

# THE PUBLIC SERVICE QUESTION IN INDIA

BY

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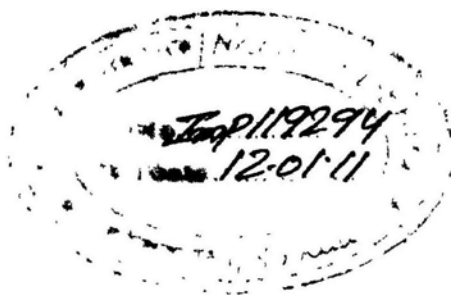
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## PREFACE.

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I PREPARED this paper on the Public Service Question in India in connection with my resolution\* on the subject, which came on for discussion in the Imperial Legislative Council on the 17th March last. My speech in moving the resolution contained the main substance of this paper. As it has been suggested to me that it will be useful to publish it as a whole, I have revised it for publication and have included in the Appendix the speech of the Hon'ble Mr. Earle on the subject of my resolution and my reply thereto to indicate how this important question stands at present. I am deeply indebted to Mr. Dadabhai Naoroji, whose past labours in this cause have been of great help to me and whose interest in the subject is even now as keen as ever.

N. SUBBARAU.

1st July, 1911,  
RAJAHMUNDRY.

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\* That this Council recommends that a mixed commission consisting of officials and non-officials be appointed to consider the claims of Indians to higher and more extensive employment in the Public Service connected with the civil administration of the country."

# THE PUBLIC SERVICE.

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## I.

THE year 1833 marks an important stage in the history of the 1833. Government of India. Till then the East India Company was both a commercial and a political body. In that year its monopoly in trade was finally abolished, and the Company thenceforward exercised only administrative and political powers, "in trust for His Majesty, his heirs and successors for the service of the Government of India." In that year was also abolished the monopoly of office, by which Indians had been excluded from the principal offices under the Government.

Section 17 of the Statute of 3 & 4 William IV, c. 85, declares that "no Native of the said territories nor any natural-born subject of His Majesty resident therein, shall, by reason only of his religion, place of birth, descent, colour or any of them, be disabled from holding any place, office, or employment under the said Company."

The statesmen who took part in the enactment of this clause were proud of it. Lord Macaulay described it as "that wise, that benevolent, that noble clause," and said—"I must say that, to the last day of my life, I shall be proud to have been one of those who assisted in the framing of the Bill which contains that clause." Mr. Charles Grant who introduced the Bill in the House of Commons said—

"If one circumstance more than another could give him satisfaction, it was that the main principle of the Bill had received the approbation of the House and that the House was now legislating for India and the people of India on the great and just principle that, in doing so, the interests of the people of India should be principally consulted, and that all other interests of wealth, of commerce, of revenue, should be as nothing compared with the paramount obligation imposed upon the legislature of promoting the welfare and prosperity of that great Empire which Providence had placed in our hands."

The Marquis of Lansdowne, who introduced the measure in the House of Lords, said—

"It was a part of the new system which he had to propose to their Lordships that to every office in India every Native of whatsoever caste, sect, or religion, should by law be equally admissible, and he hoped that Government would seriously endeavour to give the fullest effect to this arrangement, which would be as beneficial to the people themselves as it



would be advantageous to the economical reforms which were now in progress in different parts of India."

The Court of Directors, in forwarding a copy of the Statute to the Government of India, pointed out—

"The meaning of the enactment we take to be that there shall be no governing caste in British India; that whatever other tests of qualification may be adopted, distinctions of race or religion shall not be of the number; that no subject of the King, whether of Indian or British or mixed descent, shall be excluded either from the posts usually conferred on our uncovenanted servants in India, or from the covenanted service itself, provided he be otherwise eligible consistently with the rules and agreeably to the conditions observed and enacted in the one case and in the other."

They emphasized that not race but "fitness is henceforth to be the criterion of eligibility."

Notwithstanding these noble declarations, and the enactment of this clause, no change was made in the regulations for the selection of candidates to the Covenanted Civil Service. It was rightly pointed out by Mr. Bright, when the Company's Charter came up for revision in 1853, that "during the twenty years that have since elapsed not one of the Natives has been appointed to any offices except such as they were eligible to before the Statute."

In that year the system of nomination and patronage was abolished, and the principal civil appointments were thrown open to competition among the natural-born subjects of Her Majesty (16 and 17 Vic., c. 95). That system was maintained by the Statute of 1858 (21 and 22 Vic., c. 105) and has continued up to date. Though the Statute did not intend to exclude Indians from the Covenanted Civil Service, the regulations framed under it compelled candidates to proceed to London and pass an examination there, and the old system of exclusion, therefore, practically remained unaffected.

Lord Stanley said in the course of the debate in 1853 :

"He could not refrain from expressing his conviction that, in refusing to carry on examinations in India as well as in England—a thing that was easily practicable—the Government were, in fact, negativing that which they declared to be one of the principal objects of their Bill, and confining the Civil Service, as heretofore, to Englishmen. That result was unjust, and he believed it would be most pernicious."

"Let them suppose, for instance, that instead of holding those examinations here in London, that they were to be held in Calcutta. Well, how many Englishmen would go out there—or how many would send out their sons perhaps to spend two or three years in the country on the chance of obtaining an appointment! Nevertheless that was exactly the course proposed to be adopted towards the Natives of India."

Mr. J. G. Phillimore also said on the same occasion—

"He also feared that the Bill would prove delusive, and that although it professed to do justice to the Natives, the 'spirit of monopoly would still blight the hopes and break the spirits of the Indian people. While such a state of things continued, India would be attached to this country by no bond of affection,' but would be retained by the power of the army and the terror of the sword. He implored the committee 'not to allow such an empire to be governed in the miserable spirit of monopoly and exclusion.'"

These fears have been more than justified by the actual results. From 1853 up to when the Statute of 1870 was passed, there was only one Indian admitted to the Civil Service as against 825 Europeans. From 1870 to 1886, the date of the Public Service Commission, there were 11 Indians as against 576; from 1886 to 1910, 68 as against 1,235 Europeans. Thus, from 1853 up to date, there were only 80 Indians as against 2,636 Europeans, about three per cent. At the present moment we find 64 Indians as against 1,204 Europeans, a little over 5 per cent. of the total strength of the Indian Civil Service.

It may be noted here that, apart from the inherent disadvantages attendant upon the examination being held in England, there are also certain artificial restrictions which handicap Indian candidates. Among the thirty-three subjects, now increased to thirty-eight, in which the examination is held, no Indian Vernacular finds a place, though an Englishman may take up his own language along with French, German or Italian, in spite of the fact that, after he is admitted to the Civil Service, he has to spend his official life in daily converse with the people of this country. Indian history also is entirely eliminated from the scheme, although a candidate may take up Roman history, Grecian history, English history, General modern history, as subjects for the examination. Similarly the subject of Hindu and Mahommadan Law is omitted, Roman Law and English Law being, however, included. Again, the syllabus of "Moral and Metaphysical Philosophy" is confined exclusively to European Philosophy, Ancient and Modern, and ignores Indian Philosophy altogether. Further the marks allotted for Sanskrit or Arabic are 600 as against 900 for Latin or Greek, while from 1911 and onwards, the marks for the former languages are to be 800 as against 1,100 for the latter.

In 1858, the Government of the country was taken over by the Crown when the noble Proclamation of Her Gracious Majesty, Queen Victoria, was issued, laying down the true principles by which the Government of this country could be carried on with safety—a Procla-

Queen's Procla-  
mation of 1858.

mation which was described by the late King-Emperor as "the Great Charter of 1858." This memorable Proclamation has been confirmed not only by the solemn utterances of the late King-Emperor, but also by our present Sovereign, and is cherished as an enduring monument of British statesmanship in firmly securing the allegiance of India to the throne of England. I shall quote here two passages that bear upon the subject—

"We hold Ourselves bound to the Natives of Our Indian territories by the same obligations of duty which bind Us to all Our other subjects; and those obligations, by the blessings of Almighty God, We shall faithfully and conscientiously fulfil."

"And it is Our further will that, so far as may be, Our subjects, of whatever race or creed, be freely and impartially admitted to offices in Our service the duties of which they may be qualified by their education, ability and integrity duly to discharge."

It may be noted that, while the Statute of 1833 removed the disability, the Proclamation of 1858 laid down a positive injunction that Indians be admitted to all offices, to which they are eligible, in the same way as Europeans. Thus the Proclamation along with the Statute of 1833 sets forth that the relations between the British and Indian subjects of Her Majesty should be those of equality and comradeship. It is worth noting here that the true cause of discontent in this country is to be found in the attempts made to explain away the terms of this Proclamation and depart from the noble principles enunciated therein.

Committee  
of 1890.

To give effect to these declarations and to repair a long admitted wrong done to the inhabitants of this country, the Secretary of State appointed a Committee of five members of his Council, all distinguished Anglo-Indians. They reported on the 14th of January 1860 that to do justice to the claims of Indians, simultaneous examinations for the Indian Civil Service should be held in England and India. They said :—

"Practically, however, they (Indians) are excluded. The law declares them eligible, but the difficulties opposed to a Native, leaving India and residing in England for a time, are so great, that, as a general rule, it is almost impossible for a Native successfully to compete at the periodical examinations held in England. Were this inequality removed, we should no longer be exposed to the charge of keeping the promise to the ear and breaking it to the hope.

"Two modes have been suggested by which the object in view might be attained. The first is, by allotting a certain portion of the total number of appointments declared in each year to be competed for in India by Natives and by all other natural-born subjects of Her Majesty resident in India. The second is to hold simultaneously two examinations, one in England and one in India, both being, as far as practicable, identical in their nature, and those who compete in both the countries being finally classified in one list, according to merit, by the Civil Service Commissioners. The Committee have no hesitation in giving the

preference to the second scheme as being the fairest and the most in accordance with the principles of a general competition for a common object."

Notwithstanding this report, nothing came out of the labours of this Committee.

In 1861, the Indian Civil Service Act was passed, according to which certain classes of appointments in the Regulation Provinces were reserved to the members of the Civil Service, but power was taken to appoint outsiders who had resided for at least seven years in India to such reserved posts. This latter kind of appointment was made provisional; and, unless approved by the Secretary of State within a year, it became void. In the language of the Government of India in its letter dated 2nd May 1878, "This law, however, like its predecessors, was followed at the time by no practical endeavour to employ Natives of India in posts generally reserved to the Covenanted Civil Service."

