

Judge of the Sudder Court, and he at once proceeded to assert the right of the civil courts to revise in regular suits the proceedings of the revenue courts, and to be independent of them. The grounds for this view were that the revenue authority was an exercise of executive power; and that, if the regulations for assessing and collecting the public revenue were infringed, the revenue officers themselves must be the aggressors; and that individuals who had been wronged by them in one capacity could never hope for redress from them in another. The civil courts seem to have exercised separate jurisdiction until 1786, although the Governor-General in Council resumed the superintendence of the Sudder Dewani Court shortly after it had been placed under the Chief Justice.

In 1787 the administration of both civil and criminal justice, as well as that of the revenue, were again joined together in the person of the collectors of districts, under the Sudder Court at Calcutta. In 1793 Lord Cornwallis strongly objected to the system of placing the administration of civil justice under revenue collectors. While he considered that collectors should be armed with power to enforce their demands, their abuse of this power could only be prevented by courts of justice ready to punish and remove oppression and exaction. He considered that the *fiscal* and *judicial* systems should be separated, and accordingly established separate civil courts.

All questions between Government and the landholders respecting the assessment and collection of the revenue, and disputed claims between the latter and their ryots, or other persons concerned in the collection of their rents, being left to the civil courts.

The preamble to Regulation II of 1793 laid down the principle that the revenue officers must be deprived of their judicial powers ; that all financial claims of the public, when disputed under the Regulations, must be subjected to the cognizance of Courts of Judicature, superintended by Judges who, from their official situations and the nature of their trusts, shall not only be wholly uninterested in the result of their decisions, but bound to decide impartially between the public and proprietors of land, and also between the latter and their tenants. The collectors of the revenue must not only be divested of the power of deciding upon their own acts, but rendered amenable for them to the Courts of Judicature, and must collect the public dues subject to a personal prosecution for every exaction exceeding the amount which they are authorized to demand on behalf of the public, and for every deviation from the regulations prescribed for the collection of it.

Although this policy was at once given effect, constant attempts were successfully made, in later times, in the interests of the executive, to depart from it. At the present day the law in force through

a large portion of the Presidency of Bengal directly violates the principles and policy here laid down. Indeed the systems followed in the North-Western Provinces, Oudh, the Punjab, and elsewhere, are distinctly opposed to a principle, the justice of which cannot be questioned. The separation is more efficient in the North-Western Provinces than in the other Provinces named ; though by no means carried to a complete separation even there ; for many matters relating to the rights of individuals are disposed of by Revenue Courts. The Punjab Courts Act of 1884 makes a show of effecting some such separation in this Province, but, so far, the results are merely nominal.

In 1801 the Sudder Dewani Adawlat was composed of three Civilian Judges, while Civil Courts had been established in all the districts of Bengal. In 1811, the Sudder Court consisted of a Chief Judge, and as many Puisne Judges as the Supreme Government might appoint. In 1831 a Sudder Dewani Adawlat was established in the North-Western Provinces with similar powers. Four, and later six superior Provincial Courts were established in the provinces, over the district and city courts of Sudder Amins and Munsifs.

In 1831 the system was amended, and the powers of the lower courts were extended ; and the principle of introducing good native agency in important judicial positions was recognized.

The revenue officers were gradually regaining all their authority during this period. In 1794 courts were empowered to refer to the collectors all cases which, before the new system, were cognizable by them, and upon their reports the Judges decided. In 1794 and 1799 the revenue officers obtained power to dispose in a summary way of all questions relating to matters affecting the land revenue system, their decisions being subject to contest by regular suit. In 1831 the power of the civil court was limited to revising summary decisions of revenue officers solely on the ground of the case not being of a nature cognizable as a summary suit ; in cognizable cases the summary decision could not be contested in a civil court ; and thus, under the cover of summary procedure, the collectors regained almost the whole of their lost power in rent and revenue cases.

\* The principle laid down in 1787 was not, however, openly contested until 1857, when a Bill was introduced into the legislative council of India with a view to enlarge and define the jurisdiction of collectors with respect to summary suits for arrears or exactions of rent, and generally with respect to the law regulating the relations of landlord and tenant. The collector was considered to be the person most deeply interested in promoting this branch of the administration of civil justice, being best acquainted with the fiscal state of the district, with the tenures prevailing in it, and with the character of the landlords. The Bill gave to the revenue

officers exclusively the primary cognizance of all cases of ejectment, cancelment of leases for arrears of rent, enhancement of rent, and right of demanding *pattas* and *kabuliats*.

It was passed in 1859. Ten years later, in lower Bengal only, the jurisdiction to hear and determine cases of this nature was re-transferred to the civil courts.

*Madras and Bombay.*

The Mayors' Courts in Madras and Bombay existed till the year 1797, when they were replaced, not by Supreme Courts, but by Recorders' Courts (Statute 37, George III., Cap. 142).

These consisted of the Mayor, three Aldermen, and a Recorder, being, in fact, the old Mayors' Courts, with the addition of a Recorder to each Court, who was to be appointed by the Crown. They had full Civil, Criminal, Ecclesiastical and Admiralty jurisdiction.

They were empowered to establish rules of practice and process, and they were to be Courts of Oyer and Terminer and Goal Delivery for Fort St. George and Bombay. They had power to try all suits which by authority of Parliament could be tried in the Mayors' Courts. Their jurisdiction extended over British subjects resident within the British territories, then or thereafter to be rendered subject to the Governments of Madras and Bombay, respectively, or within the territories of Native Princes in alliance with those Governments.

Restrictions corresponding to those imposed by Parliament in 1781 on the jurisdiction of the Supreme Court at Calcutta were made applicable to these courts.

The new courts did not last long. That at Madras existed for two years and was then abolished, a Supreme Court being established in its stead. The powers vested in the Recorder's Court were transferred to the new Supreme Court which was granted the like jurisdiction, and was made subject to the same restrictions as the Supreme Court of Judicature at Fort William in Bengal. This new Charter was granted in December 1801.

The Recorder's Court at Bombay existed till 1823, when a Supreme Court of Judicature was established in its stead, and was invested with the same powers and authorities as the Supreme Court of Calcutta, with a similar jurisdiction and subject to the same limitations, restrictions, and control.

There were some slight differences in the Charters of the courts. The Bombay Court was prohibited from interfering in any matter concerning the revenue, even *within* the town of Bombay. The Bombay and Madras Courts could not compel natives to appear before them except under circumstances which would have justified their being compelled to appear in a native court, thus further securing to natives their own laws.

