, from the Governor-General in Council to the Court, quoted in *Despatches, Minutes and Correspondence of the Marquess of Wellesley during his Administration in India*, edited by R. M. Martin, (1836) Vol. II, Letter No. 85.

arrangement though of an imperfect character, of providing facility to civil servants of the Company to learn the languages by employing *moonshies*, i.e., Indian coaches for this purpose.¹ This had become necessary with the servants of the Company having to discharge the revenue and judicial duties for the performance of which a knowledge of the country languages was essential.² But this arrangement was hardly satisfactory for the end in view; because apart from providing an allowance for keeping *moonshies* no care was taken to ensure that they had obtained adequate proficiency in the languages.

A step in this direction appears to have been first taken in 1790. The following extract from the proceedings of the Governor-General in Council, dated 10 September, 1790, may be quoted in this connection - "Resolved, that with a view to encourage the acquisition of the native languages, such of the Honorable Company's writers as are so disposed, be allowed, during the period of their writer-ship, the sum of *sicca* ruppees 30 per month for a master to teach them, but that the first bill for this allowance (which is to be drawn with their office salary) be not paid until it shall have been signed by the Governor-General, agreeably to the established practice" "Ordered, that it be notified to the Honorable Company's writers, that the Governor-General will not be inattentive to the progress which they make in acquiring the country languages, and that it is the intention of Government to withdraw the allowance for a master from those who, on an examination by such persons as the Governor-General may think proper to appoint, from time to time for this purpose, shall be found not to have made a reasonable proficiency therein" [Quoted in *The Good Old Days of Honourable John Company*, by W. E. Carey, Vol. III, Ch. V, p. 30. *Vide* also Bengal Public Cons. of the same date, Range, 3, Vol. 54, pp. 467-68 (I O R.)]

¹ It may be pointed out that even as early as 1757, i.e., before the Company acquired territorial sovereignty the attention of the Court had been drawn to the need of giving to their servants a training in Persian, the then official language in the country, as will be evident from the following extract, embodying an order of Court issued in 1757 to the effect that "five young gentlemen, covenanted for our establishment, should be sent, by the first ships bound to Bombay, to reside at Bussora, and to send annually two others on the same footing, to study the Persian tongue and nothing else, to rise in the service as our other servants do, receiving such allowance and salary during their stay as you may judge fit, and when qualified to be of use, to come to Bengal and take their standing according to their rank in the service, which we esteem to be the most effectual method of getting Europeans perfected in the pure genuine Persian speech and literature, and we dare say will be attended with many future advantages to the Company's affairs." (Quoted in *idem*, p. 28)

There was no test to be passed, nor was a knowledge of the language made a condition of appointment or promotion. One Mr. John Gilchrist, a scholar in country languages, subsequently the Professor of Hindustani in the Fort William College and the author of a Hindustani dictionary, offered his services for teaching the language to the Company's servants for no additional compensation beyond the allowance then established for *Moonshies*, which instead of being given to each writer on his arrival should be paid to him. The Governor-General in Council readily accepted the offer as being highly beneficial in promoting a due knowledge of the language among the junior servants and directed such of the newly arrived Writers as were stationed at Calcutta to be under Mr. Gilchrist's instruction for a year. To put the matter on a regular and systematic basis, Wellesley took two steps. In the first place, he had a notification issued (Notification of the Public Department, dated 21st December, 1798) to the civil servants on the Bengal establishment informing them that,

“from after the 1st January, 1801, no servant shall be deemed eligible to any of the offices hereinafter mentioned, unless he shall have passed an examination (the nature of which will be hereafter determined), in the laws and regulations and in the languages, a knowledge of which is hereby declared to be an indispensable qualification.”

The languages referred to in the notification were Persian and Hindustani for the office of Judge or Registrar : Bengali for Collector of Revenue or Customs or Commercial Resident or Salt Agent in the Provinces of Bengal or Orissa and so on. In the second place, it was arranged that after a year an examination was to be held for the purpose of ascertaining the efficiency of the mode of instruction. It may be noted here that a Committee consisting of five

senior servants of the Company was appointed to ascertain the progress made in Hindustani and Persian by the students,¹ and the Committee after holding an examination submitted a very favourable report on the progress of the students. The names of successful students were published in the Gazette and prizes conferred "as public marks of distinction."² But this was meant by Wellesley as a preliminary experiment to lead up to a more extensive "plan for promoting the study not only of all the languages, but of the code of Regulations and Laws, of which a knowledge is requisite in the Judicial, Revenue and Commercial Departments." This was his first hint at the establishment of a regular institution for the systematic education of the junior civil servants. It would have been perhaps sooner followed up but for his sudden departure for Madras Presidency on urgent business. But even before writing to the Court about his bigger plan, Wellesley had written about his intentions in the matter in a private letter³ to his friend Henry Dundas, the then Chairman of the Board of Control. He wrote :—

"I think it necessary to apprise you of my intention to adopt without delay a plan for the improvement of the civil service at Bengal in a most important point."

In justification of his proposed plan he draws attention to the prevailing inefficiency of the civil service which in his judgment, could only be removed by a course of

¹ *Vide* Extract from Public Letter from Bengal, dated 2 September, 1800, respecting the appointment of the Committee in Home Miscellaneous Series, No. 487 (I. O. R.), pp 177-82.

² *Vide* Report of the Committee on the Results of the Examination, (printed paper) Calcutta Gazette, dated 29 July, 1800, *Ibid.*, p. 167.

³ *Vide* R. M. Martin, *op. cit.*, Letter No. 39, dated 24 October, 1799.

systematic education and discipline at a collegiate institution. He observes :—

“ The state of the administration of justice, and even of the collection of revenue throughout provinces affords a painful example of the inefficacy of the best code of laws to secure the happiness of the people, unless due provision has been made to ensure a proper supply of men qualified to administer those laws in their different branches and departments..... It arises principally from a defect at the source and fountain-head of the service—I mean the education and early habits of the young gentlemen sent hither in the capacity of Writers. My opinion, after full deliberation on the subject is decided, that the Writers, on their first arrival in India should be subjected for a period of two or three years to the rules and discipline of some collegiate institution at the seat of government.”

He felt the matter of such urgency, he wrote, that he proposed to found such an institution at Calcutta without waiting for the orders from Home and that he had already taken some steps towards it. He was encouraged in this move by the reply ¹ he received from the Directors to his letter cited above, dated the 25th of December, 1798, regarding the instruction of the junior civil servants by Mr. Gilchrist and referring to a more extensive plan. They wrote ² :—

“ Sensible as we are of the great importance of our servants in general, obtaining a proficiency in the

¹ *Vide* Public Letter to Bengal, dated 7 May, 1800, para 66 (Home Miscellaneous, No. 488, I. O R).

² Extract from Public Letter to Bengal of 7 May, 1800, in Home Miscellaneous Series, No. 488, pp 5-6.

country languages, as well as a correct knowledge of the Code of Regulations and Laws which have been recently established in order to qualify them for the several offices in the Judicial, Revenue and Commercial Departments, we have further to signify our approbation of the arrangement intended by his Lordship upon a more extensive plan on the principles laid down in the public notification annexed to the Governor-General's Minute before mentioned to commence with the year 1801."

It may be noted in passing that Wellesley took this to mean, as he later argued, a general concurrence in whatever plan he formulated for the education of the junior civil servants. But as would appear presently, in this he was sadly disillusioned. Wellesley therefore went ahead with his plan. His reasons for establishing a Collegiate institution for a systematic course of education and discipline were amply explained in his private letter to Dundas noted above and next in a letter addressed to the Court, dated July 9, 1800,¹ on the subject. In this letter he expresses his intention to reorganise the departments concerned with important legislative and executive work in such a way as to place at their heads only men of ability, integrity and experience. Hence in his opinion, it became imperative to take measures for keeping up a constant supply of men of the right stamp. He pointed out also that the state of things existing at the time were far from the ideal in this respect. He did not blame the servants for their incapacity, but the system which brought them into service without proper equipment. These considerations, he pointed out, led him to the decision to found a collegiate institution to enable the civil servants to equip themselves

¹ Letter No. 85, dated July 9, 1800, from the Governor-General to the Court
vide R. M. Martin, *op. cit.*, pp 322-24.

for the responsible work in the different lines of the Company's service, being attached thereto for a period more usefully than being "employed in the unprofitable occupation of transcribing papers, and abandoned to the dictates of their own discretion, both with regard to their morals and acquirements." It appears that he had not yet made up his mind whether there should be one central institution for all the three Presidencies or three separate ones. But as under instructions to the other two presidencies the civil servants of those establishments were also to be called upon shortly to exercise the same important functions as those of Bengal, some similar provision for their training was equally urgent. He concluded the letter on an optimistic note regarding the probable attitude of the Directors :—

"As it cannot fail to redound equally to the honour and happiness of the civil servants, as well as to promote the solid and substantial interests of the Company, and of the nation, we feel the strongest conviction that it will meet your approbation."

His plan was now almost complete and he incorporated it in an elaborate minute,¹ setting forth in detail the considerations which rendered the college desirable and the arrangements he proposed to make to carry out his intentions. Without waiting for the sanction of the Directors, and without even sending an official despatch on the subject, he circulated a draft of a Regulation for giving effect to the plan, which being approved by the Council became the Regulation IX of 1800.² He did not enter

¹ *Vide* Appendix I, for important extracts from the Governor-General's notes for an Official Despatch, dated Fort William, 10 July, 1800.

² *Vide* Bengal Judicial Consultations, dated 10 July, 1800. See also Home Miscellaneous Series, No. 488, pp. 7-17. The Regulation IX of 1800 is reproduced in Appendix J.

into full details of all the important considerations connected with the foundation of the Institution, such as financial arrangements,—being at the time indisposed,—which he, however, promised to consider in Council shortly. This clearly demonstrates the exuberance of his enthusiasm for the Institution.

The Original Constitution of the College under Regulation IX of 1800 and the First Statutes

The College actually opened on the 24th of November, 1800, from which date lectures in Arabic, Persian and Hindustani began, but the first statutes of the College were not promulgated by the Provost under the Regulations of 1800 till the 10th of April of the following year.¹ We may give here a short account of the original constitution and the system of instruction of the College under Regulation IX of 1800 and the first statutes. The Governor-General was to be the Patron and Visitor of the College and the members of the Supreme Council, and the judges of the Sudder Dewanny Adawlut, and of the Nizamut Adawlut, the Governors. The Governor-General in Council were to be the trustees for the management of the funds of the College, being required regularly to submit accounts to the Court of Directors. Thus the ultimate controlling authority was to vest in the Supreme Government. But the immediate government of the College was to vest in a Provost and a Vice-Provost,² and such other officers of the College as the Patron and Visitor thought fit to appoint, these officers being also removable at his discretion. The

¹ Bengal Public Consultations, dated 16 April, 1801.