Indian Civil  
Service Statute of 1861.

Memorials were then sent to the Secretary of State. A discussion was raised on the subject in Parliament by Mr. Fawcett. There was long correspondence between the Government of India and the Secretary of State. The result was the Statute of 1870, which became law on the 25th of March 1870. In moving the second reading of the Bill on the 11th of March 1869, His Grace the Duke of Argyll said—

Statute of 1870.

"With regard, however, to the employment of Natives in the government of their country in the Covenanted Service, formerly of the Company, and now of the Crown, I must say that we have not fulfilled our duty, or the promises and engagements which we have made. Now, I well remember that in the debates in this House in 1853 when the renewal of the Charter was under the consideration of Lord Aberdeen's Government, my late noble friend Lord Monteagle complained, and I think with great force, that while professing to open every office of profit and employment under the Company or the Crown to the Natives of India, we practically excluded them by laying down regulations as to fitness which we knew Natives could never fulfil. If the only door of admission to the Civil Service of India is a competitive examination carried on in London, what chance or what possibility is there of Natives of India acquiring that fair share in the administration of their own country which their education and abilities would enable them to fulfil, and therefore entitle them to possess? I have always felt that the regulations laid down for the competitive examinations rendered nugatory the declaration of the Act of 1833; and so strongly has this been felt of late years by the Government of India that various suggestions have been made to remedy the evil."

Sir Charles Wingfield in the discussion on the Bill said—

"We had long felt it our duty to offer to Natives of India an honourable career in the public service on the principle that a government which excluded Natives from high offices of State would soon become odious throughout the land. There were many Natives capable of filling the highest posts and he could not understand why the Governor-General had

refrained from exercising the power he already had in this respect. He desired to see the Natives of India appointed to fill the highest offices, but a sufficiently wide field could be found at present in the non-Regulation Provinces, containing sixty districts, where the Governor-General had power to appoint them to any office."

Speaking of the Statute, Lord Kimberley, in his Despatch of the 8th January 1885, said : "The Act remains a measure of remarkable breadth and liberality," and empowers "the Government of India and the Secretary of State in Council, acting together, to frame rules under which Natives of India may be admitted to any of the offices hitherto restricted to the Covenanted Civil Service."

Rules under  
the Statute.

Again, there was a long correspondence on the subject between the Secretary of State and the Government of India, as to the best way in which the Statute could be given effect to, and the claims of the Indians for honourable employment in the administration of their country could be satisfied. The Government of India took nearly nine years to frame workable rules under the Statute. The first set of rules was prepared in 1873. It was there laid down that the main qualification requisite for appointments under the Act should be a certain precedent term of service in the higher ranks of the Subordinate Service, or in the legal profession. As these rules limited the exercise of the discretion of the authorities to a particular class of persons, they were disallowed by the Secretary of State. Rules were again framed in 1875, but they remained practically inoperative. In this connection it may not be out of place to quote a passage from Lord Lytton's letter to the Secretary of State which has become public property. It sums up the situation up to that time in these characteristic words :—

"We all know that these claims and expectations never can or will be fulfilled. We have had to choose between prohibiting them and cheating them : and we have chosen the least straightforward course. The application to Natives of the competitive examination system as conducted in England, and the recent reduction in the age at which candidates can compete are all so many deliberate and transparent subterfuges for stultifying the Act and reducing it to a dead letter. I do not hesitate to say that both the Governments of England and of India appear to me, up to the present moment, unable to answer satisfactorily the charge of having taken every means in their power of breaking to the heart the words of promise they had uttered to the ear."

On the 1st of January 1877, on the occasion of the assumption of the title of the Empress of India by Her Majesty Queen Victoria, Lord Lytton said at the Delhi Assemblage :—

"But you, the Natives of India, whatever your race and whatever your creed, have a recognised claim to share largely with your English fellow-subjects, according to your

capacity for the task, in the administration of the country you inhabit. This claim is founded on the highest justice. It has been repeatedly affirmed by British and Indian Statesmen, and by the legislation of the Imperial Parliament. It is recognised by the Government of India as binding on its honour and consistent with all the aims of its policy."

At last the Government of India in 1878 discussed the whole question afresh and recommended to the Secretary of State the establishment of a *close Native Civil Service*, to which should be transferred a proportion of the posts reserved to the Covenanted Service with a proportion of those held by the Uncovenanted Service. They proposed that appointments should be made not by competition but by nomination, and that the new service should be remunerated at rates of pay somewhat less than those of the Covenanted Service. They proposed further that the ordinary Covenanted Service should no longer be open to the Natives and suggested legislation to give effect to these proposals. They recommended their scheme on three grounds:—"It is designed to give them (Indians) an aim and object in life which are now wanting; to render the administration financially less burdensome, and to infringe as little as possible, consistently with these objects, the interests and expectations of the Covenanted Civil Service." I have here referred to this Despatch of the Government of India, as the proposals subsequently adopted by the Public Service Commission were substantially the same, and as the Provincial Service now existing has practically been constituted on the lines laid down in this Despatch. The then Secretary of State vetoed these proposals to constitute a close Native Service, and advised that the annual recruitment in England to the Covenanted Civil Service might be reduced by a certain proportion and that Indians might be annually appointed to such places. He pointed out that one of the advantages of such a scheme would be that it would place the Indians on a footing of equality with the members of the Covenanted Civil Service. He suggested further that the salary of every office might be determined "at a fixed amount," to which might be added in the case of Covenanted English Civilians "the rate sufficient to make up the present salaries under some neutral denomination." The Government of India, while expressing its regret that the scheme for a new close Native Civil Service could not be accepted, and that "a most important and valuable addition to the institutions of the Empire" could not be made, submitted rules by which they provided that a proportion, not exceeding one-fifth of the recruits appointed from England in any one year, should be Indians selected in India. It is interesting to note that one of the rules proposed by the Government



of India and disallowed by the Secretary of State was that Indians should not, without the previous sanction of the Governor-General in Council, be appointed to any of the offices of "Members of a Board of Revenue, Secretaries to the several Governments, Chief Magisterial or Chief Revenue Officers of Districts, and Commissioners of Divisions or of Revenue."

**Statutory  
Civilians.**

These rules came into force in 1879, and those who were appointed under these rules, known as "Statutory Civilians," were placed on the same list with the members of the Covenanted Civil Service and had the opportunity of rising to the highest posts in the State. But the system was found to work unsatisfactorily, as no steps were taken to appoint the best men in the country, and as more importance was attached in the selection of candidates to birth and social position than to intellectual and moral fitness.

**Appointments  
of Rs. 200 and  
upwards.**

In the same year, with a view to secure to Indians an increasing majority of higher offices in certain branches of the Uncovenanted Service, special instructions were issued by the Government of India and the Secretary of State that all appointments carrying a salary of 200 rupees a month or upwards should, as far as possible, be reserved for Natives of India. The rule on the subject is as follows :—

"3. For the future, no person, other than a Native of India, shall be appointed to an office carrying a salary of 200 rupees a month or upwards without the previous sanction of the Governor-General in Council in each case, unless the proposed appointment falls under one or other of the following conditions, namely :—

(a) That the person to be appointed belongs to the Covenanted Civil Service, or to the Staff Corps.

(b) That the person to be appointed was originally nominated to the—

(1) Financial Department by the Governor-General after examination ;

(2) Forest Department by the Secretary of State, or by the Governor-General after examination ; or

(3) Educational Department by the Secretary of State.

(c) That the person to be appointed entered the branch of the department in which he is now to be promoted, before the 1st January 1879.

(d) That the office to which appointment is to be made belongs to the—

(1) Opium Department ;

(2) Salt or Customs Department ;

(3) Survey Department ;

(4) Mint Department ;

(5) Public Works Department ; or

(6) Police Department."

(Vide Government of India Circular, Home Department, 18th April 1879, and the Secretary of State's Despatch No. 66, dated 10th July 1879 ; for further modifications of the rule, vide Civil Account Code, Vol. II, Article 773a.)

The Government of India observed regarding the above rule as follows :—

"Though the six departments named under clause (d) of paragraph 3 above, are excluded from the operation of the present orders, the Governor-General in Council does not wish that offices in these departments should be in any way reserved for Europeans. The duties of the Opium and Customs Departments are not more technical or arduous than those of the Land Revenue and Settlement branches of the service, wherein Natives of India do excellent work. Men of the same race as Colonel Montgomerie's Native Trans-Himalayan explorers can surely be entrusted with responsible offices in the survey of the plains of India . . . . The annual police reports for the various provinces show that Native police officers when advanced to positions of trust do their work zealously and honestly, and the Governor-General in Council hopes that it may be possible to appoint Natives of India more and more freely to the higher offices in these departments. But for the present His Excellency in Council is not prepared to take special steps for restricting the employment of Europeans in the six departments mentioned at clause (d) above."

Even these orders in their practical operation did not go far to improve the position of Indians in the matter of filling the higher offices in the State.

## II.

THE whole question was once more reopened by Lord Dufferin's Government, and in 1886 the Public Service Commission was appointed "to devise a scheme which may reasonably be hoped to possess the necessary elements of finality and to do full justice to the claims of Natives of India to higher and more extensive employment in the Public Service."

Public Service  
Commission.

In 1887, on the occasion of Her Majesty's Jubilee, Lord Dufferin said —

"Wide and broad, indeed, are the new fields in which the Government of India is called upon to labour, but no longer as aforetime need it labour alone. Within the period we are reviewing education has done its work, and we are surrounded on all sides by Native gentlemen of great attainments and intelligence, from whose hearty, loyal, and honest co-operation we may hope to derive the greatest benefit. In fact, to an administration so peculiarly situated as ours, *their advice, assistance, and solidarity are essential to the successful exercise of its functions.* Nor do I regard with any other feelings than those of approval and good-will their natural ambition to be more extensively associated with their English rulers in the administration of their own domestic affairs."