It may here be mentioned that it was only in 1862 (25 and 26 Vic., Cap. 20) that it was enacted that writs of *Habeas Corpus* should not be issued by Courts in England to the colonies and foreign dominions where established courts existed.

*The High Courts and Chief Court.*

The year 1862 saw High Courts established at Calcutta, Madras, and Bombay, under the Statute 24 and 25 Vic., Cap. 104 (1861) and Charters; these Charters were renewed in 1865.

A similar High Court was established in 1866 in the North-Western Provinces, under the reserved powers conferred by Section 16 of the Act of 1861 upon the Crown. This court was in all respects similar to the other High Courts.

These courts combined the jurisdictions of the Supreme Court and of the Sudder Criminal and Civil Courts.

The work of systematizing the administration of justice had long been before the Indian Law Commissioners for India, and between 1859 and 1862 the Codes of Civil and Criminal Procedure and the Penal Code, prepared by the Commission, became the law of the land.

The High Courts consist of a Chief Justice and as many Judges, not exceeding fifteen, as the Crown may appoint; they are selected from—

Barristers (or Advocates of Scotland) of not less than five years' standing;

Civil Servants of not less than 10 years' standing, who shall have been Zila Judges for three years or more ;

Persons who have held Judicial office not inferior to that of Principal Sudder Amin, or Judge of a Small Cause Court for a period of not less than five years ;

Pleaders of the High Court of not less than ten years' standing.

One-third of the Judges must be Barristers, and one-third Covenanted Civilians. They hold office during the Queen's pleasure.

The High Courts superintend all subordinate courts in their respective jurisdictions, and have power to frame rules of practice for them subject to the legislative control of the Supreme Government.

In the Punjab a Chief Court was established very much on the model of the High Courts, by the Indian Legislature, in 1866. The Judges are appointed by the Governor-General, but the powers of the Court are almost as wide as those of the High Courts. It consists of three Judges (five at present). In certain cases affecting the revenue administration, Act XVI of 1887 has provided a special jurisdiction to be exercised by Revenue Courts ; a similar jurisdiction to that of the Chief Court in these cases being exercised by the Financial Commissioner.

The High Courts still retain the special features of the Supreme Court in regard to the presidency town ; but they form the sole ultimate appeal courts in the country, except as to the Punjab, where the Chief Court exercises that function.

Legislation subsequent to 1862 has reconstituted all the Civil and Criminal Courts of the country, while uniform laws of procedure are carried into effect throughout it, and the judicial administration is superintended by the five superior courts and by no other authority.

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## CHAPTER VIII.

### TERRITORIAL SUB-DIVISIONS.

#### *Presidencies and Provinces.*

The first settlements at Surat in *A. D.* 1613 ; at Fort St. George, 1640 ; and at Fort William in Bengal, 1698, were established in complete independence of one another as factories and agencies of the Company. Each settlement was governed internally by a president and board. In the course of time clusters of factories, agencies, and settlements grew up around each of these centres of the Company's trade, and in these the place where the governing body resided came to be called the presidency town. In this way arose what are now termed the three presidencies. The

**Bengal Presidency** became the most important of these ; and the whole of the acquisitions of the Company soon became so large that a central government had to be formed, and, accordingly, the supreme supervision and control were vested in the government of the Bengal Presidency, and a Governor-General and Council were appointed in 1773.

Twenty years later, the settlements at Madras and Bombay, respectively, were placed under a Governor and Council.

As territories were acquired they were attached to the presidency from which they could be most easily governed, and to which they were most closely situated.

Up to quite a recent date this method of dealing with new territories was the only one which was recognized by law. But without this authority it soon happened that large areas of territory were conquered or ceded to the British Government, and were not definitely attached to any particular territory, and with regard to these it was doubtful whether the whole presidency law applied.

In 1800 a Statute, 39 and 40, Geo. III., Cap. 79, was passed, empowering the Company to declare what places should be subject to either presidency, and in pursuance of this power certain territories were annexed to the various presidencies.

In 1833 the Act 3 and 4, William IV., Cap. 85, was passed, under which it was proposed to divide the enormous presidency of Bengal into two presidencies, namely, those of Fort William and Agra. But this scheme was abandoned, and by an Act 5 and 6, William IV., Cap. 52, passed in 1835, the provisions on this head were suspended, and a Lieutenant-Governorship of the North-Western Provinces was created.

Subsequently, in 1853, Statute 16 and 17 Vic., Cap. 95, provided for relieving the Governor-General, who was at that time also Governor of Bengal, of his local functions, and for appointing a separate Governor, or, until he was appointed, a Lieutenant-Governor for that presidency; thus was constituted the Lieutenant-Governorship of the province of Bengal.

So far as the territory actually attached to the presidency of Bengal was concerned this arrangement disposed of it, but there were still districts and areas which had never been attached to any presidency at all; such were the Saugor and Narbada territories acquired in 1817-1818; Coorg, 1834; Nagpur, 1852; the Punjab, 1849, and Pegu, 1852.

Under the power conferred by the Act of 1853, of creating Lieutenant-Governorships, the Punjab was so dealt with; and by the Statute 17 and 18 Vic., Cap. 77, a general provision was made for the

government of such territories, or parts of territories, as it might not be advisable to include in any presidency or Lieutenant-Governorship. With the sanction of the Secretary of State, the Governor-General in Council is empowered by proclamation to take territories unprovided for by the provincial arrangement, or not included in the presidencies, under his own immediate authority, or otherwise to provide for their administration.

Under this Act the local administrations under Chief Commissioners were constituted, the term "local administrations" distinguishing them from local governments. In these cases the Government of India is also the local government, and the Chief Commissioner simply administers under the orders of the local government. By this arrangement provision is made for all the various territories, however scattered or separated from the presidencies or larger provinces. By an Indian Act, passed in 1832, the Governor-General relieved himself of the detailed work of administering these smaller territories by delegating certain of his powers to Chief Commissioners, but since then by the General Clauses Act, Section 2, Clause 10, (I of 1868) these Chief Commissioners are included within the term "local government," and, unless where an express provision exists to the contrary, a Chief Commissioner is as much a local government as a Lieutenant-Governor.