² It may be noted that the offices of Provost and Vice-Provost were abolished in 1807 by Regulation III of that year, the immediate government of the College being vested in a College Council, which was empowered to propose statutes to the Governor-General in Council and to frame rules for the internal discipline of the College. The College Council also was abolished in 1814 by Regulation XX of 1814, all authority being concentrated in the Governor-General in Council.

primary duties of the Provost were to consist in receiving junior civil servants on their first arrival, "to superintend and regulate their general morals and conduct; to assist them with his advice and admonition; and to instruct and confirm them in the principles of the Christian religion, according to the doctrine, discipline and rites of the Church of England, as established by law." To discharge the latter duties properly, the Provost was to be a clergyman of the established Church of England.

Syllabus of Study

It may be noted in passing that Wellesley's ideas on education of civil servants were naturally oriented by the prevailing influence and control of the Church over the educational system in England at the time. The power of framing statutes respecting the internal regulations, discipline, and government of the College was vested in the Provost, under the superintendence of the Governors, but they could be enforced only with the sanction of the Governor-General in the capacity of Patron and Visitor, who was further empowered, on his sole authority, to amend or abrogate any existing statute, or to enact any new statute. Thus the college was placed in a way under the direct guidance of the Governor-General. As regards curriculum, Wellesley provided a mixed course of instruction, rather of an ambitious character, consisting of both Western and Oriental studies. It was provided that Professors should be appointed and lectures commenced at the earliest opportunity in Oriental languages, Muhammadan and Hindu Law, Ethics, Civil Jurisprudence, the Law of Nations, English Law, the Regulations and Laws passed by the Presidency Government, Political Economy with special reference to the commercial institutions and interests of the Company, Geography, Mathematics, both Classics and

modern languages of Europe, General History, ancient and modern, the history and antiquities of Hindustan and the Deccan, Natural History, Botany, Chemistry and Astronomy. It will be seen that here Wellesley betrayed a lack of sense of proportion and of what could properly be done within the time available for the education of the servants. It seems to us that Warren Hastings's comments on his scheme of education were very proper and fair and his suggestions for making it more practicable were also very sound. While convinced of the necessity of the Institution and of its fitness to serve the purpose, he pointed out ¹ :—

“It may on the first view of it, be deemed liable to the objection of embracing too many objects ; but this is not so much an objection to the proposition itself, as to the form of it, which does not mark with sufficient precision those parts of it which are intended for immediate execution, to distinguish them from others which may be left for future revision and adoption.”

For the purpose that he had in view, *i.e.*, to give the junior civil servants an education and discipline to fit them for their work, he might very well have omitted the scientific studies and also the Classics, both European and Indian. The study of the Oriental languages for individual students might be considerably lightened by offering a choice according to the destination and field of work of the students. A broad liberal education combined with professional requirements might very well be ensured through instruction in history, political economy, principles of jurisprudence together with one or two Oriental languages, being the vernacular of the respective provinces and Persian, which was at that time the language used in revenue and

¹ *Vide* Home Miscellaneous Series, No. 487 (I. O. R.), pp. 193-219.

judicial branches, Hindu and Muhammadan law and the Regulations passed by the Presidency Governments. All new recruits to Bengal were required to be attached to the College for the first three years¹ after their arrival, during which period the prescribed studies in the College were to constitute their sole public duty. But by judicious elimination and selection of subjects for different classes of servants, the course might be considerably shortened, thus not only effecting a saving on *per capita* expenditure on their education, but also releasing them earlier for active service. Even during their period of residence in the College they might be brought into touch with some branches of work as probationers. Apart from adding to the interest in their work at College, it would have given their education a more practical bent, while making their service partially available to the Government. With such changes, perhaps, he could have considerably knocked off the ground of the subsequent hostility of the Directors to his scheme.

Two public examinations, each year, were provided for, and to stimulate exertion in the students, prizes and rewards were awarded on the result of the examinations. Degrees were also to be established, the attainment of which was to be rendered requisite qualifications for certain offices. Although the College was mainly meant for the civil servants of Bengal, provision was made for the admission of any military servants of the Company and civil servants of the other two establishments by order of the Governor-General in Council for such term and under such regulations as were deemed advisable. All civil servants on the Bengal establishment of less than three years' standing were ordered to be immediately attached to the

¹ This requirement was modified by Regulation III of 1807, under which the students' continuance at the institution was to be determined by their proficiency in the prescribed course of study.

College for three years from the date of the regulation. Wellesley was in favour of a central institution at Fort William, not only on the score of economy of establishment, but also of securing uniformity in the standard of acquirements of all the civil servants. It would, in his opinion, produce a healthy spirit of emulation, but he left the question open for the Court to decide, and as we shall see, the Court did not approve of the idea. He suggested in his Minute on the scheme of the College that instead of fixing up the ultimate destination of the student to a particular Presidency at the time of his first appointment in England, it would be more advantageous to the public service that it should be determined in India under the authority of the Government on the spot, according to the inclinations and acquirements of the students themselves. It seems to us that there was much substance in his argument. But this was also objected to, as it was viewed as an encroachment on the authority of the Directors. Under the first Statutes of the College¹ promulgated on 10 April, 1801, every student on admission had to subscribe to a formal Declaration to conform to the Statutes and Rules of the College, to maintain its honour, and to obey all officers of the College. Every superior officer, and Professors and Lecturers of the Institution had to take an oath of allegiance to the King and further to subscribe to a Declaration, in a prescribed form. In that form he had to promise that he would not teach or maintain publicly or privately any doctrines or opinions contrary to the Christian religion or doctrine or discipline of the Church of England, nor any doctrines or opinions contrary to the lawful constitutions of Great Britain and that he would obey the Statutes and Rules of the College and maintain and promote order, discipline and good morals,—

¹ These remained in force till 1807, when they were altered, though not in very important matters. They underwent further changes in 1809, 1814 and 1816.

another instance of the influence of the orthodox Church on the system of education. There was to be a College Council, consisting of five members including the Provost and Vice-Provost in charge of the academic side of the Institution with power to propose to the Visitor the enactment of every existing statute and to enact rules and private regulations for the internal government and discipline of the College. Lectures and courses were to be determined by the College Council, which was also to appoint the Committee of examinations in different branches. At the end of three years or twelve terms certificates on the result of the work of students were to be granted by the College Council, a degree of honour being conferred by the Visitor in cases of special proficiency in any subject. Public disputations in Oriental languages by the students were to be held, to increase the proficiency of the students. The students were to receive during their residence at the College an allowance of three hundred rupees a month and to dine at the public table. In view of this liberal allowance, incurring of debt was prohibited, on pain of losing the certificate.

Some Observations on the College

So the College began its career, the first regular term being notified by the Provost to begin from 6 February, 1801. Before describing its subsequent fortunes, we may make some general observations on the College as originally conceived and started by Wellesley. We may conveniently discuss the matter under the following heads :—

- (a) How far Wellesley's contention regarding the necessity and utility of an institution like the one he founded was correct.
- (b) How far the purposes he had in view were served by the institution and in what directions improvements were possible.

So far as the first question is concerned, Wellesley's arguments are based on indisputable fact, as given in his Minute of 10 July, 1800, and also his letter to Dundas already referred to. He had shown that though the service had changed from a commercial to a political and administrative body for all practical purposes, the training, if any, that the servants had, had a commercial character.

"It is unnecessary," he says, "to enter into any examination of facts to prove, that no system of education, study, or discipline now exists, either in Europe or in India, founded on the principles, or directed to the objects described in the preceding pages."

They usually came at the age of sixteen to eighteen. From this fact alone can be guessed the sort of education with which they could be expected to come, taking into account the backward state of the educational system prevailing in England at the time. Moreover, what little education they had there, was interrupted by their coming over to India and joining their duties straightway, and then the system of patronage as we have seen did not ensure the selection of the best qualified men. In the words of Wellesley :—

"Positive incapacity is the necessary result of these pernicious habits of inaction; the principles of public integrity are endangered, and the successful administration of the whole government exposed to hazard..... Even the young men whose dispositions are the most promising, if stationed in the interior of the country at an early period after their arrival in India, labour under great disadvantages. They also find themselves unequal to such duties as require an acquaintance with the languages, or with the branches of knowledge already described."

In his Minute he summarised the causes of shortcomings of the service under the following heads :—

1. An erroneous system of education in Europe, confined to commercial and mercantile studies.
2. The premature interruption of a course of study judiciously commenced in Europe.
3. The exposed and destitute condition of the young men on their first arrival in India, and the want of systematic guidance and an established authority to regulate and control their moral and religious conduct in the early stages of service.
4. The want of a similar system and authority to prescribe and enforce a regular course of study, under which the young men, upon their arrival in India, might be enabled to correct the errors or to pursue and confirm the advantages of their European education, and to attain a knowledge of the languages, laws, usages and customs of India ; together with such other branches of knowledge as are requisite for qualifying them for their several stations.
5. Fifthly, the want of such regulations as shall establish a necessary and inviolable connection between promotion in the civil service, and the possession of those qualifications requisite for the due discharge of the several civil stations.