The public naturally looked forward to the report of the Public Service Commission for the fulfilment of the pledges given to them by their Sovereign and Parliament. But the Commission practically adopted the lines suggested by the Government of India in their Despatch of the 2nd



May 1878 above referred to, pronounced itself against holding simultaneous examinations in England and India, and recommended that there should be two distinct services, one called the Imperial Civil Service, to be recruited in England by open competition as heretofore, and the other, the Provincial Civil Service, to be recruited in different Provinces partly under a system of competition and partly by promotion from the Subordinate Service. It recommended that about 108 specific appointments, i.e., about one-sixth of the appointments reserved to the Covenanted Civil Service in the Regulation Provinces, should be thrown open to and included in the Provincial Service, with which should be amalgamated the higher appointments in the Uncovenanted Service. These consisted of the offices of a member of the Board of Revenue in Madras, Bengal and the United Provinces and a Financial Commissioner in the Punjab, one of the Commissioners or Chief Revenue Officers of Divisions, in all Provinces except Bombay and Assam, Under Secretaries to the several Governments in India, one of the Secretaries to the Board of Revenue in Madras, Bengal and the United Provinces, and one Secretary to the Financial Commissioner in the Punjab, one-third of the District and Sessions Judges, one-tenth of the Chief Revenue Officers and Chief Magisterial Officers of Districts and other less important places. It recommended that Sec. 6 of the Statute of 1870 should be repealed, and that the Statute of 1861 should be amended so as to enable the Secretary of State in Council to remove or include such appointments or classes of appointments in the Schedule as might seem desirable from time to time. It recommended also that the rule above referred to, reserving offices carrying a salary of Rs. 200 or upwards in certain branches of the Uncovenanted Service, should be abrogated.

For thus excluding the Indians from the higher ranks of the Indian Civil Service, the Commission adopted the principle suggested in the Government of India's Despatch of the 2nd May 1878 above referred to, and enunciated in the Government of India Despatch Rev. No. 68-2024, dated 15th December 1881 :—

“ That the Covenanted Civil Service should be reduced to a *corps d'élite* and its numbers limited to what is necessary to fill the chief administrative appointments of the Government and such a number of smaller appointments as will ensure a complete course of training for junior Civilians.”

The Government of India naturally accepted the recommendation of the Commission about the establishment of the two services, the

Imperial and the Provincial, and about the repeal of Sec. 6 of the Statute of 1870. But they declined to allow a membership of the Board of Revenue to be excluded from the Schedule. They did not want that the office of a Commissioner or the Chief Revenue authority of a Division except in Bombay and Assam, the office of a Secretary to the Board of Revenue, or an Under Secretary to Government should be added to the Provincial Service, though excluded from the Schedule.

The Secretary of State, in his Despatch No. 104, dated 12th September 1889, declined to sanction the repeal of Sec. 6 of the Statute of 1870, or the revision of the Schedule to the Statute of 1861. He further refused to cancel the rule regarding offices carrying a salary of Rs. 200 and upwards, and pointed out that "the present Uncovenanted Service in its executive and judicial branches is, as I have shown, essentially a Native service; and the Provincial Service ought, in my opinion, to retain the same character." But he sanctioned the main scheme of the Commission to have two distinct services and expressed his approval of the principle of exclusion above referred to.

The following places were, however, not excluded from the Schedule and listed as open to the Provincial Service, though recommended by the Commission :—

(1) One member of the Board of Revenue in Madras, Bengal and the United Provinces and a Financial Commissioner in the Punjab.

(2) One of the Chief Revenue Officers of Divisions in all Provinces, except Bombay and Assam.

(3) All except one Under Secretary to the several Governments in India. (The Commission recommended all the Under Secretaries.)

(4) One-sixth of the District and Sessions Judges in all Provinces. (The Commission recommended one-third.)

And the higher places such as those of the members of the Board of Revenue or Commissioners of Divisions, the Secretaries to different Departments of the Government continued to be reserved as "holy of holies," to which Indians could have no access.

Finally, on the 2nd November 1892, rules were published under the Statute of 1870, and Local Governments issued notifications specifying the places open to the members of the Provincial Service, the highest appointment being that of a District and Sessions Judge and the Head of a District. Thus, as stated in the Government of India's Despatch to the Government of Bengal, No. 1838, dated 22nd August 1892, "it (the

scheme) was meant to be a final settlement of the claims of the Provincial Service and to be gradually worked up to within a generation of official life."

Results.

We can now take stock of the final outcome of the labours of the Public Service Commission.

(1) We have, first of all, in spite of the Statutes of 1833 and 1870, the reservation of a particular class of offices to a particular class of persons recruited in England, mainly Europeans, constituting the Indian Civil Service and the perpetuation of a governing caste in India, against which the whole course of Parliamentary legislation has been directed since 1833.

(2) We have next the creation of an inferior service known as the Provincial Service, filled mainly by Indians, a service characterised by Mr. Dadabhai Naoroji, to whom we are all deeply indebted for his labours in this cause, as the *Pariah Service*.

It may be noted here that the Secretary of State objected to the use of the words "Imperial and Provincial," and suggested that one should be called the Indian Civil Service, and the other after the Province wherein it is recruited, as the Madras Civil Service, the Bengal Civil Service, etc., on the ground that the use of the word "Provincial" might be deemed to emphasize the distinction between the services in undesirable ways. But truth could not be disguised by the use of ambiguous terms, and the Government of India rightly designated the local service by the broad term "Provincial," showing its real inferiority to the other service.

(3) Under the rules of 1879, the Statutory Civilians, though on two-thirds pay, held an equal status with the members of the Covenanted Civil Service and had an opportunity to rise to the highest posts in the State; whereas the members of the Provincial Service were assigned a distinctly lower status in the service of the State, and they could not, under the rules, rise to any post higher than that of a District and Sessions Judge or District Collector; and these open places are very few, one-sixth of the former and one-tenth of the latter being listed. Even for the office of a District and Sessions Judge or Chief Administrative Officer of a District, no appointment could be made for more than three months without the special sanction of the Governor-General in Council. This restriction has only recently been removed by the Government of India Notification, dated 26th August 1910.

(4) Further, under the rules of 1879, one-fifth of the annual recruitment in England could be made in India by the appointment of Statutory

Civilians ; whereas we have now a specific number of appointments listed as open to Indians. The number of appointments recommended by the Commission was about 108. It was reduced finally to 93, as may be seen from the table given below. Subsequently, six places were added to the number, one in Assam and five in Burma ; and the figure now stands at 102, of which 92 are held by members of the Provincial Service or by Statutory Civilians. Thus, after more than 30 years since the recruitment in England was reduced, so many as ten places excluded from the Schedule are still held by the Indian Civil Service.

PROVINCE.	Number of charges reserved to members of the I.C.S. (including listed posts).		Number of charges listed as open to members of the Provincial Civil Service.		Number of charges held by Statutory Civilians or Provincial Service Officers.	
	1892.	1910.	1892	1910.	1892.	1910.
Madras ...	111	125	15	15	7	14
Bombay ...	118	121	18	17	11	15
Bengal ...	164	131	20	17	11	16
E. B. and Assam ...	25(a)	96	... (a)	6(d)	... (a)	4
United Provinces ...	163	158	21	20	14	18
Punjab ...	83(b)	115	12	14	7	12
Burma ...	68(b)	90(b)	...	5	1	5
C. P. and Berar ...	53(c)	72	7(c)	8	5(c)	8
Government of India	55	85	.	...	..	...
<b>TOTAL</b> ...	<b>840</b>	<b>993</b>	<b>93</b>	<b>102</b>	<b>56</b>	<b>92</b>

(a) Assam only, excluding the proportion reserved for military officers.

(b) Excluding the proportion reserved for military officers.

(c) Central Provinces only.

(d) Includes one for Assam.

(5) Again, if the rules of 1879 had been in force and the Commission had not been constituted, the number of charges available to Indians would have been nearly 165, which is one-sixth of 993, instead of 102 as now. The number of charges in 1892 when the Provincial Service was constituted was 840, and it is now 993 ; and yet there has been no increase of places listed in the different provinces.

(6) The differentiation into two distinct services has been carried out in almost all the special departments of the Public Service :—Education, Public Works, Survey, Forest, Telegraph, etc., one Imperial, mainly European, and the other Provincial, mainly Indian. In some departments, rules have been so framed as to keep back Indian talent from reaching the highest places therein and thus seriously injure the rights of Indians.

**Education.**

We shall now take up some particular departments to illustrate the above remarks. Let us take the Education Department first, which was organized in 1896 into the Indian Educational Service recruited in England and the Provincial Service recruited in India. There is no chance under the rules for any Indian, unless he is recruited in England, to become the head of a College, much less a Director of Public Instruction, however eminently fitted he might be by his qualifications. Many instances can be given where Indians of marked ability have been passed over and young men from England with much inferior qualifications put over their heads. In a department where true ability, self-respect and character are the *sine qua non* for the proper discharge of the requisite duties, this differentiation has naturally tended to demoralize the members of the Provincial Service whose anxiety seems to be to win the good graces of their superiors and who have failed to command the respect which is due to them. In regard to the effects of this differentiation, I cannot do better than allow Mr. Chirol to describe them. His words are:—

“Before the Commission sat, Indians and Europeans used to work side by side in the superior graded service of the Department, and until quite recently they had drawn the same pay. The Commission abolished this equality and comradeship and put the Europeans and the Indians into separate pens. The European pen was named the Indian Educational Service, and the Native pen was named the Provincial Educational Service. Into the Provincial Service were put Indians holding lower posts than any held by Europeans and with no prospect of ever rising to the maximum salaries hitherto within their reach. To pretend that equality was maintained under the new scheme is idle and the grievance thus created has caused a bitterness which is not allayed by the fact that the Commission created analogous grievances in other branches of the Public Service.”

**Public Works.**

Let us now turn to another department, Public Works.

