

thereby made no difference in the etiquette and precedence of the European Courts and would only rank upon terms of equality with the other Crowned Heads of Europe. Upon these terms, France, Spain, Austria and Hungary admitted the Empress of Russia into their equal society. For the next twenty years under PETER III, there were discussions on the subject ; but He also gave a Reversal disclaiming superiority to other Crowned Heads in taking the title of Emperor. When CATHERINE II came to the throne, She objected to write this Reversal as being inconsistent with the dignity of a Crowned Sovereign, and She herself issued an edict to Her own subjects, announcing, on Her accession, Her Rank, Style, and Title, and distinctly informing her Subjects that, though She took that Style and Title, She only wished to rank with the other Sovereigns of Europe. I should say that the whole of the diplomatic proceedings of the world from that time have acknowledged that result, and there can be no question upon the subject. There was an attempt at the Congress of Vienna to introduce the subject of the classification of Sovereigns, but the difficulties of the subject were acknowledged by PRINCE METTERNICH, by LORD CASTLEREAGH, and by all the eminent statesmen of the time ; the subject was dropped, the equality of Crowned Heads was again acknowledged, and the mode of precedence of their Representatives at the different Courts was settled by an alphabetical arrangement, or by the date of their arrival and letters of credit to that Court at once and for ever. The question of equality between those Sovereigns who styled themselves Emperors and those who were Crowned Heads of ancient Kingdoms, without reference to population, revenue, or extent of territory, was established, and permanently adopted.

Now, Sir, the Hon. Gentleman, the Member for Glasgow (MR. ANDERSON) said the other day—"If Empress means nothing more than Queen, why should you have Empress ? If it means something else, then I am against adopting it." Well, I have proved to you that it does not mean anything else. Then, why should you adopt it ? Well, that is one of those questions which, if pursued in the same spirit, and applied to all the elements of society, might resolve it into its original elements. The amplification of titles is no new system—no new idea ; it has marked all ages, and has been in accordance with the manners and customs of all countries. The amplification of titles is founded upon a great respect for local influences, for the memory of distinguished

deeds, and passages of interest in the history of countries. It is only by the amplification of titles that you can often touch and satisfy the imagination of nations ; and that is an element which Governments must not despise. Well, then it is said that if this title of Empress is adopted, it would be un-English. But why un-English ? I have sometimes heard the Ballot called un-English, and indignant orators on the other side have protested against the use of an epithet of that character which no body could define, and which no body ought to employ. I should like to know why the title is un-English. A gentleman, the other day, referring to this question now exciting Parliament and the country, recalled to the recollection of the public the dedication of one of the most beautiful productions of the English Muse to the Sovereign of this country ; and, speaking of the age distinguished by an ELIZABETH, by a SHAKESPEARE, and by a BACON, he asked whether the use of the word "Empress," applied by one who was second in his power of expression and in his poetic resources only to SHAKESPEARE himself in the dedication of an immortal work to QUEEN ELIZABETH was not, at least, an act which proved that the word and the feeling were not un-English ? Then, of course, it was immediately answered by those who criticized the illustration that this was merely the fancy of a poet. But I do not think it was the fancy of a poet. The fancy of the most fanciful of poets was exhausted in the exuberant imagination which idealized his illustrious Sovereign as "The Faery Queen." He did not call Her Empress then—he called Her "The Faery Queen." But when his theme excited the admiration of Royalty—when he had the privilege of reciting some of his cantos to QUEEN ELIZABETH, and She expressed a wish that the work should be dedicated to Her—then SPENSER had, no doubt, to consult the friends in whom he could confide as to the style in which he should approach so solemn an occasion, and win to himself still more the interest of his illustrious Sovereign. He was a man who lived among courtiers and statesmen. He had as friends SIDNEY and RALEIGH, and I have little doubt that it was by the advice of SIDNEY and RALEIGH that he addressed his Sovereign as Empress, "The Queen of England, of Ireland, and of Virginia"—the hand of Sir Walter Raleigh being probably shown in the title of the Queen of Virginia, and it is not at all improbable that ELIZABETH Herself who possessed so much literary taste, and who prided Herself on improving the phrases of the greatest poet, revised the dedication. That example clearly shows that the objection to this

assumed adoption by Her Majesty of the title of Empress as un-English could hardly exist in an age when the word was used with so much honour—in an age of “Words which wise BACON and brave RALEIGH spake”. I think it is obvious from these remarks, made upon the assumption that the title which Her Majesty would be pleased to adopt by Her Proclamation would be Empress, that the title would be one to which there could be no objection. I am empowered, therefore, to say that the title would be “Empress”, and that Her Majesty would be “Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith and Empress of India.”

Now, I know it may be said—it was said at a recent debate and urged strongly by the Right Hon. Gentleman, the Member for Bradford (Mr. W. E. FORSTER)—that in this addition to Her Majesty's Style, and in this addition alone, we are treating without consideration the Colonies. I cannot in any way concur in that opinion. No one honours more than myself the Colonial Empire of England; no one is more anxious to maintain it. No one regrets more than I do that favourable opportunities have been lost of identifying the Colonies with the Royal race of England. But we have to deal now with another subject, and one essentially different from the colonial condition. The condition of India and the condition of the Colonies have no similarity. In the Colonies you have, first of all, a fluctuating population—a man is a Member of Parliament, it may be, for Melbourne this year, and next year he is a Member of Parliament for Westminster. A Colonist finds a nugget, or he fleeces a thousand flocks. He makes a fortune, he returns to England, he buys an estate, he becomes a magistrate, he represents Majesty, he becomes a High Sheriff; he has a magnificent house near Hyde Park; he goes to Court, to levees, to drawing rooms; he has an opportunity of plighting his troth personally to his Sovereign, he is in frequent and direct communication with Her. But that is not the case with the inhabitant of India.

The condition of Colonial society is of a fluctuating character. Its political and social elements change. I remember twenty years ago a distinguished statesman who willingly would have seen a Dukedom of Canada. But Canada has now no separate existence. It is called the “Dominion”, and includes several other Provinces. There is no similarity between the circumstances of our Colonial fellow-subjects and those of our

fellow-subjects in India. Our Colonists are English; they come, they go, they are careful to make fortunes, to invest their money in England; their interests in this country are immense, ramified, complicated, and they have constant opportunities of improving and enjoying the relations which exist between themselves and their countrymen in the metropolis. Their relations to the Sovereign are ample; they satisfy them, the Colonists are proud of those relations, they are interested in the titles of the Queen, they look forward to return when they leave England, they do return—in short, they are Englishmen.

Now let me say one word before I move the Second Reading of this Bill upon the effect which it may have on India. It is not without consideration, it is not without the utmost care, it is not until after the deepest thought that we have felt it our duty to introduce this Bill into Parliament. It is desired in India. It is anxiously expected. The Princes and nations of India—unless we are deceived, and we have omitted no means by which we could obtain information and form opinions—look to it with the utmost interest. They know exactly what it means, though there may be some Hon. Members in this House who do not. They know in India what this Bill means, and they know that what it means is what they wish. I do myself most earnestly impress upon the House to remove prejudice from their minds and to pass the Second Reading of this Bill, without a division. Let not our divisions be misconstrued. Let the people of India feel that there is a sympathetic chord between us and them; and do not let Europe suppose for a moment that there are any in this House who are not deeply conscious of the importance of our Indian Empire. I trust, therefore, that the House will give to this Bill a Second Reading without a division. By the permission of the Queen I have communicated, on the part of my Colleagues, the intention of Her Majesty, which She will express in Her Proclamation, if you sanction the passing of this Bill. It will be an act, to my mind, that will add splendour even to Her Throne. and security even to Her Empire.)

III.

KING-EMPEROR EDWARD VII'S PROCLAMATION, 2ND NOVEMBER, 1908.

It is now 50 years since Queen Victoria, My beloved Mother, and My August Predecessor on the Throne of these Realms, for divers weighty reasons, with the Advice and Consent of Parliament, took upon herself the Government of the territories theretofore administered by the East India Company. I deem this a fitting anniversary on which to greet the Princes and Peoples of India, in commemoration of the exalted task then solemnly undertaken. Half a century is but a brief span in your long annals, yet this half a century that ends to-day will stand amid the floods of your historic ages, a far-shining landmark. The Proclamation of the direct supremacy of the Crown sealed the unity of Indian Government and opened a new era. The journey was arduous, and the advance may have sometimes seemed slow ; but the incorporation of many strangely diversified communities, and of some three hundred millions of the human race, under British guidance and control has proceeded steadfastly and without pause. We survey Our labours of the past half a century with clear gaze and good conscience.

Difficulties such as attend all human rule in every age and place, have risen up from day to day. They have been faced by the servants of the British Crown with toil and courage and patience, with deep counsel and a resolution that has never faltered nor shaken. If errors have occurred, the agents of My Government have spared no pains and no self-sacrifice to correct them ; if abuses have been proved, vigorous hands have laboured to apply a remedy.

No secret of empire can avert the scourge of drought and plague, but experienced administrators have done all that skill and devotion are capable of doing to mitigate those dire calamities of Nature. For a longer period than was ever known in your land before, you have escaped the dire calamities of War within your borders. Internal peace has been unbroken.

In the great Charter of 1858 Queen Victoria gave you noble assurance of Her earnest desire to stimulate the peaceful industry of India, to promote works of public utility and improvement, and to administer the Government for the benefit of all resident therein. The schemes that have been diligently

framed and executed for promoting your material convenience and advance—schemes unsurpassed in their magnitude and their boldness—bear witness before the world to the zeal with which that benignant promise has been fulfilled.

The rights and privileges of the Feudatory Princes and Ruling Chiefs have been respected, preserved, and guarded; and the loyalty of their allegiance has been unswerving. No man among My Subjects has been favoured, molested, or disquieted, by reason of his religious belief or worship. All men have enjoyed protection of the law. The law itself has been administered without disrespect to creed or caste or to usages and ideas rooted in your civilisation; it has been simplified in form, and its machinery adjusted to the requirements of ancient communities slowly entering a new world.

The charge confided to My Government concerns the destinies of countless multitudes of men now and for ages to come, and it is a paramount duty to repress with a stern arm guilty conspiracies that have no just cause and no serious aim. These conspiracies I know to be abhorrent to the loyal and faithful character of the vast hosts of My Indian Subjects, and I will not suffer them to turn Me aside from my task of building up the fabric of security and order.

Unwilling that this historic anniversary should pass without some signal mark of Royal Clemency and Grace, I have directed that, as was ordered on the memorable occasion of the Coronation Durbar in 1903, the sentences of persons whom Our Courts have duly punished for offences against the law, should be remitted, or in various degrees reduced; and it is My wish that such wrong-doers may remain mindful of this act of Mercy, and may conduct themselves without offence henceforth.

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, as education spreads, experience ripens and the lessons of responsibility are well learned by the keen intelligence and apt capabilities of India.

From the first, the principle of representative institutions began to be gradually introduced, and the time has come when, in the judgment of My Viceroy and Governor-General and

others of My Counsellors, that principle may be prudently extended. Important classes among you, representing ideas that have been fostered and encouraged by British rule, claim equality of citizenship, and a greater share in legislation and Government. The politic satisfaction of such a claim will strengthen, not impair, existing authority and power. Administration will be all the more efficient, if the officers who conduct it have greater opportunities of regular contact with those whom it affects, and with those who influence and reflect common opinion about it. I will not speak of the measures that are now being diligently framed for these objects. They will speedily be made known to you, and will, I am very confident, mark a notable stage in the beneficent progress of your affairs.

I recognise the valour and fidelity of My Indian troops, and at the new year I have ordered that opportunity should be taken to show in substantial form this, My high appreciation, of their martial instincts, their splendid discipline, and their faithful readiness of service.

The welfare of India was one of the objects dearest to the heart of Queen Victoria. By Me, ever since My visit in 1875, the interests of India, its Princes and peoples, have been watched with an affectionate solicitude that time cannot weaken. My dear Son, the Prince of Wales, and the Princess of Wales, returned from their sojourn among you with warm attachment to your land, and true and earnest interest in its well-being and content. These sincere feelings of active sympathy and hope for India on the part of My Royal House and Line, only represent, and they do most truly represent, the deep and united will and purpose of the people of this Kingdom.

May Divine protection and favour strengthen the wisdom and mutual good will that are needed for the achievement of a task as glorious as was ever committed to Rulers and Subjects in any State or empire of recorded time.

IV.

H. I. M. KING-EMPEROR GEORGE V.'S. LETTER TO THE PRINCES AND PEOPLE OF INDIA, 24TH MAY, 1910.

The lamented and unlooked for death of My dearly loved Father calls me to ascend the Throne that comes to Me as the Heir of a great and ancient Line. As King and Emperor, I greet the Princes, the Ruling Chiefs, and all the other dwellers in My Indian Dominions. I offer you my heartfelt thanks for the touching and abundant manifestation that this event has called forth from all the diverse races, classes, and faiths in India, of loyalty to the Sovereign Crown, and personal attachment to its wearers.

Queen Victoria, of revered memory, addressed Her Indian Subjects and the Heads of Feudatory States when she assumed the direct Government in 1858, and Her August Son, My Father, of honoured and beloved name, commemorated the same most notable event in His Address to you some fifty years later. These are the Charters of the noble and benignant spirit of Imperial Rule, and by that spirit in all My time to come I will faithfully abide.

By the wish of His late Majesty, and following His own example, I visited India five years ago, accompanied by My Royal Consort. We became personally acquainted with great Kingdoms known to history, with monuments of a civilisation older than Our own, with ancient customs and ways of life, with Native Rulers, with the peoples, the cities, towns, villages, throughout those vast territories. Never can either the vivid impressions or the affectionate associations of that wonderful journey vanish or grow dim.

Finally I confide in your dutiful and active co-operation in the high and arduous tasks that lie before Me ; and I count upon your ready response to the earnest sympathy with the well-being of India that must ever be the inspiration of My rule.

V

A. ANNOUNCEMENTS OF H. I. M. KING-EMPEROR GEORGE V. AT THE CORONATION DURBAR, DECEMBER 12, 1911.

I.

It is with genuine feelings of thankfulness and satisfaction that I stand here to-day among you. This year has been to the Queen-Empress and Myself one of many great ceremonies and of an unusual though happy burden of toil. But in spite of time and distance, the grateful recollections of Our last visit to India have drawn Us again to the land which We then learned to love, and We started with bright hopes on Our long journey to revisit the country in which We had already met the kindness of a home.

In doing so I have fulfilled the wish expressed in My message of last July, to announce to you in person My Coronation, celebrated on the 22nd of June in Westminster Abbey, when by the Grace of God, the Crown of My Forefathers was placed on My head with solemn form and ancient ceremony.

By My Presence with the Queen-Empress I am also anxious to show Our Affection for the loyal Princes and faithful Peoples of India, and how dear to Our hearts is the welfare and happiness of the Indian Empire.)

It was, moreover, My desire that those who could not be present at the solemnity of the Coronation, should have the opportunity of taking part in its commemoration at Delhi.

It is a sincere pleasure and gratification to Myself and the Queen-Empress to behold this vast assemblage and in it My Governors and trusty Officials, My great Princes, the representatives of the Peoples, and deputations from the Military Forces of My Indian Dominions.

I shall receive in person with heartfelt satisfaction the homage and allegiance which they loyally desire to render.

I am deeply impressed with the thought that a spirit of sympathy and affectionate goodwill unites Princes and People with me on this historic occasion.

In token of these sentiments I have decided to commemorate the event of My Coronation by certain marks of My

especial favour and consideration, and these I will later on cause to be announced by My Governor-General to this Assembly.

Finally, I rejoice to have this opportunity of renewing in My Own person those assurances which have been given you by My predecessors of the maintenance of your rights and privileges and of My earnest concern for your welfare, peace, and contentment.

May the Divine favour of Providence watch over my People and assist Me in My utmost endeavour to promote their happiness and prosperity.

To all present, Feudatories and Subjects, I tender Our loving greeting.

2.

We are pleased to announce to Our People that on the Advice of Our Ministers tendered after consultation with Our Governor-General in Council We have decided upon the transfer of the seat of the Government of India from Calcutta to the ancient Capital Delhi, and, simultaneously and as a consequence of that transfer, the creation at as early a date as possible of the Governorship for the Presidency of Bengal, of a new Lieutenant-Governorship in Council administering the areas of Bihar, Chota Nagpur, and Orissa, and of a Chief Commissionership of Assam, with such administrative changes and redistribution of boundaries as Our Governor-General in Council with the approval of Our Secretary of State for India in Council may in due course determine. It is Our earnest desire that these changes may conduce to the better administration of India and the greater prosperity and happiness of Our beloved People.

B. Announcements by the Governor-General of India on behalf of His Majesty the King-Emperor (December 12, 1911).

To all to whom these Presents may come,

By the command of His Most Excellent Majesty George the Fifth, by the Grace of God, King of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, Defender of the Faith, Emperor of India, I, His Governor-General, do hereby declare and notify the grants, concessions, reliefs, and benefactions which His Imperial Majesty has been graciously pleased to bestow upon this glorious and memorable occasion.

Humbly and dutifully submissive to His Most Gracious Majesty's Will and Pleasure, the Government of India have resolved, with the approval of His Imperial Majesty's Secretary of State, to acknowledge the predominant claims of educational advancement on the resources of the Indian Empire, and have decided in recognition of a very commendable demand to set themselves to making education in India as accessible and wide as possible. With this purpose they propose to devote at once 50 lakhs to the promotion of truly popular education, and it is the firm intention of Government to add to the grant now announced further grants in future years on a generous scale.

Graciously recognising the signal and faithful services of His forces by land and sea, the King Emperor has charged me to announce the award of half a month's pay of rank to all non-commissioned officers and men and reservists both of His British Army in India and His Indian Army, to the equivalent ranks of the Royal Indian Marine, and to all permanent employees of departmental or non-combatant establishments paid from the military estimates whose pay may not exceed the sum of Rs. 50 monthly.

Furthermore His Imperial Majesty has been graciously pleased to ordain that from henceforth the loyal Native officers, men, and reservists of His Indian Army shall be eligible for the grant of the Victoria Cross for valour; that membership of the Order of British India shall be increased during the decade following this His Imperial Majesty's Coronation Durbar by 52 appointments in the First Class, and by 100 appointments in the Second Class, and that in mark of these historic ceremonies 15 new appointments in the First Class and 19 new appointments in the Second Class shall forthwith be made; that from henceforth Indian Officers of the Frontier Militia Corps and the Military Police shall be deemed eligible for admission to the aforesaid Order; that special grants of land or assignments or remissions of land revenue, as the case may be, shall now be conferred on certain Native Officers of His Imperial Majesty's Indian Army who may be distinguished for long and honourable service; and that the special allowances now assigned for three years only to the widows of the deceased members of the Indian Order of Merit shall, with effect from the date of this Durbar, hereafter be continued to all such widows until death or re-marriage.

Graciously appreciating the devoted and successful labours

of His Civil Services His Imperial Majesty has commanded me to declare the grant of half a month's pay to all permanent servants in the civil employ of Government whose pay may not exceed the sum of Rs. 50 monthly.

Further, it is His Imperial Majesty's gracious behest that all persons to whom may have been or hereafter may be granted the titles of Dewan Bahadur, Sirdar Bahadur, Khan Bahadur, Rai Bahadur, Rao Bahadur, Khan Sahib, Rai Sahib, or Rao Sahib, shall receive distinctive badges as a symbol of respect and honour; and that on all holders present or to come of the venerable titles of Mahamahopadhyaya and Shamsul Ulama shall be conferred some annual pension for the good report of the ancient learning of India.