These conditions supply the key to his whole scheme and were woven into the texture of the Regulations and Statutes governing the College. If these facts are accepted, the conclusion becomes inescapable that there was an imperative need for some system of education and discipline for the civil servants in their new phase of development, prior to their assuming the responsibilities of office in the

provinces. Even the Directors when disapproving of his plan and ordering the immediate abolition of the Institution were forced to acknowledge the merit of his plan.¹

Their differences with Wellesley centred round the dimensions of his plan and the consequential financial burdens. Looking back to the conditions of the time, no one would perhaps deny the imperative necessity of some system of education and training as urged by Wellesley. But when we come to the second question noted above, viz. whether the purposes that Wellesley had in view were best served by the institution he founded, we stand on more debatable ground. We leave aside for the moment the more general question as to whether a specialised institution like the Fort William College was suited for the training of civil servants, because we shall discuss this at a later stage in connection with the other similar institution at Haileybury. Of course it must be admitted that the Fort William College, as established by Wellesley, was not given a fair trial on account of the opposition of the Directors, and the institution, with a very much reduced establishment that was ultimately allowed by them to continue, was only the shadow of its former self, as designed by Wellesley. So it would not be fair to lay at the door of his institution all the charges that have been subsequently brought against it. We shall here argue on the assumption of the continuance of the institution as originally planned and established by Wellesley. But we must first touch on the commendable features of his plan. In the first place, underlying his scheme there were two very sound maxims,—one was that the education of the Company's servants must be of a mixed character, combining studies

They wrote,—"Although we feel and acknowledge the just merit of the Marquis in the conception of the plan, which breathed a liberal spirit and is enforced with great ability, etc. . . ." (Vide para. 1 of the Court's Letter to Bengal, dated 27 January, 1802, in '*Bengal Despatches*', Vol. 37. (I. O. R.)

of both the West and the East and the second was a combination of education with discipline. On the first he wrote :—

“ Their education should be founded in a general knowledge of those branches of literature and science, which form the basis of the education of persons destined to similar occupations in Europe; to this foundation should be added an intimate acquaintance with the history, languages, customs and manners of the people of India; with the Mahomedan and Hindu codes of law and religion; and with the political and commercial interests and relations of Great Britain in Asia, etc..... ”

As it was practically settled since the time of Cornwallis to administer the Company's territories on western lines, as far as practicable by grafting western institutions on those of the East, Wellesley was right in insisting on a mixed course of studies. As regards the other principle, perhaps too much emphasis could not be laid upon it, particularly for the Company's servants in that period. We have already enlarged in a previous chapter on the indiscipline and corruptions among the Company's servants, when they suddenly found themselves the masters of a great country without a corresponding sense of responsibility. In their new situations early habits of discipline became urgent. As Wellesley put it : -

“ Their early habits should be so formed, as to establish in their minds such solid foundations of industry, prudence, integrity and religion, as should effectually guard them against those temptations and corruptions, with which the nature of this climate, and the peculiar depravity of the people of India, will surround and assail them in every station, specially upon their first

arrival in India. The early discipline of the service should be calculated to counteract the defects of the climate, and the vices of the people, and to form a natural barrier against habitual indolence, dissipation and licentious indulgence :
 ”

He gave evidence of a keen insight in including social studies like political economy, ethics, principles of jurisprudence, history, languages and manners of the people of India, Hindu and Muhammadan law in the curriculum of studies for the civil servants, as being necessary for supplying that liberal outlook which is vital in able administrators. In this perhaps he was much in advance of his times. But as we have seen already, he made his curriculum rather too heavy and elaborate for men of even more than average ability and intelligence to cover within the time. Many of the subjects, particularly the scientific ones, could be conveniently omitted without impairing in the least the efficacy of the institution as a training ground for civil servants. Of course this was a minor defect which could be corrected in course of time with experience of its working. It was pardonable in the author of the scheme, seeing that he was not a professional educationist, and that educational ideas at the time in England were not very advanced. The course of instruction at the College might be made much more useful by another device, having in view the purposes of the institution. Senior servants of the Company in the different branches of the service—Revenue, Judicial, Political, etc.—might usefully be asked to deliver lectures on subjects and problems based on their practical administrative experience. Besides, the students might be sent to the interior during vacations, being attached to responsible officers. This personal contact with the senior servants with an access to their experience, together with early acquaintance of the fields of their future

activity would have been a very useful complement of their academic training in the College at the headquarters. It might have also the effect of bridging the gulf that existed for a novice in the service, between the world he came from and the new world he found himself in, at an early period of his career and paved the way for accommodation to new conditions. We should note just another point in this connection, *viz.* the need of a comparatively stiff entrance examination. A fairly high standard of work in the institution, on which Wellesley seems to have set his mind, presupposed, as a condition of its feasibility, a fairly good average ability in the students who gained admission into it, if they were to benefit at all by the course of instruction. But this condition was rendered impracticable by the system of patronage of Directors, which, of course, was beyond the control of Wellesley to counteract or set aside. The same difficulty was experienced in the matter of enforcing discipline in the institution. As we have seen, Wellesley laid very great emphasis on this factor. But in spite of the statutes and regulations the standard of discipline was far short of what was desirable. There were very few cases of expulsion or sending back to England for breach of rules such as incurring of debt and violation of the rules of the Institution. Subsequently, passing in two oriental languages was made the condition of appointment, but if the students failed to pass within a prescribed period the only penalty was to send them into the provinces and they were to take successive examinations till they passed. Now a great part of the efficacy of the institution rested on a rigid enforcement of disciplinary rules, which was impracticable in the face of the patronage and backing of the Directors that not a few of the students enjoyed. In our view, therefore, Wellesley's institution, even if it started on its career under the best auspices, could not fulfil its

purpose, as long as this pernicious principle of patronage continued, as it was calculated to cut right across the essential conditions of its success. But that is no disparagement of Wellesley's enterprise in the matter. All things considered, his move was no doubt in the right direction. That is amply demonstrated by the fact that the Court of Directors though immediately opposing his action, ultimately set the seal of approval on his policy by themselves founding a similar institution in England. Special credit is to be given to Wellesley as the originator of the idea of a system of education and discipline for civil servants in India at a time when nobody even thought of such a thing in England for the Home Civil Service.

Opposition of the Directors

In his famous Minute, Wellesley anticipated the Directors' objections to his scheme on two grounds, although he could not correctly foresee the strength of their feelings on the point. The first was the founding of the College without waiting for the sanction of the Directors, and the second was the question of finance. Of course so far as the first point was concerned, he committed a tactical blunder, not unusual, where there is great enthusiasm. He explained his action, however, in the Minute on the following grounds :

1. He found the results of a preliminary experiment in giving some training to the recruits through Mr. Gilchrist's seminary very encouraging.
2. His anxiety to impart to the very promising young men recently arrived from Europe a share of the advantages of education in his proposed Institution and his eagerness to superintend personally the foundation of the Institution and to accelerate and witness its first effects.

As regards finance, even in his Minute he provided for the current expenses of the College by a small contribution from all the civil servants in India, to be deducted from their salaries, so that it might not be a burden on the finances of the Company. If that source proved inadequate it was proposed to supplement it by the fund then applied to *Moonshies'* allowance and profits from a new arrangement of the Government printing press. He expressed, of course, the hope that when the utility of the institution would be brought home to the Directors they would extend their liberality towards it to an extent commensurate with its importance. In that event, he suggested that the Directors would do well to endow the institution with a rent charge upon the land revenue of Bengal and Mysore, thus relieving the civil service in India from the tax proposed. But that he did not quite bank upon the liberality of the Directors is evident from the fact that in his letter to the Court of July 31, 1801,¹ he informed the Court that the expenses, of the College would be charged on the produce of new resources in the shape of some town duties and Government Customs revived by Regulations V, X and XI of 1801, so that there might not arise any objection to the institution on financial grounds. In that letter he explained also that the proposed duties would produce a large revenue "without affecting the growing wealth and prosperity of these territories." All the advocacy and arguments of Wellesley, however, fell flat on the Directors, who in their letter, dated January 27, 1802² vetoed his scheme outright and ordered the immediate abolition of the institution, commending the plan of Gilchrist's seminary on an enlarged scale instead, as adequate for the purposes in view. They

¹ *Vide* Letter to the Court, dated 31 July, 1801, in "*Bengal Letters Received*," Vol. 41 (I. O. R.), p. 431.

² *Vide* "*Bengal Despatches*," Vol. 37, p. 59. See also *Home Miscellaneous Series*, No. 487, pp. 245-55 (I. O. R.).

pointed out further that when they approved in their letter of May 7, 1800, of his proposals in his letter, dated December 25, 1798,¹ for formulating a more extensive plan, they had never thought that he had had in mind such an elaborate plan as the one he developed, and that they only meant to sanction the principles on which Mr. Gilchrist's seminary was instituted. They were not also in favour of having one central institution at Fort William serving the needs of all the Presidencies. They immediately issued an order to Madras in their letter of March 12, 1802,² that the Writers of that Presidency were not in future to be sent to Fort William for the purpose of education and directing that Government to make some arrangement of their own. Although their objection was mainly based on the ground of expense³ they strongly disapproved of the procedure adopted by Wellesley in founding the College without their previous sanction. They smarted under a sense of wounded pride and almost laboured under a sort of personal animus against Wellesley which blinded them to all reason, and made them incapable of seeing things in their proper perspective. Their feelings against the father of the institution were directed against the institution itself. We may here quote a few extracts from their statements on this point. In their letter of January 27, 1802, they observe :—

“ We have perused with particular attention the Governor-General's reasons for founding the College without any previous reference to us upon the

¹ See p. 247 *ante*

² Public Letter to Fort St. George, dated 12 March, 1802, para. 18. See also *Home Miscellaneous Series*, No. 487 (I O R.), p. 259

³ They wrote “ We cannot consistently with our duty sanction by our approbation the immediate establishment of an institution (however we may approve of some parts of it) which must involve the Company in an expense of considerable and unknown amount and which might be employed to purposes more beneficial for the Company's interests ”

subject. We allow his motives to be laudable, but we cannot sanction a departure from our established system. The tendency of all such deviations is to weaken the authority which is constitutionally placed in this country, for when measures are once adopted which either pledge the faith of Government, or incur great expense, the exercise of control in such cases, is in effect frustrated."

On hearing of the decision of Wellesley to postpone the abolition of the College pending further correspondence on the subject with them, the Court wrote¹ rather sneeringly :—

"That the postponement appears with a worse grace, when it is recollected, that the establishment was formed without our sanction, and that, in our opinion, Marquis Wellesley would have best consulted his own dignity, and set an example to the Service, at least equal in importance to any lesson it could have derived from the College, by a regular obedience to that authority under which the law had placed the Government of India."

The Directors disagreed with Wellesley on many other points made by the latter, such as the completely changed character of the services, the nature of education suited for them and so on ; but these were minor differences by the side of the two noted above. On receiving the Court's Despatch of January 27, 1802, the Governor-General in Council took the following measures pending the sending of another letter to the Court requesting them to revise their decision in the light of new facts² :—

1. They ordered that all expenses on account of the College should forthwith cease and the Institution

¹ Draft letter to Bengal, dated 19 July, 1803, sent to the Board of Control for approval (para. 6), vide "*Home Miscellaneous*," No. 487 (I. O. R.).

² "*Bengal Public Consultations*," dated 24 June, 1802, Range 5, Vol. 35, (I. O. R.).

abolished and further that the Regulations and Statutes governing the College should be repealed.