Before the Department was organized in 1892, Engineers recruited in this country were treated on terms of perfect equality with those recruited in England. The pay and rank of both were the same. They were placed on the same list and had side by side promotion. By the Government of India Resolution, dated 19th July 1892, the Service was differentiated into the Imperial Service and Provincial Service of Engineers, and the pay of Provincial Engineers was reduced and fixed at nearly two-thirds of that of the Imperial Engineers; yet their rank was unaffected and their time scale of promotion was the same as for Imperial Engineers. The Department was again reorganised in 1908 (*vide* Government of India Resolution Nos. 675—694, dated 24th April 1908). According to this scheme, the two services were made

distinct, and separate. There was no longer one list and side by side promotion. Each service had its separate list and separate scale of promotion. According to the Imperial scale, the European Engineer became an Executive Engineer after 8 years, whereas the Provincial Engineer rose to that grade after 15 years. In the case of the former his promotion was practically unconditional, whereas in the case of the latter, there must be a vacancy in the divisional charges reserved for Provincial Engineers. Again, out of a total cadre of about 953, including Railways, 280 places are allotted to the Provincial Service, of which 75, *i.e.*, nearly 27 p. c. are reserved for Provincial Executive Engineers; whereas the number of Imperial Executive Engineers will be 401, *i.e.*, nearly 60 p. c., assuming that the maximum number of Executive Engineers, *i.e.*, 50 p. c. of the cadre, is reached. The actual strength of the Provincial Service is at present 170, 146 in Public Works and 24 in Railways, as against 727 of the Imperial Engineers, 574 in Public Works and 153 in Railways. It may be seen easily from these facts what chance Provincial Engineers have, handicapped as they are, as against the Imperial Engineers, to ever reach the higher grades of the service, that is, the grades of Superintending and Chief Engineers. The result of the new scheme is that a Provincial Engineer of 14 years' standing is easily liable to serve under an Imperial Engineer of 9 years' service, the latter becoming an Executive Engineer after 8 years' service, while the former has to wait for 15 years and fulfil all the conditions laid down for his benefit. The majority of Indian Engineers, who were appointed before the Resolution of 1908, naturally declined to avail themselves of the new terms and become members of the Provincial Service, as the question was one affecting their official dignity and status. Though there was a distinct assurance given by the Resolutions of 19th July 1892 and 28th September 1893, that there would be no distinction between them and the Imperial Officers as regards pay, promotion, leave and pension, yet under the new scheme of 1908, it has been ordered that their names should be removed from the list of the Imperial men, that they should not receive the promotion given to the Imperial Engineers, and that they cannot in fact be treated on the same footing as the Imperial Engineers who were their compeers till 1908.

It may be mentioned here that while the prospects of Indians in the higher grades of service in State Railways are disappointing, they are practically shunted out altogether in the Railways that are managed by English Companies.



**Survey.**

Let us now take up the Survey Department. This was likewise differentiated into "Imperial" and "Provincial" by the Government of India Resolution dated 27th March 1895. Out of a cadre of 48 appointments, nearly one-fifth, *i.e.*, 10 out of 48 is reserved to the Provincial, the other to the Imperial Service. The nine highest posts of the grade of Superintendents have been excluded from the Provincial Service; and so the highest post to which the members of that service can aspire is that of a Deputy Superintendent.

**Police.**

Take again the Police. This was reorganized only recently by the Resolution of the Government of India dated 21st March 1905, constituting for the benefit of Indians the Provincial Police Service to be filled by a newly created class of officers called Deputy Superintendents. Though their functions and status are declared to be similar to those of Assistant Superintendents, only *five* per cent. of the posts of Superintendents of Police are allotted to the Provincial Service, the remaining 95 per cent. belong to Assistant Superintendents recruited in England.

It is the same tale in other departments.

**Customs.**

The latest Department which was organized, and that under the genius of Lord Curzon, is Customs. This is made wholly Imperial; and the Resolution, dated 9th January 1906, lays down that except for the places reserved for the Indian Civil Service, the rest of the Assistant Collectors "will ordinarily be recruited in England," though the regulations framed for the purpose say that the recruitment may be made from England or India or by promotion from the Subordinate Service. Recently, however, two Indians were appointed in this Department.

**Salt.**

Even in a department where Imperial and Provincial Services are not separately organized, as in the Salt, the policy steadily pursued is to exclude Indians from the higher appointments. As an example, I may refer to the Northern India Salt Department under the direct control of the Indian Government. The rules for admission to the Superior Executive grades under a system of competitive examination among nominated candidates lays down that a candidate may take up one subject either or in both of the optional groups, and one of the groups is French, German and Latin carrying a hundred marks. There is no corresponding group of Indian languages, and the rules state that, unless a candidate secures 400 out of 950 marks, he shall not be appointed. Comment on the above is needless.

Now, if we come to the Political Department, the recruitment is **Political**, practically from officers of the Indian Army and the Indian Civil Service, and this department is apparently considered as the "holy of holies," into which Indians are not considered admissible. There is only one Indian who holds the post of an attaché in the Secretariat.

Now, turning to the rules for recruitment in England, we find that for **Recruitment in England**, the Public Works Department the regulations lay down "that every candidate must be a British subject of European descent, and at the time of birth his father must have been a British subject, either natural born or naturalized in the United Kingdom," and that Natives of India who are British subjects are eligible for appointment and shall be selected to the extent of *ten per cent.* out of the total number of Assistant Engineers recruited, if duly qualified. When we come to the Police, the same condition of eligibility is laid down but *without the reservation of even ten per cent.* for Indians. On the other hand, the regulations for admission by a competitive examination to be held on the 27th July 1911 warn parents and guardians of candidates—

"That European descent will be considered essential. In order to prevent disappointment, in cases of doubt where there has been some admixture of non-European blood, an application should be made to the Secretary of State in Council for a decision as to the candidate's eligibility to compete at the examination."

It is often said that the martial races of India are well fitted for the discharge of Police and Military duties. What becomes of the value of this material in the face of the regulations quoted above! It is plain that the disabilities imposed upon Indians thus are against the terms of the Statute of 1833 and the Queen's Proclamation.

We may now see in what manner and in how many directions the door is closed against the employment of Indians in the higher offices of the State.

Compared with the policy so steadily pursued of excluding Indians **Accounts** from higher posts, it is refreshing to find that in the Accounts Departments under the direct control of the Finance Member, Indians and Europeans are treated equally in all respects, in the matter of rank, pay and promotion. They are placed on one list and have side by side promotion. It is with great relief and satisfaction that we turn to the liberal policy enunciated in the Imperial Legislative Council on the 8th March 1911 by the Hon'ble Sir Guy Fleetwood Wilson with regard to these departments (*vide* Appendix A, which is an extract from the speech of the Hon'ble Sir Guy Fleetwood Wilson on the subject).



This policy of equal treatment accorded to His Majesty's subjects in that department has produced its natural result among the officers employed therein. There is more comradeship, mutual respect and contentment among them than among any other class of public servants. The fear expressed in several quarters that, if there be a competitive examination for the whole of India, Bengalees would swamp the list is disproved by the results of the examinations held for the recruitment of this department. The fact, that the officers have to serve in different parts of India and not in their own province only, has given them a freedom and impartiality which has enhanced their prestige and added efficiency to their work.

### III.

Rules and  
orders under  
statute of 1870.

WE shall now consider the question whether the rules framed under the Statute of 1870 and the orders passed on the subject are in accord with its spirit and intentions. Section 6 lays down :—

“Whereas it is expedient that additional facilities should be given for the employment of Natives of India, of proved merit and ability, in the Civil Service of Her Majesty in India, be it enacted that nothing in the ‘Act for the Government of India,’ twenty-one and twenty-two Victoria, chapter one hundred and six, or in the ‘Act to confirm certain appointments in India,’ and to amend the law concerning the Civil Service there,’ twenty-four and twenty-five Victoria, chapter fifty-four, or in any other Act of Parliament, or other law now in force in India, shall restrain the authorities in India by whom appointments are or may be made to offices, places, and employment, in the Civil Service of Her Majesty in India, from appointing any Native of India to any such office, place or employment, although such native shall not have been admitted to the said Civil Service of India in manner in section thirty-two of the first mentioned Act provided, but subject to such rules as may be from time to time prescribed by the Governor-General in Council, and sanctioned by the Secretary of State in Council, with the concurrence of a majority of members present.”

It has been already pointed out that in constituting the services the Secretary of State accepted the principle—

“That the Covenanted Civil Service should be reduced to a *corps d’élite* and its numbers limited to what is necessary to fill the chief administrative appointments of the Government.” He laid down therefore “that no share of these offices (in which I include that of the Chief Executive Officer of a District as that of a Commissioner of a Division and the Administrative Offices of a still higher rank) could, without violation of that principle, be formally excluded from statutory reservation and transferred to the Provincial Service.”

He further pointed out that “the reduction of the Civil Service recruits by one-sixth and the substitution for that one-sixth of Natives selected under the Act of 1870 defines the maximum extent to which under present arrangements room in the higher offices will gradually become available for competent members of the Provincial Service.” (Secretary of State’s Despatch No. 104, dated the 12th September 1889.)

In accordance with these principles the Government of India by their Resolution, dated 21st April 1892, fixed the offices that should be listed in each Province, and afterwards on the 2nd November 1892 they published the rules under the Statute to the effect that Local Governments might appoint any Indian member of the Provincial Service of proved merit and ability to any of the offices held by the members of the Indian Civil Service to fill which it had been declared by such Local Governments (by Notification in the Official Gazette) that members of such Provincial Service could properly be appointed. Local Governments accordingly issued notifications specifying the places (already fixed by the Government of India Resolution) open to the members of the Provincial Service.

It is plain that the effect of the rules and orders for the time being is to reserve a particular class of appointments to the members of the Indian Civil Service, and restrain the authorities in India from appointing Natives of India to any such offices unless they have been admitted to the Indian Civil Service by passing the examination in England, a result which was not contemplated by the Statute.

It may be mentioned in this connection that in April 1910, the Hon'ble Mr. Dewan Bahadur Raghunandha Rao moved a resolution in the Madras Legislative Council that the Madras Government might be pleased to appoint an Indian of proved merit and ability as a member of the Board of Revenue. In reply the Hon'ble Mr. Hammick stated that they had no power to do so.