Moreover, in commemoration of this Durbar, and as a reward for conspicuous public service, certain grants of land, free of revenue, tenable for the life of the grantee, or in the discretion of the local administration for one further life, shall be bestowed or restored in the North-Western Frontier Province and in Baluchistan.

In His gracious solicitude for the welfare of His loyal Indian Princes His Imperial Majesty has commanded me to proclaim that from henceforth no Nazarana payment shall be made upon succession to their States. And sundry debts owing to the Government by the non-jurisdictional estates in Kathiawar and Gujrat, and also by the Bhumia Chiefs of Mewar, will be cancelled and remitted in whole or in part under the orders of the Government of India.

In token of His appreciation of the Imperial Service Troops certain supernumerary appointments in the Order of British India will be made.

In the exercise of His Royal and Imperial Clemency and Compassion His Most Excellent Majesty has been graciously pleased to ordain that certain prisoners now suffering the penalty of the law for crimes and misdemeanours shall be released from imprisonment, and that all those civil debtors now in prison whose debts may be small, and due not to fraud, but to real poverty, shall be discharged and that their debts shall be paid.

The persons by whom and the terms and conditions on which these grants, concessions, reliefs, and benefactions shall be enjoyed will be hereafter declared.

God Save the King !

**C. The Coronation Durbar Despatch from the Government
of India to the Secretary of State for India (the
Rt. Hon. the Marquess of Crewe K. G.), Dated
Simla, 25th August, 1911.**

We venture in this Despatch to address Your Lordship on a most important and urgent subject embracing two questions of great political moment which are in our opinion indissolubly linked together. This subject has engaged our attention for some time past, and the proposals which we are about to submit for Your Lordship's consideration are the result of our mature deliberation. We shall in the first place attempt to set forth the circumstances which have induced us to frame these proposals at this particular juncture, and then proceed to lay before Your Lordship the broad general features of our scheme.

2. That the Government of India should have its seat in the same city as one of the chief Provincial Governments, and moreover in a city geographically so ill-adapted as Calcutta to be the capital of the Indian Empire, has long been recognised to be a serious anomaly. We need not stop to recall the circumstances in which Calcutta rose to its present position. The considerations which explain its original selection as the principal seat of Government have long since passed away with the consolidation of British Rule throughout the Peninsula and the development of a great inland system of railway communication. But it is only in the light of recent developments, constitutional and political, that the drawbacks of the existing arrangement and the urgency of a change have been fully realised. On the one hand, the almost incalculable importance of the part which can already safely be predicted for the Imperial Legislative Council in the shape it has assumed under the Indian Councils Act of 1909, renders the removal of the capital to a more central and easily accessible position practically imperative. On the other hand, the peculiar political situation which has arisen in Bengal since the Partition makes it eminently desirable to withdraw the Government of India from its present Provincial environment, while its removal from Bengal is an essential feature of the scheme we have in view for allaying the ill-feeling aroused by the Partition amongst the Bengali population. Once the necessity of removing the seat of the Supreme Government from Bengal established, as we trust it may be by the considerations we propose to lay before

Your Lordship, there can be, in our opinion, no manner or doubt as to the choice of the new capital or as to the occasion on which that choice should be announced. On geographical, historical, and political grounds, the Capital of the Indian Empire should be at Delhi, and the announcement that the transfer of the seat of Government to Delhi has been sanctioned should be made by His Majesty the King-Emperor at the forthcoming Imperial Durbar in Delhi itself.

3. The maintenance of British Rule in India depends on the ultimate supremacy of the Governor-General in Council, and the Indian Councils Act of 1909 itself bears testimony to the impossibility of allowing matters of vital concern to be decided by a majority of non-official votes in the Imperial Legislative Council. Nevertheless it is certain that, in the course of time, the just demands of Indians for a larger share in the government of the country will have to be satisfied, and the question will be how this devolution of power can be conceded without impairing the supreme authority of the Governor-General in Council. The only possible solution of the difficulty would appear to be gradually to give the Provinces a larger measure of Self-government, until at last India would consist of a number of administrations, autonomous in all provincial affairs, with the Government of India above them all, and possessing power to interfere in cases of misgovernment, but ordinarily restricting their functions to matters of Imperial concern. In order that this consummation may be attained, it is essential that the Supreme Government should not be associated with any particular Provincial Government. The removal of the Government of India from Calcutta, is, therefore, a measure which will, in our opinion, materially facilitate the growth of Local Self-government on sound and safe lines. It is generally recognised that the Capital of a great central Government should be separate and independent, and effect has been given to this principle in the United States, Canada, and Australia.

4. The administrative advantages of the transfer would be scarcely less valuable than the political. In the first place, the development of the Legislative Councils has made the withdrawal of the Supreme Council and the Government of India from the influence of local opinion a matter of ever-increasing urgency. Secondly, events in Bengal are apt to react on the Viceroy and the Government of India, to whom the responsibility for them is often wrongly attributed. The connection is bad for the Government of India, bad for the Bengal Government, and

unfair to the other Provinces, whose representatives view with great and increasing jealousy the predominance of Bengal. Further, public opinion in Calcutta is by no means always the same as that which obtains elsewhere in India, and it is undesirable that the Government of India should be subject exclusively to its influence.

5. The question of providing a separate Capital for the Government of India has often been debated, but generally with the object of finding a site where that Government could spend all seasons of the year. Such a solution would of course be ideal, but it is impracticable. The various sites suggested are either difficult of access or are devoid of historical associations. Delhi is the only possible place. It has splendid communications, its climate is good for seven months in the year, and its salubrity could be ensured at a reasonable cost. The Government of India would, therefore, be able to stay in Delhi from the 1st of October to the 1st of May, whilst owing to the much greater proximity, the annual migration to and from Simla could be reduced in volume, would take up much less time and be far less costly. Some branches of the Administration, such as Railways and Posts and Telegraphs, would obviously derive special benefit from the change to such a central position, and the only Department which, as far as we can see, might be thought to suffer some inconvenience, would be that of Commerce and Industry, which would be less closely in touch at Delhi with the commercial and industrial interests centred in Calcutta. On the other hand that Department would be closer to the other commercial centres of Bombay and Karachi, whose interests are sometimes opposed to those of Calcutta, and would thus be in a better position to deal impartially with the railway and commercial interests of the whole of India.

6. The political advantages of the transfer are impossible to over-estimate. Delhi is still a name to conjure with. It is intimately associated in the minds of the Hindus with sacred legends which go back even beyond the dawn of history. It is in the plain of Delhi that the Pandava princes fought out with the Kaurava the epic struggle recorded in the Mahabharata, and celebrated on the banks of the Jumna the famous sacrifice which consecrated their title to Empire. The Purana Killa still marks the site of the city which they founded and called Indraprastha, barely three miles from the south gate of the modern city of Delhi. To the Mahomedans it would be a source of unbounded gratification to see the ancient capital of the Moguls restored

to its proud position as the seat of Empire. Throughout India, as far south as the Mahomedan conquest extended, every walled town has its 'Delhi gate', and among the masses of the people it is still revered as the seat of the former Empire. The change would strike the imagination of the people of India as nothing else could do, would send a wave of enthusiasm throughout the country, and would be accepted by all as the assertion of an unfaltering determination to maintain British Rule in India. It would be hailed with joy by the Ruling Chiefs and the races of Northern India, and would be warmly welcomed by the vast majority of Indians throughout the continent.

7. The only serious opposition to the transfer which may be anticipated, may, we think, come from the European commercial community of Calcutta, who might, we fear, not regard the creation of a Governorship of Bengal as altogether adequate compensation for the withdrawal of the Government of India. The opposition will be quite intelligible, but we can no doubt count upon their patriotism to reconcile them to a measure which would greatly contribute to the welfare of the Indian Empire. The Bengalis might not, of course, be favourably disposed to the proposal if it stood alone, for it will entail the loss of some of the influence which they now exercise owing to the fact that Calcutta is the headquarters of the Government of India. But, as we hope presently to show, they should be reconciled to the change by other features of our scheme which are specially designed to give satisfaction to Bengali sentiment. In these circumstances we do not think that they would be so manifestly unreasonable as to oppose it, and if they did we might confidently expect that their opposition would raise no echo in the rest of India.

8. Absolutely conclusive as these general considerations in favour of the transfer of the capital from Calcutta to Delhi in themselves appear to us to be, there are further special considerations arising out of the present political situation in Bengal and Eastern Bengal which, in our opinion, render such a measure peculiarly opportune at such a moment, and to these we would now draw Your Lordship's earnest attention.

9. Various circumstances have forced upon us the conviction that the bitterness of feeling engendered by the Partition of Bengal is very widespread and unyielding, and that we are by no means at an end of the troubles which have followed upon that measure. Eastern Bengal and Assam has, no doubt, benefited greatly by the Partition, and the Mahomedans of that

Province, who form a large majority of the population, are loyal and contended; but the resentment amongst the Bengalis in both Provinces of Bengal, who hold most of the land, fill the professions, and exercise a preponderating influence in public affairs, is as strong as ever, though somewhat less vocal.

10. The opposition to the Partition of Bengal was at first based mainly on sentimental grounds, but, as we shall show later in discussing the proposed modification of the Partition, since the enlargement of the Legislative Councils and especially of the representative element in them, the grievance of the Bengali has become much more real and tangible, and is likely to increase instead of to diminish. Every one with any true desire for the peace and prosperity of this country must wish to find some manner of appeasement, if it is in any way possible to do so. The simple rescission of the Partition, and a reversion to the *status quo ante* are manifestly impossible both on political and on administrative grounds. The old Province of Bengal was unmanageable under any form of Government; and we could not defraud the legitimate expectations of the Mahomedans of Eastern Bengal, who form the bulk of the population of that Province, and who have been loyal to the British Government throughout the troubles, without exposing ourselves to the charge of bad faith. A settlement to be satisfactory and conclusive must—

- (1) provide convenient administrative units;
- (2) satisfy the legitimate aspirations of the Bengalis;
- (3) duly safeguard the interests of the Mahomedans of Eastern Bengal, and generally conciliate Mahomedan sentiment; and
- (4) be so clearly based upon broad grounds of political and administrative expediency as to negative any presumption that it has been exacted by clamour or agitation.

11. If the headquarters of the Government of India be transferred from Calcutta to Delhi and if Delhi be thereby made the Imperial Capital, placing the city of Delhi and part of the surrounding country under the direct administration of the Government of India, the following scheme, which embraces three interdependent proposals, would appear to satisfy all these conditions:

- I. To re-unite the five Bengali-speaking divisions, viz., the Presidency, Burdwan, Dacca, Rajshahi and

Chittagong divisions, forming them into a Presidency to be administered by a Governor-in-Council. The area of the Province will be approximately 70,000 square miles, and the population about 42,000,000.

- II. To create a Lieutenant-Governorship-in-Council to consist of Behar, Chota Nagpur, and Orissa, with a Legislative Council and capital at Patna. The area of the Province would be approximately 113,000 square miles, and the population about 35,000,000.
- III. To restore the Chief Commissionership of Assam. The area of that Province would be about 56,000 square miles, and the population about 5,000,000.

12. We elaborated at the outset our proposal to make Delhi the future Capital of India, because we consider this the key-stone of the whole project, and hold that according as it is accepted or not, our scheme must stand or fall. But we have still to discuss in greater detail the leading features of the other parts of our scheme.

13. Chief amongst them is the proposal to constitute a Governorship-in-Council for Bengal. The history of the Partition dates from 1902. Various schemes of territorial redistribution were at that time under consideration, and that which was ultimately adopted had at any rate the merit of fulfilling two of the chief purposes which its authors had in view. It relieved the overburdened administration of Bengal, and it gave the Mahomedan population of Eastern Bengal advantages and opportunities of which they had perhaps hitherto not had their fair share. On the other hand, as we have already pointed out, it was deeply resented by the Bengalis. No doubt sentiment has played a considerable part in the opposition offered by the Bengalis, and, in saying this, we by no means wish to underrate the importance which should be attached to sentiment even if it be exaggerated. It is, however, no longer a matter of mere sentiment, but rather, since the enlargement of the Legislative Councils, one of undeniable reality. In pre-reform scheme days the non-official element in these Councils was small. (The representation of the people has now been carried a long step forward, and in the Legislative Councils of both the Provinces of Bengal and Eastern Bengal the Bengalis find themselves in a minority, being outnumbered in the one by Beharis and Ooriyas, and in the other by the Mahomedans of Eastern Bengal and the inhabitants of Assam.) As

matters now stand, (the Bengalis can never exercise in either Province that influence to which they consider themselves entitled by reason of their numbers, wealth, and culture.) This is a substantial grievance which will be all the more keenly felt in the course of time, as the representative character of the Legislative Councils increases and with it the influence which these assemblies exercise upon the conduct of public affairs. There is, therefore, only too much reason to fear that, instead of dying down, the bitterness of feeling will become more and more acute.

14. It has frequently been alleged in the Press that the Partition is the root cause of all recent troubles in India. The growth of political unrest in other parts of the country and notably in the Deccan before the Partition of Bengal took place disproves that assertion, and we need not ascribe to the Partition evils which have not obviously flowed from it. It is certain, however, that it is, in part, at any rate, responsible for the growing estrangement which has now unfortunately assumed a very serious character in many parts of the country between Mahomedans and Hindus. We are not without hope that a modification of the Partition, which we now propose, will, in some degree at any rate, alleviate this most regrettable antagonism.

15. To sum up, the results anticipated from the Partition have not been altogether realized, and the scheme as designed and executed, could only be justified by success. Although much good work has been done in Eastern Bengal and Assam, and the Mahomedans of that Province have reaped the benefit of a sympathetic administration closely in touch with them, those advantages have been in a great measure counterbalanced by the violent hostility which the Partition has aroused amongst the Bengalis. For the reasons we have already indicated, we feel bound to admit that the Bengalis are labouring under a sense of real injustice, which we believe it would be sound policy to remove without further delay. The Durbar of December next affords a unique occasion for rectifying what is regarded by Bengalis as a grievous wrong.

16. Anxious as we are to take Bengali feeling into account, we cannot overrate the importance of consulting at the same time the interests and sentiments of the Mahomedans of Eastern Bengal. It must be remembered that the Mahomedans of Eastern Bengal have at present an overwhelming majority in point of population, and that if the Bengali-speaking

divisions were amalgamated on the lines suggested in our scheme, the Mahomedans would still be in a position of approximate numerical equality with or possibly of small superiority over the Hindus. The future Province of Bengal, moreover, will be a compact territory of quite moderate extent. The Governor-in-Council will have ample time and opportunity to study the needs of the various communities committed to his charge. Unlike his predecessors, he will have a great advantage in that he will find ready to hand at Dacca a second capital, with all the conveniences of ordinary provincial headquarters. He will reside there from time to time, just as the Lieutenant-Governor of the United Provinces frequently resides in Lucknow, and he will in this way be enabled to keep in close touch with Mahomedan sentiments and interests. It must also be borne in mind that the interests of the Mahomedans will be safeguarded by the special representation they enjoy in the Legislative Councils; while as regards representation on Local bodies they will be in the same position as at present. We need not, therefore, trouble your Lordship with the reasons why we have discarded the suggestion that a Chief Commissionership, or a semi-independent Commissionership within the new Province, might be created at Dacca.

17. We regard the creation of a Governorship-in-Council of Bengal as a very important feature of our scheme. It is by no means a new one. The question of the creation of the Governorship was fully discussed in 1867 to 1868 by the Secretary of State and the Government of India, and a Committee was formed, on the initiative of SIR STAFFORD NORTHCOTE, to consider it and that of the transfer of the capital elsewhere. In the somewhat voluminous correspondence of the past the most salient points that emerge are :

- (i) That a Governorship of Bengal would not be compatible with the presence in Calcutta of the Viceroy and the Government of India ;
- (ii) That, had it been decided to create a Governorship of Bengal, the question of the transfer of the Capital from Calcutta would have been taken into consideration ;
- (iii) That although a majority of the Governor-General's Council and the Lieutenant-Governor of Bengal (SIR WILLIAM GREY) were in favour of the creation of the Governorship, SIR JOHN

LAWRENCE, the Governor-General, was opposed to the proposal but for purposes of better administration contemplated the institution of a Lieutenant-Governorship of Behar and the separation of Assam from Bengal under a Chief Commissioner.

Since the discussions of 1867-1868 considerable and very important changes have taken place in the constitutional development of Bengal. That Province has already an Executive Council, and the only change that would, therefore, be necessary for the realization of this part of our scheme is that the Lieutenant-Governorship should be converted into a Governorship. Particular arguments have from time to time been urged against the appointment of a Governor from England. These were that Bengal, more than any other Province, requires the Head of the Government to possess an intimate knowledge of India and of the Indian people, and that a statesman or politician appointed from England without previous knowledge of India would in no part of the country find his ignorance a greater drawback or be less able to cope with the intricacies of an exceedingly complex position.

18. We have no wish to underrate the great advantage to an Indian administrator of an intimate knowledge of the country and of the people he is to govern. At the same time actual experience has shown that a Governor, carefully selected and appointed from England and aided by a Council, can successfully administer a large Indian Province, and that a Province so administered requires less supervision on the part of the Government of India. In this connexion we may again refer to the correspondence of 1867-68 and cite two of the arguments employed by the late SIR HENRY MAINE, when discussing the question of a Council form of Government for Bengal. They are :

- (i) That the system in Madras and Bombay has enabled a series of men of no conspicuous ability to carry on a difficult Government for a century with success.
- (ii) That the concession of a full Governorship to Bengal would have a good effect on English public opinion, which would accordingly cease to impose on the Government of India a responsibility which it is absolutely impossible to discharge.

In view of the great difficulties connected with the administration of Bengal, we attach the highest importance to these arguments. (We are also convinced that nothing short of a full Governorship would satisfy the aspirations of the Bengalis and of the Mahomedans in Eastern Bengal.) We may add that, as in the case of the Governorships of Madras and Bombay, the appointment would be open to members of the Indian Civil Service, although no doubt in practice the Governor will usually be recruited from England.

19. On the other hand one very grave and obvious objection has been raised in the past to the creation of a Governorship for Bengal, which we should fully share, were it not disposed of by the proposal which constitutes the keystone of our scheme. Unquestionably a most undesirable situation might and would quite possibly arise if a Governor-General of India and a Governor of Bengal, both selected from the ranks of English public men, were to reside in the same Capital and be liable to be brought in various ways into regrettable antagonism or rivalry. This indeed constitutes yet another, and in our opinion very cogent, reason why the headquarters of the Government of India should be transferred from Calcutta to Delhi.

20. We now turn to the proposal to create a Lieutenant-Governorship-in-Council for Behar, Chota Nagpur, and Orissa. We are convinced that if the Governor of Bengal is to do justice to the territories which we propose to assign to him, and to safeguard the interests of the Mahomedans of his Province, Behar and Chota Nagpur must be dissociated from Bengal. Quite apart, however, from that consideration, we are satisfied that it is in the highest degree desirable to give the Hindi-speaking people, now included within the Province of Bengal, a separate administration. These people have hitherto been unequally yoked with the Bengalis, and have never, therefore, had a fair opportunity for development. The cry of Behar for the Beharis has frequently been raised in connexion with the conferment of appointments, an excessive number of offices in Behar having been held by Bengalis. The Beharis are a sturdy, loyal people, and it is a matter of common knowledge that, although they have long desired separation from Bengal, they refrained at the time of the Partition from asking for it, because they did not wish to join the Bengalis in opposition to Government. There has, moreover, been a very marked awakening in Behar in recent years, and a strong belief has grown up

among Beharis that Behar will never develop until it is dissociated from Bengal.) That belief will, unless a remedy be found, give rise to agitation in the near future, and the present is an admirable opportunity to carry out on our own initiative a thoroughly sound and much desired change. The Ooriyas, like the Beharis, have little in common with the Bengalis, and we propose to leave Orissa (and the Sambalpur district) with Behar and Chota Nagpur. We believe that this arrangement will well accord with popular sentiment in Orissa, and will be welcome to Behar as presenting a seaboard to that Province. We need hardly add that we have considered various alternatives such as the making over of Chota Nagpur or of Orissa to the Central Provinces, and the creation of a Chief Commissionership instead of a Lieutenant-Governorship for Behar, Chota Nagpur, and Orissa, but none of them seem to deserve more than passing consideration, and we have, therefore, refrained from troubling Your Lordship with the overwhelming arguments against them. We have also purposely refrained from discussing in this Despatch questions of subsidiary importance which must demand detailed consideration when the main features of the scheme are sanctioned, and we are in a position to consult the Local Governments concerned.