The powers of the Governor-General in India have been put on a satisfactory basis with regard to the adjustment of territories by Section 46 of the Indian Councils Act, 1861, Statute 24 and 25 Vic., Cap. 67, which empowers him to create provinces and Lieutenant-Governorships, and to fix the limits of presidencies, provinces, and territories in India, and to alter those limits; an Act of 1865, 28 Vic., Cap. 17, provides for the apportioning or re-apportioning existing territories among the existing Lieutenant-Governorships or Governorships.

Acts XXI of 1836 and VI of 1867, passed by the Indian legislature, contain provisions regarding minor divisions of territories, such as creating new districts or altering the boundaries of existing districts.

*The present Constitution of Provinces.*

The existing division of Indian territories not forming part of the older presidencies, is due to the Acts of 1853, 1854, and 1861.\*

The Punjab, which had before been a Chief Commissionership, was created into a province under a Lieutenant-Governor in 1859.

Oudh was annexed in 1856 and taken under direct management as a Chief Commissionership. In 1877 the then Chief Commissioner was appointed to be Lieutenant-Governor of the North-West Provinces, and this practically, to some extent, amalgamated the two provinces, without, however, destroying any special administrative features of either.

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\* POWELL'S Revenue Manual, Cap. I.

By Resolution (Foreign Department) No. 9 of 2nd November, 1861, the Chief Commissionership of the Central Provinces was constituted. This province was made up of the Saugor and Nerbada territories and the Nagpur province ; some other districts being afterwards added. The notification contains a long history of the administration of these provinces.

British Burma was constituted a Chief Commissionership on its present footing in 1862. As in the case of the Central Provinces, the Resolution gives a history of the previous administration ; it recites that there had been three separate Commissioners of Arracan, Pegu, and Tenasserim, respectively ; the first had been under Bengal, the others directly under the Government of India ; it was now desirable to unite them under one Chief Commissioner.

Berar (the Hyderabad Assigned Districts) is governed by British officers in virtue of the treaties of 1853 and 1860. By the first treaty Berar and some other territories were assigned for the payment of interest on the debt due to the East India Company for the support of the Hyderabad contingent force, and for some other purposes. The assignment was subject to an annual account of receipts and expenses. By the treaty of 1860 the debt was declared cancelled ; certain of the territories assigned under the first treaty were restored, and Berar alone retained (within the general limits it now occupies, but including certain taluqas inside the boundaries which were before exempt from management). No account is now rendered to the Nizam, but the British Government pays to him any surplus it may have in hand after meeting the cost of administration, the cost of the troops of the Contingent, and certain allowances and pensions specified in the treaty.

The district of Ajmere and the Merwara parganas were constituted a Chief Commissionership, the Governor-General's Agent for Rajputana being *ex-officio* Chief Commissioner.

The latest change has been to create Assam into a separate Chief Commissionership, it being taken under the direct orders of the Governor-General under the provisions of the Act of 1854.

*The Non-Regulation Provinces.*

The reason why all provinces and territories were not at once annexed to the larger presidencies was two-fold :—

*Firstly.*—It would have made the territories attached to the Bengal Presidency inconveniently large and straggling, and the administration could not have been conveniently carried on.

*Secondly.*—By the statute of 1800, new territories annexed to presidencies would at once have come under the regulation law of the presidency to which they were attached, and this would have been inconvenient in many ways. Certain systems of revenue administration had grown up in the presidencies which were not applicable to newly-acquired territories. The latter were more backward than the older territories, and new problems and customs had to be dealt with. It was, therefore, deemed advisable to form these territories into distinct provinces, and to extend only such of the regulations as were at once applicable, gradually applying others as the new territories developed, and at the same time providing new laws more suited to the wants of the new territories.

Accordingly, the Punjab, Pegu, Oudh, the *Central Provinces*, and the other local administrations referred to, did not come under the regulation law as a whole, and were not attached to any presidency, and were distinguished by the title of Non-Regulation; and these provinces and districts, which are so called non-regulation, at present comprise the larger portion of the British possessions in India.

The present distinction between the regulation and non-regulation is not very great. There is some difference in the constitution and salaries of the administrative services. The Act 33, Geo. III., 1793, required that covenanted civil servants of a presidency should be appointed to the higher offices of the administration in such presidency; but as the non-regulation provinces were not attached to a presidency, this rule did not apply, and persons outside the covenanted service became admissible to the administrative service; and thus we find in the non-regulation provinces the administration composed of military, civilian, and uncovenanted officers.

There is a distinction in the nature of the duties performed by the administrative staff; while in the regulation provinces the civil judicial work is separated from the revenue and criminal business, the same staff performs civil, criminal, revenue, and administrative functions in those classed as non-regulation.

*Scheduled Districts.\**

As regards the extent and nature of the law in force, the old distinction of "regulation" and "non-regulation" has virtually lost its meaning. Many of the old regulations have been repealed or superseded, and some of those that remain have been expressly declared to apply to the non-regulation provinces. Not only so, but all the more important branches of legislation,—Civil and Criminal Procedure, Land Revenue, Stamps, Excise, Irrigation, the Law of Contract, the Criminal Law,—have been provided for either by general Acts which apply to all the provinces at large, or by special Acts containing local details, but resembling each other in principle. But there is still a practical distinction of another kind to be mentioned, which is of importance, and likely long to be maintained.

There are portions of the older regulation provinces, and also portions of the newer non-regulation provinces themselves, which are "extra regulation" in a perfectly valid and current sense. These are now spoken of as the "scheduled districts," under the Act (XIV of 1874) passed to place them on an intelligible basis as regards the laws in force in them.

The list may be summarised as follows :—

*Scheduled Districts, Bengal.*

- I.—The Jalpaigúri and Darjiling Divisions.
- II.—The Hill Tracts of Chittagong.
- III.—The Sontál Parganas.
- IV.—The Chutá Nágpur Division.
- V.—The Mahál of Angúl (in Orissa). [Bánki has recently been excluded and now forms part of the ordinary Púri district.]

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\* Powell's Revenue Manual, C. P. I, pp. 37—40.

*North-Western Provinces.*

- I.—The Jhānsi Division, comprising the districts of Jhānsi, Jalāun, and Lalitpur.
- II.—The Province of Kumāon and Gharwāl.
- III.—The Tarāi Parganas, comprising Bāzpur, Kāshipur, Jāspur, Rudarpur, Gadarpur, Kilpūri, Nānak Mathā, and Bilherā.
- IV.—In the Mirzapur district—
- (1) The tappas of Agori Khās and South Kon in the pargana of Agori.
  - (2) The tappa of British Singrauli in the pargana of Singrauli.
  - (3) The tappas of Phulwā, Dudhi, and Barhā in the pargana of Bichipār.
  - (4) The portion lying to the south of the Kaimūr range.
- V.—The Family Domains of the Maharāja of Bénarés.
- VI.—The tract of country known as Jaunsār-Bāwar in the Dera Dún district,

*Panjab.*

The districts of Hazāra, Peshawar, Kohāt, Banú, Dera-Ismaīl-Khān, Dera Ghāzi-Khān, Lahaul, and Spiti.