Now, the rules and orders on the subject must be such as to effectuate the intention of the Legislature and not to render the exercise of the power nugatory by directly excluding a large number of the most important appointments from the operation of that section. It may be quite competent to the Governor-General in Council with the sanction of the Secretary of State to frame rules under the Statute laying down stringent qualifications (other than passing the Civil Service Examination in England) for admission to the offices reserved to the Indian Civil Service. But that is quite different from saying that though you are not required by the Statute to go to England and pass the examination there to qualify yourself for the offices reserved to the Indian Civil Service, yet we shall issue such orders as will require you to go to England and pass the examination there before you can be appointed to any of those offices. It is hardly necessary to mention that the rules framed under the Statute, taken in conjunction with the

orders issued on the subject, are such as tend to make the Indians, who do not proceed to England and are not admitted to the Civil Service\* from there, get shunted to the Provincial Service, so as to be debarred from being appointed to the higher offices reserved to the Indian Civil Service, though they may be otherwise well qualified therefor.

I have already pointed out that the first set of rules framed in 1873 was disallowed on the ground that they prescribed that the main qualification requisite for appointments under the Act should be a certain precedent term of service in the higher ranks of the Subordinate Service, or in the legal profession. When the question was referred to the Law Officers of the Crown by the Secretary of State, they pointed out that the section "was expressly intended to afford increased facilities for the employment of Natives of India of 'proved merit and ability' in the Indian Civil Service. The 'proved merit and ability' need only be proved or established to the satisfaction of the authorities making the appointments, and 'no particular method of establishing proof of merit or ability is enjoined.' And they gave it as their opinion that the restriction on the exercise of the discretion of the authorities limiting the appointments to those who had previously served the Government was 'clearly opposed to the spirit and intention of the Act.'"

Now, as the limitation of the exercise of discretion by rules to a *particular class of persons* is against the spirit and intentions of the Act, so the limitation of the exercise of discretion by rules and orders for the time being to a *particular class of appointments* is equally opposed to the spirit and intentions of the Act.

Assuming that the rules are technically in legal form, there is no doubt that in effect they defeat the very object for which the Statute was passed, viz., that nothing shall restrain the authorities in India from appointing an Indian of proved merit and ability to any office reserved to the Indian Civil Service under the Statute, though he may not have been admitted to the Civil Service by passing the necessary examination in England; in fact, the Government have done *indirectly* what they have *expressly* been prohibited to do by the Statute.

#### IV.

Present state.

The result on the whole is no more than might be expected from the constitution of the two services. Only about 8.6 per cent. (161 out of 1,882) of the appointments carrying a salary of one thousand rupees and

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upwards are in the hands of Indians, and almost all the high appointments of the State involving direction, initiative and supervision have been jealously kept in the hands of Europeans. The constitution of the official element in the several Legislative Councils in the country is a striking example of the effect of these rules. To take the Imperial Legislative Council, the Heads of Departments and their Secretaries are all Europeans, and the solitary Indian in the official ranks is the Hon'ble the Law Member, Mr. Ali Imam. As Sir Thomas Munro said, "we have a whole nation from which to make our choice of Natives." Yet there is apparently in the view of the Government such a dearth of Native talent in this country that they could not find out Indians to represent the different departments and interests of Government, though in the Native States responsible offices are filled with conspicuous ability by Indians. This is indeed a sad commentary on the labours of the Public Service Commission, which was constituted "to do full justice to the claims of Natives of India to higher and more extensive employment in the Public Service."

It is hardly necessary to say that the Report of the Public Service Commission and the final orders issued thereon were received by the intelligent public with deep disappointment, and loud have been the protests in the press and from representative public bodies against the injustice done to the claims of Indians in answer to their demand for responsible association with the Government in the administration of the country. Even some of the Indian members of the Commission who gave their assent to the scheme on certain conditions, felt deeply aggrieved at the result of their labours. Mr. Salem Ramaswamy Mudaliar, a Madras member of the Commission, said: "the net result of what the Secretary of State has done is to place us in a worse position than we occupied when the Public Service Commission was appointed."

In 1893 a discussion was raised in Parliament and a Resolution was passed by the House of Commons on the 2nd June in the following terms:—

House of Commons' Resolution, 1893.

"That all open competitive examinations heretofore held in England alone for appointments to the Civil Services of India shall henceforth be held simultaneously both in India and England, such examinations in both countries being identical in their nature, and all who compete being finally classified in one list according to merit."

The Secretary of State sent it to the Government of India with a request to examine the question and state "under what conditions and

limitations this Resolution could be carried into effect." But he laid down one condition and that is :—

"That it is indispensable that an adequate number of the members of the Civil Service shall always be Europeans, and that no scheme would be admissible which does not fulfil that essential condition."

This essential condition of reserving an adequate (a vague and indefinite term) number of places to Europeans is obviously incompatible with the holding of an open competitive examination in both countries, and it is impossible to provide in any scheme for an *adequate* number—whatever that may mean—of Europeans in all contingencies. Though there is no practical chance of Indians swamping the Indian Civil Service to the exclusion of Europeans, which would be a poor compliment to British intelligence, the result of the enquiry was a foregone conclusion. The Despatch of the Government of India and the reports of the Provincial Governments form interesting reading, and show how determined were the efforts of the bureaucracy in India to resist all attempts to encroach upon their preserves. It is also interesting to see how Anglo-Indian officials lauded the Provincial Service to the skies, the just and wise principles on which it was constituted, its beneficent influence on the tone and dignity of the administration, the wide door it opened for satisfying the legitimate aspirations of Indians for a share in the Government of their country and its elevating and inspiring effect on Indian character. It must be said, however, in justice to the Government of Madras, that that Government, alone of all the Provincial Governments, at first declared itself in favour of holding simultaneous examinations in both countries and pointed out that the newly constituted Provincial Service was considered a grievance by Indians.

They said :—

"Another reason for altering the status and position of Natives in the Civil Service is to be found in the fact that the new Provincial Service does not in any way satisfy their aspirations and wishes. It is evident that its introduction on the present lines has been a great disappointment to them, that it has relegated them to a distinct and limited service, and instead of placing them in line with the rest of the Civil Servants, has confined them to what they consider an inferior and subordinate position, and that this has been accentuated by the designation which has been applied to them, a designation which they have always associated with a distinctly and well-recognised inferior branch of the Service."

"His Excellency in Council considers, therefore, that it is expedient to remove, by the institution of simultaneous examinations, the disabilities which now tend to hinder the entry of Natives into the Civil Service proper. This step will remove an injustice, or

what has almost the same consequences, a feeling of injustice, and it will not endanger the British supremacy or impair the character of the administration as a civilised and enlightened Government. It may possibly, in certain circumstances, weaken executive action; but the disadvantages in this respect are not so certain or so grave as to outweigh the advantages. The increase in the proportion of Native candidates selected is, moreover, not likely to be so great as is supposed, and it would be advantageous to remove the dissatisfaction and discontent which undoubtedly exists among the Natives by some such measure as is now under discussion."

Not only were the protests from the public unheeded, but Lord Curzon's Government issued a Resolution No. 419—453, dated 24th May 1904, with a number of tabular statements, justifying the exclusion of Indians from the higher offices of the State and trying to convince the public how liberally and largely the indigenous agency had been employed in the service of the State. Lord Curzon emphasized:—

Lord Curzon's  
Resolution of  
1904.

"That the highest ranks of Civil employment in India, those in the Imperial Civil Service, the members of which are entrusted with the responsible task of carrying on the general administration of the country, though open to such Indians as proceed to England and pass the requisite tests, must, nevertheless, as a general rule, be held by Englishmen, for the reason that they possess, partly by heredity, partly by up-bringing and partly by education, the knowledge of the principles of government, the habits of mind, and the vigour of character which are essential for the task."

He pointed out that outside this *corps d'élite* the Government would, as far as possible, employ the inhabitants of the country.

I have stated this as far as possible in the language of Lord Curzon to show how, on the face of it, the policy enunciated by His Lordship is against the terms and spirit of the Queen's Proclamation and the solemn pledges and declarations made by Parliament and responsible statesmen during the last 75 years. The Hon'ble Mr. Gokhale at the Budget discussion in the Supreme Council in 1905 demonstrated, if any demonstration were necessary, that the position taken up by Lord Curzon was utterly untenable and disastrous to the best interests of England and India. His criticism, I venture to state, remains unanswered up to date.

In addition to this, Lord Curzon's Government issued a Resolution in 1904, directing that special competitions for entry into Government Service should, as a general rule, be dispensed with, though the Public Service Commission recommended that the Executive branch of the Provincial Service should be recruited partly by competition, open or limited, and partly by promotion. The result is that the recruitment to the Provincial Service is now made by nomination and not by competition,



except to a very limited extent in the Punjab; and thus the door of entering that Service "in the best and most honorable way" is closed.

Real question  
at issue.

Now the plea that a very large and a gradually increasing number of appointments is held by Indians is an old one put forward under various guises. The real question is, what is the actual share which Indians have in the direction and supervision of the administration of their country. It is no answer to the question that there are thousands of appointments held by them on the lower rungs of the ladder. The large number of tabular statements annexed to the Resolution amply disproves the claim advanced by his Lordship that Indians were being treated with "a liberality unexampled in the history of the world;" and they show that, as we scan the official ladder higher and higher, the Indian element is practically nowhere. It is unnecessary to point out how his Lordship's reading of the pre-British period of Indian history is inaccurate, for never before in the long and chequered history of India was Indian talent so largely divorced from the controlling centres of authority. I may quote in this connection a passage from the speech of Sir Stafford Northcote made in Parliament on the 24th May 1867, and the opinion of Sir John Malcolm on the subject. The former said :—

"The greatness of the Moghul Empire depended upon the liberal policy that was pursued by men like Akbar availing themselves of Hindu talent and assistance and identifying themselves as far as possible with the people of the country. He thought that they ought to take a lesson from such a circumstance, and if they were to do their duty towards India, they could only discharge that duty by obtaining the assistance and counsel of all those who were great and good in that country. It would be absurd in them to say that there was not a large fund of statesmanship and ability in the Indian character."

Sir John Malcolm said :—

"We are not warranted by the history of India nor indeed by that of any other nation in this world in reckoning upon the possibility of preserving an empire of such a magnitude by a system which excludes as ours does the Natives from every station of high rank and honourable ambition."