2. They directed at the same time that the above orders for the abolition of the College and the repeal of the Regulations and Statutes should take effect from after December 31, 1803. The reasons given for this postponement were :—
 - (a) The serious evils resulting alike to the numerous students assembled at Fort William as well as to the Professors and teachers and other staff employed, from the sudden abolition of the institution ;
 - (b) The fact that the current expenses of the College for the ensuing year had already been provided for ;
 - (c) The fact that the Court was not aware of important new facts connected with the improvement of the Company's finances in India and the beneficial effect that had already accrued from the institution.
3. Letters were written to the other two Presidency Governments instructing them to detain all the Writers for those establishments arriving from England until they should receive further instructions from the Governor-General in Council. On the 5th of August, 1802,¹ Wellesley addressed a long letter to the Court in which he not only replied to the objections of the Court to the institution, but marshalled all relevant facts and considerations for its continuance and also the considerations which determined him

¹ Letter from Wellesley to the Chairman of the Court of Directors, dated 5 August, 1802, in "Bengal Letters Received," Vol 42. See also Home Miscellaneous Series, No. 487, pp. 263-375 (I. O. R.).

in postponing the carrying out of their orders of abolition till December 31, 1803.

In that letter he met squarely the principal objection of the Directors, *viz.* the financial one, by pointing out that he had already provided for the financing of the College by new sources of revenue (of which intimation had already been given to the Court in his Government's letter of July 30, 1801) so that it imposed no additional burdens on the Company's finances nor affected injuriously any other branch of the public service. He further drew the attention of the Court to the improved state of the Company's finances since the Directors had written that letter. He put the whole issue before the Directors, in a very clear and pointed manner in the following words : —

“ The question was narrowed to the limited consideration, whether it be more beneficial to the Company's affairs to continue the annual application of a sum of three lakhs and thirty thousand rupees (arising from a new fund, specially charged with this sum, and producing a considerable surplus) to the maintenance of the College or to add that sum to the general surplus in the treasury, or to the sinking fund, even if it should be contended that this sum might be conveniently applied to the increase of the investment, it would remain to be proved that the effect of three lakhs and thirty thousand rupees added to the commercial investment of Bengal (already raised to ninety lakhs) would be more beneficial to the interests of the Company, and of the nation in India, than the operation of the same sum of money applied to defray the current charges of the College at Fort William.”

Having disposed of the financial objection Wellesley dealt with the proposed restoration of Mr. Gilchrist's seminary on an enlarged scale and the Court's direction to Fort St. George by their letter of March 12, 1802 (already referred to) to establish there a separate institution. He pointed out that the difference in expenditure between their scheme and his would not be very great, whereas if similar establishments were to be established in Fort St. George and Bombay, the total expenditure would be definitely greater than that of a united institution at Calcutta. Not only could the objects of the Court in establishing those institutions be well and better fulfilled by the already existing institution and at a less cost, but he suggested that the assembling of young men at those seminaries without providing for proper discipline would be positively injurious to the civil servants. He deprecated the establishment of three separate institutions also on the score of the inferiority of the means of instruction in the other two Presidencies and the impairment of the spirit of emulation. Besides, one central institution was desirable in the interest of uniformity of standard and unity of the civil service in India. Further, he drew the attention of the Court to the benefits already derived from the Institution in the very short period of its existence and deprecated any lowering in the scale of the institution. The students, he pointed out,

"afford the most conspicuous hopes that local administrations of India for several years to come will be amply provided with instruments properly qualified to accomplish all the purposes of a wise, just and benevolent government."

Controversy between the Court and the Board of Control

But all this pleading of Wellesley had no effect whatever on the hostile attitude of the Directors. The conflict,

however, changed its venue; instead of being carried on between Calcutta and Leadenhall Street, it was now between the latter and Whitehall. There was a long-drawn-out controversy between the Court of Directors and the Board of Control on the subject,¹ which, however, diverted from the main issue and centred on the question of the respective constitutional competence of the two bodies. As we are not interested in the constitutional aspect of the controversy, highly interesting as it is, we shall give here a short summary of the episode to the extent that it has a bearing on our subject. Wellesley's despatch of August 5, 1802, had altogether different reactions on the two bodies and created a cleavage between them. Wellesley's arguments convinced the Board of Control of the necessity of the Institution and they suggested to the Court to send a despatch drafted by themselves in reply to Wellesley's, revising the Court's decision in the matter.² The Court proved obdurate and not only refused to comply with the Board's suggestion³ but substituted a draft of their own vehemently criticising the Governor-General and sticking to their previous proposal with regard to the Institution. But the Board stood its ground and required the Court⁴ to frame a despatch on the lines already suggested by them. At this point the controversy assumed the character of a constitutional issue. The Court questioned the jurisdiction of the Board in the matter as one relating to the appointment of servants and the creation of new establishments in respect of which, they argued, Parliament had vested the initiative in the Court, limiting the Board's

¹ For a full account of the controversy see the correspondence between the Court and the Board in *Home Miscellaneous*, No. 487, pp. 379-563 (I. O. R.).

² *Vide* Letter from the Board of Control to the Court, dated 22 June, 1803. *Idem*, pp. 379-86.

³ Letter from the Court to Board of 1 July, 1803. *Idem*, pp. 391-429.

⁴ Letter from the Board to Court of 5 July, 1803. *Idem*, pp. 431-37.

authority only to an absolute or partial negative.¹ The Court asked for legal opinion on the issue from such eminent jurists as Mansfield, S. Romilly and W. Adam who supported their contention. The Board was equally obdurate and claimed the matter as being "within their undoubted authority, as well under the letter as the spirit of the Act of Parliament."² They rejected the draft sent with the Court's letter of July 19, 1803, and directed the sending of a despatch according to their instructions. There was also a suggestion of the Board going to Parliament for clarification of the law.³ That broke the obstinacy of the Court who now found that further resistance was useless and made a compromise in which, however, they got the better of the bargain. They formally conceded the point over which the dispute arose, *viz.* the proposal to continue the College of Wellesley, but it was hedged with such modifications as practically to sap the foundations of Wellesley's scheme.⁴ Perhaps unwilling to pursue the matter further the Board approved of the modified proposals. Although apparently it looked like a victory for the Board, actually it was the Court which had its way. The proposals as approved by the Board were sent to Bengal on September 2, 1803.⁵ It is couched in a language of very reluctant acquiescence in Wellesley's request for the continuance of the College. The Government was directed to continue the institution until further orders, but the Writers of the other two Presidencies were forbidden to attend the College, as it was proposed to take into early

¹ Letter from the Court to the Board of 19 July, 1803 *Idem*, pp 443-53

² Letter from the Board to the Court of 27 July, 1803 *Idem*, pp 533-55.

³ This was clearly expressed in the Board's Letter to Court, dated 1 September, 1803.

⁴ Letter from the Court to the Board, dated 19 August, 1803 *Home Miscellaneous*, No. 477, pp 562-63 (I.O.R.).

⁵ Public Letter to Bengal, dated, September, 1803 See *Home Miscellaneous Series*, No. 488, pp. 513-17 (I.O.R.).

consideration the question of establishing separate seminaries. In the mean time the Presidency Governments were directed to continue the previous establishments for affording the necessary means of instruction to the Writers of those Presidencies. With regard to the institution at Fort William, it was directed that no further expense should be incurred which was incidental to its maintenance as a central institution for the entire service. Wellesley's Government were required to submit an estimate in detail of the lowest scale of establishment in respect of number and salaries of professors, allowance of students, etc., calculated on the new basis. In doing this they were also to take into account the fact that their study was to be confined only to the native languages as distinct from the wide field originally proposed, and that the students would stop there for a much shorter period. The establishment of the College was drastically curtailed in 1805 and more so on the establishment of the Haileybury College in 1806. The expenditure of the College was directed to be limited to sicca rupees 1,50,000 under the Court's order of May 21, 1806.¹ The reduced establishment of the college was meant only for the instruction of the Bengal civil servants in the native languages, the rudiments of which they had already acquired at the Haileybury College. It was a shadow of the institution as conceived and established by Wellesley and existed on sufferance for many years. After the foundation of the College at Haileybury specially, its existence became more meaningless, and as we shall see presently the question of its abolition was mooted on more than one occasion. As Sir George Campbell has very rightly written of the

¹ *Vide Public Letter to Bengal*, dated 19 May, 1815. *Vide App. I. in P. P.* Vol. IX of 1831-32.

College at this period of its existence, from his personal experience¹ :—

“ We were kept there to learn the languages, at what was by a fiction called the College of Fort William, but there really was no College.”

In another work² also he writes .—

“ At the commencement of the career of the young civilian in India, the Government have a very ingenious plan for at once fully developing, and it may be expanding all his bad qualities. It is judged that he must read the languages to fit him for the public service. He therefore remains for a time ‘ in College,’ that is to say, he lives and amuses himself as he likes in Calcutta, Madras, or Bombay.”

The above statements give a realistic picture of what Wellesley’s Institution came to be like, after the application of the axe by the Directors.

The Conflict over the College between Wellesley and the Directors its significance

We have dealt at some length with the conflict between Wellesley and the Directors over the question of the College, because it appears to us to represent the conflict of two different principles at work underlying the administration of the Company. To Wellesley the expenditure on the College appeared to be more than compensated for by the invisible but substantial return in the shape of the improvement of the quality of the service, which, in his view was calculated to strengthen the foundation of the

¹ Sir George Campbell, *Memoirs of My Indian Career*. (1893) Vol. I, p. 13.

² See his *Modern India*, (1852) Ch. VI, p. 268,

Company's dominion in India. He was, in his own way, inspired with a new vision of the Empire which he wanted to place on permanent foundations, and in his view that could only be done by building up an able and efficient Civil Service by systematic education and discipline.¹ Without a continuous flow of successful administrators, not depending on accidental factors but on a sound system of education, he maintained, an empire could not be held.

He gave expression to similar sentiments in the course of a speech at the prize distribution ceremony of the College on March 30, 1803. He said : -

“ From this source the service may now derive an abundant and regular supply of public officers, duly qualified to become the successful instruments of administering this Government in all its extensive and complicated branches ; of promoting its energy in war ; of cultivating and enlarging its resources in peace ; of maintaining in honour and respect its external relations with the native powers ; and of establishing (under a just and benignant system of internal administration) the prosperity of our finances and commerce, on the solid foundations of the affluence, happiness, and confidence of a contented and grateful people.”