*Central Provinces.*

Certain zamindāris of Chhattisgarh and Chānda, and the Chhind-wārā jāgīrdari estates.

*The Chief Commissionership of Ajmere and Merwāra.*

*The Chief Commissionership of Assam.*

*British Burma.*

The Hill Tracts of Arracan.

*Madras.*

Certain estates in Ganjam, Vizagapatam, and Godāvāri district (besides the Laccadive Islands).

*Bombay*

Sind, the Panch Mahāls (attached to the Kairā Collectorate), Aden, and certain villages of Mehwāssī Chiefs.

*Coorg.*

The whole province (Chief Commissionership).

The districts are called "Scheduled" because they are noted in the "Schedules" of Act XIV of 1874.

None of the Acts of a general character passed before 1874, the local application of which is settled by Act XV of this same year, apply directly to the *Scheduled* districts ; it is left to the Local Government to define by notification in each case—

- (a) what laws are *not* in force (so as to remove doubts in case it might be supposed that some law was in force) ;
- (b) what laws *are* in force ;
- (c) and to extend Acts or parts of Acts to the districts in question.

Of course all Acts *passed since* 1874 themselves define to what territories they extend, so that there can be no further doubt on the matter.

*Regulations under 33 Vic., Cap. 3.*

In order to provide a still more elastic and adaptable method of making rules which have legal validity, for provinces, in an elementary stage of progress, the Act 33 Vic., Cap. 3 (1870), provides that certain territories may at any time be declared by the Secretary of State to be territories for which it is desirable that special Regulations (other than the Acts of the Legislature) should be made. The districts so declared (if not already under Act XIV) *become* "Scheduled" whenever such declaration is made, so that there is in fact a power of creating new scheduled districts in addition to those in that Act. The Regulations regarding Hazára in the Panjáb, the Sontál Parganas in Bengal, regarding Assam, Ajmere and the Hill Tracts of Arracan, &c., are all under this law.

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## CHAPTER IX.

### THE CIVIL ADMINISTRATION.

#### *Its Organization.*

The duties of the civil administration of British India are principally connected with the collection of the revenue, the maintenance of order, the dispensation of justice, the spread of education, and the development of public works.

For the purposes of the civil administration each presidency or province is divided into *districts*, which form the units of administration. The districts are sub-divided into *tahsils* or *parganas* for purposes of internal management; and for certain purposes chiefly connected with the land revenue system, there is a still further distribution into *circles* or groups of villages, such as the *tuppa* or *hulka* and the *zarl*.

The districts are grouped into divisions varying with the requirements of the different centralized departments or of administrative or judicial convenience.

The larger divisions, comprising districts and divisions, are the presidencies, provinces, and administrations constituting local governments, the whole of which are subordinate to the Government of India.

The designations of the local governments give some indication of the degree of delegation of authority which they possess. The Governors and Councils of the presidencies of Bombay and Madras possess a higher official status and wider powers than the Lieutenant-Governor of a province; while the latter is similarly situated with regard to the Chief Commissioner of an administration in which the Governor-General of India in Council is held to be the local government acting through the Chief Commissioner. The General Clauses Act has, however, as already stated, removed much of the distinction between the various forms of local governments which exist, so far as their legal aspect is concerned.

The delegation of authority to the local governments and administrations is governed by the provisions of various laws as well as by executive arrangement.

### *The District.*

The head-quarters of the district are fixed at the principal town within its boundaries, and here reside the chief officials, European and native, with their establishments, who represent the government, and form the medium of communication between it and the people.

The number of districts in the various provinces is as follows :—

	<i>Regulation.</i>	<i>Non-Regulation.</i>
Bengal ...	35	19
Assam ...	...	11
North-Western Provinces ...	29	6
Oudh ...	...	12
Punjab ...	...	32
Central Provinces ...	...	19
Bombay ...	14	5
Madras ..	19	...
Burma ...	...	13
Berar ...	...	4
Coorg ...	...	1
Ajmere (Merwara) ...	...	1
	97	123
	97	123

The average size of a district varies considerably in the different provinces. Some of the Madras districts contain more than 12,000 square miles. In Bengal and the North-Western Provinces they vary from 1,200 to 6,000 square miles. The average population of a district in Madras, Bengal, and the North-Western Provinces, is about one million; three-fourths of a million in Bombay; and half a million in the Punjab and Central Provinces.

The head of the district is termed the collector and magistrate in the regulation provinces, and deputy commissioner in the non-regulation districts. At one time the magistrate and collector was also the civil judge of his district ; this post is now held by a separate officer ; at a more distant period the functions of magistrate and collector were themselves held by different persons.

The chief duties of the chief officer of the district are the maintenance of order and the administration of the revenue system, and the collection of the land revenue and taxes of all kinds. His duties in regard to the land revenue vary according to the nature of the tenures under which the land is held, and relate primarily to the collection of that portion of the rent which is reserved to the Government as the superior landlord.

In Bengal and part of the North-Western Provinces, the land has been leased in perpetuity, in large estates, at fixed rents, under what is known as the permanent settlement, which was effected in the time of Lord Cornwallis. Here the ordinary duties of the collector are confined to the collection of the revenue from the lessees on fixed dates, usually two for each crop ; half the revenue being recovered immediately before, and half immediately after the harvesting of each crop. In the rest of the North-Western Provinces and Punjab, the assessment is settled from time to time for periods varying from ten to thirty years · here the persons

engaged with are much more numerous, and the estates held by them much smaller than is the case in Bengal, and, generally speaking, the community of each village engages for the revenue of its own lands. The village headmen are primarily responsible for the collection of the revenue from the co-sharers. In Madras, where the ryotwari system prevails, the settlement is annual, and separate leases are granted each year to the ryots.

