

Madras are very nearly equal to that of the United Kingdom. The present proposal would give, on the average, a representation of 2 members for each million of population as against 15 per million in the United Kingdom.

PRINCIPLE OF REPRESENTATION.

The Congress-League Scheme desires that the members of the Provincial Legislative Councils should be elected directly by the people on as broad a basis as possible. The success of democratic institutions everywhere depends upon the breadth of representation and, in consequence, on the composition of the constituencies and exercise of the franchise by as many as possible. In a consideration of this subject, at the present day, we must not, however, forget the past or ignore the present electoral arrangements. In the discussions preliminary to the Indian Councils Act, 1892, and afterwards, the method of representation that should be adopted frequently came up for consideration and the principles then formulated substantially form the basis of the electoral arrangements up to the present day. In 1886 or thereabouts, Lord Dufferin's Government began to discuss the enlargement of the Legislative Councils and it was the official opinion, then, that "the process of modifying the existing constitution of the Councils should proceed on a clear recognition and a firm grasp of the fact that India is a congeries of races, nationalities and creeds widely differing *inter se* in a variety of ways." Sir Charles Aitchison observed that the division of the people into creeds and castes and sects with varying and conflicting interests rendered representation in the European sense an obvious impossibility." Similar opinions were expressed in the debates in Parliament on the India Council Bill which became law in 1892. Lord Kimberly thought that the notion of Parliamentary representation of so vast a country almost as large as Europe,

containing so large a number of different races is one of the wildest imaginations that every entered the minds of men. Lord Northbrook was of opinion that provision should be made for the representation of the different classes of people—people of different races and different religions.” He was particularly anxious that the interests of the minorities should be effectively protected and referred to the Muhammadans, who were frequently in a minority in the various parts of the country. The general trend of opinion was that, in fixing the number of members, the interests to be represented and the classes which constitute the bulk of the people ought to be the determining factors rather than the population. In framing the regulations under the Indian Councils Act of 1892, Lord Lansdowne’s government substantially gave effect to these views. The scheme of representation then adopted accordingly made provision for the representatives of agriculture, commerce and industries and the professional middle classes and the representatives of the various communities, who are in a minority. We have, therefore, electorates of Zamindars and minor landholders, the planting community, the trades and commerce, and of minorities like Muhammadans and also of representative District Boards and Municipal Councils, which then formed the only electorates readily available, and of the Universities. In the discussion of the proposals, which ultimately became the Indian Councils Act of 1909, these principles of class representation which were accepted in 1892, were again affirmed and the present constitution of provincial councils and the Imperial council is, therefore, based upon the principles laid down since 1892.

THE MINTO-MORLEY REFORMS

The Act, which embodied the Minto-Morley Reforms, gave us the appearance of the beginnings of representative government in India. This is not so in any sense. The

Act does not purport to give representative institutions to India on the general principles universally accepted in Western countries. On the other hand, too much importance was attached to statements that the Indians are not a homogeneous community, in the same sense as the inhabitants of Great Britain are, or of the self-governing colonies or those countries on the continent, which have adopted representative institutions and too little weight has been given to the forces of unification that have been at work ever since the establishment of British rule in India. Lord Morley agreed with the Government of India that, in the then circumstances in India, "representation of classes and interests was the only practicable method of embodying the electoral principle in the constitution of the Legislative Councils, and that the principle to be borne in mind is that election by the wishes of the people is the ultimate object to be secured whatever may be the actual machinery adopted for giving effect to it." The number of members was increased, but the constituencies that returned them are substantially the same in their character and composition and represented very nearly the same interests as in 1892.

I have referred to these matters because, in devising a scheme of popular representation, we cannot entirely ignore the existing scheme. It has been pointed out by more than one Local Government that a privilege of representation once conceded cannot be easily withdrawn, without creating a great deal of bitterness and discontent. Are these existing constituencies to be abolished? If so, what is the scheme of representation that should take its place? These details have not been worked out as yet, and though it is not necessary to do so at the present stage, the acceptance of the principle would be made much easier by an examination of the general lines of advance. The withdrawal of the

franchise from the classes and interests, who now enjoy it would raise a storm of opposition, and it seems to me that the best solution of the problem would be to retain the existing constituencies as far as possible for the present and to allot the number of new seats on a territorial basis.

THE NON OFFICIAL MAJORITY

I must, at the outset, refer to the non-official majorities in the Provincial Legislative Councils and how they have worked in practice. The Prime Minister, Mr. Asquith, declared that it was most desirable, in the circumstances, to give the people of India the feeling that these Legislative Councils are not mere automatons, the wires of which are pulled by the official hierarchy, and that it is of very great importance from this point of view that the non-official element should be in the ascendant. The official majority was, therefore, dispensed with in the provincial councils and a non-official majority, altogether illusory in its nature, was created. In fact, the true nature of the constitution and the probable working of the non-official majorities in the provincial councils was foreseen in 1909, in the course of the Parliamentary discussions on the Reform proposals. Mr. Asquith himself pointed out that "the practice of creating a non-official majority is not at all the same thing as creating an elective majority; they are not representatives at all. The non-official element is largely composed of nominated members. Therefore, it is not at all the same thing as if you are giving the elected representatives of particular classes or communities a voting majority in the council to which they belong. The distinction must be carefully observed and whatever danger may be apprehended, they are very shadowy." Earl Percy thought that the government responsible for the Indian Council Bill of 1909 would never have agreed to allow an un-official majority at all, were it not

for the fact that they count upon the probability that the nominated members would very often vote with the Government against elected members. In his opinion, "the un-official majority was nothing but a sham." Lord Ampthill stated in the House of Lords that "he could hardly imagine circumstances in which there would be a hard and sharp division between officials and non-officials. It was no doubt possible, but in circumstances similar to those which he could recall to mind, the officials would be supported by such class representatives as the planters or the landholders or the representatives of the Chambers of Commerce, and that, in practice, the non-official majority will not be an actual one and that it would only be a seeming one." Truer and more prophetic words were never uttered. Lord Morley himself doubted whether the non-official representatives would unite. He said that with a council representing divergent interests and realising, together with its increased powers, its greater responsibility, a combination of all the non-official members to resist a measure proposed by the government would be unlikely and that some non-officials at least would, probably, cast their votes on the side of the government.