21. We now pass on to the last proposal, viz., to restore the Chief Commissionership of Assam. This would be merely a reversion to the policy advocated by SIR JOHN LAWRENCE in 1867. This part of India is still in a backward condition and more fit for administration by a Chief Commissioner than a more highly developed form of Government, and we may notice that this was the view which prevailed in 1896-97, when the question of transferring the Chittagong Division and the Dacca and Mymensingh districts to Assam were first discussed. Events of the past twelve months on the frontiers of Assam and Burma have clearly shown the necessity of having the North-East frontier, like the North-West frontier, more directly under the control of the Government of India and removed from that of the Local Government. We may add that we do not anticipate that any opposition will be raised to this proposal, which, moreover, forms an essential part of our scheme.

22. We will now give a rough indication of the cost of the scheme. No attempt at accuracy is possible, because we have purposely avoided making inquiries, as they would be likely to result in the premature disclosure of our proposals. The cost of the transfer to Delhi would be considerable. We

cannot conceive, however, that a larger sum than four millions sterling would be necessary, and within that figure probably could be found the three years' interest on capital which would have to be paid till the necessary works and buildings were completed. We might find it necessary to issue a 'City of Delhi' Gold Loan at $3\frac{1}{4}$ per cent. guaranteed by the Government of India, the interest, or the larger part of the interest, on this loan being eventually obtainable from rents and taxes. In connexion with a general enhancement of land values, which would ensue at Delhi as a result of the transfer, we should endeavour to secure some part of the increment value, which at Calcutta has gone into the pockets of the landlords. Other assets which would form a set-off to the expenditure would be the great rise of Government land at Delhi and its neighbourhood, and a considerable amount which would be realized on the sale of Government land and buildings no longer required at Calcutta. The proximity of Delhi to Simla would also have the effect of reducing the current expenditure involved in the annual move to and from Simla. The actual railway journey from Calcutta to Simla takes 42 hours, while Delhi can be reached from Simla in 14 hours. Further, inasmuch as the Government of India would be able to stay longer in Delhi than in Calcutta, the cost on account of hill allowances would be reduced. We should also add that many of the works now in progress at Delhi in connexion with the construction of roads and railways and the provision of electricity and water for the Durbar, and upon which considerable expenditure has been incurred, will be of appreciable value to the Government of India as permanent works when the transfer is made.

23. As regards the remaining proposals, the recurring expenditure will be that involved in the creation of a Governorship for Bengal and a Chief Commissionership for Assam. The pay and allowances, taken together, of the Lieutenant-Governor of Bengal already exceed the pay of a Governor of Madras or Bombay, and the increase in expenditure when a Governor is appointed would not, we think, be much beyond that required for the support of a bodyguard and a band. Considerable initial expenditure would be required in connexion with the acquisition of land and the construction of buildings for the new capital of Behar, and, judging from the experience gained in connexion with Dacca, we may assume that this will amount to about 50 or 60 lakhs. Some further initial expendi-

ture would be necessary in connexion with the summer headquarters, wherever these may be fixed.

24. Before concluding this Despatch We venture to say a few words as regards the need for a very early decision on the proposals we have put forward for Your Lordship's consideration. It is manifest that, if the transfer of the capital is to be given effect to, the question becomes more difficult the longer it remains unsolved. The experience of the last two sessions has shown that the present Council Chamber in Government House, Calcutta, fails totally to meet the needs of the enlarged Imperial Legislative Council, and the proposal to acquire a site and to construct a Council Chamber is already under discussion. Once a new Council Chamber is built, the position of Calcutta as the Capital of India will be further strengthened and consolidated; and, though we are convinced that a transfer will in any case eventually have to be made, it will then be attended by much greater difficulty and still further expense. Similarly, if some modification of the Partition is, as we believe, desirable, the sooner it is effected the better, but we do not see how it can be safely effected with due regard for the dignity of Government as well as for the public opinion of the rest of India and more especially for Mahomedan sentiment, except as part of the larger scheme we have outlined. In the event of these far-reaching proposals being sanctioned by His Majesty's Government, as we trust may be the case, we are of opinion that the presence of His Majesty the King-Emperor at Delhi would offer a unique opportunity for a pronouncement of one of the most weighty decisions ever taken since the establishment of British Rule in India. The other two proposals embodied in our scheme are not of such great urgency but are consequentially essential and in themselves of great importance. Half measures will be of no avail, and whatever is to be done should be done so as to make a final settlement and to satisfy the claims of all concerned. The scheme which we have ventured to commend to Your Lordship's favourable consideration is not put forward with any spirit of opportunism, but in the belief that action on the lines proposed will be a bold stroke of statesmanship which would give unprecedented satisfaction and will for ever associate so unique an event as the visit of the reigning Sovereign to His Indian Dominions with a new era in the history of India.

25. Should the above scheme meet with the approval of Your Lordship and His Majesty's Government, we would pro-

pose that the King-Emperor should announce at the Durbar the transfer of the capital from Calcutta to Delhi and simultaneously, and as a consequence of that transfer, the creation at an early date of a Governorship-in-Council for Bengal and of a new Lieutenant-Governorship-in-Council for Behar, Chota Nagpur, and Orissa, with such administrative changes and redistribution of boundaries as the Governor-General in Council would in due course determine with a view to removing any legitimate causes for dissatisfaction arising out of the Partition of 1905. The formula of such a pronouncement could be defined after general sanction had been given to the scheme. This sanction we now have the honour to solicit from Your Lordship.

26. We should thus be able after the Durbar to discuss in detail with local and other authorities the best method of carrying out a modification of Bengal on such broad and comprehensive lines as to form a settlement that shall be final and satisfactory to all.

D. Reply to the above Despatch from the Secretary of State for India (the Right Honourable the Marquess of Crewe, K.G.), dated London, 1st November, 1911.

I have received Your Excellency's Despatch, dated the 25th August last and issued in the Home Department, and I have considered it in Council with the attention due to the importance of its subject.

2. In the first place you propose to transfer from Calcutta to Delhi the seat of the Government of India, a momentous change which in your opinion can be advocated on its intrinsic merits, and apart from the considerations which are discussed in the latter passages of your Despatch. You point out with truth that many of the circumstances which explain the selection of Fort William in the second half of the eighteenth century as the head-quarters of the East India Company cannot now be adduced as arguments for the permanent retention of Calcutta as the Capital of British India; while certain new conditions and developments seem to point positively towards the removal of the Central Government to another position. Such a suggestion is not entirely novel, since it has often been asked whether the inconvenience and cost of an annual migration to the Hills could not be avoided by founding a new official capital at some place in which Europeans could reside healthfully and work efficiently throughout the whole year. You regard any such

solution as impracticable, in my judgment rightly; and you proceed to describe in favourable terms the purely material claims of Delhi for approval as the new centre of Government. There would be undoubted advantage both in a longer sojourn at the capital than is at present advisable, and in the shorter journey to and from Simla when the yearly transfer has to be made; while weight may properly be attached to the central situation of Delhi and to its fortunate position as a great railway junction. As you point out, these facts of themselves ensure not a few administrative advantages, and I am not disposed to attach serious importance to the removal of the Department of Commerce and Industry from a busy centre like Calcutta; for any official disadvantage due to this cause should be counter-balanced by the gain of a wider outlook upon the commercial activities of India as a whole.

3. From the historical standpoint, to which you justly draw attention, impressive reasons in support of the transfer can not less easily be advanced. Not only do the ancient walls of Delhi enshrine an Imperial tradition comparable with that of Constantinople, or with that of Rome itself, but the near neighbourhood of the existing City formed the theatre for some most notable scenes in the old-time drama of Hindu history, celebrated in the vast treasure-house of national epic verse. To the races of India, for whom the legends and records of the past are charged with so intense a meaning, this resumption by the Paramount Power of the seat of venerable Empire should at once enforce the continuity and promise the permanency of British Sovereign Rule over the length and breadth of the country. Historical reasons will thus prove to be political reasons of deep importance and of real value in favour of the proposed change. I share, too, your belief that the Ruling Chiefs as a body will favour the policy and give to it their hearty adhesion.

4. But, however solid may be the material advantages which you enumerate, and however warm the anticipated response from Indian sentiment, it may be questioned whether we should venture to contemplate so abrupt a departure from the traditions of British government, and so complete a dislocation of settled official habits, if we were able to regard with absolute satisfaction the position as it exists at Calcutta.

5. Your Excellency is not unaware that for some time past I have appreciated the special difficulties arising from the collocation of the Government of India and the Government of Bengal in the same head-quarters. The arrangement, as you

frankly describe it, is a bad one for both Governments, and the Viceroy for the time being is inevitably faced by this dilemma, that either he must become Governor-in-chief of Bengal in a unique sense, or he must consent to be saddled by public opinion both in India and at home with direct liability for acts of administration or policy over which he only exercises in fact the general control of a Supreme Government. The Local Government, on the other hand, necessarily suffers from losing some part of the sense of responsibility rightly attaching to it as to other similar administrations. It involves no imputation either upon Your Excellency's Government, or upon the distinguished public servants who have carried on the Government of Bengal, to pronounce the system radically an unsound one.

6. It might, indeed, have been thought possible to correct this anomaly with less disturbance of present conditions, by retaining Calcutta as the central seat of Government, under the immediate control of the Viceroy, and transferring the Government of Bengal elsewhere. But two considerations appear to forbid the adoption of such a course. In the first place it is doubtful whether the arbitrary creation of an artificial boundary could in practice cause Calcutta, so long the capital of Western Bengal, to cease altogether to be a Bengali city in the fullest sense. Again, the experiment of turning the second city of the British Empire into an Imperial *enclave* would be certain to cast a new and altogether undue burden upon the shoulders of the Governor-General, however freely the actual work of administration might be delegated to subordinate officials. It is true that Washington, during the century since it became the capital of the United States, has grown into a large and wealthy city, with industries on a considerable scale; but even now it possesses less than a third of the population of Calcutta; while Ottawa and the new Australian foundation of Yass-Canberra are likely to continue mainly as political capitals. Such a solution may, therefore, be dismissed, while no parallel difficulties need be dreaded if Delhi and its surroundings are placed directly under the Government of India.

7. I am glad to observe that you have not underrated the objections to the transfer which are likely to be entertained in some quarters. The compensation which will be offered to Bengali sentiment by other of your inter-dependent proposals is in my opinion fully adequate, and I do not think it necessary to dwell further on this aspect of the change. But it cannot be sup-

posed that the European community of Calcutta, particularly the commercial section, can regard it without some feelings of chagrin and disappointment in their capacity as citizens. But you may rely, I am certain, upon their wider patriotism, and upon their willingness to subordinate local and personal considerations to those which concern the general good of India. Nor, on full reflection, need they fear any seriously untoward consequences. The city will remain the seat of a most prominent and influential Government. I see no reason why it should suffer in material prosperity, retaining as it will not merely an almost universal commerce, but the practical monopoly in more than one branch of trade. And from the standpoint of sentiment, nothing can ever deprive Calcutta of her association with a century and a half of British Government, signalled by many great events, and adorned by the famous roll of those who have preceded Your Excellency in the office of Governor-General. Such a history is a perpetual possession, and it will guide the steps of all travellers to Calcutta not less certainly than has the presence of the Supreme Government in the past.

8. In view of this change it is your desire that a Governorship-in-Council should be constituted for Bengal. You remind me that the possibility of such a creation was fully discussed in the years 1867 and 1868, although divergent opinions were expressed by the different authorities of that day, and no steps were in fact taken. One of the principal objections felt then, as now, to the proposition taken by itself, hinged on the difficulty of planting such an administration in Calcutta side by side with that of the Government of India. The criticism is valid, but it would be silenced by the transfer of the capital to Delhi. I note with general agreement your observations upon the probable appointment in ordinary circumstances of a statesman or administrator from the United Kingdom to the Governorship of Bengal, while concurring that the appointment, like other great Governorships would be open to members of the Indian Civil Service whenever it might be desirable to seek for an occupant among their ranks. I also share your conviction that no lower grade of administration would be held in the altered conditions to satisfy the reasonable aspirations either of Hindus or of Mahomedans for the reputation and status of Bengal among the great divisions of India.

9. In considering the area which the Governor of a new Bengal should be called upon to administer, it is not necessary to recall at length the steps which led up to the partition of

the former Presidency, or to engage in detailed examination of its results. It is universally admitted that up to the year 1905 the task which the Lieutenant-Governor of Bengal and his subordinates had to perform, having regard to the extent of the Presidency, to its population, and the difficulties of communication in many districts, was one with which no energy or capacity could completely cope. It is equally certain that the provincial centre of gravity was unduly diverted to the western portion of the area, and to Calcutta itself; with the result that the Mahomedan community of Eastern Bengal were unintentionally deprived of an adequate share of consideration and attention. Such a state of affairs was not likely to agitate public opinion on this side of the water; the name of Dacca, once so familiar to British ears, had become almost unknown to them. A re-arrangement of administration at the instance of the Government of India was, therefore, almost imperative; but the plan that was ultimately adopted, while effecting some beneficial changes in Eastern Bengal, and offering relief to the overlaid Government, produced consequences in relation to the Bengali population which you depict with accuracy and fairness. History teaches us that it has sometimes been found necessary to ignore local sentiment, or to override racial prejudice, in the interest of sound administration, or in order to establish an ethical or political principle. But even where indisputable justification can be claimed, such an exercise of authority is almost always regrettable in itself; and it will often be wise to grasp an opportunity of assuaging the resentment which has been aroused, where this can be done without practical detriment to order and good government. You point out, moreover, that in this case the grievance is not only one of sentiment, but that in connexion with the Legislative Councils the Bengali population is subjected to practical disabilities which demand and merit some redress. In Your Excellency's opinion the desired objects can properly be achieved by reuniting the five Bengali-speaking divisions of the Presidency, Burdwan, Dacca, Rajshahi, and Chittagong into the new Presidency to be for the future administered by the Governor of Bengal in Council.

10. At the same time you lay deserved stress on the importance of giving no ground for apprehension to the Mahomedans of Eastern Bengal lest their interest should be injuriously affected by the intended alteration. In common with others of their faith, they would presumably regard with

satisfaction the re-erection of Delhi as the Capital of India; but they would be primarily concerned with the local aspect of the proposals. It is evident that in delimiting the new Presidency care is needed to see that the balance of the different populations, though it could not remain throughout the entire area as it stands at present in Eastern Bengal and Assam, is not unduly disturbed; and, as you point out, the special representation on the Legislative Councils which is enjoyed by the Mahomedans supplies them with a distinct safeguard in this respect. I attach, however, no little importance to the proposal that the Governor of Bengal should regard Dacca as his second capital, with full claims on his regular attention, and his residence for an appreciable part of the year. The arrangements which have been made there for the administration of the existing Lieutenant-Governor will thus not merely be utilised, but will serve a valuable purpose which it would have been difficult to secure had proposals similar to those which you now make been put forward when the old Bengal was undivided. In these circumstances, I consider that you are right not to make any suggestion for a Commissionership at Dacca analogous to that existing in Sind in the Presidency of Bombay.

11. Your next proposition involves the creation of a Lieutenant-Governorship-in-Council for Behar, Chota Nagpur, and Orissa. I observe that you have considered and dismissed a number of alternative suggestions for dealing with these three important and interesting divisions. Some of these schemes, as Your Excellency is aware, have at different times been the subjects of discussion when a re-arrangement of boundaries has been contemplated; and I refrain from commenting on any of them at this moment, holding, as I do, that you have offered the plainest and most reasonable solution, if any substantial change is to be made at all. The three sub-provinces above named, while differing *inter se* in some marked features, are alike loosely connected with Bengal proper, and their complete administrative severance would involve no hardship to the Presidency. You describe the desire of the hardy and law-abiding inhabitants of Behar for a clearer expression of their local individuality, differing from the Bengalis as they largely do in origin, in language, in proclivities, and in the nature of the soil they cultivate. Orissa, again, with its variety of races and physical conditions, with its considerable seaboard, invested with a peculiar sanctity of religious tradition, prefers a code of land legislation founded on a system of tenure differing in the main

from those both of Bengal and of the Central Provinces, and has long felt uneasiness at a possible loss of identity as a distinct community. The highlands of Chota Nagpur, far less densely populated than Bengal, and containing a large aboriginal element, also possess ancestral and historical claims for separate treatment in various respects. These three sub-provinces, with their combined population of some thirty-five millions, would form a charge well within the compass of a Lieutenant-Governorship; and it may be assumed that the controlling officer would be able to bestow continuous care and attention upon each of the divisions within his area.

12. The concluding suggestion which you put forward is that the Chief Commissionership of Assam should be revived. I attach weight to your argument that the political conditions on the North-eastern frontier of India render it desirable that like the North-West it should be the immediate concern of Your Excellency's Government, rather than of a local administration; and I note your belief, which I trust may prove to be well founded, that the inhabitants of this Province, of first rate importance in industry and commerce, are not likely to offer any opposition to the change. On the contrary, they may be disposed to welcome it, since I am confident that the Supreme Government would assiduously preserve all local interests, either material or of sentiment, from any possible detriment attributable to the altered system.

13. I make no complaint of the fact that Your Excellency is unable at this stage to present for sanction a close estimate of the cost which is likely to be incurred in respect of the various proposals included in your Despatch, either by way of initial or of recurring expenditure. You have only found it possible to name the round sum of four millions sterling, which you regard as the outside figure of cost which could be incurred by the transfer to Delhi, and you indicate your opinion that this amount might be raised by a special Gold Loan. I agree that it was not possible for you, in the special circumstances of the case, to undertake the investigations which would have been necessary before you could submit even a general estimate of expenditure either at Delhi or in relation to the Governorship of Bengal, to the Lieutenant-Governorship of the new United Provinces, or to the Chief Commissionership of Assam. This being so, I refrain for the present from making any observations on this part of the subject, merely stating my general conviction that Your Excellency is fully alive to the magnitude of the proposed

operations, and to the necessity for thoughtful preparation and continuous vigilance in order that the expenditure, which must necessarily be so large, may be conducted with no tinge of wastefulness; and as regards the particular case of Delhi, assuring you that my full sympathy will be extended to any efforts you may make to prevent holding-up against Government of land which you may find it necessary to secure for public purposes.