The collector or deputy commissioner is the custodian of the records relating to the land revenue system of the district, in which are recorded all the particulars regarding the landed rights of the people. For the purposes of collecting the revenue he is armed with certain *judicial* powers which usually extend to the adjudication of claims which may arise between the *tenants*, holding from *government*, who are recognized as proprietors, and their under-tenants who hold from them (see Act XVI of 1887.) He also superintends the partition of estates, regulates the distribution of the government assessment, and registers and assesses all variations in the rent-roll. He is further required to assume the direct management of minors' estates where they consist of revenue-paying land, and in this capacity he constitutes what is called the Court of Wards.

The collector or deputy commissioner is also required to receive and collect, as well as to assess

and adjust, all other forms of taxes, such as the excise, the income tax, license tax, the local rates, and so forth. He is also the *government\* treasurer*, as well as the banker for different public departments which keep their money in his treasury and make payments by cheques on him. He is usually president of the districts board which is charged with local administration connected with sanitation, education, maintenance of the district roads, and other works of a similar nature. In some parts of India he has the charge of large tanks which supply water for agriculture, and sees that they are repaired and maintained in proper condition.

As a magistrate, the same officer generally represents the government, superintends the police, and maintains order. His court is the principal criminal court for the punishment of crimes within his district. He is provided with one or more covenanted and uncovenanted assistants. In the regulation provinces the senior of these is called the joint magistrate and collector, the other assistants, if covenanted, are called assistant, and if uncovenanted, deputy magistrates and collectors.

In the Punjab and elsewhere, where the non-regulation system is in force, the deputy commissioner is provided with a staff of assistant and extra assistant commissioners, of whom the assistant commissioners are, for the most part, members of the covenanted civil service. For administrative

purposes the district is sub-divided into tahsils in upper India, and taluqs in Madras and Bombay. The number of these tahsils or taluqs in each district varies with the size of the district, and ranges from four to eight. An officer, styled the tahsildar or taluqdar, is appointed to the charge of each, and is the deputy of the collector or magistrate. For civil judicial purposes there is more generally a separate organization by which munsifs are attached to the sub-divisions. In Bengal, where the land is held in larger holdings, the districts are not divided into tahsils, but there are sub-divisions or outposts, each under an assistant commissioner or deputy collector.

With regard to the police, the general arrangement is, that the police force of each district is placed under the control of a superintendent and a staff of inspectors. The organization of the body is left to the Police Department, while, in the matter of preservation of order and repression of crime, the district superintendent is directly subordinate to the magistrate of the district.

The District Jail is usually in charge of a medical officer under the general responsibility of the magistrate, and in this jail the prisoners undergoing short sentences are confined ; those undergoing more than two or three years' imprisonment are sent to the Central Jails, of which there are a certain number in each province, and the organization

of which is not under the district officer, but under the Jail department. Prisoners under long sentences of penal servitude are usually sent to the Andaman Islands.

It is part of the collector's duty to superintend the excise system of the district, and also the sale and custody of stamps.

The channel of communication between the government and the district officers varies in different provinces. In some there is a commissioner to a certain number of districts through whom the revenue business passes, as well as all administrative and executive correspondence. In Madras, the collectors correspond, in revenue matters, directly with the Board of Revenue. In Bengal and the North-Western Provinces there is a Board of Revenue, as well as a staff of commissioners, each in charge of a division comprising five or six districts. In the Punjab there are similarly commissioners to groups of districts. Where this system prevails, the commissioner usually resides at the most central or important district within his division.

When commissioners were first appointed in Bengal, in 1829, they were judicial as well as revenue officers; their criminal jurisdiction was that of a quarter sessions. These duties were eventually transferred to the district judges (or district and sessions judges) in those provinces;

the title of district judge is hardly appropriate, inasmuch as these officers are usually the judges of more than one district, or in other words of a judicial division. In the Punjab, until recently, there were ten divisions, in each of which the commissioner was a civil and criminal judge, as well as the divisional revenue officer. This has recently been altered, and the number of administrative divisions has been reduced to six, while separate judicial divisions have been created, and the work of civil and criminal justice has been made over to a separate staff of divisional and sessions judges (there are seven civil and ten sessions divisions).

The judicial agency of this province, stated in more detail, consists, on the civil side, of (1) the *munsifs* of three grades; (2) the subordinate judges of two grades; (3) the district judges; (4) the divisional courts, and (5) the chief court. On the criminal side there are the magistrate of the district (deputy commissioner), magistrates of the first, second, and third classes (assistant and extra assistant commissioners and tahsildars); the sessions judge; and the chief court.

#### *The Central Departments.*

It remains to mention briefly the chief administrative departments of government, which are under central direction, and which do not follow the district organization.

There are six great revenue and finance departments organized under the Government of India and local governments ; these are the sea, customs, inland customs, opium, mint, stamps, and accounts departments.

Three departments relate to the imperial communications of the country, namely, the post office, the telegraphs and the state railways, while public order is maintained by the police department, which is centrally organized, though subordinated to the district authorities for certain purposes.

The cause of progress and civilization is represented by the education and public works departments ; while the forest department is entrusted with the duty of conserving and developing the forest tracts.

Some reference may be made to each of these except the Police, which has already been mentioned.

1. *Sea Customs.*—The sea customs are collected at the ports, and principally at the large ports of Calcutta, Madras, and Bombay. The collectors at the three presidency towns are chosen from the covenanted civil service ; the subordinate establishments are uncovenanted officers in various grades.

2. *Inland Customs.*—The inland customs relate to the collection of duties upon salt and sugar. Until quite recently there was a very extensive barrier and line of customs patrols extending across

the North-Western Provinces, Central Provinces, and the Punjab, for the purpose of levying the duty on the import of salt to the east of the line from the mines of the Punjab and salt lakes of Rajputana, and on the export of sugar from the east of the barrier to the west. The head officer of this department was a covenanted civil servant, while his assistants, inspectors, and patrols were uncovenanted officers. The great salt barrier formed one of the most extraordinary phenomena of British rule in India, and has now disappeared. The actual localities producing salt are now encircled and guarded, and the tax is levied before the salt leaves the circle of manufacture.

In Madras the manufacture of sea-salt is a government monopoly, and is conducted by special establishments maintained for the purpose. In Bombay the manufacture is left to private individuals, and an excise is levied on the out-turn. The mines of the Punjab are worked by government, and the out-turn is disposed of subject to the duty.

The provincial control of these establishments rests with the chief revenue authority of the province.