All this makes the approach of Wellesley to the problem of education of civil servants abundantly clear. He was unmistakably an imperialist, but his imperialism was enlightened and free from crudeness. In direct contrast to his approach to the question, the Directors were balancing the return of a few lacks of rupees per annum spent on the College against the return of an equal amount on increased investment. As is natural to a commercial organisation, they could not look beyond the immediate

¹ See his sentiments on this point expressed in his Minute quoted in pp. 237-38 ante.

monetary returns to the far more important gain in terms of human values. They had not the imagination nor the disinterestedness to look beyond the prospect of immediate profit to more permanent gains, even measured by their calculus of profit-making motive. And it was no wonder that they should take the view that what the service immediately needed for their work could very well be met by a modest institution like Mr. Gilchrist's seminary rather than by the ambitious and expensive institution planned by Wellesley, with a resulting saving. It was the same commercial instinct in operation that dictated before, the policy of paying poor salaries to civil servants leaving them to compensate themselves through questionable means, discussed before.

Later History of the College

The Directors were ultimately persuaded to establish an institution for the training of civil servants in England, where they completed the European part of their education besides picking up rudiments of the oriental languages before coming out to India, the study of the oriental languages being left mainly to be done at the Presidencies. Before we pass on to discuss the constitution of the Haileybury College, and the system of education, etc., there, we may conveniently dispose of the narrative of the arrangement of studies for the civil servants at the three presidencies subsequent to the drastic cutting down of the establishment at Fort William. The later history of the Fort William College may be summed up in a few words. Although the name "college" stuck on to it by habit, it was no longer as we have already pointed out, really a collegiate institution. There was a skeleton establishment left to look after the training of the students in the country languages. But there was no longer that residential system with its

stress on discipline, about which Wellesley was so very particular in his plan. Most of the writers now lived with friends or relatives at the Presidency, *moonshies* being provided for coaching them in the languages. Only a few were accommodated in the Writers' Buildings which was also given up after a time (i.e. in 1833), the writers being given a house-rent of eighty rupees a month to hire their own lodgings. The public table was given up at the early stage of reduction. For some time some professors were kept to deliver lectures at the College, but in 1830 on the recommendation of the Civil Finance Committee the Governor-General in Council decided to abolish all Professorships and to confine the College establishment in future only to a Secretary and two examiners with a requisite number of *Pundits* and *Moonshies* under the Secretary.¹ It was finally decided by a Resolution passed on the 4th of May, 1830, (General Department) that with effect from June 1, 1830, the three Professorships of the College were to be abolished and lectures to the students discontinued. Some of the *Moonshies* and *Pundits* were discharged at the same time. The constitution of the College was drastically revised. The posts of Provost and Vice-Provost had already disappeared. Under the Statutes of June 3, 1814, its general outlines may be described as follows :—The Court of Directors were made the Patrons, the Governor-General the Visitor, and members of the Supreme Council, the Governors of the College. The immediate superintendence of the College was vested in a President and Council consisting of three or more members appointed by the Supreme Government. The President and members of the College Council were usually selected from among the judges of Sudder Courts at the Presidency, civil and criminal. These were of course honorary offices

¹ *Vide* Letter from Bengal, dated 23 February, 1830.

and acceptance was optional. The Council exercised such powers and duties as were vested in them under the statutes made by the Governor-General in Council. They might propose the enactment of any new statutes. The Council had a Secretary and an Assistant Secretary, who were also Examiners. There was no other alternative for the College but to cut down its establishment and activities ruthlessly, because under the Court's orders of May 21, 1806, the expenses of the College had been directed to be limited to sicca rupees 1,50,000 per annum.¹ Although the expenditure could not be brought down to the level as directed by the Directors, that the expenditure on the College consistently went down would be evident from the following figures regarding the scale of expenditure of the College at two different periods. For the year 1810-11, it appears that the monthly expenses of the College amounted to Rs. 16,751² or about Rs. 2,00,000 per annum in round sum, slightly exceeding the sum allowed under the Court's order. During the years, 1825-26 to 1827-28, we get the following figures of expenses for the College.³ In 1825-26, the expense of the College

exclusive of salaries of students,	Rs.	A.	P.
amounted to	1,36,487	13	5

In 1826-27, the expense of the College,			
exclusive of salaries of students,			
amounted to	1,26,500	9	1

In 1827-28, the expense of the College			
exclusive of salaries of students,			
amounted to	1,39,636	10	7

¹ *Vide* Extract of Public Letter to Bengal, dated 19 May, 1815. The expenses of the College presumably exclude the salaries of students when learning languages at the Presidency.

² For details, see the 'Abstract Statement of the Establishment of the College of Fort William for 1810-11' in *Home Miscellaneous Series*, No 488 (I O. R.), p. 523.

³ *Vide* Memorandum (II) to the Minute of the Governor-General, dated 27 December, 1828, in Appendix L. Parliamentary Paper, Vol IX of 1831-32, p. 639.

The total gross expenses during the three years, including the rent of Writers' Buildings and the salary of the one hundred and fourteen students attending the College at the time amounted to Rs. 7,54,865-1-1. Thus the average expenditure per student worked out at Rs. 6,621 per annum, including everything and even salaries-- not a high figure at all, even if the limited purposes of the institution were promoted.

Later Proposals of Abolition

But even in this truncated form the institution had to pass through an ordeal from time to time, the question of its abolition being mooted several times till the end of its career. The first occasion arose when the Court received reports from various quarters of the prevalence of indiscipline, indolence, extravagance and dissipation among the students of the College. On February 14, 1812, they addressed a letter to Bengal¹ drawing the particular attention of the Government to these reports, and the vital importance of the subject, as affecting the future conduct of the Bengal servants in offices of highest trust and responsibility as well as the happiness and welfare of the people. While directing the Government to report early about the true state of the institution and the habits of its students they gave a hint at the same time that if those reports were true they would be under the painful necessity of ordering the abolition of the College and adopting measures to arrange for the instruction in Indian languages in England. The matter was referred to the College Council, who in their turn called upon the Examiners to report on the standard of the examinations and to explain

¹ Judicial Letter to Bengal, dated 14 February, 1812 (para. 140-42). *Vide Home Miscellaneous, Series No. 488 (I. O. R.)*, pp. 519-22. See also Appendix I, of P. P. Vol. IX of 1831-32, p. 581

the causes of the falling off in the standard, if any. On receipt of replies from the Examiners¹ the Council in their reply, discussed the original provisions for the disciplinary control of the students, including the public table which, in their view was a vital element in keeping up the standard of discipline and the spirit of emulation among them and took the view that on the whole it was desirable to maintain the College, taking into consideration the fact that it did render positive benefits to the recruits on their first arrival from England, which could not otherwise be derived and that the magnitude of the evils laid at its door were not so serious as to warrant its abolition. In its letter, dated December 29, 1813, to the Governor-General in Council, the College Council wrote² :—

“ From all the considerations on which we have dwelt above, we are satisfied that the generality of the junior servants of the Company cannot pass the first twelve months of their service in India more profitably for themselves or the public service, than at the college. It will be for the decision of the Court whether this benefit should be denied to the whole body, because the institution may be abused and perverted, as it must be expected all such institutions will be, by some few individuals..... It would be impracticable to unite in England the advantages which are enjoyed in this country by studying the languages where they are to a

¹ They held different views as regards the reason of the decline in standard. One of them Mr. Lumsden, for example, attributed it and we think, very rightly, to the attitude adopted by the Court to the College, which was only tolerated rather than cherished. Another (Mr. Roebuck) attributed it to the prevalent idea that the College was to be abolished soon.

² Paras 15 & 24 of the Letter in Bengal Public Consultations of 1 April, 1814 (No 38), Range 8, Vol 30 (I O R). Also see Appendix I, of P. P Vol IX of 1831 32, p. 585

great degree vernacular, and where there is an unlimited command of the ablest native assistance."

If it should be decided to maintain the College, they were "persuaded that the Court by communicating the assurance of their decided support to the institution will take one of the most effectual measures that can be adopted for maintaining its future energy."¹

The Government substantially agreed with the sentiments expressed by the College Council in the above letter, so far as its benefits to the junior servants were concerned, though they admitted the existence of idleness and inattention to the rules and discipline of the institution. They were, however, satisfied that the existing rules and statutes for the punishment of indolence and other offences were quite adequate, provided they were rigidly enforced. Apparently this satisfied the Directors and the matter rested there for the time. But a good deal of discussion and correspondence went on, on the subject of habits of extravagance, indebtedness and indolence among students at the Fort William College and various devices were recommended by the members of the College Council in particular and also others interested in the matter, which ranged from such an extreme step as the abolition of the College to making attendance optional, expulsion in case of unfavourable report on their progress after two months from entrance, institution of examinations at short intervals, etc.² In the mean time the establishment of the College

¹ The proceedings of the College Council and their reply to the Government are recorded in the above mentioned volumes of *Bengal Public Consultations*, 1814 (Nos 38-51)

² See in this connection particularly extracts from Minutes of J. H. Harrington, dated 31 October, 1818, of Holt MacKenzie, dated 11 February, 1822, of W. B. Bayley, dated 6 Feb. 1822, and Courtney Smith, the President, in Appendix L, P. P. Vol. IX of 1831-32, pp. 589-606. All of them admitted the existence of the usual complaints against the students viz. extravagance, indebtedness, dissipation, indolence, etc., though their remedies were different.

underwent further pruning in 1815. The Court in a Public Letter of May 14, 1815, directed the closing down of the military department of the College on the twin grounds of the extra expenditure involved and the alleged extravagant habits of the military students in the College. Lord Hastings, the then Governor-General did not favour the proposal. He called upon the College Council to report upon the extra expenditure involved and also to report on the alleged charge of extravagance against the students. The Council strongly urged the desirability of continuing this department and found ways and means of running it without much expenditure. The Governor-General, on receipt of this report, expressed his satisfaction that the objection of the Court was based on misapprehension and hoped that it would be found possible to maintain the department within the limits of the expenditure sanctioned by the Court. But the Court was obdurate and in their Public Letter of June 28, 1820, reiterated their previous order against further admission of military students in the College, which accordingly ceased.