14. I find myself in general agreement with Your Excellency when you state that if this policy is to be approved, it is imperative to avoid delay in carrying it into effect. You give substantial reasons for this opinion, both on administrative and economical grounds, and though a number of details remain for settlement, many of which must demand careful examination and consultation, while some may awaken differences of opinion, it is possible now to pronounce a definite opinion upon the broad features of the scheme. Regarding it as a whole, and appreciating the balance sought to be maintained between the different races, classes, and interests likely to be affected, I cannot recall in history, nor can I picture in any portion of the civilised world as it now exists, a series of administrative changes of so wide a scope culminating in the transfer of the main seat of Government, carried out, as I believe the future will prove, with so little detriment to any class of the community, while satisfying the historic sense of millions, aiding the general work of Government, and removing the deeply-felt grievance of many. I therefore give my general sanction to your proposals, and I share in your belief that the transfer of the Capital, and the concomitant features of the scheme form a subject worthy of announcement by the King-Emperor in person on the unique and eagerly-anticipated occasion at Delhi. I am commanded to inform you that at the Durbar on the 12th of December His Imperial Majesty will be pleased to declare that Delhi will become the capital city of India, that a Governor in Council will be appointed for Bengal, a Lieutenant-Governor in Council for Behar, Chota Nagpur, and Orissa, and a Chief Commissioner for the Province of Assam.

VI.

**A. Rt. HON. Mr. MONTAGU'S ANNOUNCEMENT OF
AUGUST 20, 1917.**

On August 20, 1917, the Secretary of State for India made the following announcement in the House of Commons :—

"The policy of His Majesty's Government, with which the Government of India are in complete accord, is that of the increasing association of Indians in every branch of the administration and the gradual development of self-governing institutions with a view to the progressive realization of responsible government in India as an integral part of the British Empire. They have decided that substantial steps in this direction should be taken as soon as possible, and that it is of the highest importance as a preliminary to considering what these steps should be, that there should be a free and informal exchange of opinion between those in authority at Home and in India. His Majesty's Government have accordingly decided, with His Majesty's approval, that I should accept the Viceroy's invitation to proceed to India to discuss these matters with the Viceroy and the Government of India, to consider with the Viceroy the views of local Governments, and to receive with him the suggestions of representative bodies and others.

"I would add that progress in this policy can only be achieved by successive stages. The British Government and the Government of India, on whom the responsibility lies for the welfare and advancement of the Indian peoples, must be judges of the time and measure of each advance, and they must be guided by the co-operation received from those upon whom new opportunities of service will thus be conferred and by the extent to which it is found that confidence can be reposed in their sense of responsibility.

"Ample opportunity will be afforded for public discussion of the proposals which will be submitted in due course to Parliament."

B. Extracts from Lord Chelmsford's speech in the Indian Legislative Council, September 5th, 1917.

"I now turn to the third task, viz :—Constitutional Reforms. At the very first Executive Council which I held as Viceroy and Governor-General, I propounded two questions to my council.—

- (1) What is the goal of British Rule in India?
- (2) What are the steps on the road to that goal?

"We came to the conclusion, which, I trust most Hon'ble Members will agree, was inevitable—that the endowment of British India as an integral part of the British Empire with self-government was the goal of British Rule, and His Majesty's Government have now put forward in precise terms their policy in respect of this matter, a policy which I may say that we as the Government of India regard in substance as practically indistinguishable from that which we put forward. With regard to the second question, after a careful and detailed examination of the ground, we arrived at the decision that there were three roads along which an advance should be made towards the goal. The first road was in the domain of local self-government, the village, the rural board, and the town or municipal council. The domain of urban and rural self-government is the great training ground from which political progress and a sense of responsibility have taken their start, and we felt that the time had come to quicken the advance, to accelerate the rate of progress, and thus to stimulate the sense of responsibility in the average citizen, and to enlarge his experience.

"The second road, in our opinion, lay in the domain of the more responsible employment of Indians under Government. We felt that it was essential to progress towards the goal that Indians should be admitted in steadily increasing proportion to the higher grades of the various services and departments and to more responsible posts in the administration generally. It is, I think, obvious that this is a most important line of advance. If we are to get real progress, it is vital that India should have an increasing number of men versed not only in the details of everyday administration, but in the whole art of government.

"I doubt whether there is likely to be anyone who will cavil at the general conclusions at which we arrived as to these two roads of advance; but agreement must not blind us to their importance. There is no better source of instruction than the liberty to make mistakes. The first and foremost principle which was enunciated in Lord Ripon's Self-government Resolution of May 1882, and was subsequently emphasised by Lord Morley and Lord Crewe in their Despatches of 7th November, 1908 and 11th July, 1913, respectively, was that "the object of local Self-Government is to train the people in the management of their own local affairs, and that political education of this

sort must take precedence of mere considerations of departmental efficiency." We are in complete accord with that principle, hence our advocacy of an advance along the first road.

"Equally we realise the paramount importance of training in administration, which would be derived from an advance along the second road. There is nothing like administrative experience to sober the judgment and bring about an appreciation of the practical difficulties which exist in the realm of administration and it is from this source that we may look forward in the future to an element of experienced and tried material for the legislative assemblies.

"We come now to our third road, which lay in the domain of the Legislative Councils. As Hon'ble Members will readily appreciate, there is no subject on which so much difference of opinion exists and with regard to which greater need is required for careful investigation and sober decision. I may say frankly that we as the Government of India recognise fully that an advance must be made on this road simultaneously with the advances on the other two, and His Majesty's Government, in connection with the goal which they have outlined in their announcement, have decided that substantial steps in the direction of the goal they define should be taken as soon as possible." Some criticism has been directed against the Government of India on the score that we have not disclosed the policy outlined in our despatch. I must remind Hon'ble Members that the decision on such a question rests, not with the Government of India, but with the authorities at home. Moreover, on the larger question of a declaration of policy, in view of its unique importance, I have steadfastly refused, in the face of much adverse criticism, to anticipate by any statement of my own the decision of His Majesty's Government, who alone could make a final and authoritative statement, and I was careful to warn Hon'ble Members in my opening speech to them last February of the likelihood of delay, owing to the grave pre-occupations of the Cabinet at home. Well, this however is, I hope, now immaterial, for His Majesty's Government have announced their policy and have authorised the Secretary of State, with His Majesty's approval, to accept my invitation to visit India and to examine the issues on the spot. I had invited Mr. Chamberlain to visit India some time back. He was on the point of accepting when his resignation took place. Immediately on Mr. Montagu's assumption of office, I expressed the hope that he would see his way to accept the invitation

which I had extended to his predecessor, and I am delighted that the Cabinet have decided that he should accept. Some apprehension has been expressed lest the Government of India is about to be superseded temporarily by the Secretary of State. There need be no anxiety on that score. As I have told you, Mr. Montagu is coming on my invitation to consult informally with myself, the Government of India and others. He will make no public pronouncements of policy, and business between the Government of India and the Home Government will be conducted through the regular channels and the Council of India. There is no question of supersession, but the outstanding advantage of Mr. Montagu's visit is that he will now have the opportunity of making at first hand an examination of the questions in issue, and for my part I shall leave nothing undone to enable him to receive all the suggestions of representative bodies and others which he may desire. In these circumstances and in view of Mr. Montagu's assurance that there will be ample opportunity for public discussion of the proposals which will be submitted in due course to Parliament, I would suggest to Hon'ble Members that the intervening time before his arrival might be spent in the quiet examination of the arguments to be placed before Mr. Montagu. For myself I am anxious that, when Mr. Montagu arrives, we—and in that pronoun I include all those representative bodies and others mentioned in the announcement—should have ready to place before him all the materials which will enable him to form a reasoned judgment.

C. Proposals for Indian Constitutional Reforms by Rt. Hon. Mr. Montagu and H. E. Lord Chelmsford (Being extracts from their Report dated Simla, April 22, 1918).

178. We began our report with a reference to the announcement of August 20, but inasmuch as that announcement was made on behalf of His Majesty's Ministers at our own request, we propose before setting out our own proposals to gather together very briefly the reasons why we hold that the decision was a wise and necessary one. If our account of the past development and working of the present constitution is an accurate one, it will be apparent that we have now gone as far as is possible upon the old lines. (No further development is possible unless we are going to give the people of India some responsibility for their own government.) But no one can imagine that no further development is necessary. It is evident that the present

Reasons for a new policy.

machinery of government no longer meets the needs of the time ; it works slowly, and it produces irritation ; there is a widespread demand on the part of educated Indian opinion for its alteration ; and the need for advance is recognized by official opinion also. One hundred and twenty years ago Sir Thomas Munro wrote :—

"What is to be the final result of our arrangements on the character of the people ? Is it to be raised, or is it to be lowered ? Are we to be satisfied with merely securing our power and protecting the inhabitants, or are we to endeavour to raise their character, to render them worthy of filling higher stations in the management of their country, and devising plans for its improvement ?..... We should look on India not as a temporary possession, but as one which is to be maintained permanently, until the natives shall in some future age have abandoned most of their superstitions and prejudices, and become sufficiently enlightened to frame a regular government for themselves, and to conduct and preserve it."

179. Thus the vision of a persistent endeavour to train the people of India for the task of governing themselves was present to the minds of

The logical outcome
of the past.

some advanced Englishmen four generations ago ; and we since have pursued it more constantly than our critics always admit, more constantly perhaps than we have always perceived ourselves. The inevitable result of education in the history and thought of Europe is the desire for self-determination ; and the demand that now meets us from the educated classes of India is no more than the right and natural outcome of the work of a hundred years. There can be no question of going back, or of withholding the education and enlightenment in which we ourselves believe ; and yet, the more we pursue our present course without at the same time providing the opportunities for the satisfaction of the desires which it creates, the more unpopular and difficult must our present government become and the worse must be the effect upon the mind of India. On the other hand, if we make it plain that, when we start on the new lines, education, capacity and good-will will have their reward in power, then we shall set the seal upon the work of past years. Unless we are right, in going forward now the whole of our past policy in India has been a mistake. We believe, however, that no other policy was either right or possible, and therefore we must now face its logical consequences. Indians must be enabled, in so far as they attain responsibility, to determine for themselves what they want done. The process will begin in local affairs which we have long since intended and promised to make over to them ; the time has come for advance also in some subjects of provincial concern ; and it will

proceed to the complete control of provincial matters and thence, in the course of time, and subject to the proper discharge of Imperial responsibilities, to the control of matters concerning all India. We make it plain that such limitations on powers as we are now proposing are due only to the obvious fact that time is necessary in order to train both representatives and electorates for the work which we desire them to undertake ; and that we offer Indians opportunities at short intervals to prove the progress they are making and to make good their claim not by the method of agitation, but by positive demonstration, to the further stages in self-government which we have just indicated.

180. Further, we have every reason to hope that as the result of this process, India's connexion with the Empire will be confirmed by the wishes of her people. The experience of a century of experiments within the Empire goes all in one direction. As power is given to the people of a province or of a dominion to manage their own local affairs their attachment becomes the stronger to the Empire which comprehends them all in a common bond of union. The existence of national feeling, or the love of, and pride in, a national culture need not conflict with, and may indeed strengthen, the sense of membership in a wider commonwealth. The obstacles to a growth in India of this sense of partnership in the Empire are obvious enough. Differences of race, religion, past history, and civilization have to be overcome. But the Empire, which includes the French of Canada and the Dutch of South Africa—to go no further—cannot in any case be based on ties of race alone. It must depend on a common realization of the ends for which the Empire exists, the maintenance of peace and order over wide spaces of territory, the maintenance of freedom, and the development of the culture of each national unity of which the Empire is composed. These are aims which appeal to the imagination of India and, in portion as self-government develops patriotism in India, we may hope to see the growth of a conscious feeling of organic unity with the Empire as a whole.

181. There is, however, one aspect of the general problem of political advance which is so important as to require notice in some detail. We have observed already (that one of the greatest obstacles to India's political development lies not only in the lack of education among its peoples taken as a whole, but also in the uneven distribution of educational advance. The

educational policy of Government has incurred much criticism from different points of view. Government is charged with neglect, because after sixty years of educational effort only 6 per cent of the population is literate, while under 4 per cent of the total population is undergoing instruction. It is charged, on the other hand, with having fostered education on wrong lines, and having given to those classes which welcomed instruction a system which is divorced from their needs in being too purely literary, in admitting methods of unintelligent memorizing and of cramming, and in producing far in excess of the actual demands of Indian conditions, a body of educated young men whose training has prepared them only for Government service or the practice of the law. (The system of university education on Western lines is represented as cutting off the students from the normal life of the country, and the want of connexion between primary education in the vernaculars and higher education in English is regarded as another radical defect.

182. It is sometimes forgotten that the system of English education was not forced upon India by the Government, but established in response to a real and insistent demand, though a demand that proceeded from a limited class. The higher castes of Hindus—Brahmans, Kayasths, and a few others—have for generations supplied the administrative body of India, whatever the nationality of the rulers; and the introduction and development of British Rule inspired these classes to qualify themselves for a continuance, under the new conditions, of their hereditary careers. It was somewhat easily assumed in the time of Macaulay that Western education once imparted to the higher classes of India would gradually but steadily permeate the whole population. In the event it has been distributed unevenly among the higher classes themselves, the Muhammadan community as a whole having until very recently been backward in taking advantage of educational facilities. Indeed some of the most difficult factors of the present situation would have been avoided if in good time steps had been taken to prevent the wide divorce which has occurred between the educated minority and the illiterate majority. From the economic point of view India has been handicapped by the want of professional and technical instruction; her colleges turn out numbers of young men qualified for Government clerkships while the real interests of the country require, for example, doctors and engineers in excess of the existing supply. The

Retrospect of education.

charge that Government has produced a large *intelligentsia* which cannot find employment has much substance in it; it is one of the facts that lie at the root of recent political difficulties. But it is only of late years and as part of the remarkable awakening of national self-consciousness, that the complaint has been heard that the system has failed to train Indians for practical work in manufactures, commerce, and the application of science to industrial life. The changing economic conditions of the country have brought this lesson home, and in its acceptance lies much of our hope for the future. But it must be remembered that many of the particular classes which eagerly sought higher education demanded also that it should be of a literary character, and were hereditarily averse from, if not disdainful of, anything that savoured of manual toil; and also that (when the universities of India were founded the idea of scientific and technological instruction had not dawned upon universities in England.)

183. The failure of the Indian educational system to train the character has often been criticized, and with justice. In our desire, while imparting actual instruction, not to force the mind of India into an alien mould or to interfere with religious convictions, we have undoubtedly made education too purely a matter of the intellect, and, at any rate in the beginning, we failed to foresee how substantially the mental training that our schools and colleges afforded must come in time to modify the pupils' conceptions of life. Attempts towards direct moral training were always impeded by the desirability of avoiding the difficult and delicate domain of religious belief. But one of the most pressing needs of India, is to foster more widely in the schools and colleges those ideas of duty and discipline, of common responsibilities and civic obligation, on which a healthy political life depends. Much effort is already being made in this direction, and there are notable and welcome signs of the growth among educated Indians of the conviction that the possession of education does not merely offer the individual opportunities of advancement, but should confer on him also the ability and the obligation to serve his country.

184. As regards the limited diffusion of education we also take into account the conservative prejudices of the country. It is not very long

Social factors.

since the advocates of the higher education of women in Europe were regarded as unpractical and subversive theorists ; and in India social customs have greatly multiplied the difficulties in the way of female education. Upon this question opinion is slowly, but surely, changing, and educated young men of the middle classes are beginning to look for literate wives. But so long as education is practically confined to one sex the social complexion of the country must react upon and retard political progress ; and for this reason we regard the great gulf between men and women in respect of education as one of the most serious problems which has to be faced in India.

185. The spread of education among the lower classes is

Attitude of the ryot.

also attended by peculiar difficulties. India is a predominantly agricultural country, and an agricultural population is always and everywhere suspicious of the effect of education upon rural children. Here again is the need—a need realized equally in Europe and America—of making rural education more practical, and ensuring that the school shall make the average boy who does not aspire to university education a more practical farmer instead of transforming him into an indifferent clerk. In India primary education has been entrusted mainly to the district boards and municipalities, and it has, we are glad to say, made fairly steady, if slow, progress under their administration. The first effect of English education upon the classes which adopted it was to widen the gulf between them and the conservative masses. But one of the most marked features of recent political development is the concern shown by the spokesmen of the educated classes for the diffusion of primary education among the people as a whole. The history of other countries shows that the growth of a desire for education among the peasantry and working classes is generally slow, while political and economic conditions remain static, and that the quickening influences come mainly from the better educated sections of the community which are more sensitive to political and economic changes. Political thought in India is coming to recognize that advance must be influenced by the general educational level of the country, and that political leaders, if they are to escape the charge of representing only the interests of the classes to which they themselves belong, must be able to appeal to, and be understood by, the masses of their fellow-countrymen. This conviction involves steady effort to raise the status of the depressed classes.

186. Primary education, as we have seen, is already practically in the hands of local bodies, but secondary education was deliberately left at the outset almost entirely to private agencies. The universities, despite their connexion with Government, are largely non-official bodies with extensive powers. The main defect of the system is probably the want of co-ordination between primary and higher education, which in turn reacts upon the efficiency of secondary institutions and to a great extent confines university colleges to the unsatisfactory function of mere finishing schools. The universities have suffered from having been allowed to drift into the position of institutions that are expected not so much to educate in the true sense, as to provide the student with the means of entering an official or a professional career. Thus a high percentage of failures seems to a large body of Indian opinion not so much a proof of the faultiness of the methods of teaching, as an example of an almost capricious refusal of the means of obtaining a living wage to boys who have worked for years, often at the cost of real hardship, to secure an independent livelihood. The educational wastage is everywhere excessive ; and analysis shows that it is largely due to under-payment and want of proper training in the case of teachers. The actual recruits for normal schools are too often ill-prepared, and the teaching career, which in India used formerly to command respect, does not now offer adequate inducements to men of ability and force of character. The first need, therefore, is the improvement of teaching. Until that is attained it is vain to expect that the continuation of studies from the primary stage can be made attractive. But while the improvement of primary and middle schools is the first step to be taken, very much remains to be done in reorganizing the secondary teachers and ensuring for the schoolmaster a career that will satisfy an intelligent man. The improvement of ordinary secondary education is obviously a necessary condition for the development of technical instruction and the reform of the university system. It is clear that there is much scope for an efficient and highly trained inspectorate in stimulating the work of the secondary schools, and in helping the inspectorate of the primary schools maintained by the local bodies. We believe that the best minds in India, while they feel that the educational service has not in the past been widely enough opened to Indians trained at British universities, value the maintenance of a close connexion with educationists from the United Kingdom.

187. This survey of educational problems will show how much room there is for advance and improvement, and also how real the difficulties are. The defects of the present system have often been discussed in the legislative councils but, as was inevitable so long as the councils had no responsibility, without due appreciation of financial difficulties, or serious consideration of the question how far fresh taxation for educational improvement would be acceptable. As we shall show, it is part of the political advance that we contemplate that the direction of Indian education should be increasingly transferred to Indian hands. Only so, we believe, can the stimulus be forthcoming which will enable the necessary money to be found. The weak points are recognized. A real desire for improvement exists. Educational extension and reform must inevitably play an important part in the political progress of the country. We have already made clear our conviction that political capacity can come only through the exercise of political responsibility; and that mere education without opportunities must result in serious mischiefs. But there is another important element. Progress must depend on the growth of electorates and the intelligent exercise of their powers; and men will be immensely helped to become competent electors by acquiring such education as will enable them to judge of candidates for their votes, and of the business done in the councils. No one would propose to prescribe an educational qualification for the vote; but no one can deny the practical difficulties which make a very general extension of the franchise impossible until literacy is far more widely spread than is the case at present. The Government of India has for some time past been maturing plans for a great extension of primary education. Progress was temporarily interrupted by uncertainty as to the distribution of financial resources which would result from the constitutional changes; but the imminence of these has given a new importance to the question and its consideration has been resumed. We trust that impetus will thus be given to a widespread movement which will be taken up and carried forward boldly by the reformed councils.

188. Let us now consider the principles on which our proposals are based. We have surveyed the existing position; we have discussed the conditions of the problem; and the goal to which we wish to move is clear. What course are we to set across the intervening space?

Political importance
of education.

Extent of the advance
proposed in local bodies.