3. *Opium*.—A large part of the Indian revenue is derived from opium. A very large quantity of this drug is consumed in India, and enormous exports are made to China. This drug is grown

in some of the mediatised states of Central India, and is sent to Bombay for exportation under a heavy transit duty. In Bengal the growth of opium is a government monopoly. No cultivator is allowed to grow the poppy, except under special license, and he is required to sell his crop to the government agent. There are two factories at which the raw opium is worked up, and packed in a form fit for exportation; the opium is then sent to Calcutta, and there sold by auction to the highest bidders. The management of this branch of the revenue employs a considerable staff of officials. The opium-growing countries are mapped out into districts, each under a superintendent (styled deputy agent), who determines the area of ground to be planted by each cultivator consenting to, or desirous of, growing opium; inspects the crops while on the ground, and makes the needful advances, without the aid of which no Indian peasant can bring his crop to market; receives the crop when ripe; settles with the cultivator, and forwards the raw drug to the factory. The very large price obtainable for opium under this system of monopoly, compared with the cost of production, of course renders a great degree of supervision necessary on the part of the deputy agents, to ensure that all the opium produced is brought to the factory. They are chosen from the covenanted civil service; all the other appointments are filled by uncovenanted officers.

4. *Mint*.—There are two mints in India, at Calcutta and Bombay, the masters of which are officers of the central government, and directly under the orders of the financial department.

5. *Stamps*.—A superintendent of stamps is stationed at each of the presidency towns, where the reserve of stamps is maintained for the supply of the district depôts. In some provinces there is also a local superintendent of stamps, whose duty it is to maintain the observance of the Stamp Act throughout the province.

6. *Accounts*.—An accountant-general and suitable staff is appointed to each local government for purposes of financial check and audit. The department is altogether imperial.

7. *Post Office*.—The Post Office is not organised provincially, but is controlled directly by the Government of India. The head of the department is a director-general; and India is, for postal purposes, mapped out into divisions, each under a postmaster-general, who, although styled postmaster-general of Bengal, Madras, Punjab, &c., exercise departmental control over countries by no means conterminous with the limits of those provinces. Under them are inspecting postmasters of circles. The head of this department has usually been chosen from the civil service as have been some of the postmaster-generals. The rest

of the employés belong to the uncovenanted service ; the inspectors are usually Europeans.

8. *Telegraph.*—The telegraph department is also retained under the direct management of the Supreme Government. At the head is a director-general, usually an officer of engineers ; and the country is divided, for telegraphic purposes, into circles, each under a superintendent ; these circles are further sub-divided into districts, the officer in charge of each of which is responsible for the working of the different stations within it. Under the head of the station, or telegraph master, as he is styled, is a staff of signallers. The superior posts in the telegraph department now form a separate service, which is entered by competitive examination passed in London.

9. *Railways.*—The system of state railways is now fast extending ; these railways are entirely officered by government employés, the leading officials in each railway being taken from the royal or civil engineer services. In the case of the few remaining guaranteed lines the government appoints an officer to watch over its interests.

10. *Education.*—The department of education has long received the earnest attention of government. Its charter is the Secretary of State's despatch of 1854 ; its object is to teach the masses the three R's, in order that they may be raised to a point of intelligence which will, at any rate,

qualify them to manage their own affairs, and to take an interest in those of their country. But the government goes further and encourages the higher education by maintaining or aiding colleges at many places in India, and by providing four Universities to foster it. The school system, the college system, and the Universities may be briefly examined.

The *school system* consists of three chief sections: the first of these includes the primary schools, which are divided into lower and upper. This section comprises the entire village school system, whether maintained or aided by government; and leads up to the middle school examination—an examination which marks the boundary line of the educational work which the government considers itself bound to provide for the country. All that the government may provide beyond that may be regarded as work of supererogation, and as being temporarily provided, in order to encourage and develop private effort; it will be withdrawn when such effort has reached a certain stage of development.

The second section of the system consists in the course between the middle school and matriculation tests, and is chiefly represented by the government district schools at the larger towns; instruction in English is largely encouraged at this stage. At the matriculation begins the college

course, carried on with a view to qualify for degrees under the regulations of the Universities ; this constitutes the third section of the educational system.

The Universities of Calcutta, Madras, and Bombay are on the model of the London University, and are mere examining bodies. They are government institutions, but are believed to be self-supporting at the present time ; their income being derived from examination fees. The Punjab University professes to be a literary and teaching, as well as an examining body, and its chief characteristics are that its sympathies lean towards the indigenous rather than the state educational system, and that its aim is to encourage the study of the Oriental classics, and to develop the vernaculars of the country as media for the education of the masses. The Punjab University has an income of Rs. 60,000 a year, besides a government grant of Rs. 21,000.

11. *The Public Works Department.*—This great department deals chiefly with the—

construction and maintenance of roads and railways ;

extension of the network of irrigation channels so necessary in a country liable to drought and possessing large arid regions ;

construction and maintenance of public buildings, &c.

It is recruited from the corps of military (royal) engineers, and by civil engineers taken from the government engineering colleges in England and India, known, respectively, as Cooper's Hill and the Rurki College. The bulk of admissions are from Cooper's Hill, the Rurki College being intended for natives of India, who obtain a proportion of the appointments.

12. *Forests.*—The management of the extensive forest tracts in various parts of India has, until lately, been conducted on no settled plan except in one or two provinces. But, within the last few years, the rapid progress of the denudation of the forests, arising out of the great demand for timber for railway purposes, and for export to Europe, has attracted attention, and active measures have now been taken to secure the proper management of this important item of the state property. To every province which contains any forest tracts worth preserving, a conservator of forests has been appointed, with a staff of assistants. The greater part of the forest tracts are state property, which, under the denomination of waste land, has never been alienated; but leases have also been taken of those forests which belong to private individuals, or to the chiefs, of native states, and are conveniently situated for working, so that the whole are now directly under government management; and active measures are being taken, by strict conservancy and planting

operations, to repair the waste of previous years, and to maintain a constant supply of timber fit for use. In most parts the timber is felled and brought to market by the officers of the department, but, in some provinces, licenses are granted to private individuals to fell and carry away timber, under specified regulations and conditions.

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## CHAPTER X.\*

### THE PRINCIPAL SERVICES.

#### *The Indian Civil Service.*

The principal division of the services is into the military and civil services; the civil servants of government are sub-divided into two great branches, consisting of the covenanted and the uncovenanted services. The members of the Indian civil service proper are, for the most part, selected by competition in England, and appointed under covenant with the secretary of state for India; they constitute the chief governing body of the country, and occupy almost all the more important posts throughout British India. Those civil servants of the government who do not belong to the army or the Indian civil service proper, are broadly designated as the uncovenanted service.