The question of continuance or otherwise of the institution was again raised in the twenties of the century as a sequel to the note of the Accountant General, Bengal, one Mr. Wood, in connection with the payment of the debt of a Salt Agent at Jessore. It may be noted that most of the civil servants at the time of leaving the College at the Presidency and taking up appointment in the Province found themselves with a heavy debt and sometimes they had to seek the help of the Government in relieving them. However, in course of that note the Accountant General raised the general issue as to the utility of the institution, and whether it could not be abolished more profitably for the service. He took the view that the general indebtedness of the junior servants was only the result of their stay at the Presidency, with

all its temptations and facilities for extravagance. So instead of dealing with such cases individually he thought that the cause should be removed by the abolition of the College and providing for the training in languages in England, and that the servants should, on arrival in this country, be sent straightway to the interior. That officer looked at the problem, of course, purely from the financial angle, which had also the greatest appeal to the Directors. A resolution was passed by the Government deploring the pecuniary embarrassment of civil servants, and expressing a determination to deal with it as best they could. The Accountant-General's letter was referred to the College Council. The members recorded long Minutes on the subject. Generally speaking, while they did not deny the existence of extravagance and indebtedness among the students, they refused to attribute it to the constitution of the College. They also thought that the proposed abolition of the College and the sending of the junior servants straightway to the interior would not improve the situation, unless pecuniary assistance was given to them at the start. Mr. Harington, the President of the Council, also doubted whether the linguistic advantages of the College could be obtained in England. Mr. H. McKenzie, another member, suggested keeping the servants longer at Hasleybury and a shorter period at the Fort William College, and also the restoration of the public table and residential arrangement as before. On receipt of the views of the members of the Council, the Government reached a decision on the following lines which was communicated in a letter, dated April 21, 1825. While recognising the inducements to contract debt to which the junior civil servants were exposed while attached to the College, the Governor-General did not think it indispensable to abolish the College. He directed his attention to some expedients which, he thought, might be usefully tried for securing the continuance

of the benefits of the institution, while avoiding its mischiefs. For instance, the College Council were in future to apply strictly the rules prescribed in Chapter VI of the Statutes providing for the removal of students after two months of unsatisfactory progress, as in his opinion prodigality and idleness went hand in hand. On June 16, 1825, the College Council submitted to the Government representations based on the report of the Secretary and Professors of the College regarding the measures calculated to check the extravagant habits of students and to maintain a more efficient system of discipline, such as the granting of a loan not exceeding a fixed sum to any student arriving in the country unprovided, to be deducted from his salary by instalments, the prohibition of such expensive habits as hunting, racing, etc. They also proposed eight months as the maximum period of residence in the College except in special cases such as that of a student being ill, and to give them even the option of proceeding immediately to Mofussil on arrival. The Secretary of the Council wrote¹ :—

“In conclusion, the College Council direct me to observe, that although diligence may be encouraged and idlers removed by the operation of the proposed rules, yet it is their firm opinion that the distinct perception by the students that extravagance and pecuniary embarrassments are considered as a serious and practical bar to promotion, and decidedly discouraged by Government and by the members of it personally, will prove more efficacious towards the accomplishment of the objects now in view than any rules whatever.

¹ Extract from Letter of the College Council to Bengal Government quoted in Letter to Court from Bengal, dated 30 June, 1825. *Vide* App. L, in P. P., Vol. IX of 1831-32, pp. 608-13,

“The prosperity and fair fame of the civil servants, and the happiness of many millions subject to the rule of the British Government, are closely connected with the independence from pecuniary embarrassment, of those who are to administer the civil government; and the College Council are of opinion that the measures suggested in this letter will, if judiciously and steadily enforced, go far to discourage extravagance, and consequently to promote the public interests.”

On June 23, the Government agreed to the proposal of the College Council with the exceptions of the limitation of the period of attachment to the College and the option to be given of going at once to the Mofussil, neither of which was, in the opinion of Government, desirable. But the Court again raised the question of abolition more or less on the same grounds as before. They observed ¹ :—

“Upon the whole we find ourselves compelled to convey to you our opinion that the disadvantages above enumerated more than counter-balance the benefits of the Calcutta College; and that it is expedient to take measures for the discontinuance of that institution. We are unwilling however to issue peremptory orders for this purpose, without having the fullest information which you may have been able to collect, on a question to which we attach so much consequence.”

They did not desire the Government to be hasty in carrying out their directions, which might be postponed for the moment pending a reference to themselves of any new facts or arguments against the step advocated.

¹ Public Letter to Bengal of 19 December, 1827 (para. 23).

The Governor-General did not agree with the view of the Directors on the question and suspended the execution of the order pending the presentation of the case for the continuance of the institution.¹ He based his case on solid proofs of success evinced in the decided superiority of the products of the College over their fellows who had not passed through the institution. He admitted and regretted some amount of indiscipline and insubordination among the students :

“ That the system requires improvement,” he remarked, “ that it fails in producing those benefits to the people to the extent which the anxious desire of all the authorities both here and in England, has ever had in view. no one can deny.”

But he put his finger on the right spot when he attributed these defects to the patronage system of appointment which made an efficient system of training for the recruits, all the more necessary, by way of overcoming its defects. He said :—

“ As there is no escape from ignorance and incapacity, where all places and appointments are a monopoly in the hands of a privileged few, it does become a most serious duty on the part of the state to render as complete as possible, the capacity for government of those to whom for so many years the destinies of the great empire must be committed.”

As the only other alternative to the system pursuing, *viz.* education of the servants in Mofussil stations was attended with very great disadvantages, he preferred the existing system of education at Calcutta. At the same time

¹ *File Minute of the Governor-General (Lord W. Bentinck), dated 27 December, 1828, in Appendix L. in P. P., Vol. IX of 1832, p. 639*

as a remedy for the evils complained of he recommended that power should be taken to suspend from service and send back to England those writers who failed to qualify in the languages within a specified period,¹ and the Secretary to the College Council should be vested with necessary control and superintendence of the conduct of the students. The members of the College Council were equally strongly opposed to the abolition.² They also did not claim that the College was free from all defects and did not admit of improvement, but they were satisfied that since the date of their last report in August, 1828, the tone of the institution had definitely improved. They declared :—

“ We do not hesitate to declare our conviction that the College of Fort William is now in as high a state of efficiency as it can ever reasonably be expected to attain, whether reference is had to the diligence and application of the general body of the students, or to their correct moral demeanour, and freedom from habits of extravagance, and consequent pecuniary involvement.”

They advocated, however, the introduction of some practical measures for the further improvement of the suggestion. On June 2, 1829, the Government decided that all writers were to be placed under the superintendence of a single officer, *viz.* the Secretary, with a view to more efficient control of the conduct of the students. But as we have already observed, the very next year, on the recommendation of the Civil Finance Committee, the Government decided to abolish the Professorships and reduce the establishment of the College. The Court, however, was still not satisfied. In their letter to the

¹ This period was eventually fixed at twelve months with three months' grace in exceptional cases.

² *Vide* extract from Letter from the College Council to the Bengal Government, dated 20 February, 1829, in P. P., Vol. IX of 1831 32, App. L. p. 623.

Governor-General in Council (Public Dept.), dated July 20, 1830, they disagreed with the opinion of the Governor-General and the majority of the Council as described above, and directed them to take steps for the abolition of the College, placing the young servants under the supervision of the more experienced ones, and making necessary arrangements for their examination in languages at the Presidency. But in his Minute of February 4, 1831,¹ Lord Bentinck regretted the decision of the Court to abolish the College, without waiting for the results of the new measures for the improvement of its discipline, lately sanctioned by them. So he recommended the suspension of the execution of the Court's orders for some time. In the meantime draft rules² dealing with the junior civil servants on arrival in this country after the abolition of the College of Fort William were drawn up, which purported to make arrangements analogous to those in the other two Presidencies. On March 29, a letter was also addressed by the Government to the College Council informing them that in pursuance of orders from the Honourable Court, the College would be abolished on the 1st of June, 1831. But the Government had still not given up hopes of saving the Institution, because on the 30th of April, 1831, the Governor-General addressed a letter to the Secretary to the Government requesting postponement of the execution of that order pending a further reference to the Directors, and the College Council was also informed on May 24, that the institution would continue until further orders. The Court seems to have been persuaded by the Governor-General to rescind their order of abolition. Since that time the College with its skeleton establishment continued its existence till January 24, 1854, when for reasons which cannot be traced among

¹ P. P., Vol. IX of 1831-32, App L, p. 660.

² *Ibid.*, p. 670.

the records of the College, it was ordered to be abolished. The Institution died hard, after a great tussle between the Court on the one hand and its authorities and the Government on the other. We have outlined above the arguments on both sides of the controversy.

Whether there was Justification for Continuing the Fort William College in its Reduced Form after the Establishment of the Haileybury College

It appears to us that, after the sabotaging, if we may use the term, of the original scheme of the Fort William College as formulated by Wellesley, there was really no case for the continuance of the institution, even apart from the prevailing indiscipline, dissipation, indolence, extravagance, etc. which were made the excuse by the Court for its abolition. The College Council and the Government were right in thinking that these were not necessarily incidental to the institution. They arose from the fact that in its reduced shape, the institution ceased to be a collegiate establishment altogether and was shorn of all the healthy influences of its corporate life which alone could keep a large body of young men congregated together in a foreign land and at the headquarters with all the allurements to vice surrounding them. When the Directors actually established an institution very much on the lines chalked out by Wellesley, the case for another institution on a reduced scale in India, even for the avowed purpose of teaching the junior servants the country languages, did not really exist. That purpose, viz. giving them a training in languages, did not by itself justify the existence of a collegiate establishment at Calcutta. Naturally, the institution began to wither away and dragged on an existence practically meaningless. It is simply mental inertia and the natural reluctance to abolish an existing

institution, even when it has lost its *raison d'être*, that made its advocates fight for its continuance. The training in languages could be very well arranged for by providing for a little more intensive work (because the servants were given a training in the rudiments already) at Haileybury, and placing them under the supervision of district officers during a period of probation and making their appointment dependent upon passing a test in those languages. As regards the questions whether the education of the civil servants could best be given in a special institution for the purpose, or whether it should be completed in England or in India, we leave these for later consideration

CHAPTER VII

THE COMPANY'S CIVIL SERVICE—CONTRIBUTION OF THE HAILEYBURY COLLEGE

Arrangements for the Education of the Junior Civil Servants at Fort St. George and Bombay

We have already seen that when the Court after much controversy sanctioned the continuance of the Fort William College at Calcutta, they directed that writers from the other two Presidencies were not to be educated in that institution, but separate arrangements were to be made for them. It took some time to work them out in detail; in the meantime junior servants were left to shift for themselves as best they could in picking up the languages. In Madras steps were taken in that direction earlier than in Bombay. In the Public Letter from Madras of October 24, 1808, the Madras Government reported the first Regulations which they had issued for the instruction of the civil servants in the languages of the province. These provided that the junior civil servants should on their arrival at Madras commence the study of one at least of the native languages; that a native teacher was to be engaged at public expense; that quarterly examinations were to be held, which should also extend to subjects of general knowledge connected with the affairs of the Company; that such students as so desired should be accommodated with lodgings at public expense during their period of study. In the Public Letter from Madras of January 28, 1809, it was pointed out that the residence of the junior servants at Madras for the purpose of study was fixed generally at twelve months, but in special cases

where friends or relatives were prepared to be responsible for their conduct and progress in studies, they were allowed to leave the Presidency even before.