It follows from our premises, and it is also recognized in the announcement of August 20, that the steps are to be gradual and the advance tested at each stage. Consistently with these requirements a substantial step is to be taken at once. If our reasoning is sound this can be done only by giving from the outset some measure of responsibility to representatives chosen by an electorate. There are obviously three levels at which it is possible to give it—in the sphere of local bodies, in the provinces, and in the Government of India. Of certain other levels which have been suggested, intermediate between the first and second of these, we shall speak in due course. Also, since no man can serve two masters, in proportion as control by an electorate is admitted at each level, control by superior authority must be simultaneously relaxed. If our plans are to be soundly laid, they must take account of actual conditions. It follows that the process cannot go on at one and the same pace on all levels. The Secretary of State's relaxation of control over the Government of India will be retarded, if for no other reason, by the paramount need for securing Imperial interests; the Government of India have the fundamental duty to discharge of maintaining India's defence; the basic obligation of provincial Governments is to secure law and order. As we go upwards the importance of the retarding factors increases; and it follows that popular growth must be more rapid and extensive in the lower levels than in the higher. Let us state the proposition in another way. The functions of Government can be arranged in an ascending scale of urgency, ranging from those which concern the comfort and well-being of the individual to those which secure the existence of the State. The individual understands best the matters which concern him, and of which he has experience; and he is likely to handle best the things which he best understands. Our predecessors perceived this before us, and placed such matters to some extent under popular control. Our aim should be to bring them entirely under such control. This brings us to our first formula:—

"There should be, as far as possible, complete popular control in local bodies and the largest possible independence for them of outside control" (1).

189. When we come to the provincial Governments the position is different. Our objective is the realization of responsible Government. We understand this to mean first, that the members of the executive Government should be responsible to,

in provincial Governments.

because capable of being changed by, their constituents ; and, secondly, that these constituents should exercise their power through the agency of their representatives in the assembly. These two conditions imply in their completeness that there exist constituencies based on a franchise broad enough to represent the interests of the general population, and capable of exercising an intelligent choice in the selection of their representatives ; and, secondarily, that it is recognized as the constitutional practice that the executive Government retains office only so long as it commands the support of a majority in the assembly. But in India these conditions are as yet wanting. The provincial areas and interests involved are immense, indeed are on what would elsewhere be regarded as a national scale. The amount of administrative experience available is small ; electoral experience is almost entirely lacking. There must be a period of political education, which can only be achieved through the gradual, but expanding, exercise of responsibility. The considerations of which we took account in chapter VI forbid us immediately to hand over complete responsibility. We must proceed, therefore, by transferring responsibility for certain functions of Government while reserving control over others. From this starting point we look for a steady approach to the transfer of complete responsibility. We may put our second formula thus :—

"The provinces are the domain in which the earlier steps towards the progressive realization of responsible Government should be taken. Some measure of responsibility should be given at once, and our aim is to give complete responsibility as soon as conditions permit. This involves at once giving the provinces the largest measure of independence, legislative, administrative and financial, of the Government of India which is compatible with the due discharge by the latter of its own responsibilities" (2).

190. But, as we shall see, any attempt to establish equilibrium between the official and popular forces in Government inevitably introduces additional complexity into the administration. For such hybrid arrangements precedents are wanting ; their working must be experimental, and will depend on factors that are yet largely unknown. We are not prepared, without experience of their results, to effect like changes in the Government of India. Nevertheless, it is desirable to make the Indian Legislative Council more truly representative of Indian opinion, and to give that opinion greater opportunities of acting on the

In the Government of India.

Government. While, therefore, we cannot commend to Parliament a similar and simultaneous advance, both in the provinces and in the Government of India, we are led to the following proposition ;—

"The Government of India must remain wholly responsible to Parliament, and saving such responsibility, its authority in essential matters must remain indisputable, pending experience of the effect of the changes now to be introduced in the provinces. In the meantime the Indian Legislative Council should be enlarged and made more representative and its opportunities of influencing Government increased" (3).

191. Further, the partial control of the executive in the provinces by the legislature, and the increasing influence of the legislature upon the executive in the Government of India, will make it necessary that the superior control over all Governments in India which is now exercised by the authorities at Home must be in corresponding measure abated ; for otherwise the executive Governments in India will be subjected to pressure from different sources which will wholly paralyse their liberty of action, and also the different pressures may be exercised in opposite directions. We may put this proposition briefly as follows :—

"In proportion as the foregoing changes take effect, the control of Parliament and the Secretary of State over the Government of India and provincial Governments must be relaxed" (4).

192. We have been told that, inasmuch as local self-government has not yet been made a reality in most parts of India, we should content ourselves with such reforms as will give it reality, and should await their result, before attempting anything more ambitious, on the principle that children learn to walk by learning first to crawl. We regard this solution as outside the range of practical politics ; for it is in the councils that the Morley-Minto reforms have already brought matters to an issue ; and Indian hopes and aspirations have been aroused to such a pitch that it is idle to imagine that they will now be appeased by merely making over to them the management of urban and rural boards. Moreover, the development of the country has reached a stage at which the conditions justify an advance in the wider sphere of government, and at which indeed government without the co-operation of the

Local Self-Government.

people will become increasingly difficult. On the other hand, few of the political associations that addressed us seemed adequately to appreciate the importance of local affairs, or the magnitude of the advance which our recommendation involves. But the point has been made time and time again by their own most prominent leaders. It is by taking part in the management of local affairs that aptitude for handling the problems of government will most readily be acquired. This applies to those who administer, but even more to those who judge of the administration. Among the clever men who come to the front in provincial politics, there will be some who will address themselves without more difficulty, and indeed with more interest and zeal, to the problems of government than to those of municipal or district board administration. But the unskilled elector, who has hitherto concerned himself neither with one nor the other, can learn to judge of things afar off only by accustoming himself to judge first of things near at hand. This is why it is of the utmost importance to the constitutional progress of the country that every effort should be made in local bodies to extend the franchise, to arouse interest in elections, and to develop local committees, so that education in citizenship may, as far as possible be extended, and everywhere begin in a practical manner. If our proposals for changes on the higher levels are to be a success, there must be no hesitation or paltering about changes in local bodies. Responsible institutions will not be stably-rooted until they become broad-based; and far-sighted Indian politicians will find no field into which their energies can be more profitably thrown than in developing the boroughs and communes of their country.

193. These reasons led Lord Chelmsford's Government in May, 1916 to consider what further progress along the road of local self-government was immediately possible. Their conclusions would have been published some time ago if it had been possible to separate the consideration of this subject from that of constitutional reforms in general. We have the proposals before us, and will summarize the general purport of them.

194. At present rather more than half the members of municipal, and rather less than half of those of rural boards, including in this term sub-district boards, are elected. (The in.

The Government of India's proposals.

Constitution of local boards.

tion is that substantial elected majorities should be conceded in boards of both kinds and that the system of nomination should be retained only in order to secure the necessary representation of minorities, and the presence of a few officials as expert advisers without a vote. Generally the suggestion is that the proportion of nominated members should not exceed one-fourth. The enlargement of the elected element must necessarily be accompanied by the adoption of a sufficiently low franchise to obtain constituencies which will be really representative of the general body of rate-payers. It should also be followed by an extension of the system of elected chairmen. The Decentralization Commission thought that municipal chairmen should ordinarily be elected non-officials, and that if a nominated chairman was required an official should be selected. It is hoped, however, that the election of chairmen will be the general rule in future. If there are special reasons against the election of a non-official chairman an official might be elected, provided he is elected by a majority of the non-official votes. In some provinces this is already the ordinary practice for municipalities. For the administration of large cities it is proposed, to approve of the system in which the every-day executive work is carried out by a special nominated commissioner; but not to require that he should be an official, provided that he is protected by a provision that he should only be removable with the sanction of Government or by the vote of a substantial majority of the board. In the case of rural boards local Governments will be urged to appoint non-official and preferably elected chairmen wherever possible, but where there is a non-official chairman there may be need also for a special executive officer, whose appointment and removal would require the Government's sanction, to do the ordinary official work. If any board desired to elect an official chairman his election should be by a majority of non-official votes and should be approved by the Commissioner or some higher authority.

195. The Decentralization Commission recommended that municipalities should have full liberty to impose and alter taxation within the limits laid down by law, but that where the law prescribes no maximum rate the sanction of an outside authority should be required to any increase. It is hoped that nearly all boards will contain substantial elected majorities, and in their case it is proposed to accept the Commission's recommendation, though indebted boards should still obtain the sanc-

Powers of local boards.

tion of higher authority before altering a tax. It is clearly important that municipal boards should have such power to vary taxation, and the intention is to give it to rural boards as well by allowing them to levy rates and fees within the limits of the existing Acts. It is thought that wherever a board pays for a service, it should control such service; and that where it is expedient that control should be largely centred in the hands of the Government the service should be a provincial one. If, for example, a board provides for civil works or medical relief, it ought, subject to such general principles as the Government may prescribe, to have real control over the funds which it provides and not be subject to the constant dictation, in matters of detail, of Government departments. Similarly as regards the control over the budgets of local bodies. It is hoped that provincial Governments will make every effort to give boards a free hand with their budgets, subject to the maintenance of a minimum standing balance, with the necessary reservations in the case of indebtedness or against gross default. The Government of India would discard the system of requiring local bodies to devote fixed portions of their revenues to particular objects of expenditure and would rely on retaining powers of intervention from outside in cases of grave neglect or disregard. Municipalities have already been given enlarged powers in respect of new works; and a similar advance is hoped for in the case of rural boards. As regards the control by Government over the establishment of local bodies the Commission proposed that the appointment of certain special officers should require the sanction of higher authority, while other appointments would be regulated by general rules laid down by the provincial Government. It is hoped that provincial Governments will now take steps to carry these recommendations into practice, but it is suggested that Government should in the case of the special officers also retain a right to require their dismissal in cases of proved incompetency. Such material relaxation of Government control in respect of taxation, budgets, public works, and local establishments might suggest that the exceptional powers of Government officers in respect of external intervention should, if altered at all, be altered in the direction of greater stringency. But the accepted policy must be to allow the boards to profit by their own mistakes, and to interfere only in cases of grave mismanagement; and, therefore, with certain possible exceptions, which we need not here specify, it is not proposed to extend the power of intervention.

196. Finally, the Government of India propose to direct attention to the development of the *panchayat* system in villages. This question was examined by the Decentralization Commission and has since been the subject of further inquiry in the United Provinces and Assam. It is recognized that the prospect of successfully developing *panchayats* must depend very largely on local conditions, and that the functions and powers to be allotted to them must vary accordingly; but where the system proves a success it is contemplated that they might be endowed with civil and criminal jurisdiction in petty cases, some administrative powers as regards sanitation and education, and permissive powers of imposing a local rate. It is hoped that, wherever possible, an effective beginning will be made.

197. The programme which we have thus summarized is still under consideration and, obviously, it would not be suitable for us to comment upon it. It is clear that it cannot be regarded as constituting a complete scheme of local self-government, and for two reasons. It is impossible to ignore the past and at once to create a perfect scheme out of the present uneven materials; and, secondly, if we are sincere in our advocacy of a policy of provincial autonomy, we must leave the work mainly to local Governments. It would be highly inconsistent to insist on provincial autonomy, and simultaneously to leave no latitude of action to provincial Governments in a field which is so peculiarly a matter for local development. But the proposals will constitute a basis on which those entrusted with the responsibility for such matters in future can build; and we expect the reformed legislative councils to carry forward the work thus begun. We may add that the reformed and representative district boards of the future could, and should, be utilized by the district officer for purposes of advice and consultation.

198. Because we believe that our main advance must be on the provincial stage, we shall leave the subject of local self-government at this point, and turn to the provinces. But here we must pause for a moment to define the scope of all the proposals that follow in chapter VIII. It is a truism that no general proposals can be equally applicable to all portions of India at one and the same time. If, however, we had not contented ourselves with the sufficiently weighty task of working out in broad outlines the plan of one of the greatest political

experiments ever undertaken in the world's history, but had set ourselves also to adjust its details to the varying requirements of the different provinces, our labours would have been immensely prolonged and there would have been a danger that the details of our report might obscure its main intentions. Because we have written in general terms we would not have it supposed that we have been unmindful of inequalities in the development of the provinces. For these we have, as we shall show, provided a mechanism of adjustment. But over and above that we must offer one word of explanation at the outset. Our recommendations as to the provinces are confined to eight out of the nine provinces of British India which are furnished with legislative councils. These are Madras, Bombay, Bengal, the United Provinces, Bihar and Orissa, the Punjab, the Central Provinces, and Assam. We have not included Burma in our survey except in so far as, while that province remains part of the Indian polity, as for military reasons it must, it is necessary to provide for its representation in the central Government. (Our reasons are that Burma is not India.) Its people belong to another race in another stage of political development, and its problems are altogether different. For instance, the application to Burma of the general principles of throwing open the public service more widely to Indians would only mean the replacement of one alien bureaucracy by another. The desire for elective institutions has not developed in Burma; the provincial legislative council, as constituted under the Morley-Minto schemes, has no Burma-elected element; and the way is open for a different line of development. There was also a practical reason for not proceeding to investigate the particular conditions of Burma in the fact that one Lieutenant-Governor had very recently laid down, and a new Lieutenant-Governor assumed office. When our proposals are published there will be an opportunity for the Government and people of Burma to say how far they regard them as applicable to their case. We therefore set aside the problem of Burma's political evolution for separate and future consideration. There remain the frontier areas of the North-West Frontier Province and Baluchistan, and the smaller tracts of British India, like Delhi, Coorg, and Ajmer-Merwara. For reasons of strategy the two frontier provinces must remain entirely in the hands of the Government of India. But, inasmuch as our guiding principle, where the principle of responsibility cannot yet be applied, is that of government by consultation with the representatives of the people, we think that in some, if not all, of these areas it would

be well to associate with the personal administration of the Chief Commissioner some form of advisory council, adjusted in composition and function to local conditions in each case. This question we would leave to the further consideration of the Government of India.

199. But even in the eight provinces which we have named are included certain backward areas where the people are primitive, and there is as yet no material on which to found political institutions. We do not think there will be any difficulty in demarcating them. They are generally the tracts mentioned in the schedules and appendices to the Scheduled Districts Act, 1874, with certain exceptions, and possibly certain additions, which the Government of India must be invited to specify. Both the definition of these areas and the arrangements to be made for them will be matters for further consideration; but the typically backward tracts should be excluded from the jurisdiction of the reformed provincial Governments and administered by the head of the province.

Devolution to Provincial Governments.

200. We saw in chapter V that there was not a little spade-work to be done before the way lay open for reconstruction to begin. Above all we saw that the existing financial relations between the central and provincial Governments must be changed if the popular principle in Government is to have fair play in the provinces. (The present settlements by which the Indian and provincial Governments share the proceeds of certain heads of revenues are based primarily on the estimated needs of the provinces, and the Government of India disposes of the surplus.) This system necessarily involves control and interference by the Indian Government in provincial matters. An arrangement which has on the whole worked successfully between two official Governments would be quite impossible between a popular and an official Government. Our first aim has therefore been to find some means of entirely separating the resources of the central and provincial Governments.

201. We start with a change of standpoint. If provincial autonomy is to mean anything real clearly the provinces must not be dependent on the Indian Government for the means of provincial development.

Existing settlements do indeed provide for ordinary growth of expenditure, but for any large and costly innovations provincial Governments depend on doles out of the Indian surplus. Our idea is that an estimate should first be made of the scale of expenditure required for the upkeep and development of the services which clearly appertain to the Indian sphere; that resources with which to meet this expenditure should be secured to the Indian Government; and that all other revenues should then be handed over to the provincial Governments, which will thenceforth be held wholly responsible for the development of all provincial services. This, however, merely means that the existing resources will be distributed on a different basis, and does not get over the difficulty of giving to the central and provincial Governments entirely separate resources. Let us see how this is to be done.

202. Almost everyone is agreed that a complete separation is in theory desirable. Such differences of opinion as we have met with have mostly been confined to the possibility of effecting it in practice. It has been argued for instance that it would be unwise to narrow the basis on which both the central and provincial fiscal systems are based. Some of the revenues in India, and in particular land revenue and excise, have an element of precariousness; and the system of divided heads, with all its drawbacks, has the undeniable advantage that it spreads the risks. This objection will however, be met if, as we claim, our proposed distribution gives both the Indian and provincial Governments a sufficient measure of security. Again we have been told that the complete segregation of the Government of India in financial matters will lower its authority. This argument applies to the whole subject of decentralization and provincial autonomy. It is not necessary for us to meet it further. Our whole scheme must be even and well-balanced, and it would be ridiculous to introduce wide measures of administrative and legislative devolution and at the same time to retain a centralized system of finance.

203. There are two main difficulties about complete separation. How are we to dispose of the two most important heads which are at present divided—land-revenue and income-tax—and how are we to supplement the yield of the Indian heads of revenue in order to make good the needs of the central Government? At present the heads which are divided in all

or some of the provinces are :—land revenue, stamps, excise, income-tax and irrigation. About stamps and excise there is no trouble. We intend that the revenue from stamp duty should be discriminated under the already well-marked sub-heads *General* and *Judicial*; and that the former should be made an Indian and the latter a provincial receipt. This arrangement will preserve uniformity in the case of commercial stamps where it is obviously desirable to avoid discrepancies of rates; and it will also give the provinces a free hand in dealing with Court-fee stamps, and thus provide them with an additional means of augmenting their resources. Excise is at present entirely a provincial head in Bombay, Bengal, and Assam, and we see no valid reason why it should not now be made provincial throughout India. At this stage the difficulties begin. Land revenue, which is by far the biggest head of all, is at present equally shared between the Indian and all the provincial Governments, except that Burma gets rather more than one-half and the United Provinces get rather less. Now land revenue assessment and collection is so intimately concerned with the whole administration in rural areas that the advantages of making it a provincial receipt are obvious. But other considerations have to be taken into account. One substantial difficulty is that, if land revenue is made entirely provincial, the Government of India will be faced with a deficit and its resources must be supplemented by the provinces in some form or other. Moreover, famine expenditure and expenditure on major irrigation works are for obvious reasons closely connected with land revenue, and if the receipts from that head are made provincial it logically follows that the provinces should take over the very heavy liability for famine relief and protective works. An argument of quite another character was also put forward. We were told that in the days of dawning popular government in the provinces it would be well that the provincial Government should be able to fall back on the support of the Government of India (as, if the head were still divided, it would be able to do) when its land-revenue policy was attacked. But it is just because divided heads are not regarded as merely a financial expedient but are, and so long as they survive will be, viewed as a means of going behind the provincial Government to the Government of India, that we feel sure that they should be abolished. We propose, therefore, to make land revenue, together with irrigation, wholly provincial receipts. It follows that the provinces will become entirely liable for expenditure on famine relief and protective irrigation works.

We shall explain shortly what arrangements we propose for financing famine expenditure. The one remaining head is income-tax. We see too very strong reasons for making this an Indian receipt. First, there is the necessity of maintaining a uniform rate throughout the country. The inconveniences, particularly to the commercial world, of having different rates in different provinces are manifest. Secondly in the case of ramifying enterprises with their business centre in some big city, the province in which the tax is paid is not necessarily the province in which the income was earned. We have indeed been told that income tax is merely the industrial or professional complement of the land revenue; and that to provincialize the latter, while Indianizing the former, means giving those provinces whose wealth is more predominantly agricultural, such as the United Provinces and Madras, an initial advantage over a province like Bombay, which has very large commercial and industrial interests. Another very practical argument is that the tax is collected by provincial agency, and that if provincial Governments are given no inducement, such as a share of the receipts or a commission on the collections which is only such a share in disguise, there will be a tendency to slackness in collection and a consequent falling off in receipts. We admit that these arguments have force; but we are not prepared to let them stand in the way of a complete separation of resources. Equality of treatment as between one province and another must be reached so far as it is possible in the settlements as a whole, and it is not possible to extend the principle of equality to individual heads of revenue. If it should be found that receipts fall off it may be necessary to create an all-Indian agency for the collection of the tax, but this we should clearly prefer to retaining it as a divided head. To sum up: we propose to retain the Indian and provincial heads as at present, but to add to the former income-tax and general stamps, and to the latter land revenue, irrigation, excise, and judicial stamps. No heads will then remain divided.