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\* This chapter is taken from Chesney's Indian Polity, Chapters ix, x, and xiii.

The distinction has lost much of its meaning at the present time, as, on the one hand, a portion of the Indian civil service is now thrown open to natives of India and the East under statutory provisions which dispense alike with the competition and the covenant; while, on the other hand, arrangements have now been made for recruiting the establishment of civil engineers, and the superior grades of the educational, forest, and telegraph departments, by competition or otherwise, and after special training in England. These gentlemen are, many of them, drafted into the services referred to under covenants. As distinguished from the military service, all servants of the government belong to the civil service; but these servants enter the service under different conditions, and belong to different departments. Applying the term "civil service" in a narrower sense, it excludes all the scientific and special departments and services, and designates those servants who are employed in the civil administration, whether judicial or executive, and who belong to the superior or gazetted grades. The term "Indian civil service" is used in even a narrower sense still, however, and designates only the covenanted civilians admitted after competition in England.

The Indian civil service, using the phrase in the narrowest sense, will be first referred to. With a few exceptions, all superior posts in the

administration are, as has been stated, filled from this service. The offices of governor-general and governor of Madras and Bombay have been sometimes held by members of this service, but are more often reserved for politicians appointed direct by the Crown. The chief justices of the four high courts are usually selected and appointed by the Crown from the English bar. The lieutenant-governors, chief commissioners, councillors, a third of the judges of the high courts, two of the three judges of the chief court, the civil secretaries, and the heads of most of the civil departments, are covenanted civilians. The divisional and district officers are, in regulation provinces, wholly, and in non-regulation provinces largely, filled by members of this service.

The constant aim of the government, since the establishment of a proper system of administration under Lord Cornwallis, has been to improve the Indian civil service, and thus to ensure good district administration.

\* Unless the district administration be good, no amount of efficiency in the governors, and the upper grades of the public service, will avail to make the British Government in India a properly-fulfilled trust, and a blessing to the people; while, on the other hand, if the staff of district officers is

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\* Chesney's Indian Polity, p 210.

thoroughly efficient, there will always be an abundant supply, from that source, of men qualified for the superior posts. The other departments of the state are, comparatively, of quite secondary importance. The all-important requirement in the government of India is that the people of the country, and especially the rural classes (who in that agricultural country form the great majority of the population), besides being lightly taxed, should have security of life and property, and liberty to pursue their occupations unmolested. These conditions imply that the law should be readily available, and impartially and intelligently applied; that the peace of the country should be maintained; above all—and this is one of the most difficult things to ensure in such a country—that the guardians of the public should themselves be restrained from oppression. This is the duty which is set before the district officials in India. That the task of governing under the given conditions should be at all possible,—that a single magistrate, with one or two deputies, should be able to maintain a decent administration, and to impress the reality of government over a territory as large, in some cases, as a European kingdom, and generally more densely peopled than are European countries, is only possible at all through the extraordinary docility of the people. But this very readiness to be governed creates, in itself, one of the greatest difficulties in the way of good

government. Deference to authority tends to degenerate into servility among all who surround the holders of power.

The Indian civil service has, during the last century, acquired a position, unique in the history of the world, for general efficiency and uprightness.

\* The Indian civil service took its rise from the establishment of merchants and agents employed in buying or selling the company's wares. For many years after the company had come to be governors of territories, as well as traders, the members of the service continued to be ranked in the grades and styled by the titles of senior and junior merchants, factors, and writers. In the first instance, the nominal salaries paid to civil servants were very small, and their emoluments were almost wholly derived from the profits of private trade. The results of such an arrangement may be imagined. Lord Cornwallis applied the remedy by fixing the salaries at a sufficiently high figure to place the members beyond the influence of temptation. This was followed by an immediate improvement in every direction.

When the change from merchants to rulers took place, the necessity for providing tests of qualification for admission was not at once recognized,

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\* Chesney's Indian Polity, p. 217.

principally because the directors exercised patronage which they feared they might lose. The first step taken to educate the young civil servants for their duties, was the establishment of a college at Calcutta, at which the civilians for all the three presidencies were required to undergo a course of study in law and the classical and Oriental languages.

The course was almost immediately afterwards restricted to instruction in the Vernacular and in Sanscrit and Arabic; and might be gone through at Calcutta, Madras, or Bombay.

In 1806 Haileybury College was established in England for the education of persons nominated by the directors to the civil service. Any one who was nominated to Haileybury was practically sure of obtaining an appointment, whatever his abilities might be.

Notwithstanding the defects of the system, the civil service attained a high standard for public character and intelligence. \*The real cause of its excellence at that time as well as now, is to be found in the admirable school which is afforded by its special duties. The Indian civilian, immediately upon his arrival in the country, is placed in a situation calculated to call forth, in an

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\* Chesney's Indian Polity, pp. 221 and 222.

extraordinary degree, all his best qualities. His duties as a magistrate, judge, and administrator, begin almost from the day of his admission to the service, and are prosecuted throughout his career on a scale, and to an extent, far exceeding what is attained by any other service in the world. The ever-present need for the practice of industry, zeal, and self-control; for affording in himself an example to others of public virtue; the constantly-felt want for, and immediate value of, professional knowledge; the enormous effect of personal influence; the vastness of the scale on which he is working; the very impossibility of doing all that has to be done,—all these conditions are calculated in an eminent degree to educate the Indian civilian to a high standard of energy and intelligence; while the heavy responsibilities placed on him, and the extensive power which he wields, form in themselves a training of incomparable value, by inducing a confidence, quickness of resource, and readiness to undertake responsibility, which are most necessary qualities for a successful administrator. And, if further inducement were needed, it was to be found in the large number of high appointments,—as commissioners, judges of appeal, diplomatic agents, councillors, and governors,—to which the distinguished civilians were certain of succeeding. The Indian civil service contains an extraordinary number of prizes, and no blanks.

\* As to the nomination system, its defects need hardly be stated. Among every body of men chosen by chance—be the chance one of throwing dice, or of relationship to another set of men themselves in no way specially gifted—there must always be found some, in whom the power of indolence or deficiency of intelligence will be too strong to overcome. Had such men been always retained in subordinate posts, the evil would have been reduced to a minimum ; but, although promotion long by seniority had been abandoned, the traditions of the service still required that every man should be raised at least to the charge of a district, and eventually to a judgeship.