In the early part of January of 1812, the Madras Government communicated their intention of placing the junior civil servants under the care of a Board of Superintendence who were to be entrusted with the direction of their studies in oriental languages.¹ It was in the middle of 1812 that the establishment of a College for the instruction of the Company's servants in the native languages was announced.² The establishment was rather on a modest scale. The expense of the College for 1813, which may be taken as a typical year, was about Rs. 96,000.

Rules for the College of Fort St. George, 13th July, 1827

Detailed rules for the management of the College were passed by the Governor-General in Council on the 13th of July, 1827.³ The main features of these rules regarding the constitution and organisation of the College may be briefly given here. The superintendence of the College was vested in a Board at the Presidency consisting of members nominated by the Governor in Council including a Member of the Council as the Chairman, assisted by one or more secretaries, with the necessary establishment. Two public examinations were to be held each year, being conducted by the Board, if necessary, with the assistance of the several translators to the Government. The Board was to report the results of the examinations to the Government, stating the comparative proficiency of the students in the different branches of study. There were

¹ Public Letter from Madras, dated 10 January, 1812. Paras. 89-91. *Vide* "Madras Letters Received," Vol. 39 (I. O. R.).

² Public Letter from Madras, dated 19 June, 1812, Para. 6 *Ibid*,

³ P. P., Vol IX of 1831-32, Appendix L.

also to be private examinations between the public ones. The Board was required to submit to the Government at the beginning of every year a report of their proceedings to be forwarded to the Court. As soon as a junior servant arrived, the Secretaries were to forward to him a copy of the above rules and require him to appear for an entrance examination before admission. Every such servant, on his admission was to select for study one of the following languages :—

Tamil, Teloogoo, Malayalam, Carnataca and Marhatta.

The students might also at the discretion of the Board be permitted to pursue their studies in one of the four classic languages :—

Sanskrit, Hindoostanee, Persian and Arabic.

On a junior servant's choosing a language for study, the Board was to appoint a teacher to instruct him, there being no Professors or lecturers on the establishment of the College. Apart from languages, they were expected to make themselves acquainted with the Regulations of Government connected with the management of revenues and the administration of justice, books being furnished to them for this purpose at public expense.

It was made optional with a junior civil servant to pursue his studies either at the Presidency or under the supervision of a senior servant in the interior. The salary of the junior civil servants during their period of study was to undergo progressive increase, only on the recommendation of the Board to be made on the basis of the quality and progress of their work. They were also allowed a monthly allowance for house-rent. All junior civil servants, reported by the Board as qualified to transact public business without any aid from an interpreter in one language, was to be deemed eligible for subordinate situations in the service, and those reported qualified in two languages were to be eligible for any situation in the service. But

no civil servant was to remain attached to the College for a period longer than two years.

Arrangement in the Bombay Presidency

So far as the Presidency of Bombay was concerned, the instruction of the junior servants was long neglected after they had been forbidden to attend the College at Calcutta for the purpose. For about sixteen years the study of the languages was left to the option of the junior servants, and naturally very few cared to devote their attention to them. It was as late as 1819 ¹ that the Court directed the Bombay Government to communicate to them a plan for the instruction of the Company's servants on an economical scale. They wrote :—

“ We shall take care to supply the civil service with a due proportion of writers in the ensuing season, and, as we are desirous of affording them the means of improvement in the native languages on their arrival at Bombay, you are hereby directed to submit to us a plan for that purpose, modelled on as economical a scale as may be consistent with the end in view. In the meantime we authorize you to provide Moonshies for their instruction and to defray the expense upon this proceeding.”

Mountstuart Elphinstone, on assuming charge of Government, ordered a circular to be issued to all junior civil servants of less than three years' standing as follows :—

“ That the Honourable Governor in Council has it in contemplation to establish a College for the instruction in the native languages of the junior

¹ Revenue Letter to Bombay, dated 14 July, 1819 (Para 57). *Vide Bombay Despatches*, Vol. 43 (I. O. R.).

civil servants appointed to this Presidency, and that a knowledge of the Hindoostanee language will be made an indispensable qualification for official employment in all cases; and that every servant who has not been three years in the country at the time when the College is instituted, and cannot pass an examination in that language, will be removed from his appointment and sent to the College, until such time as he shall have acquired the requisite qualification." (Government circular of June 14, 1820.)

It is clear from this circular that he had in contemplation the establishment of a College for the purpose, and this intention was formally communicated to the Court in a Public Letter, dated August 29, 1821. In that letter the news of a College having already been established at Poona for the time being for the education of the natives was communicated to them, and it was pointed out that any definitive proceedings for the education of the Company's servants had been postponed, awaiting the decision of the Court in the matter. Some provisional measures that had already been adopted for the examination of those servants in their knowledge of the native languages would, it was suggested, be continued in the meantime. The Court in their reply¹ negatived the proposal for the establishment of a College for the education of the Company's servants on financial grounds, but they directed nevertheless that the young gentlemen should study the oriental languages privately and pass an examination in two of them; first in *Hindoostanee* "as an indispensable qualification for official employment," and secondly, in either *Marhattee* or *Guzzerattee*, to become entitled to 'promotion to the second step in any line.'

¹ Court's Letter to Bombay (Public Department), dated 11 June, 1823 (Paras. 2-11). *Bombay Despatches*, Vol 48 (I. O. R.).

The Bombay Government in reply¹ stated that as they were precluded from establishing a College at Bombay they wanted the Court to allow them to take some measures for the instruction in languages of the junior servants, and particularly the appointment of a permanent Committee of Examiners. The Court in their reply, dated September 21, 1825, having agreed to the proposal of the Government, a set of rules for the instruction of the junior servants was published on the 1st of September, 1826, relating to examinations, the appointment of a Committee of Examiners, the standard of attainment in the languages required of the junior servants for promotion as per advice of the Directors mentioned above. It is made clear that no higher appointments in the Revenue and Judicial lines were to be secured without passing the language examinations. The constitution of the Committee of Examiners for examining the civil servants in the country languages was announced in an order of the Government of June 6, 1826.² The Committee was constituted of three members, of whom the Persian Secretary to the Government was to be an *ex-officio* member, a second to be nominated by the Government at each examination and the third, a permanent junior member, to act as Secretary to the Committee, and available for all such duties as the Government might think expedient in connection with the promotion of oriental literature and education among the natives. Thus for the first time under these rules some arrangement was officially made in Bombay for the instruction and ensuring a certain standard of knowledge in the country languages among the junior civil servants of the Company. These rules were further elaborated in July,

¹ Letter from Bombay Government to Court (Public Department), dated 11 August, 1824 (Paras 4-7), *Letters Received from Bombay*, Vol. 44 (L. O. R.) There is reference in this letter to a Minute by Elphinstone on the subject and the measures prescribed to that end in Gen. Cons. (Bombay) of 10th March, 1824.

² *Vide* Letter from the Secretary to the Government of Bombay (Education) 6 June, 1826 (paras. 2, 4 and 5) in P. P., Vol. IX of 1831-32, App. L. p. 634.

1828.¹ The main features of the arrangement under these Rules for the instruction of junior servants may be described here.

The writers, on arrival at the Presidency and in the event of their not having friends to live with, were provided with houses and servants by the Chief Secretary to the Government, the expense being recovered from their salaries. The Secretary to the Civil Examination Committee supplied them with copies of orders of Government regarding the plan of their studies, provided them with *Moonshies*, and they were allowed to remain at the Presidency only on condition of presenting themselves for examination within four months of their arrival. In the absence of such an undertaking, and in the event of failure to pass the examination within the time, they were sent into such parts of the province as the Government might direct. The writers remaining at the Presidency were placed under the guidance and control of the Chief Secretary to the Government, and those sent to the interior, under a similar control of the collector. The officers under whose guidance they were placed were enjoined to regard the strict superintendence over the young gentlemen as one of their important duties. They were even instructed to make quarterly reports to the Government on their general conduct and attention to their studies. In the absence of a collegiate institution, it was specifically pointed out, they were to take the place of such a one, so far as the studies and discipline of the writers were concerned. They were expected to pass the first examination in *Hindoostanee* within twelve months, and the second examination either in *Guzzerattee* or *Marhattie* within at least two years and a half. Their failure to pass within the prescribed periods was to be

¹ Vide Bombay Regulations (General Department), dated 11 July, 1828, regarding the junior members of the civil service—P. P. Vol. IX of 1831-32, Appendix I., pp. 638-39.

accounted for. Success at the first examination entitled the civil servant to public employment in subordinate positions. On passing the second he was appointed to a superior post in the Revenue line of the service where he was required to put in two years' service before he was eligible for employment in other departments. Like their compeers in Madras, the junior servants in Bombay also were expected to make themselves acquainted with the Regulations of Government connected with the management of Revenues and the administration of justice. As at Madras and later at Calcutta, at Bombay also, there were no Professors. The students were provided with *Moonschies* to teach them the languages of the Province. After 1830, that is, after the carrying out of further measures of retrenchment in the establishment of the Fort William College by Bentinck on the recommendations of the Civil Finance Committee, already mentioned, it may be said in a general way that the arrangements for the instruction of the junior civil servants in the country languages were more or less assimilated. Although the establishments in Calcutta and Madras passed by the dignified title of "Colleges," they were not really so. In Calcutta, it is true, the students had a greater degree of common life and spent a longer period at the Presidency, with all that it meant for both good and evil, than at the other two Presidencies, but in none of them was there that systematic education and discipline and healthy corporate life that are characteristic of a Collegiate institution. It appears, however, that in spite of its neglected condition, and in spite of all the carping criticism that it has come in for, students of the Fort William College of Calcutta were on the whole more serious in their work than their compeers in the other two Presidencies. This is borne out by the following facts.¹

¹ Memorandum (A) to the Minute of the Governor-General (W. Bentinck), dated 27 December, 1828. P. P., Vol. IX of 1831-32. Appendix L, p. 643.