204. For the purposes of famine relief we propose that the provincial settlements should make allowances based on each province's average liability to this calamity in the past; and it will be the duty of provincial Governments liable to famine not to dissipate this special provision, but to hold a sufficient portion of their resources in reserve against the lean years. In years when there is no scarcity a province should not spend its famine

assignment on ordinary purposes, but should either add it to its balances or spend it on some defensive purpose directed to diminishing the cost of famine when it comes. We recognize that difficulties may arise because provincial Governments may fail to make sufficient provision, or because a severe famine may come upon them before they have had time to accumulate a sufficient provision with which to meet it. In such cases the Indian Government could never renounce responsibility. But we are glad to believe that the liabilities arising out of famine relief will tend to be smaller in the future than in the past, owing to the improvement of protective measures and also to the increasing recuperative power of the people to which all experience of recent famines points. Provincial Governments have at present large balances on which they could draw in the first instance if heavy famine expenditure became necessary. If it were still necessary for the Government of India to intervene its assistance should, we think, take the form of a loan, which the provincial Government would be liable to repay, or if the amount so advanced were so large that it could not be repaid within a reasonable time without grave embarrassment, the whole, or a portion, of it should be regarded as a permanent loan on which the provincial Government would pay interest.

205. When all sources of revenue have been completely distributed as we propose there will be a large deficit in the Government of India's budget. One way of meeting it would be to maintain the basis of the present settlements, but to allot to the Government of India a certain proportion of growing revenue instead of its share of the divided heads. But this device would stereotype all the existing inequalities between the provinces which by reason of the permanent settlement in some of them are considerable; while it would also introduce an element of great uncertainty into the Indian Government's finance. A second suggestion was that we should take an all-round contribution on a *per capita* basis. But this expedient also would not obviate very undesirable variations between provinces in the rate of levy owing to the inequality of provincial resources and of provincial needs. A third plan was to take an all-round percentage contribution based on gross provincial revenue. This is open, *inter alia*, to the objection that it would leave several of the provinces with large deficits. Fourthly, we considered, but rejected, the proposal that provinces which had a surplus should temporarily help others as being *cumbersome and impracticable*.

Need for meeting the resultant deficit in the Indian budget.

206. From our examination of these proposals we came to certain broad conclusions. We agreed that in fixing contributions it was undesirable and unnecessary to pay regard to the growing revenues of the provinces. We agreed also that the contributions should be of fixed amounts. We saw that equality of contribution was impracticable, because we have not a clean slate. In spite of the variations in income which result from the permanent settlement in some areas, stereotyped scales of expenditure have grown up, which makes it useless to attempt any theoretic calculation on which a uniform contribution from the provinces could be based, such as an equal percentage of revenues or a contribution fixed on a population basis. This led us to look for some plan which would fit more closely into the existing facts.

Starting with an estimate (based on the budget figures for 1917-18, subject to some adjustments) of the gross revenue of all provinces when all divided heads have been abolished, and deducting therefrom an estimate of the normal expenditure of all provinces, including provision for expenditure on famine relief and protective irrigation, we arrived at ₹1,564 lakhs as the gross provincial surplus. The deficit in the Government of India's budget was ₹1,363 lakhs. This left ₹201 lakhs, or about 13 per cent. of the total gross surplus as the net surplus available to the provinces. We would propose to assess the contribution from each province to the Government of India as a percentage of the difference between the gross provincial revenue and the gross provincial expenditure. On the basis of the figures which we have taken this percentage would be 87. The contributions to the Government of India would form the first charge upon the provincial revenues. The way in which our plan would work out in practice can be gathered from the following figures :—

[In lakhs of rupees]

Province.	Gross provincial revenue.	Gross provincial expenditure.	Gross provincial surplus.	Contribution (87 per cent of col. 4).	Net provincial surplus.
1	2	3	4	5	6
Madras ...	13,31	8,40	4,91	4,28	63
Bombay ...	10,01	9,00	1,01	88	13
Bengal ...	7,54	6,75	79	69	10
United Provinces ...	11,22	7,47	3,75	3,27	48
Carried over ...	42,08	31,62	10,46	9,12	1,34

Province.	Gross provincial revenue.	Gross provincial expenditure.	Gross provincial surplus.	Contribution (87 per cent of col. 4).	Net provincial surplus.
1	2	3	4	5	6
Brought forward ...	42,08	31,62	10,46	9,12	1,34
Punjab ...	8,64	6,14	2,50	2,18	32
Burma ...	7,69	6,08	1,61	1,40	21
Bihar and Orissa ...	4,04	3,59	45	39	6
Central Provinces ...	4,12	3,71	41	36	5
Assam ...	1,71	1,50	21	18	3
TOTAL ...	68,28	52,64	15,64	13,63	2,01

N. B.—The Punjab figures in column 5 should be reduced and those in column 6 raised by $3\frac{1}{2}$ lakhs in each case to allow for the continued compensation which the province is entitled to receive for the cession of a crore of its balances to the Government of India in 1914.

We recognize, of course, that the objection will be taken that some provinces even under this plan will bear a very much heavier proportion of the cost of the Indian Government than others. Madras and the United Provinces will be paying 47·4 per cent and 41·1 per cent of their remaining revenues to the Government of India, while Bengal and Bombay are paying only 10·1 per cent and 9·6 per cent, respectively. Our answer is that the objection is one that applies to existing inequalities which we admit that our scheme fails for the present to remove. It merely continues the disparity which is at present masked by the system of divided heads. But the immediate settlement proposed improves the position of the provinces as a whole by upwards of one million sterling. It is not intended to be of a final nature; and when revenues develop and a revision takes place under normal conditions an opportunity will arise for smoothing out inequalities. We have already mentioned at the beginning of this part of our report that our proposals generally do not relate to the minor administrations. Their financial transactions are classified as all-Indian; and with them separate arrangements must continue.

207. The Government of India have already put matters in train by consulting provincial Governments on these proposals. It may be added that when details come to be worked out we may find it convenient to take some later figures as the

The possible need for revision.

basis of the settlement, and that the replies of local Governments will also necessitate some revision ; but we hope that the general scheme which we have outlined may be accepted. Our intention is that the new arrangements should take effect from whatever date is fixed in the statute for the installation of the new constitutional machinery. One caveat we are bound to make. Emergencies may arise which cannot be provided for by immediately raising Government of India taxation ; and in that case it must be open to the central Government to make a special supplementary levy upon the provinces. We must add that inasmuch as our proposals are based on war figures they should be open to revision hereafter, but not subject to change for a period of say six years ; and to avoid intermediate discussions the scheme should in the meantime be regarded as part of the constitutional arrangement with the provinces. (It should also be one of the duties of the periodic commission which we propose should be appointed to examine the development of constitutional changes after ten years' experience of their working or of some similar body at that time, to reinvestigate the question of the provincial contributions to the Government of India.) We have, for the present, accepted the inequality of burden which history imposes on the provinces, because we cannot break violently with traditional standards of expenditure, or subject the permanently settled provinces to financial pressure which would have the practical result of forcing them to reconsider the permanent settlement. But it is reasonable to expect that with the growth of provincial autonomy any inequality of burdens will be resented more strongly by the provinces on whom it falls ; and it will be for the first periodic commission and for its successors after review of the situation then existing to determine whether some period should not be set by which the more lightly burdened provinces should be expected to find means of bringing up their financial resources to the common level of strength. We attach great weight to the proposition that if the provinces are to be really self-governing they ought to adjust their expenditure—including therein their obligations to the common interests of India—according to their resources and not to draw indefinitely on more enterprising neighbours.

208. It follows from our proposed separation of revenues that there will in future be also a complete separation of the central and provincial budgets ; and that the former will hence-

Provincial budgets and
Balances.

forward include only the direct transactions of the Government of India, and not as at present those of the provinces also. It likewise follows that there will be no more earmarking of any portion of provincial balances ; and that portions previously earmarked will be available for general purposes.

209. Generally speaking provincial Governments enjoy the same detailed financial powers in divided heads as in those which are wholly provincial. The mere provincialization of heads of revenue and expenditure will therefore not of itself suffice to free the provinces from the restrictions on their spending powers, which the provisions of the codes and other standing orders impose upon them. Nor can the Government of India, except to a relatively minor extent, enlarge their powers, since they themselves have to conform to the restrictions on expenditure imposed by the Secretary State in Council. If provinces are to have a relatively freer hand in expenditure in future it will be necessary to relax the India Office control. Proposals for its relaxation are already under the consideration of the Government of India and will be further considered at the India Office.

210. We saw also in chapter V that some means of enlarging the taxing powers of local Governments must, if possible, be found. We think that the best means of freeing the provincial Governments in this respect will be to schedule certain subjects of taxation as reserved for the provinces, and to retain the residuary powers in the hands of the Government of India, with whom rests the ultimate responsibility for the security of the country. We have not attempted to frame a schedule, as this can only be done in consultation with the provincial Governments. We think that where a tax falls within the schedule the Government of India's previous sanction to the legislation required for its imposition should not be necessary ; but that the Bill should be forwarded to the Government of India in sufficient time to enable that Government to satisfy itself that the proposal is not open to objection as trenching on its own field of taxation. The Governor-General's power of veto will ensure that the wishes of the Government of India are not disregarded. In cases not covered by the schedule the Government of India's sanction should be sought before the necessary legislation is introduced ; but this sanction would be withheld only if the proposal trespassed on Indian heads of revenue to an undue extent ; or

if the tax was a new one and the central Government itself contemplated imposing it as an all-India tax ; or if the proposals were, in the opinion of the Government of India, likely to lead to undesirable consequences which would affect its own responsibilities. Where sanction is required it should be conveyed by executive orders ; it is clearly undesirable to undertake double legislation. The right now enjoyed by private members of introducing taxation Bills will be continued, provided that the sanction of the head of the province is obtained to the introduction of the Bill, and that such Bills are, in relation to the Government of India, dealt with exactly as Government finance Bills.

211. We come now to the question of the borrowing powers of provincial Governments. In this respect provincial Governments are almost unanimous in desiring greater freedom. They recognize the difficulties which we have already discussed, and the impossibility of allowing them to compete with the Government of India in the open market. But they suggest that the central Government should regard an application for a loan solely from the stand point of finance and not from that of administration, and that, if it has the money and is satisfied with the arrangements for financing the loan, it should not withhold sanction. It has also been represented to us that there exist local sources which could be tapped by provincial Governments but are not touched by Indian loans. A new argument for further liberty of action is afforded by our proposal to provincialize irrigation works on which a large capital expenditure is necessary. We think that in order to avoid harmful competition provincial Governments must continue to do their borrowing through the Government of India. Also it may often happen that the Government of India will not be able to raise sufficient money to meet all provincial requirements. In that case it may find it necessary to limit its total borrowing on behalf of provincial Governments in particular years ; and when that happens, it will be difficult for it entirely to avoid a reference to the relative merits of the schemes for which the loans are wanted. We think, however, in such cases there ought to be no insuperable difficulty in making a reasonably fair and equitable distribution between the provinces. It may be found expedient in some cases to appoint a small committee on which the central and the provincial Governments are represented to settle the distribution ; and it should be open to a province to

renounce its claims in one year in return for the first claim on the money available in the next year. But we are prepared to go further. If the Government of India finds itself unable to raise the money in any one year which a province requires, or if there is good reason to believe that a provincial project may attract money which would not be elicited by a Government of India loan, we would allow the provincial Government to have recourse to the Indian market. But in that case we think that they should secure the approval of the Government of India to the method of borrowing, including the rate of interest, so as not to affect investments in the post office, and the time of borrowing, so as not to conflict with Indian loans. So far as the limited market permits we should like to see the municipal practice of borrowing for unproductive public purposes with a sinking fund extended to provincial Governments.

212. These measures will give provincial Governments the liberty of financial action which is indispensable; but the provinces must also be secured against any unnecessary interference by the Government of India in the spheres of legislative and administrative business. It is our intention to reserve to the Government of India a general overriding power of legislation for the discharge of all functions which it will have to perform. It should be enabled under this power to intervene in any province for the protection and enforcement of the interests for which it is responsible; to legislate on any provincial matter in respect of which uniformity of legislation is desirable either for the whole of India or for any two or more provinces; and to pass legislation which may be adopted either *simpliciter* or with modifications by any province which may wish to make use of it. We think that the Government of India must be the sole judge of the propriety of any legislation which it may undertake under any one of these categories, and that its competence so to legislate should not be open to challenge in the courts. Subject to these reservations we intend that within the field which may be marked off for provincial legislative control the sole legislative power shall rest with the provincial legislatures. The precise method by which this should be effected is a matter to be considered when the necessary statute is drafted, and we reserve our final opinion upon it. There are advantages in statutory demarcation of powers such as is found in some federal constitutions, but we feel that if this is to leave the validity of acts to be challenged in the

courts on the ground of their being in excess of the powers of the particular legislature by which they are passed, we should be subjecting every Government in the country to an almost intolerable harassment. Moreover, in India where the central Government must retain large responsibilities, as for defence and law and order, a statutory limitation upon its legislative functions may be inexpedient. We have already referred to the fact that there has been growing up in India for some time a convention which by now has acquired no little strength to the effect that the central Government shall not without strong reason legislate in the internal affairs of provinces. We think therefore that it may be better, instead of attempting to bar the legislative power of the Government of India in certain spheres of provincial business, to leave it to be settled as a matter of constitutional practice that the central Government will not interfere in provincial matters unless the interests for which it is itself responsible are directly affected.

213. The question of restraining the central Government

Administrative devo-
lution.

from administrative interference in the provinces is more difficult. We recognize that, in so far as the provincial Governments of the future will still remain partly bureaucratic in character, there can be no logical reason for relaxing the control of superior official authority over them nor indeed would any general relaxation be approved by Indian opinion; and that in this respect the utmost that can be justified is such modification of present methods of control as aims at getting rid of interference in minor matters, which might very well be left to the decision of the authority which is most closely acquainted with the facts. It is, however, in relation to provincial Governments in their popular aspect that serious difficulties present themselves. So long as the Government of India itself is predominantly official in character and, therefore, remains amenable to the Secretary of State, its interference in any matters normally falling within the range of popular bodies in the provinces involves a clash of principle which cannot fail to engender some heat, and the scope of which it is on all grounds desirable to keep within very closely defined bounds. At the same time we perceive that there are many matters which, taken in bulk, may reasonably be regarded as fitted for administration by popular bodies, but which have aspects that cannot fail to be of intimate concern to the Government which is responsible for the security or good administration of the

whole country. We shall have occasion to return to this point when we have stated our proposals for the demarcation of responsibility for the administration.

Provincial Executives.

214. Let us now explain how we contemplate in future that the executive Governments of the provinces shall be constituted. As we have seen, three provinces are now governed by a Governor and an Executive Council of three members, of whom one is in practice an Indian and two are usually appointed from the Indian Civil Service, although the law says only that they must be qualified by twelve years' service under the Crown in India. One province, Bihar and Orissa, is administered by a lieutenant-governor with a council of three constituted in the same way. The remaining five provinces, that is to say, the three lieutenant-governorships of the United Provinces, the Punjab, and Burma, and the two chief commissionerships of the Central Provinces and Assam are under the administration of a single official head. We find throughout India a very general desire for the extension of council government. There is a belief that when the administration centres in a single man the pressure of work inevitably results in some matters of importance being disposed of in his name, but without personal reference to him, by secretaries to Government. There is also a feeling that collective decisions, which are the result of bringing together different points of view, are more likely to be judicious and well-weighed than those of a single mind. But, above all, council government is valued by Indians, because of the opportunity it affords for taking an Indian element into the administration itself. To our minds, however, there is an overriding reason of greater importance than any of these. The retention of the administration of a province in the hands of a single man precludes the possibility of giving it a responsible character. Our first proposition, therefore, is that in all these provinces single-headed administration must cease and be replaced by collective administration.

215. In determining the structure of the executive we have to bear in mind the duties with which it will be charged. We start with the two postulates that complete responsibility for the Government cannot be given immediately without inviting

The structure of the executive.

a breakdown, and that some responsibility must be given at once if our scheme is to have any value. We have defined responsibility as consisting primarily in amenability to constituents and, in the second place, in amenability to an assembly. We do not believe that there is any way of satisfying these governing conditions other than by making a division of the functions of the provincial Government between those which may be made over to popular control and those which for the present must remain in official hands. The principles and methods of such division, and also the difficulties which it presents, we shall discuss hereafter. For the moment let us assume that such division has been made, and that certain heads of business are retained under official, and certain others made over to popular, control. We may call these the 'reserved' and 'transferred' subjects, respectively. It then follows that for the management of each of these two categories there must be some form of executive body, with a legislative organ in harmony with it, and if friction and disunion are to be avoided it is also highly desirable that the two parts of the executive should be harmonized. We have considered the various means open to us of satisfying these exacting requirements.

216. In the first place we set aside the idea of establishing two different executives each working in conjunction with a separate legislature of its own. That plan seemed to us only to enhance the division between the two elements in the Government which it should be our object by every possible means to minimize. Such complete dualism in executive and legislature must lead to hopeless friction. One Government would be regarded as official, and one as Indian; and no great provision is needed to see how differences must ensue over the division of financial resources and other matters. Assuming therefore that the machine of government must as far as possible be single, and not dual, both in its legislative and executive aspects, we examined the alternative ways in which it appeared open to us to construct the executive.

217. One plan which we considered was that in all provinces there should be set up councils consisting of four members, of whom two would be qualified, as now, by service under the Crown in India, while for two no such qualification would be required. In practice the composition of the councils would be two European officials and two Indians.

Our further intention was, after subjecting an official executive so composed for a period of years to the influence of a legislative council constituted with an elected majority and associated with the administration by means of elected standing committees attached to the departments, to replace the two Indian members of the executive council by ministers appointed from, and accountable to, the legislative councils. During this period, which would be essentially one of training, some members of the legislative councils would have acquired some practical acquaintance with the art of administration through the standing-committees, but there would be no formal distribution of business, so far as administration was concerned, into transferred and reserved subjects; though in dealing with the transferred subjects the Government would as far as possible endeavour to give effect to the wishes of the legislative councils. The executive in such a scheme, finding itself face to face with an elected majority which might withhold essential legislation or supplies, would have had to be armed with power to make good in the last resort its purposes in respect of reserved subjects. We do not think that such a scheme would have been unfavourably received in India. But further consideration showed that it was open to grave defects. So long as the Indian members of the executive were not appointed from the elected members of the legislative council they would have had no responsibility to the legislature. But if this defect were cured by appointing them from the legislative council we should have formed a government all the members of which were equally responsible for all subjects but were, though to a lesser extent than in the Congress-League scheme, accountable to different authorities. If, on the other hand, we delayed this step until the training period was over, we should have encouraged the elected members of council in the habits of irresponsible criticism which have been the bane of the Morley-Minto councils, and from which it is our aim to escape. Then when ministers responsible to the legislative council were brought into being it would have been necessary, in pursuance of our principles, to place them in charge of the transferred subjects. But either the ministers would still have continued to share with the executive council responsibility for even the reserved subjects, or else they would have relinquished such joint responsibility and confined themselves exclusively to the transferred subjects. The former alternative is objectionable because it would make the ministers, who are responsible to the electorates, accountable to them not only for transferred subjects, for which responsibility is intended, but

also for reserved subjects, over which popular control is not at present intended to operate. In the second place, it is objectionable because the responsibility for the reserved subjects would be shared by members of the executive council responsible to the Secretary of State with ministers responsible to electorates. The latter alternative is open to the criticism that it deprives the Indian element in the Government of such voice in the reserved subjects as they had previously enjoyed.