"Least of all would such a system be compatible with the plans now in progress for spreading instruction; for it is certain that if these plans are not associated with the creation of duties that will employ the minds which we enlighten, we shall only prepare elements that will hasten the destruction of our empire. If we do not use the knowledge which we impart, it will be employed against us."

I shall lastly draw attention to the letter of H. H. The Nizam of Hyderabad, addressed to Lord Minto on the 15th October 1909 in

connection with the steps to be taken for stamping out sedition. He wrote :—

"The experience that I have acquired within the last 25 years in ruling my State, encourages me to venture upon a few observations which I trust will be accepted in the spirit in which they are offered. I have already said that my subjects are, as a rule, contented, peaceful and law-abiding. For this blessing I have to thank my ancestors. They were singularly free from all religious and racial prejudices. Their wisdom and foresight induced them to employ Hindus and Muhammadans, Europeans and Parsis, alike in carrying on the administration and they reposed entire confidence in their officers, whatever religion, race, sect, or creed they belonged to." After stating that his Dewan is a Hindu and that the revenue administration of half of his State is entrusted to two Parsis, he concludes with these words :—"It is in a great measure to this policy that I attribute the contentment and well-being of my dominions."

This question affects vitally our self-respect and honour, the growth of national individuality, and our national well-being. It is not merely a question of careers for our young men, or of rupees, annas and pies, though economy is an important consideration in carrying on the administration of a poor country like India. It is because our demands in this respect have been ignored, if not treated with contempt, that the discontent in the country became deepened. It was loudly asserted in some quarters that there was no hope of national growth under the British Flag. Fortunately we had in time at the helm of the Government two statesmen who had the insight to read correctly the critical situation with which they were confronted. At the Guildhall banquet on the 23rd February last when the Freedom of the City of London was presented to him, Lord Minto, in reviewing the affairs of this country, said—

"Before I had been in India many months, it became evident to me that we should ere long have to deal with a mass of accumulated popular discontent. . . . As far as we could judge the character of the discontent, much of it was justifiable and was directly due to a dawning belief that further opportunities must be afforded for the official representation of Indian public opinion and a greater share be granted to Indians in the government of the country."

I may say that it was due to the courageous statesmanship of Lord Minto and Lord Morley who grappled successfully with the situation that we have tided over the difficulties ; and the faith of the people has been revived in the beneficent intentions of the British Raj. The reform of the Legislative Councils, the appointment of two Indians to the Secretary of State's Council, and, above all, the appointment of Mr. Sinha to the Executive Council of the Viceroy, and the appointment of Indians to

Recent Re-  
forms.



Provincial Executive Councils were hailed with joy by all classes of people and have gone far to allay the apprehensions of the public as to the underlying policy of British rule in India. The reforms of the Legislative Councils of this country have been welcomed more on the ground that they would afford opportunities to the representatives of the people to point out the defects in the machinery of the Government and make it move more and more in accord with the needs and aspirations of the people. But it cannot be expected to be effective unless it is immediately followed up by a reform in the administrative machinery of the Government, which has been out of repair for a good long time. Mere tinkering with it by giving a few more appointments to Indians according to the *present system* will be of no good. The Reform of the Legislative machinery has but touched the merest margin of the real question awaiting solution, a question which hangs on the reform of the agency for carrying on the administration of the country. Here is a grievance sorely felt in the country. In fact, it is the root of the evil of discontent. His Majesty, the late King-Emperor, in his proclamation of 1908, said—

“Steps are being continuously taken towards obliterating distinctions of race as the test for access to posts of public authority and power. In this path I confidently expect and intend the progress henceforward to be steadfast and sure.”

The time is opportune to take up the problem of administrative reform and deal with it so as to remove the racial distinction for offices which has become chrystallized by means of the rules and regulations now in force.

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## V.

### Proposals.

The points that arise are :—

I. How to get out of this tangle which has been created by the Public Service Commission and all that has followed :

II. How to secure real comradeship and mutual respect among all the officers of the Public Service :

III. How to remove the stigma of inferiority that is attached to the Provincial Service :

IV. How to give effect to the beneficent intentions of Parliament as embodied in the Statutes of 1833 and 1870 and to the spirit of the Queen's Proclamation

V: How to secure the willing and enthusiastic co-operation of the Indian\* people in the administration of the country and strengthen the foundations of British Raj in this land.

We have now to consider those principles and lines of policy to be adopted in the government of the country which would ensure the accomplishment of these ends. I venture to put forward some suggestions on the subject.

1. The first principle that should be laid down is that no class of appointments in the Public Service in all its branches, whether general or special, should be made the monopoly of any particular class of His Majesty's subjects in the United Kingdom or India and that all appointments should be shared equally by all classes.

2. If this is accepted, the rule that the chief administrative appointments of Government should be the monopoly of the Indian Civil Service recruited in England ought to be abolished. At the lowest, such appointments should for the present be shared equally by Europeans and Indians in all departments.

3. Competitive Examinations now held in England for different branches of the Public Service should be held simultaneously in both countries; and if that is not found feasible, equally high standards of examinations should be instituted in this country, so that those who are selected here may command the respect of their compeers selected in England. These examinations should be open to all; and if, for any reason, this is not found feasible, they may be limited to nominated candidates.

4. Where candidates are selected under a system of open or limited competition, they may be called upon to go through the requisite tests, and, if necessary, to spend some time in England, before they actually enter on their duties.

5. The system of nomination should be abolished, as its effects are demoralising and stunt the development of national character.

6. In the higher grades of the service, the members should not be confined to their own province but should as far as possible be made to serve in other provinces.

7. If the Provincial Service is at all to be retained in any form, it should be recruited on lines similar to the Indian Civil Service. Where it is considered that a particular class should be represented in the service, and if candidates from that class are not available in a particular Province, they should be recruited from other Provinces.

8. Provision should be made for the promotion from the lower service to the higher service of officers of tried merit and ability.

9. Promotions in pay in the superior grades of the service should, within certain limits, be regulated by increments according to a time scale, as is now done in certain departments, and not on the occurrence of a vacancy, as such an arrangement will lead to an independent and efficient discharge of duties and promote contentment.

10. Where it is found that candidates for technical appointments are not available in this country, efforts should be made to send young men to other countries to qualify themselves for such places, and it should be the endeavour of the Government as far as possible to replace foreign agency at an early date.

11. The salary of every office should be fixed "at a fixed amount," and in the case of a European appointed to it an extra allowance may be given whenever necessary.

**Relationship  
between Eng-  
land and India.**

The whole question of the just organization of the Public Service in India, I need hardly state, hinges on the attitude of England towards India and the relations that ought to exist between the British and the Indian subjects of His Majesty. This matter has long been prominently attracting the attention of all those who are interested in the welfare of Great Britain and India—whether the relationship between Europeans and Indians should be one of manly comradeship and co-operation born of equal status and equal privileges, or whether it should be one of timid dependence and sycophancy born of the relationship of superior and inferior. It is a truism that real respect and comradeship can only grow out of "common service, common emulation, and common rights impartially held." As we solve the question of this relationship, the problem before us will of itself be solved. And this depends on the ideal that England sets before herself in the government of this country. The true ideal, however distant and impracticable it may at present appear, has to be that India should in the process of time become a self-governing unit of the British Empire, enjoying the same rights and privileges and subject to the same duties and obligations as the other self-governing members of that great Empire. If this ideal be steadily kept in view, it would not at all be difficult to formulate the policy that should govern the services so as to secure the satisfaction of all parties and the hearty co-operation of the people in the government of the country.

The Government calls upon us to co-operate with them in evolving a high sense of citizenship in the difficult task of carrying on the complex administration of this vast country. Is it too much to ask that, to secure such co-operation and develop such citizenship, we should be placed on a footing of equality and manly comradeship with the British subjects of His Majesty the King-Emperor? You may give us magnificent works of irrigation, you may build up a vast system of railways, you may lighten the burden of taxation, you may drive out famine and bring plenty into this ancient land; but where manhood is dwarfed and self-respect is wounded, there can be no real contentment in the land and no real co-operation with Government.

Lord Lansdowne, quoting Sir Thomas Munro, said in connection with the Statute of 1833:—

"What is in every age and every country the great stimulus to the pursuit of knowledge but the prospect of fame or wealth or power? Or what is even the use of great attainments, if they are not to be devoted to their noblest purpose, the service of the community, by employing those who possess them according to their respective qualifications in the various duties of the public administration of the country? Our books alone will do little or nothing; dry, simple literature will never improve the character of a nation. To produce this effect, it must open the road to wealth and honour and public employment. Without the prospect of such reward, no attainments in science will ever raise the character of a people."

Moreover, we cannot disguise this other patent fact that under the present system expert knowledge and ripe experience gained in the administration of the country are drained away, and that this drain of intelligence and talent cannot be compensated by any measures which may be devised unless they be some such as I have indicated above.

The problem of the Indian Public Service is, no doubt, a complex one, involving many conflicting and powerful interests. It, therefore, calls for the best statesmanship and wisdom which the country and its Government can command. How the different services should be regulated and modified, and how the grievances felt in each department should be removed, is not an easy question to solve. It is, therefore, necessary that a Commission or Committee, where in non-official opinion is represented, should be appointed to evolve a scheme which would do justice to the rights of the people of this country, strengthen the foundations of British Rule and give opportunities to India to become, in due time, a self-respecting partner in the British Empire, linked with Great Britain in silken bonds of gratitude and love.

**Necessity for enquiry.**

## APPENDIX A.

*Extract from the speech of the Hon'ble Sir Guy Fleetwood Wilson, delivered at the meeting of the Imperial Legislative Council on the 8th March 1911.*

"On that occasion (25th January) I remarked that, although my personal sympathies in regard to the larger employment of Indians in the public service of the Crown could not come under review in this Council, yet as Finance Member it was permissible for me to say that, from the economic standpoint, it seemed to be for consideration whether we might not make greater use than at present of the undoubted abilities of the educated Indian.

"I may now add to what I said on the 25th January that the policy of the department of which I have the honour to be the head is in accord with my own feelings. The policy of the Finance Department, a policy steadily pursued and recently much developed, is a policy of increasing Indian recruitment. The Accounts Department is a large, important and growing service. In the Accounts Department we have done a great deal in the direction I have indicated, and we are gradually working to a half and half division between the two races of the superior and gazetted service.