Two hundred and fifteen students were admitted into the College of Fort William during the period between 1820 and 1828, forty-two into the Madras establishment and ninety-six into that of Bombay within the same period. There is no reason to believe that the standard of examination in any two of the oriental languages taught at the two presidencies was more difficult than that at Calcutta, and yet in the Fort William College eighty-six of the two hundred and fifteen, or more than one-third, were reported qualified for the public service by a competent knowledge of two of the prescribed languages in less than a twelve month during that period. At Madras the corresponding figure was only five out of forty-two, or less than one-eighth and at Bombay, where the examination is believed to have been easier than at Madras, the progress towards the second degree of qualification, that is, in the knowledge of Marhattee or Guzzerattee was much slower, only thirteen out of ninety-six having passed in eight years.

The College at Haileybury - Its Origin

Having discussed the arrangement for the instruction of the Company's civil servants in India, we may review the position of its counterpart in England. Although the Court quarrelled over Wellesley's scheme rather obstinately, it is clear that even in the course of the controversy they felt the need of some such institution. Even in their letter of January 27, 1802, while vetoing the scheme of Wellesley, they expressed their approval of the idea underlying the plan. In a draft despatch to Bengal of July 19, 1803¹ submitted to the Board of Control for their approval, they expressed their opinion that the Company's

¹ Draft No 177, dated 19 July, 1803, in reply to the Governor-General's letter of 5 August, 1802. *Vide Home Miscellaneous No. 487 (L. O. R.),* pp 455-528

servants should receive a liberal European education supplemented by oriental learning, and informed that they had in view an Institution at home for providing instruction in European subjects with greater facility than in India. The task of working out a plan seems to have been referred by the Court of Directors to the Committee of Correspondence, who in their report submitted in October, 1804, stated their views on the proposed institution as follows ¹ :—

“As the Company's civil servants are to be employed in all the different branches of the administration of extended dominions, it will be readily admitted that, as far as may consist with an early entrance upon the duties of active life (also very necessary in their case), they should receive an education, comprehending not only the usual course of classical learning, but the elements of such other parts of knowledge as may be more peculiarly applicable to the stations they have to fill. Independent of the improvements which they may receive from establishments in India in studies properly Oriental (improvements which cannot commence till some years of youth are already past), there is a most important period of life to be filled up before they leave their native country. In that period their principles of every kind are to be formed and their minds cultivated : It is the only period their destination will allow for the acquisition of European literature and science ; and, in a word, on the use which is made of it must depend, in a very material degree, their future character and services. It is not then to be doubted that they should not be left to such chance of acquisition as the routine of public or country schools may, under all the varieties of the situation, tutorage, example, and other

¹ Vide evidence of J. H. Batten, Principal of the East India College, given before the Select Committee of the House of Commons on 12 July, 1832. P. P., Vol. IX of 1831-32.

circumstances incident to persons collected from every part of the United Kingdom, afford them. There ought to be one course and standard of appropriate education for them ; and to this end, one place of instruction. There they should be trained with care, and required to give proofs of real proficiency ; in order to which they should be subjected to the test of strict and impartial examination, a test hardly to be looked for in all the different modes and degrees of their present education....."¹

Soon after, the Court declared their intention of founding a College in a Despatch to Bengal, dated May 21, 1806. They wrote :—

“ We have resolved on the establishment of an institution in this country upon an enlarged scale, where the writers destined for our service in India will receive instruction in all the most useful branches of European learning ; and we also expect they will be enabled to acquire a competent knowledge in Oriental literature.”

The foundation of the College building was laid on May 12, 1806. The College started with a Principal and six Professors in the following subjects :—(a) Mathematics and Natural Philosophy, (b) Classical and general literature, (c) History and Political Economy, (d) General Policy and Laws of England, (e) Arabic, Persian and Hindoostanee literature, (f) Hindoo Literature and History of Asia. There were some Assistant Professors also, and the Bishop of London became the Visitor.

The institution was given statutory status and stability in 1813 by the Charter Act of the year (53 Geo. III,

¹ The plan of education eventually adopted, as will be seen, was based upon the principles formulated in this Report, combining the provisions for an enlarged European education with rudiments of Oriental languages.

C. 155),¹ under Section 46 of which the appointment to writerships in India was made conditional on keeping four terms at the Haileybury College according to its Rules and Regulations and producing a certificate from the Principal to that effect. Subsequently, however, the requirement of this Act had to be relaxed in the circumstances to be discussed later on.

Constitution of the College under Statutes and Regulations

The first Statutes and Regulations of the College were framed in 1814 and enforced in 1816, although they were modified later in some directions. Thus for instance, the Rules and Regulations with regard to the entrance examination were changed in 1834 and in 1837.

We may briefly describe here the constitution and organisation of the College as defined under the Statutes and Regulations of 1816.

The Statutes of the College were distinguished from Regulations. Under the former came all laws and rules respecting the constitution and government of the College of a more general and permanent nature to be made by the Court of Directors subject to the approbation of the Board of Control. Regulations comprised all orders and rules more detailed in character, relating to the internal

¹ Sections 44 to 48 of the Act related to the Haileybury College. Sec. 46 runs thus:—“It shall not be lawful for the said Court of Directors to nominate, appoint, or send to the Presidencies of Fort William, Fort St. George or Bombay, any person in the capacity of a writer, unless such person shall have been duly entered at such College, and have readed there four terms, according to the Rules and Regulations thereof, and shall also produce to the said Court of Directors, a certificate under the hand of the Principal of the said College, testifying that he had for the space of four terms been a member of and duly conformed to the Rules and Regulations of the said College.” Of course the College got statutory recognition in 1807 by an Act of Parliament of that year (47 Geo. III, Cap. 68), section 7 of which provided that the time spent by writers at the East India College not exceeding two years, after the age of seventeen shall be accounted as so much time spent in service in India for purposes of entitling them to certain offices and employments with certain salaries under the Act of 1793 (Sec. 57). But it is by the Act of 1813 that education and residence in the College was made a condition of appointment to office.

government of the College. These were made by the Committee of the College or College Council subject to alteration by the Court of Directors. The Committee of the College of the Court of Directors was the superintending authority to see to the proper execution of the Statutes and Regulations, together with the current business and affairs of the College, on which they might from time to time issue orders, but the immediate superintendence and execution rested with the College Council composed of the Principal, the Dean and Professors. The Visitor who was the Bishop of London, *ex-officio*, was the final appellate authority for any member of the College in all cases, relating to the rights, powers, privileges or duties either of the whole body collectively or of any of its members individually, as also for any student expelled by the College Council. The Principal was vested with a general superintendence over every branch of the establishment and the maintenance of the discipline of the institution. Other executive officers of the College were the Registrar, the Dean and the Librarian. There was the provision for a public examination of all students at the end of each term. There was also a preliminary entrance examination in Classics and Arithmetic on passing which the candidates were furnished with a copy of the Statutes and Regulations of the College and formally admitted as students by subscribing, in the College Chapel, to a declaration in the following form :—

“ I, A.B. do solemnly promise that I will submit to the Statutes and Regulations of the College and that I will pay respect and obedience to all that have authority in it.”

On completing the course in the College and having the requisite certificate from the Principal, the students were not, however, automatically entitled to appointment as writers, unless the Court of Directors, in their

discretion, should deem fit. The students were to pay one hundred guineas per annum towards their board and lodging and education, but the fees covered only a small part of the expenses of the institution, the rest being contributed by the Company. The staff at the start included many distinguished scholars such as T. R. Malthus for General History, Political Economy and Commerce, Jonathan Scott for Oriental studies, and E. Lewton for Philology. The admission to the Haileybury College was not quite free and open, but dependent on the nomination of the Directors¹ which was invariably

¹ In the distribution of patronage the Chairman and Deputy Chairman always had a larger share than ordinary Directors. Of course, the proportion varied from time to time. Thus in 1778, out of 47 writers nominated, the Chair and the Deputy each had 8, and ordinary directors one each. Later on the Board of Control also came in for a share, usually disposed of by its Chairman. Thus by an order of 14 February, 1806, it was laid down "That of the nominations of writers of this year the Chairs send out two each for Madras and Bombay, that each other Director send out one writer for Madras or Bombay, and that the Board (of Control) send out two writers for Madras or Bombay." (*Vide Memorials of Old Haileybury College*, by F. C. Danvers, Sir M. Monier-Williams and others.)

We may also quote figures for a later period from a statement showing the number of appointments to India made on the nomination of the Court of Directors and the Board of Control, on the average of five years, ending with 1830-31.—

Description	Average number per annum	Chair and Deputy Chair	Board of Control	Ordinary Directors
Writers for India	30.2	2.8	2.8	1.4

(*Vide* Statement No. 4 in App. B, to Parl. Paper, No. 1X of 1831-32.)

We give below some figures for the next period. In *Parliamentary Paper*, Vol. LXXIX of 1852-53 (pp. 60-62) is given a return of the annual allotment of the patronage, civil and military, of the Court of Directors since 30 April, 1834, showing the number assigned to each Director and President of the Board of Control and the number actually appointed by the same in each year since that time. We quote figures only for a few typical years.—

Allotment year	Assignee	Civil Nomination	Number appointed
1834-35	Chairman	2	23
	Dy. Chairman	2	
	22 Directors	22	
	President of the Board of Control	2	
		28	

given to young men connected with their friends and relatives. In the last Chapter we have also seen how it led to a regular and systematic traffic in patronage of the most vicious character. This placed a serious limitation on the choice of an Indian career by the ordinary English youth and not infrequently affected the quality of the recruits. However, the evils of the system were to some extent counteracted by the requirement of having to pass the preliminary entrance examination at the India House referred to above, which was conducted by an outside body of examiners appointed by the Board of Control. The examination was not of course of a very high standard and was mainly intended to test the level of general education of the candidates. The candidate had also to submit testimonials. The examiners might reject the candidates, if they chose, or defer their nomination to some future date. Sometimes the candidates were rejected on their first examination, but this mere postponed their nomination

Alotment year	Assignee	Civil Nomination	Number appointed
1840-41	Chairman	4	17
	Dy. Chairman	4	
	22 Directors (2 each)	44	
	President of the Board of Control	4	
		56	
1846-47	Chairman	2	27
	Dy. Chairman	2	
	22 Directors	22	
	President of the Board of Control	2	
		28	
1852-53	Chairman	4	45
	Dy. Chairman	4	
	22 Directors (2 each)	44	
	President of the Board of Control	4	
		56	