218. We propose therefore that in each province the executive Government should consist of two parts. One part would comprise the head of the province and an executive council of two members. In all provinces the head of the Government would be known as Governor, though this common designation would not imply any equality of emoluments or status, both of which would continue to be regulated by the existing distinctions, which seem to us generally suitable. One of the two executive councillors would in practice be a European, qualified by long official experience, and the other would be an Indian. It has been urged that the latter should be an elected member of the provincial legislative council. It is unreasonable that choice should be so limited. It should be open to the Governor to recommend whom he wishes. In making his nominations the Governor should be free to take into consideration the names of persons who had won distinction, whether in the legislative council or any other field. The Governor in Council would have charge of the reserved subjects. The other part of the Government would consist of one member, or more than one member, according to the number and importance of the transferred subjects, chosen by the Governor from the elected members of the legislative council. They would be known as ministers. They would be members of the executive Government, but not members of the executive council; and they would be appointed for the lifetime of the legislative council and if re-elected to that body would be re-eligible for appointment as members of the executive. As we have said, they would not hold office at the will of the legislature, but at that of their constituents. We make no recommendation in regard to pay. This is a matter which may be disposed of subsequently.

219. The portfolios dealing with the transferred subjects would be committed to the ministers, and on these subjects the ministers together with the Governor would form the adminis-

Relation of the Governor to ministers.

tration. On such subjects their decisions would be final, subject only to the Governor's advice and control. We do not contemplate that from the outset the Governor should occupy the position of a purely constitutional Governor who is bound to accept the decisions of his ministers. Our hope and intention is that the ministers will gladly avail themselves of the Governor's trained advice upon administrative questions, while on his part he will be willing to meet their wishes to the furthest possible extent in cases where he realizes that they have the support of popular opinion. We reserve to him a power of control, because we regard him as generally responsible for his administration, but we should expect him to refuse assent to the proposals of his ministers only when the consequences of acquiescence would clearly be serious. Also we do not think that he should accept without hesitation and discussion proposals which are clearly seen to be the result of inexperience. But we do not intend that he should be in a position to refuse assent at discretion to all his ministers' proposals. We recommend that for the guidance of Governors in relation to their ministers, and indeed on other matters also, an Instrument of Instructions be issued to them on appointment by the Secretary of State in Council.

220. There is another provision which we wish to make.

**Additional members
without portfolio.**

The Governor may be himself unfamiliar with Indian conditions; and his Government, constituted as we have proposed, will contain only one European member. He will thus normally have only one member with official experience. In some provinces where the Governor is himself an official and thoroughly familiar with the requirements of the province, the advice and assistance of one official colleague may suffice. But in other cases this will not be so. We propose, therefore, that the Governor should appoint, if he chooses, one or two additional members of his Government, as members without portfolio, for purposes of consultation and advice. It is true that it is always open to the Governor to seek the advice of any of his officials; but that is not the same thing as appointing them to be members of Government with the status and authority attaching to such office. The additional members would still discharge the functions of, and draw the pay attached to, their substantive appointments.

221. It is our intention that the Government thus composed and with this distribution of functions shall discharge them as one Government. It is highly desirable that the executive

**Working of the
executive.**

should cultivate the habit of associated deliberation and essential that it should present a united front to the outside. We would therefore suggest that, as a general rule, it should deliberate as a whole, but there must certainly be occasions upon which the Governor will prefer to discuss a particular question with that part of his Government, directly responsible. It would therefore rest with him to decide whether to call a meeting of his whole Government, or of either part of it, though he would doubtless pay special attention to the advice of the particular member or minister in charge of the subjects under discussion. The actual decision on a transferred subject would be taken, after general discussion, by the Governor and his ministers; the action to be taken on a reserved subject would be taken, after similar discussion, by the Governor and the other members of his executive council, who would arrive at their decision in the manner provided in the existing statute. The additional members, if present, would take their share in the discussion, but would in no case take a part in the decision. At a meeting of the whole Government there would never be, in fact, any question of voting, for the decision would be left, as we have stated, to that part of the Government responsible for the particular subject involved. But there are questions upon which the functions of the two portions of the Government will touch or overlap, such, for instance, as decisions on the Budget or on many matters of administration. On these questions, in case of a difference of opinion between the ministers and the executive council, it will be the Governor who decides.

222. Let us now see the advantages of this transitional arrangement and anticipate criticisms. It has been urged with great force that, at the outset, it would be unfair to entrust the responsibility for the administration of any subject to men holding office at the will of the Legislative Council. The Legislative Council has had no experience of the power of dismissing ministers, or the results attending the exercise of such power. Nobody in India is yet familiar with the obligations imposed by tenure of office at the will of a representative assembly. It is only by actual experience that these lessons can be learned. But our scheme provides security of tenure for ministers for the lifetime of the council during the preliminary period, and therefore gives some time, which we think should be short, to prepare for the full exercise of responsibility. By the device, however, of appointing the ministers from the elected members of the Legis-

Advantages and disadvantages of this plan.

lative Council and making their tenure of office conditional on the retention of their seats we have established at once some measure of responsibility, in the form of responsibility to their constituents, and have thus put an end to the condition of affairs in which those entrusted with the administration are wholly irresponsible to the constituents who elect the Legislative Council. By dividing the Government into what will in effect be two committees with different responsibilities we have ensured that members of the Government accountable to different authorities do not exercise the same responsibility for all subjects. By entrusting the transferred portfolios to the ministers we have limited responsibility to the Indian electorate to those subjects in which we desire to give responsibility first. We have done this without now, or at any time, depriving the Indian element in the Government of responsibility for the reserved subjects. The fact that we are entrusting some functions of Government to ministers makes it impossible for us to contemplate the retention in any province of an executive council of more than two members; but the reduction of the European element in the council may be regarded as equivalent to an increase in the Indian element. At the same time, by the appointment of the additional members of the Government we have secured that the Governor shall have at his disposal ample official advice. The arrangement admits of adjustment to the different provinces, because we contemplate that the number of transferred subjects, and therefore the number of ministers, may vary in each province. It is quite true that our plan involves some weakening of the unity of the executive and some departure from constitutional orthodoxy; but whenever and wherever we approach this problem of realizing responsibility at different times in different functions we find it impossible to adhere tightly to theoretical principles. It would be impossible to attain our object by a composite Government so composed that all its members should be equally responsible for all subjects. At the same time it is necessary to secure that the whole executive should be capable of acting together. What we can do is to aim at minimizing causes of friction; and we have proposed arrangements that can be worked by mutual forbearance and a strong common purpose. (It is our intention that the decisions of the Government should be loyally defended by the entire Government, but that the ministers should feel responsibility for conforming to the wishes of their constituents.) It is true that these two forces may pull different ways; but, though the analogy is clearly not complete, there are occasions when members of a Government, and indeed members of Parliament

at Home, have to choose between loyalty to the Government and to their own constituents. All the members of the composite executive will be chosen by the Governor, and his position in the administration will enable him to act as a strong unifying force. The habit of deliberating as a whole will also tend to preserve the unity of the Government, while the special responsibility of either part for the subjects committed to it will be recognized by the Legislative Council and the electorate. It seems to us, therefore, that, both from the point of view of capacity for development and from that of ensuring co-operation while developing responsibility, our arrangement is the best that can be devised for the transitional period.

223. Our proposals may strike some critics as complicated. But few constitutions, except those

Its justification.

of a purely despotic character, can be described without some appearance of complication; and the course which we have deliberately chosen, and which is in its nature experimental and transitional, is relatively elaborate because it involves the temporary co-ordination of two different principles of Government. If we had proposed to delay the concession of any responsibility at all until such time as we could give complete responsibility our scheme certainly would have had the minor merit of simplicity. But apart from our obligation to comply with the announcement of August 20, we feel that such a course would have subjected the mechanism of government, when the change from irresponsibility to complete responsibility came, to so violent a shock that it might well have broken down. We were driven therefore first to devising some dualism in the executive; and secondly to providing for such a balance of power between the two portions as would permit the one portion to grow without at the same time disabling the other from discharging its very necessary functions of preserving continuity and safeguarding essentials. Given such difficult conditions, we do not think that a less elaborate solution can readily be devised.

224. The suggestion has been made to us that in some provinces it might be convenient, where the

A further proposal.

press of work is heavy, to appoint some members of the legislative council, not necessarily elected, to positions analogous to that of a parliamentary under-secretary in Great Britain, for the purpose of assisting the members of the executive in their departmental duties and of representing them in the legislative council. We feel no doubt that the elaboration

of the machinery which is inevitable in future will impose greater burdens on the members of the Government. We suggest therefore that it may be advisable and convenient to take power to make such appointments.

Provincial Legislatures.

225. We will now explain how we intend that the provincial legislatures of the future shall be constituted. We propose there shall be in each province an enlarged legislative council, differing in size and composition from province to province, with a substantial elected majority, elected by direct election on a broad franchise, with such communal and special representation as may be necessary. This brief epitome of our proposals needs some amplification if it is to be intelligible. We have been invited by many advisers to indicate at once the composition of the councils which we contemplate. We have refrained from that task for good and sufficient reasons. It would be easy to make proposals, but in the present state of our information it would be very difficult to invest those proposals with authority. If a sound beginning is to be made the foundations for the building must be laid deeper. The first step must be not a hard-and-fast adjustment of the composition of the councils to the various interests of each province as estimated from headquarters, but a careful survey of all the material available in the province for an electorate. We must, in fact, measure the number of persons who can in the different parts of the country be reasonably entrusted with the duties of citizenship. We must ascertain what sort of franchise will be suited to local conditions, and how interests that may be unable to find adequate representation in such constituencies are to be represented. Such an electoral survey of the entire country is obviously beyond our powers at the present time. We propose that the work should be undertaken by a special committee, which should be appointed to deal with it as soon as possible; for whatever modifications of our own proposals may be decided upon in further discussion it seems to us certain that work of this particular nature must in any case be done. We suggest that the committee should consist of a chairman, chosen from outside India, two experienced officials, and two Indians of high standing and repute. In each province the material for its deli-

berations would, of course, be prepared for it by the local Government; indeed some spade-work has already been done. As the committee visited each province in turn one civilian officer and one Indian, appointed by the provincial Government, should join it and share in its labours. The committee's investigations into the subjects of the franchise, the constituencies, and the nominated element, to which we refer below, will enable it to advise as to the composition of the councils, which, we propose, should then be determined by the Secretary of State in Council, on the recommendation of the Government of India, in the form of regulations to be laid before Parliament. We think this is certainly a better method than to formulate such matters in the statute itself. All this electoral architecture must inevitably be experimental and will need modification and development from time to time.

226. While, however, we refrain from any discussion of

The system of election and the franchise.

details for which the material is not immediately available there are certain broad questions upon which we certainly ought to indicate our conclusions, both because the issues are themselves important and because the committee will need general instructions on points of principle. We consider in the first place that the system of indirect elections should be swept away. It is one main cause of the unreality that characterizes the existing councils, because it effectively prevents the representative from feeling that he stands in any genuine relation to the original voter. Secondly, we consider that the limitations of the franchise, which it is obviously desirable to make as broad as possible, should be determined rather with reference to practical difficulties than to any *a priori* considerations as to the degree of education or amount of income which may be held to constitute a qualification. It is possible that owing to unequal distribution of population and wealth it may be necessary to differentiate the qualifications for a vote not merely between provinces, but between different parts of the same province. It is essential to take due account of the problems involved in the maintenance of an electoral roll, the attendance of voters at a polling centre, the danger of impersonation, and the subsequent adjudication of electoral petitions. On these considerations the strength of the official and non-official agency which could be made available for electoral purposes throughout the country has an important bearing, and warns us against any such inordinate and sudden extension of the franchise as might lead

to a breakdown of the machinery through sheer weight of numbers.

227. At this point we are brought face to face with the the most difficult question which arises in connexion with elected assemblies—whether communal electorates are to be maintained. We may be told that this is a closed question, because the Muhammadans will never agree to any revision of the arrangement promised them by Lord Minto in 1906 and secured to them by the reforms of 1909. But we have felt bound to re-examine the question fully in the light of our new policy, and also because we have been pressed to extend the system of communal electorates in a variety of directions. This is no new problem. It has been discussed periodically from the time when the first steps were taken to liberalize the councils. There has hitherto been a weighty consensus of opinion that in a country like India no principle of representation other than by interests is practically possible. Lord Dufferin held this view in 1888, and in 1892 Lord Lansdowne's Government wrote that :—"The representation of such a community upon such a scale as the Act permits can only be secured by providing that each important class shall have the opportunity of making its views known in council by the mouth of some member specially acquainted with them." We note that in 1892 the small size of the councils was reckoned as a factor in the decision and that the contrary view was not without its exponents; but we feel no doubt that Lord Minto's Government followed the predominant opinion when in 1908 they pressed for an important extension of the communal principle. Thus we have had to reckon not only with the settled existence of the system, but with a large volume of weighty opinion that no other method is feasible.

228. The crucial test to which, as we conceive, all proposals should be brought is whether they will or will not help to carry India towards responsible government. Some persons hold that for a people, such as they deem those of India to be, so divided by race, religion and caste as to be unable to consider the interests of any but their own section, a system of communal and class representation is not merely inevitable, but is actually best. They maintain that it evokes and applies the principle of democracy over the widest range over which it is actually alive at all by appealing to the instincts which are strongest; and that we must hope to develop the finer, which

They are opposed to the teaching of history.

are also at present the weaker, instincts by using the forces that really count. According to this theory communal representation is an inevitable, and even a healthy, stage in the development of a non-political people. We find indeed that those who take this view are prepared to apply their principles on a scale previously unknown, and to devise elaborate systems of class or religious electorates into which all possible interests will be deftly fitted. But when we consider what responsible government implies, and how it was developed in the world, we cannot take this view. We find it in its earliest beginnings resting on an effective sense of the common interests, a bond compounded of community of race, religion and language. In the earlier form which it assumed in Europe it appeared only when the territorial principle had vanquished the tribal principle, and blood and religion had ceased to assert a rival claim with the State to a citizen's allegiance; and throughout its development in Western countries, even in cases where special reasons to the contrary were present, it has rested consistently on the same root principle. The solitary examples that we can discover of the opposing principle are those of Austria, a few of the smaller German states, and Cyprus. It is hardly necessary to explain why we dismiss these as irrelevant or unconvincing. We conclude unhesitatingly that the history of self-government among the nations who developed it, and spread it through the world, is decisively against the admission by the State of any divided allegiance; against the State's arranging its members in any way which encourages them to think of themselves primarily as citizens of any smaller unit than itself.

229. Indian lovers of their country would be the first to admit that India generally has not yet acquired the citizen spirit, and if we are really to lead her to self-government we must do all that we possibly can to call it forth in her people. Division by creeds and classes means the creation of political camps organized against each other, and teaches men to think as partisans and not as citizens; and it is difficult to see how the change from this system to national representation is ever to occur. The British Government is often accused of dividing men in order to govern them. But if it unnecessarily divides them at the very moment when it professes to start them on the road to governing themselves it will find it difficult to meet the charge of being hypocritical or short-sighted.

They perpetuate class divisions.

230. There is another important point. A minority which is given special representation owing to its weak and backward state is positively encouraged to settle down into a feeling of satisfied security; it is under no inducement to educate and qualify itself to make good the ground which it has lost compared with the stronger majority. On the other hand, the latter will be tempted to feel that they have done all they need do for their weaker fellow-countrymen, and that they are free to use their power for their own purposes. The give-and-take which is the essence of political life is lacking. There is no inducement to the one side to forbear, or to the other to exert itself. The communal system stereotypes existing relations.

231. We regard any system of communal electorates, therefore, as a very serious hindrance to the development of the self-governing principle. The evils of any extension of the system are plain. Already communal representation has been actually proposed for the benefit of a majority community in Madras. At the same time we must face the hard facts. The Muhammadans were given special representation with separate electorates in 1909. The Hindus' acquiescence is embodied in the present agreement between the political leaders of the two communities. The Muhammadans regard these as settled facts, and any attempt to go back on them would rouse a storm of bitter protest and put a severe strain on the loyalty of a community which has behaved with conspicuous loyalty during a period of very great difficulty, and which we know to be feeling no small anxiety for its own welfare under a system of popular government. The Muhammadans regard separate representation and communal electorates as their only adequate safeguards. But apart from a pledge which we must honour until we are released from it, we are bound to see that the community secures proper representation in the new councils. How can we say to them that we regard the decision of 1909 as mistaken, that its retention is incompatible with progress towards responsible government, that its reversal will eventually be to their benefit; and that for these reasons we have decided to go back on it? Much as we regret the necessity, we are convinced that so far as the Muhammadans at all events are concerned the present system must be maintained until conditions alter, even at the price of slower progress towards the realization of a common citizenship. But we can see no reason

to set up communal representation for Muhammadans in any province where they form a majority of the voters.

232. We have been pressed to extend the concession to other communities. Some have based their claim on their backward, others on their advanced, condition. Thus, the Sikhs in the Punjab, the non-Brahmans in Madras (although in that presidency these actually constitute a majority), the Indian Christians, the Anglo-Indians, the Europeans, and the Lingayat community in Bombay have all asked for communal representation. The large landowning classes also generally desire representation in an electorate of their own. Now our decision to maintain separate electorates for Muhammadans makes it difficult for us to resist these other claims ; but, as we have said, in the case of the Muhammadans we have felt ourselves bound by promises given and renewed by Secretaries of State and Viceroy, and in their respect at all events our recommendation involves no new departure. Any general extension of the communal system, however, would only encourage still further demands, and would in our deliberate opinion be fatal to that development of representation upon the national basis on which alone a system of responsible Government can possibly be rooted. At the same time, we feel that there is one community from whom it is inexpedient to withhold the concession. The Sikhs in the Punjab are a distinct and important people ; they supply a gallant and valuable element to the Indian Army ; but they are everywhere in a minority, and experience has shown that they go virtually unrepresented. To the Sikhs, therefore, and to them alone, we propose to extend the system already adopted in the case of Muhammadans.

{ For the representation of other minorities we should prefer nomination. Even in the case of the general European community, whose material interests in the country are out of all proportion to their numerical strength and on whose behalf it may be argued that no departure from principle is involved, inasmuch as unlike all other communities named they are not an integral part of the population of India, we prefer to rely upon nomination. Special electorates will no doubt be required for the representation of the planting and mining interests, for the chambers of commerce, and possibly also for the universities ; but we desire that the number of such electorates should, where necessary, be represented not by class or interest electorates, but by nomination. Where the great landowners form a dis-

inct class in any province we think that there will be a case for giving them an electorate of their own. The anomaly involved in the presence of nominated members in a council to which we are giving some responsible powers must, we think, be accepted as one of the necessary illogicalities attendant on a transitional period. Such nominations are made for a representative purpose and can be made in such a way as to secure representation. Nomination has in our eyes the great advantage over the alternative of extending the class or communal system that it can be more easily abolished when the necessity for it ceases. We look to the desire of the communities represented by nominated members to see their representatives in council placed upon the same footing as those of other communities to help us in securing the extension of the territorial principle of representation wherever possible. But it should be a clear instruction to the committee that the nominated element in the legislative councils is to be no larger than the exigencies of fair and adequate representation entail.