An Accountant-Generalship is a prize appointment, and Indian members of the Accounts Department are equally eligible with Europeans. Several Indians have filled the position of Accountant-General, either temporarily or permanently, and at the present moment an Indian, Mr. Wagle, is the Accountant-General of the United Provinces.

In the Civil Accounts Department or old Enrolled List, as at present constituted, the proportions are as follows :—

	Europeans and members of the domiciled community.	Indians.
C. I. T. and other Senior posts ...	5	3
Ordinary posts ...	29	21
Probationers ...	5	2

The proportion in the list of the officers of the other Accounts Departments, which have only recently come under us, is not so favourable, but special recruitment for these departments, which have only just become a portion of the Finance Department, has now ceased as the result of the amalgamation with the old Enrolled List.

The proportion of Indians to Europeans will, therefore, as time goes on, become greater. But it is in our secretariat and headquarters establishment that our policy is especially noticeable. The Deputy Comptroller-General is an Indian Officer of eminence on whom the well-deserved honour of a C. I. E. was recently conferred. The very important appointment of Comptroller of India Treasuries is held by a Bengali.

Notwithstanding the excellent European material available, it was to Mr. Dutta, an Indian, the enquiry into the rise of prices was entrusted, an enquiry of consummate interest and of the first importance. Finally in the Secretariat, that holiest of the holies, I have recently selected an Indian, a man of exceptional qualities, for the high post of Assistant Secretary to Government. It is the first time, I think, that an Indian has held such an appointment. This is a record on which we have reason, I think, to congratulate ourselves; and I have only to add that, since I have been in India, in every instance in which an Indian has been selected, the appointment has been made, often at the instance of, and invariably with the cordial acquiescence of, the Secretary to Government in the Finance Department, the Hon. Mr. Meston."

## APPENDIX B.

*Speech of the Hon'ble Mr. Earle in connection with the Resolution on the Public Service moved in the Imperial Legislative Council on the 17th March 1911.*

"I must in the first place congratulate the Hon'ble Member on the wide and general terms in which he has framed his resolution. I was afraid from the enquiries which he had at one time made from the Home Department—and they were exceedingly numerous—that he intended to move that the Government of India should make a definite pronouncement as to the line of action which they would take in regard to particular services. In that case it would have been rather difficult to have given a satisfactory reply. Inasmuch, however, as he has couched his resolution in very wide and general terms, it is possible to indicate the general direction of the way in which the Government of India are prepared to move.

I had intended to say a good deal about what we propose to be done in regard to the medical service, and particularly with regard to the development of an independent medical profession. I shall not do so, however, having regard to the lateness of the hour and to the fact that my friend the Hon'ble Surgeon-General Lukis has already touched upon one of the points on which I had intended to speak. I may just mention, however, to the Council that the Government of India are taking a great interest in the development of an independent medical profession and that various questions in that connection have lately been referred to the Local Governments for consideration. The whole matter will be considered during the current year and we shall perhaps be able to say something on the subject next year.

As regards the question of the police service, which has been specially mentioned by the Hon'ble Member, I would note that the following system of recruitment obtained between 1893—1905. A portion of the superior police force was recruited by a competitive examination in England, for which Europeans only were eligible; while the rest were selected in this country under a combined system of nomination and examination to which Indians were also eligible. Then came the Police Commission's Report of 1905, and their recommendation was that direct recruitment to the superior police should be restricted to Europeans, the examination being held in England. This proposal was accepted. Now, although Indians are not eligible for direct recruitment to the superior police force, deputy superintendents, who are recruited almost entirely from among Indians, and who form a service similar to the Provincial Civil Service, can be promoted to the superior service up to, for the present, a limit of 5 per cent. of the number of superintendents in a province. This works out at present to a total of 15 posts out of a total of 306.

The main question to be considered appears to be whether Indians should be admitted to the open competitive examination in England as they are in the Indian Civil Service and Indian Medical Service, in addition to making a certain number of posts available for promoted deputy superintendents. The question was carefully considered by the Police Commission in paragraph 69 of their Report, and an adverse opinion was arrived at on the ground that recruitment in this country was the best system in the case of Indians required for the police force. In view of the very recent re-organization of the police service, it is perhaps too early to re-consider the matter at present. We should watch the effect of the new scheme for some time and see how the proposal to appoint deputy



superintendents as superintendents turns out. The Government of India will be glad to see the 5 per cent. of places which are now available for Indians occupied by deputy superintendents as soon as circumstances allow.

I will now turn to the case of the Indian Civil Service and the Provincial Service with which it is connected. The Indian Civil Service Act, 1861, practically lays down that most of the important appointments in the administration should be held by Covenanted Civil Servants of the Crown, but, in special cases, persons other than Covenanted Civil Servants could be appointed to the posts referred to. Inasmuch, however, as the permissive sections of this Act were not found in practice to be sufficiently favourable to Indians, the Government of India Act, 1870, was passed for the special purpose of facilitating the appointment of such persons to posts previously held by Covenanted Civil Servants. This Act is, to use authoritative language, 'the parliamentary remedy for any inconvenience or injustice which Indians might be shown by experience to suffer through the necessary adaptation of the examination in London to the convenience of home-born rather than of Indian competitors for the Civil Service.'

The first tangible fruit of the Statute of 1870 was the statutory rules of that year, which provided that a proportion of the recruitment for posts in the Covenanted Civil Service up to a *maximum* of one-sixth in each year (exclusive of military recruits for non-regulation provinces) should be reserved for Indians appointed in this country. Altogether, between the years 1870 and 1889-1890, 69 statutory civilians were appointed. This system was abolished in the year last named on the recommendation of the Public Service Commission, the plan of nomination having failed 'in securing sufficient guarantee of ability and education in persons appointed under the rules. Although it was considered that in most cases the nominations actually made had been fairly satisfactory, it was generally felt that no antecedent guarantee existed of the fitness of the persons selected.'

As a result of the Public Service Commission's Report, a Provincial Civil Service was constituted from the higher ranks of the previously existing subordinate executive and judicial services, and a proposal was made that one-sixth of the covenanted charges (excluding the proportion reserved for military officers) should be removed from the cadre of the Covenanted Civil Service, and that these should be thenceforward open as a permanent arrangement to members of the Provincial Civil Service. The Covenanted Civil Service was thus to be reduced to a *corps d'élite*, by limiting its numbers to what was necessary to fill the chief administrative appointments of the Government, and such a number of the smaller appointments as would ensure a complete course of training for junior civilians.

The Commission specifically recommended that 108 posts usually held by Civilians should be made available for Provincial Service Officers. After, however, consulting Local Governments, the Government of India decided in 1892 that the number should be 93, this figure being considered as suitable to meet proximate reasonable requirements and to be worked up to after satisfying the claims of officers already in the service. It was understood that there was to be no finality about the list. The list was to be subject to alteration and expansion from time to time according to varying circumstances. The system of listing posts was to be final, but it was contemplated that in course of time the proportion of one-sixth might possibly be exceeded.

In this connection I would refer to the remarks made by my Hon'ble friend Mr. Subba Rao in which he said that only district judgeships and collectorships are at present



included in the list of listed posts. That is perfectly true, but at the same time there is absolutely nothing to prevent any post being given to an Indian. Thus lately we have appointed an Indian as Commissioner at Lahore, and, if I am not mistaken, the brother of the Hon'ble Mr. Chitnavis is a Commissioner in the Central Provinces. There is nothing to prevent the Government of India from appointing a Secretary to the Government of India from among the ranks of Indian officials, if they think fit. I think that the Hon'ble Member was mistaken in what he said in this respect.

I will now show what has in fact been done to carry out the scheme. As above indicated, the scheme contemplated 93 posts being made available to Provincial Service Officers as soon as the claims of officers already in the Covenanted Service allowed this to be done and duly qualified candidates were forthcoming. Since that time the number of listed posts has increased from 93 to 102, while the number of posts actually held by statutory civilians or provincial service officers has increased from 56 to 92. Moreover, now that there are only 21 statutory civilians left, the large majority of these 92 posts, *viz*, 71, are held by provincial service officers.

I will now explain that there is still a wide margin of posts available for Provincial Service Officers. At the present time (1911) the number of posts held by members of the Civil Service, excluding posts held in Burma by military officers, is 993. One-sixth of this number is 165—very nearly what Mr. Gokhale mentioned. I think he mentioned the figure 163. There is, therefore, a wide margin, 165 minus 102, or 63 posts, still left for Provincial Service Officers.

The question naturally arises at this stage how it is that the listing of posts has not been taken up more vigorously in the past. That is a perfectly legitimate criticism and question to put. In the first place, it must be remembered that the scheme was always considered to be an experimental one, and that the intention was that the maximum of one-sixth should only be worked up to if the system proved successful, and, in order to enable a proper opinion to be formed on the subject, a considerable probationary period was obviously required. In the next place, Burma and Assam were not considered ripe for the system of listing until recently (1905 and 1907, respectively). Again, large additions to the Indian Civil Service cadre have in recent years been found necessary. Thus in Burma and the Punjab 54 new officers (22 in the former and 32 in the latter) have been recruited owing to the rapid development of those provinces. Next the two provinces of Bengal and Eastern Bengal and Assam, taken together, account for an increase of 38 posts. Similarly, the creation of new districts in Madras accounts for 14 new posts, while the amalgamation of Berar with the Central Provinces and the decision to man the former in future from the Indian Civil Service accounts for 19 more posts. It must also be borne in mind that in 1893, after the decision to list 93 posts had been arrived at, the Government of India expressed their opinion that the European service was at its *minimum* strength and that no further reduction would be practicable for some years to come.

On the other hand, no systematic enquiry has been made in order to ascertain whether more posts could be listed so as gradually to work up to the one-sixth proportion, as proposed by the Public Service Commission. It must be admitted, therefore, that there is a *prima facie* case for enquiry, and such enquiry will most certainly be made.