The nomination system was abolished by the charter of 1853, which provided that appointments to the civil service should be thrown open to unrestricted open competition.

The constitution of the service is now based upon 21 and 22 Vic., Cap. 106, Section 32, and regulations framed thereunder. The age at which civilians were admitted to the service under the statutory provisions of 1793 (33 Geo. III., Cap. 52, Section 60), was not under 15 or more than 22 years. The maximum limit was raised to 23 years by 7 Will. IV., and Vic. Cap. 70, Section 5. Quite recently the limit of age has been reduced to 19

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\* Chesney's Indian Polity, p. 223.

for the open competition, under regulations framed by the secretary of state:

Under the Act of 1793 the rule of promotion by seniority was made absolute in the civil service; and it was also prescribed that vacancies should be filled up from the members of the service in the presidency in which the vacancy occurred. In 1861 it was found necessary to abrogate these rules and to validate appointments made in opposition to them.

The Statute 24 and 25 Vic., Cap. 54 (1861) reserved the following offices to the covenanted civil servants :—

- (1) secretaries, junior secretaries, and under-secretaries to the several governments in India (except in the military, marine, and public works departments); accountant-general (now called controller-general);
- (2) *in the regulation provinces, the following judicial offices*: civil and sessions judge, or chief judicial officers of districts; additional and assistant judges; magistrates or chief magisterial officers; joint magistrates; assistant magistrates;
- (3) *the following revenue offices*: members of boards of revenue in the presidencies of Bengal and Madras; secretaries to the

boards; commissioners of revenue in the regulation provinces; collectors of districts in those provinces; deputy or subordinate collectors where combined with the office of joint magistrate in those provinces; assistant collectors; salt agents; controllers of salt chowkies; commissioners of customs, salt, and opium; opium agents.

The act permits other persons to be provisionally appointed to these offices where necessary, subject to the approval of the secretary of state, and does not apply to the appointments of governors, lieutenant-governors, and judges of the high courts.

All other appointments may be filled up without regard to the qualifications, conditions, and restrictions prescribed by the Act of 1793. In practice, however, the secretary of state appears to have prohibited the filling up of the higher appointments in non-regulation provinces by uncovenanted officers without his previous sanction.

#### *The Statutory Civil Service.*

The appointment of natives of India to offices reserved to the civil service has been legalized by 33 Vic., Cap. 3, Section 6; under this section natives of India are defined "to include any person born and domiciled within the dominions of Her

Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only." The governor-general in council is empowered to define and limit, from time to time, the qualification of natives of India thus expressed, subject to the sanction of the secretary of state in council, and to being laid before parliament.

The rules of admission are prescribed by the governor-general in council with the sanction of the secretary of state.

It is apparently intended to reserve one-sixth of the appointments made to the civil service to persons selected and appointed under the authority of this statute.

#### *Military Officers in Civil Employ*

In all the non-regulation provinces military officers are appointed to the civil administration in considerable numbers. The services of these officers are permanently transferred to civil employ, and they belong to the army only for the purpose of enjoying the privileges of rank, leave, and pension secured to them in their own service. Many eminent civil administrators have belonged to this class.

#### *The Uncovenanted Service.*

The Indian civil service and the army form the main sources from which the members of the civil administration are obtained for all important duties throughout the country; but from the

earliest times a very large subordinate agency has been maintained to aid in carrying out the details of government business, and to fill the subordinate judicial and executive posts in the administration. This agency has, under the influence of various circumstances, extended to such a degree that a very large portion of the real work is done by it. The agency locally obtained, whether native or European, is much more economical than that which is imported, and hence there has been a tendency to confine the latter to the superior and more important posts, supplementing it with officers locally obtained. The general "business has grown so rapidly that a very large subordinate judicial and executive agency has had to be employed, in addition to the vast body of clerks and ministerial officers. Most of the departments outside the civil administration are officered by persons engaged in the country. Excluding the commissioned and covenanted officers of the army and civil service, respectively, and the covenanted officers engaged in England for the public works, forest, telegraph, education, and other departments, the whole body of government employes in receipt of a salary of Rs. 10 a month and upwards, are termed "uncovenanted," and are said to belong to the "uncovenanted service." The term embraces alike such of the judges of the high and chief courts as are not covenanted civilians, and petty clerks and officials in the courts and offices. With

some few exceptions (in favour of uncovenanted judges and certain officers holding high appointments) the members of the uncovenanted service are all on precisely the same footing as regards appointment, leave, and pension.

\* The gradual expansion of the uncovenanted service, from a body of subordinate clerks to a great administrative service, filling all the posts in many of the departments of the state, and of whom the leading members are in receipt of higher emoluments than military men in India can obtain in the ordinary course of their career, appears not to have been ever fully recognised. All such appointments (with a few special exceptions) were indeed illegal until 1861, when by an Act of Parliament all offices in India, with certain exceptions, were thrown open to all persons, under prescribed conditions of fitness and qualifications.

It is unnecessary to give here any details of the judicial, revenue, and administrative services of any particular province; enough has been said to give some idea of the general nature of the whole body of civil officers of government.

#### *The Army.*

† The first establishment of the Indian Army of the East India Company may be considered to

\* Chesney's Indian Polity, p. 250.

† Chesney's Indian Polity, p. 275.

date from the year 1748, when a small force of sepoys and Europeans was enrolled at Madras. In 1757 a similar force was raised in Bengal. The sepoys were commanded by English officers; the English force comprised infantry and artillery. The company's authority to raise forces was the charter of 1753.

By the year 1772 the force consisted of 3,500 Europeans and 24,000 natives, with more than 600 officers, in Bengal; 3,000 Europeans, 16,000 natives, and 600 officers, in Madras; and 2,500 Europeans, 3,500 natives, and 200 officers, in Bombay.

The first regiment of the British Army sent to India was the 39th Foot, which arrived in Madras in 1754; this was followed by two other regiments in 1759. From 1763 to 1779 India was without royal troops.

The Indian Army gradually increased down to 1796, when it was re-organized on a system which continued in force down to 1861. After the Mahratta war had been brought to an end, the forces were reduced to a permanent peace footing and stood at 24,500 Europeans and 1,30,000 natives. In addition to these there were various local forces, and, in 1857, the army stood at about 2,80,000, all told, of whom about 45,000 were Europeans.

Since the Mutiny large police forces have been organized provincially, the native army has been much reduced, and the English army increased.