There may be cases in which nomination proves an unsuitable method of securing the representation of minorities. In such cases the committee should consider whether the needs of the case would be met by reserving to a particular community a certain number of seats in plural constituencies, but with a general electoral roll. We are inclined to look on such an arrangement as preferable to communal electorates.

233. There seem to us good and sufficient reasons for not dispensing entirely with the official element in the legislative councils. Once the official *bloc* is swept away the main objection to the presence of officials no longer exists; their presence has the advantage of tending to steady discussion and of keeping it to practical issues; and their official experience will be invaluable. The exact number of official representatives will be a matter for the committee to consider. We advise, however, that the official element appointed by the Governor should be no larger than is considered necessary for the transaction of business. The members of the executive council should be *ex-officio* members of the legislative council, and there should be so many other official members as will provide the Government with first-hand knowledge of the matters likely to be discussed both in the council and in committee. We wish to see the convention established, though we propose to lay down no rule on the point, that on the subjects transferred to the control of ministers the official

members of the legislative council would abstain from voting and leave the decision of the question to the non-official members of council. On other matters, except on occasions when the Government thinks it necessary to require their support, the nominated official members of the legislative councils should have freedom of speech and vote.

234. The great increase which will result from our proposals in the number of members of the provincial legislative councils makes it desirable that they should no longer enjoy the designation "Honourable" which we desire to reserve for the members of the new bodies whose institution we propose in the next chapter. But conformably with practice in other parts of the Empire we suggest that provincial legislators should be entitled to affix the letters M.L.C. to their names. On the other hand, while the language of section 74 of the Government of India Act with its reference to "additional members" marks the survival of the idea that the legislative councils are merely expansions of the executive Government for the purpose of law-making, our proposals will have made it clear that we intend the Indian legislatures of the future to be substantive legislative organs. We consider therefore that the term "additional members" should no longer be employed in the case of any Indian legislature.

235. Our next proposal is intended to familiarize other elected members of the legislative council, besides ministers, with the processes of administration; and also to make the relations between the executive and legislative more intimate. We propose that to each department or group of departments, whether it is placed under a member of the executive council or under a minister, there should be attached a standing committee elected by the legislative council from among their own members. Their functions would be advisory. They would not have any administrative control of departments. It would be open to the Government to refuse information when it would be inconsistent with the public interest to furnish it. We do not intend that all questions raised in the course of day-to-day administration should be referred to them; but that they should see, discuss and record for the consideration of Government their opinions upon all questions of policy, all new schemes involving expenditure above a fixed limit, and all annual reports upon the working of the departments. If the recommendations of the

standing committee were not accepted by Government it would, subject of course to the obligation of respecting confidence, be open to any of its members to move a resolution in the legislative council in the ordinary way. The member of the executive council, or minister concerned with the subject matter, should preside over the committee, and as an exception to the rule that it should be wholly non-official, the heads of the departments concerned, whether sitting in the legislative council or not, should also be full members of it, with the right to vote.

236. Bearing in mind the facts that the legislative councils will in future be larger bodies and will contain a certain number of members unversed in discussion, we feel the importance of maintaining such standards of business as will prevent any lowering of the council's repute. The conduct of business in a large deliberative body is a task that calls for experience which cannot be looked for at the outset in an elected member. We consider therefore that the Governor should remain the president of the legislative council, but inasmuch as it is not desirable that he should always preside, he should retain the power to appoint a vice-president. He should not be formally limited in his selection, but we suggest that for some time to come it will be expedient that the vice-president should be chosen from the official members.

Power to make its own rules of business is a normal attribute of a legislative body. But a simple and satisfactory procedure is of the essence of successful working; and it is advisable to avoid the risk that inexperience may lead to needless complication or other defect in the rules. We think therefore that the existing rules of procedure should, for the time being, continue in force, but that they should be liable to modification by the legislative council with the sanction of the Governor.

One or two points in connexion with the rules require notice. Any member of the legislative council and not merely the asker of the original question, should, we think, have power to put supplementary questions. Power should be retained in the Governor's hands to disallow questions, the mere putting of which would be detrimental to the public interests. If a question is not objectionable in itself, but cannot be answered without harm to the public interests, the Governor should not disallow the question, but his Government should refuse to answer it on that ground. We have not considered in what

respect existing restrictions upon the moving of resolutions should be modified; but here also it seems inevitable that some discretionary power of disallowance should remain in the Governor's hands.

237. We do not propose that resolutions, whether on reserved or transferred subjects, should be binding. The Congress-League proposal

Effect of resolutions.

to give them such authority is open to the objections which we have already pointed out. If a member of the legislative council wishes the Government to be constrained to take action in a particular direction it will often be open to him to bring in a Bill to effect his purpose; and when ministers become, as we intend that they should, accountable to the legislative council, the council will have full means of controlling their administration by refusing them supplies or by means of votes of censure, the carrying of which may in accordance with established constitutional practice, involve their quitting office.

238. It is time to show how we propose that the sphere

Division of the functions of government.

of business to be made over to the control of the popular element in the Government should be demarcated. We assumed in paragraphs 212 and 213, *supra*, that the entire field of provincial administration will be marked off from that of the Government of India. We assumed further that in each province certain definite subjects should be transferred for the purpose of administration by the ministers. All subjects not so transferred will be reserved to the hands of the Governor in Council. The list of transferred subjects will of course vary in each province; indeed it is by variation that our scheme will be adjusted to varying local conditions. It will also be susceptible of modification at subsequent stages. The determination of the list for each province will be a matter for careful investigation, for which reason we have not attempted to undertake it now. We could only have done so if, after settling the general principles on which the lists should be framed, we had made a prolonged tour in India and had discussed with the Government and people of each province the special conditions of its own case. This work should, we suggest, be entrusted to another special committee similar in composition to, but possibly smaller in size than, the one which we have already proposed to constitute for the purpose of dealing with franchises and constituencies. It may be said that such a task can be appropriately undertaken only when our main proposals are ap-

proved. We find it difficult, however, to believe that any transitional scheme can be devised which will dispense with the necessity for some such demarcation; and for this reason we should like to see the committee constituted as soon as possible. It should meet and confer with the other committee which is to deal with franchises, because the extent to which responsibility can be transferred is related to the nature and extent of the electorate which will be available in any particular province. The committee's first business will be to consider what are the services to be appropriated to the provinces, all others remaining with the Government of India. We suggest that it will find that some matters are of wholly provincial concern, and that others are primarily provincial, but that in respect of them some statutory restrictions upon the discretion of provincial Governments may be necessary. Other matters again may be provincial in character so far as administration goes, while there may be good reasons for keeping the right of legislation in respect of them in the hands of the Government of India. The list so compiled will define the corpus of material to which our scheme is to be applied. In the second place the committee will consider which of the provincial subjects should be transferred, and what limitations must be placed upon the ministers' complete control of them. Their guiding principle should be to include in the transferred list those departments which afford most opportunity for local knowledge and social service, those in which Indians have shown themselves to be keenly interested, those in which mistakes which may occur though serious would not be irremediable, and those which stand most in need of development. In pursuance of this principle we should not expect to find that departments primarily concerned with the maintenance of law and order were transferred. Nor should we expect the transfer of matters which vitally affect the well-being of the masses who may not be adequately represented in the new councils, such for example as questions of land revenue or tenant rights. As an illustration of the kind of matters which we think might be treated as provincial and those which might be regarded as transferred we have presented two specimen lists in an appendix to this report. We know that our lists cannot be exhaustive; they will not be suitable to all provinces; they may not be exactly suitable to any province; but they will serve at all events to illustrate our intentions if not also as a starting point for the deliberations of the committee. Our lists are in the main mere categories of subjects. But we have

mentioned by way of illustration some of the limitations which it will be necessary to impose or maintain. In dealing with each subject the powers of the provincial legislatures to alter Government of India Acts on that subject will have to be carefully considered. We have indicated in paragraph 240 *infra*, certain other reservations which seem to us necessary. On the publication of this report we should like to see the lists discussed in the provincial councils and considered by the provincial Governments, so that the committee may have ready at hand considered criticisms upon the applicability of our suggestions to the circumstances of each particular province.

239. We realize that no demarcation of subjects can be decisive in the sense of leaving open no **Settlement of dispute.** matter for controversy. Cases may arise in which it is open to doubt into which category a particular administrative question falls. There will be other cases in which two or more aspects of one and the same transaction belong to different categories. There must therefore be an authority to decide in such cases which portion of the Government has jurisdiction. Such a matter should be considered by the entire Government, but its decision must in the last resort lie definitely and finally with the Governor. We do not intend that the course of administration should be held up while his decision is challenged either in the law courts or by an appeal to the Government of India.

240. Further, inasmuch as administration is a living business and its corpus cannot be dissected with the precision of an autopsy, we must, even **Powers of intervention.** in the case of matters ordinarily made over to non-official control, secure the right of re-entry either to the official executive Government of the province, or to the Government of India in cases where their interests are essentially affected. For instance, the central Government must have the power, for reasons which will be readily apparent in every case, of intervening effectively, whether by legislation or administrative action, in matters such as those affecting defence, or foreign or political relations, or foreign trade, or the tariff; or which give rise to questions affecting the interests of more than one province; or which concern the interests of all-India services even if serving under provincial Governments. Similarly the Governor in executive council must have power to intervene with full effect in matters which concern law and order, or which raise

religious or racial issues, or to protect the interests of existing services. We do not claim that this list of reservations is exhaustive or definitive ; we look to the committee to assist in making it so. Our aim must be to secure to the official executive the power of protecting effectually whatever functions are still reserved to it and to the Government of India of intervening in all cases in which the action of the non-official executive or council affects them to their serious prejudice. For otherwise the official Government which is still responsible to Parliament may be unable to discharge its responsibility properly.

241. No doubt we shall be told—indeed we have often been told already—that the business of government is one and indivisible, and that the attempt to divide it into two spheres controlled by different authorities, who are inspired by different principles and amenable to different sanctions, even with the unifying provisions which we have described is doomed to encounter such confusion and friction as will make the arrangement unworkable. We feel the force of these objections. We have considered them very anxiously and have sought out every possible means of meeting them. But to those critics who press them to the point of condemning our scheme we would reply that we have examined many alternative plans and found that they led either to deadlock or to more frequent or greater potentialities of friction. Such destructive arguments, so far as we can discover, are directed not so much against our particular plan, but against any plan that attempts to define the stages between the existing position and complete responsible government. The announcement of August 20 postulated that such stages could be found ; indeed unless we can find them it is evident that there is no other course open than at some date or other to take a precipitate plunge forward from total irresponsibility to complete responsibility.

242. We have, however, encountered other critics whose arguments are worthy of fuller examination. They agree with us that some division of functions is the right, indeed the inevitable, method of progress ; but they tell us that by attempting the division of powers upon the provincial plane we are needlessly enhancing the confusion and friction which will arise, and which could be and ought to be mitigated by a different disposition of the machinery. They urge in brief that the line

of division should be horizontal and not vertical) and that popular control and popular responsibility ought to be developed not in the provincial legislative councils, but in new constitutional bodies to be created for this purpose and invested with jurisdiction over smaller areas. They claim that friction will be avoided or at all events diminished, if the delegated functions of the new bodies are more closely circumscribed by the terms of the legislation calling them into existence than is possible in the case of the provincial councils ; and if they are protected from the temptation to place themselves in constant opposition to the official element which would be offered by the presence of both elements in one and the same Government and in one and the same council. They reckon it to the credit of their schemes that by confining the operations of the new constitutional bodies to areas smaller than provinces, they hope to draw into the arena of public affairs men who could hardly be expected to come forward for the provincial councils. They urge that by presenting themselves to the official services not so much as rival governments but as organs of local self-government on the largest and most generous scale, they may feel confident of official help and co-operation.

243. In their less pretentious form of expression these ideas are embodied in a scheme which has been placed before us for the establishment of divisional councils. These bodies would have jurisdiction over a revenue division, and would deal with all questions of local self-government and certain other matters delegated to them, such as excise, agricultural farms, provincial roads and some branches of education. They would have definite revenues of their own and also power to increase their income by local taxation. They would administer the business delegated to them by means of an executive committee, of whom the president would be elected by the council and would himself choose his own colleagues. The provincial legislative council would be composed of delegations from the divisional councils, and would contain no official members other than the members of the executive council who would attend only to reply to questions and to explain the Government's attitude. As regards the matters made over to the divisional councils the provincial council would retain certain powers of legislation, taxation, and of sanctioning rules ; but as regards all other subjects its powers would be only those of deliberation and criticisms unless the Government referred a particular question to it for decisions:

Plan of divisional councils.

244. Though we desire to acknowledge the thoughtful manner in which the proposals were worked out we need not amplify them in detail because we found at the outset weighty reasons for rejecting them. The scheme in our opinion fails to provide for continuing and ordered progress in the future. The divisions are in very many instances artificial units, which are not suitable areas on which to base permanent institutions; and in any case they are certainly too small to serve permanently as self-governing units. Although it was contemplated that further spheres of business could be from time to time made over to them no great progress would be possible because the range of matters which could be administered on a divisional basis must for practical reasons be limited. Progress would therefore soon be checked unless, as indeed the authors of the scheme contemplated, the divisional councils coalesced so as to form larger bodies. It seems to us better to start from the outset on a plane on which a permanent edifice can be built. However this be, we feel that the scheme is unacceptable for reasons similar to those which led us to decide that it was impossible to confine advance to the limited sphere of purely local self-government. Whatever may be said of it on theoretical grounds it would not satisfy political needs. If the scheme for divisional councils, and the cognate scheme described below, succeeded in drawing into public life men who could hardly be expected to come forward to the provincial councils, it would also have the effect of very largely depriving those who had had some experience of political matters and whose life is spent in the provincial capitals of many opportunities of effective political work. On the legislative council they would find their functions narrowly restricted; and on the divisional councils also they would deal with a far smaller range of subjects than that with which they had hitherto been concerned.

245. We have also considered a more ambitious development of the same leading idea which was presented to us by the signatories to a joint address of European and Indian gentlemen in Calcutta. They propose that existing provinces should be subdivided into a limited number of smaller areas on a linguistic or racial basis, and that for such provincial States there should be constituted State councils and State governments dealing only with such matters as those which in our scheme would be included in the transferred list. The official

Government of the province would continue to administer the reserved subjects for the whole provincial area ; but inasmuch as responsibility would have been given and would be intended to be developed solely in the State councils, the legislative council of the province would, when the daughter bodies came into being, lose its legislative functions and lapse into the position of a purely advisory body, except that if the provincial executive disregarded its wishes it would have the right of appeal to the Government of India and the Secretary of State. As the State councils developed, more and more functions would be made over to them, as the result of provincial inquiry by a recurrent commission—an idea for which we acknowledge our own indebtedness to the authors of the scheme—until finally the provincial Governments disappeared, and the future polity of British India was represented by a series of States enjoying responsible government.

246. We have considered this scheme with the care which its skilful preparation and authoritative endorsement deserve. But the disadvantages of the scheme, as it seems to us, far outweigh its advantages. The proposals to withdraw from the provincial councils, even as a transitional arrangement, their present opportunities of affecting the action of Government would certainly meet with great opposition and be regarded as retrograde. Moreover, while the State Governments would indeed be real Governments and not merely larger organs of local self-government, it would, we believe, be necessary to circumscribe their powers to an extent on which it will be difficult to insist in practice. Though differences in area might mitigate the effects of dualism there would actually be in one and the same territory two Governments and two legislatures, each equipped with a separate service of officers. There would be no means of securing cohesion between the two Governments; and we apprehend that grave divergences of view might occur which there would be no easy means of composing. If it true that the presence of two elements in one and the same Government presents opportunities for collision it presents also opportunities for understanding and co-operation. It appears to us that wisdom lies not in equipping each of the different elements with a complete and separate paraphernalia of its own, and trusting to their orbits lying sufficiently apart for collisions to be avoided, but in taking every opportunity of bringing the two elements into contact so as to induce the

Reasons for rejecting
it generally.

habits of joint action. However this be, there remains one practical reason of paramount force against our proceeding with the scheme. In spite of the evidence which has reached us of the existence in parts of India of distinct areas or communities which are anxious to secede from the larger administrative units of which they now form part, we feel sure that any general scheme of geographical partition would evoke such strong opposition as would be fatal to the whole plan. Generally speaking, we may describe provincial patriotism as sensitively jealous of its territorial integrity. Divisions of territory which are not made in response to a popular demand are apt to provoke wide and deep-seated dissatisfaction. We are convinced, after taking note of a recent debate in the Indian Legislative Council upon this subject, that we should be very unwise to attempt to unite the sufficiently difficult task of revising the constitution of India with the highly controversial labour of simultaneously revising the political geography of the entire country. None the less, while we discard as impracticable the idea of calling into existence new provincial States as part of our own constructive scheme, we are impressed with the artificial, and often inconvenient character of existing administrative units. We have seen how historical reasons brought them about. We cannot doubt that the business of government would be simplified if administrative units were both smaller and more homogeneous ; and when we bear in mind the prospect of the immense burdens of government in India being transferred to comparatively inexperienced hands such considerations acquire additional weight. It is also a strong argument in favour of linguistic or racial units of government that, by making it possible to conduct the business of legislation in the vernacular, they would contribute to draw into the arena of public affairs men who were not acquainted with English. We believe emphatically that redistributions of provincial areas cannot be imposed upon the people by official action ; and that such a process ought in any case to follow, and neither to precede nor accompany, constitutional reform. But we are bound to indicate our own clear opinion that wherever such redistributions are necessary and can be effected by process of consent the attempt to do so should be made ; and therefore we desire that it should be recognized as one of the earliest duties incumbent upon all the reformed provincial Governments to test provincial opinion upon schemes directed to this end. In Orissa and Berar at all events it seems to us that the possibility of instituting sub-provinces need not be excluded from consideration at a very early date.

247. We now turn to a consideration of the work of the legislative councils. Assuming that they have been reconstituted with elective majorities, and that the reserved and transferred subjects have been demarcated in the way suggested, let us consider how the executive Government is to be enabled to secure the passing of such legislation or such supplies as it considers absolutely necessary in respect of the reserved services. For we must make some such provision if we are going to hold it responsible for the government of the province.

Now in respect of legislation there are several possibilities. We might leave it to the Government of India to pass the laws which a provincial Government has failed to carry in the Indian legislature where, as we shall show, we intend to leave it in a position to pass the laws which it deems essential ; or we might leave it to the Governor-General, or preferably perhaps to the Governor-General in Council, to make and promulgate ordinances, having effect either for a specified period, or else until such time as the life of the provincial legislative council which refused the desired legislation was cut short or expired and a new council was elected in its place ; or we might arm the provincial Government with a similar power of ordinance-making. We shall explain why we reject all these alternatives.

248. To invite the Government of India to intervene whenever the provincial Government encountered effective opposition to its legislative proposals would strike at one of our root propositions. The provincial Governments must ordinarily be autonomous in their own legislative field ; and for them to call in the Government of India for this purpose would be a negation of this principle. Moreover, we feel the gravest doubt whether the Government of India would in fact be found willing to undertake any such responsibility. The Government of India would be accused of ignorance of local conditions and disregard of provincial wishes ; of giving with one hand and taking away with another. Nor would its legislature be suitably constituted for such a purpose. We question whether it would be at all disposed to assume the ungrateful task of carrying in its own legislature such unpopular and controversial legislation as provincial circumstances might demand.

249. For even stronger reasons we reject the suggestion that the Governor-General or the Governor-General in Council should be invited to deal

Means of securing the affirmative power of legislation.

By Government of India legislation.

By-ordinances.