The Hon'ble Member has advocated the holding of simultaneous examinations and the giving of all the higher appointments in India by competitive examination only. I

fear that the Government of India can give him no encouragement in that respect. From the time of the famous despatch of the Duke of Argyll of 1869 to the present day, it has consistently been held that though a competitive system is generally suitable for the recruitment of Europeans in England and of those Indians who elect to proceed to England for the examination, it is not the best system for recruiting in this country Indians whom we require to assist us in the administration. There is no particular merit about open competition even as regards Europeans; but, given a good education in England, competition does secure in a general way good results. The case is totally different as regards the selection of Indians. The average education given at schools and colleges in this country is still some way behind that given at similar institutions in England. Moreover, it is not only the intellectual character of the education given that is of importance: it is the general character of the training which has to be looked to. Another grave objection would be the injurious effect which a simultaneous examination conducted in this country would be likely to have upon the development of education here. Even in England there has been considerable trouble in this respect, and in India it is certain that not only would private institutions be created for the main, if not the whole, purpose of offering special preparation, but the regular institutions would not be able to resist the temptation of so shaping their courses of study as to secure success at the examination rather than to impart a general liberal education to the mass of their scholars.

Then there are the very grave difficulties connected with the personnel to be recruited. A fair proportion of Europeans is, as already indicated, essential. What is equally important is that the recruitment of Indians should be such as to secure that a fair proportion of the offices should be given to the various communities in India. These results could not be secured under any system of simultaneous examination. I think that for the present we must adhere to the present system. Then those Indians who are recruited in England will have been trained in the highest and best form of English education, and will, in the words of Lord Macaulay, 'enter the service in the best and most honourable way.' On the other hand, Indians recruited in India, as at present, by a system of careful and cautious selection and by promotion according to tried ability will, in the words of the Duke of Argyll, be recruited 'by a competitive examination of the best kind.'

The Hon'ble Member has referred to the fact that the open competition in England has not produced results favourable to Indian competitors. It is true that the number of successes have not been large—5 per cent. of the total. Much better results might, however, have been secured if there had not been a large falling off in the number of Indian competitors in recent years. Why this has been the case, the Hon'ble Member probably can tell better than I can. In any case a low percentage of success is not a sufficient reason for subverting a good working system, though it might be a good reason for taking up the investigation which I have already suggested as to whether we cannot now work up to the full proportion of one-sixth of listed posts, as recommended by the Public Service Commission. In this connection I might note, for the information of the Hon'ble Member, that whereas in 1886, when the Commission was appointed, there were only 12 Indians in the Civil Service, there are now 64.

As a matter of general interest, the Hon'ble Mover of the resolution may be glad to know that considerable progress is being made in respect of the appointment of Indians to posts carrying a salary of Rs. 1,000 and over. It was pointed out in the budget debate of

1904-05 that in 1867, out of a total of 648 such appointments, 12 were filled by Indians, all Hindus, or a percentage of 2; whereas in 1903, out of 1,370 such appointments, 71 were filled by Hindus and 21 by Muhammadans, the percentage of posts held by Indians being, therefore, 7. The present position is that in 1910, out of 1,882 such appointments, 134 were held by Hindus and 27 by Muhammadans, the percentage of posts held by Indians being therefore 8.6.

I cannot help thinking, both from what the Hon'ble Mover has said to-day and from remarks which he has let fall to me from time to time, that what he is chiefly concerned about is the status of the Provincial Civil Service. He would like to see the status of that service, or at any rate of those members of the service who attain to listed posts, improved. He has given no clear indication as to what he wishes; but, in referring the question of listing posts to Local Governments, the matter will be borne in mind.

In conclusion, I may say that the Government of India will readily refer to Local Governments in order to see how far it is now practicable to work up the recommendation of the Public Service Commission. They do not, however, think that for this purpose the appointment of a Commission is called for. It must be remembered that the Public Service Commission was appointed only when, after two years of discussion, it was found impossible to arrive at a satisfactory solution of the questions involved. No such necessity now exists as the question to be decided is a simple one, namely, to ascertain from Local Governments how many more posts can be listed up to the maximum of one-sixth. The appointment of a Commission would merely mean waste of time and labour. If the Government of India is left to take action of their own accord, much progress might be made within the course of this very year. On the other hand, if a Commission were appointed, we could not expect to see the result of its labours for at least a year or eighteen months, and then there would be a further great delay in consulting Local Governments. The Government of India are fully alive to the importance of associating Indians in the administration of the country, and, as I have explained, the subject is one which has constantly engaged their attention."

## APPENDIX C.

*Reply of the Hon'ble Mr. N. Subba Rao in connection with the Resolution on the Public Service.*

"Sir, I have listened with much interest to the sympathetic speeches that have fallen from the Hon'ble Members opposite, who are in charge of the different departments of Government. I am glad to hear that their earnest desire is to associate Indians more largely in the government of the country. But I have to express my regret that the way in which it is proposed that Indians should be associated more largely with the government of the country is to be on the old lines. We know that under the Statute of 1870 lists were drawn up on the recommendations of the Public Service Commission, based on the rule that one-sixth of the appointments reserved for the Indian Civil Service should be given to the members of the Provincial Service. Hitherto the number of appointments listed was only 102; and, if that proportion of one-sixth has to be worked up to, it will come to something like 165. It is stated now by the Hon'ble Mr. Earle that it will be the endeavour of the Government to work up to that proportion.

All this means that there is to be the Provincial Service and members from that service will be selected according to their ability to fill the posts which will be listed to make up the proportion. In fact, if the old plan is continued, I do not see a way out of the difficulty which has been created by the recommendations of the Public Service Commission and the orders thereon. Though we are glad to learn that an enquiry would be made to list more posts for the members of the Provincial Service, I regret to say that so long as the present system continues, there cannot be any real contentment in the country, because a line of demarcation is drawn between the two services and the stigma of inferiority is attached to the members of the Provincial Service. The Hon'ble Mr. Earle pointed out that there was no finality with regard to the lists already drawn up. I quite admit that the lists might be modified or enlarged from time to time, but what I have been pressing upon the attention of the Council is that so long as the present orders are there, you have to go up to the Secretary of State to modify them, if you want to list certain places. The matter was arranged rather in a peculiar way. Certain principles were laid down for listing the places; then the Government of India, apparently with the sanction of the Secretary of State, in April 1892 fixed the places that should be listed; and then in November published the rules under the Statute of 1870 and authorised Local Governments to notify in the official Gazette the listed places to which they might appoint members of the Provincial Service. I quoted a passage from the Government of India Despatch of August 1892 to show that this scheme was intended to be a final settlement of the claims of the Indians for higher employment. I shall, however, accept the statement of the Hon'ble Mr. Earle that the lists as framed are not final and may be modified by the Government of India or by the Local Government. In this connection I shall draw the attention of the Council to the resolution brought in the Madras Legislative Council by the Hon'ble Mr. Raghunatha Rao that the Madras Government might be pleased to appoint an Indian to the Board of Revenue. The answer given by the Hon'ble Mr. Hannick on behalf of the Government of Madras was to this effect: 'we are powerless; we cannot do anything; it is the Secretary of State, under the Statute, that can make the appointment.' So the resolution was withdrawn since the Madras Government confessed its inability to make the appointment under the present rules. Therefore, as far as I can see, the rules and orders issued on the subject seem to direct 'thus

far you shall go and no farther.' And this has been going on from the year 1892 without any change.

Now, the Hon'ble Mr. Earle, to show that the lists are not final, said: 'We have recently given the appointment of a Commissioner in the Punjab to an Indian; we have also given another appointment like that in the Central Provinces.' I may point out that those appointments were not made under the Statute of 1870. The Statute of 1870 applies only to the regulation provinces and the Government of India were authorised to frame rules under the Statute with regard to the regulation provinces only. But so far as non-regulation provinces were concerned, the Government of India were at perfect liberty to appoint anybody they pleased to any post they liked, under executive orders. Consequently the rules as framed have no application whatever to the non-regulation provinces, and the appointments made in the Punjab and in the Central Provinces had nothing to do with the rules framed under the Statute of 1870. I was, therefore, perfectly correct in stating that the Government of India, so far as the regulation provinces were concerned, had to go by the rules framed under the Statute, and for the time being the rules and orders issued on the subject are binding upon the Government of India and the Local Governments.

Sir, it is unnecessary in connection with this resolution to discuss the question of the propriety of holding simultaneous examinations in England and India and the conditions under which they should be held here. It is a very large question, and a bulky volume was sent up by the Government of India on this subject to the Secretary of State in 1893. I hope shortly it would form the subject of a resolution when the Hon'ble Member opposite may defend the position which he has taken up at this meeting. The suggestion which I have made is that if simultaneous examinations in both countries are not feasible, examinations of equally high standards, limited to nominated candidates from the whole of India, might be held here. This is a suggestion which I have made for the consideration of the proposed Commission.

Now, the Hon'ble Mr. Earle has said that no particular suggestion has been made with regard to the removing of the stigma of inferiority attaching to the Provincial Service. I am glad to learn that the Government of India propose to make an enquiry into the matter and that this is one of the special points that will be considered. We shall of course wait for the result of the enquiry proposed to be made by the Government of India, and I shall not at this meeting press this resolution. Let them make the enquiry by all means. Let them refer this question to the Local Governments as to how the present discontent which is caused by the differentiation of the two Services can be removed. I have made my suggestion that the only way to remove the stigma and do justice is by having examinations in both countries. We have waited for a good long time and we shall wait till the Government make full enquiry into this matter. I am sure the conclusion which they would come to, if really they want to remove the stigma, would be to have some kind of competitive examination in this country as well as in England.

I do not propose to refer to the speeches made by the other Hon'ble Members opposite. It is enough for the present that the Government has promised to make an enquiry on the subject. I have a good deal to say as regards the Police, the Survey and other Departments. I hope we shall bring up a resolution with regard to each Department, when each Department can be considered on its merits. It is not fair that we should now discuss the details

of each Department in connection with this resolution. I reserve that question for the present. We must first settle the main principles. In conclusion, I beg permission, Sir, to allow me to withdraw this resolution with liberty to bring it forward next year, when I hope we shall be in a better position to deal with this resolution. The Hon'ble Mr. Earle says that, if a Commission is appointed, it will take a lot of time, whereas the Government of India will finish the business in no time. That is certainly true, if time is the only consideration. We shall gladly wait for some more months, and I hope the result of the enquiry will be satisfactory.

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