A COMPLETE FAILURE

These prophecies have been amply fulfilled. The European non-official element in the councils, whether elected or nominated, has, in most cases, identified itself with the Government and the nominated Indian non-officials have, with a few honourable exceptions, generally cast their votes with the Government. If the constitution of the Provincial Councils were examined, it will be seen that the officials, the European and nominated non-official Indians taken together, are greater in numbers than the elected representatives of the people. The number of officials in the provincial councils, excluding the Heads of Provinces, is, 19, 17, 17,

28, 17, 10, 6 and 12 respectively in Madras, Bombay, Bengal, United Provinces, Behar and Orissa, the Punjab and Burma and the Central Provinces. The number of Europeans is 7, 4, 8, 3, 4, 2, 3 and nil respectively. The nominated non-official Indians are 4, 13, 5, 8, 3, 5, 7 and 4 respectively. Under these circumstances, is it any wonder that the Minto-Morley reforms, while providing opportunities for the discussion of the affairs of a province, failed entirely to carry out the wishes of the people. The eight years' toil in the Provincial Councils is a depressing story of weary waste of effort on the part of the elected Indian members to divert the expenditure of public funds in the directions desired by them. The proceedings of the Provincial Councils will be interesting reading to anybody who wishes to get further confirmation of the futility of these Councils as they now exist.

THE OFFICIAL ELEMENT IN THE COUNCILS.

The point however is, "Is it necessary to have an official element in the Provincial Legislatures to support the Government?" The present constitutional position does not make this expedient necessary or desirable. The whole body of official and non-official members constitute the Government for legislative purposes and the introduction of a non-official majority or a numerical official majority is meaningless. Sir Bashyam Ayyangar asserted emphatically that the notion of an official majority in the legislative councils or the notion that the additional official members should vote with the ordinary members of the council or that the ordinary members of the Council and the president should vote alike is opposed to the fundamental principles of the present Indian constitution. In his opinion, "so far as legislation is concerned the Government consists of the Governor, his ordinary members and the additional members whether nominated by him or elect-

ed and all form but one component and indivisible part of the Government for the purpose of making laws and regulations and there is no warrant for the division of this body into the Executive Government supported by the official members as against the non-official members." He went further and stated that nothing can be a greater condemnation of the Indian Councils Act than that it should publicly declare that the Legislative function of the Government cannot be safely and satisfactorily discharged unless there is always a standing majority of official and nominated non-official votes. There is an implied understanding that no official member can take a line of action or argument independent of that indicated by the ordinary member in charge of the subject concerned even though the former's experience and opinions may be quite opposed to those of the latter. The official members do not, therefore, ordinarily take part in the discussions in the councils and they now exist merely for the purpose of recording their vote for the Government whenever there is a division. They are thus a useless appendage in the councils and should no longer sit there unless they are of the class, whose experience and advice is necessary in the active work of the council. The composition of the present councils does not afford opportunities for political training for the very large number of capable men who take part in the progressive life of the country and it is of the utmost importance that the Provincial Councils should be adequate in size and numbers and should afford a living representation to the many millions included in each provincial area.

The true ideal, therefore, is a fully elected Legislature. The Congress Scheme, however, provides that a portion of the Councils *viz.*, one-fifth should be nominated, for the present, so as to secure the representation of important minorities and of official experts, who may be necessary to

deal with legislation of a technical character. The provision of a nominated element in an elected assembly is no doubt, an anachronism. But this provision is a temporary expedient and has been made to secure adequate representation of all classes so necessary for the smooth working of these institutions.

COMMUNAL REPRESENTATION.

At the present moment, a new and somewhat minor cause of discord is created by the non-brahmin movement in the Madras Presidency. It is unnecessary to go into the genesis of the movement. It is rooted in a genuine desire to create increased opportunities for better education, better training in civic duties and responsibilities and better enjoyment of the loaves and fishes of office. These are genuine and legitimate ambitions, which the Indian Communities are demanding but which are as far off as ever. How, then, can any demands based upon the national aspirations of India be denied to the non-brahmin population of Southern India. All reasonable facilities should be granted for the development of education among them. Any self-reliant efforts put forth by them *en masse* or by individual communities command the sympathy and support of all right thinking men. The Government cannot be accused of indifference to their demands for special treatment in the public services or in the matter of providing facilities for education. There is little doubt that they enjoy a fair share of official preferment and much more will be secured, as the number of educated men amongst them increased day by day. In regard to civic duties and privileges, their co-operation and service are eagerly sought and welcomed by all patriotic citizens of the country. The power of nomination vested in the Government has all along been utilised to make up any inequalities of representation.

AIMS AND OBJECTS.

There has been a great deal of indefiniteness and misapprehension about the aims and objects of the movement and its energies have found vent sometimes in a very undesirable antagonism to other communities. The political programme of the new movement now appears to have been crystallised and the resolutions adopted at one of the conferences reveal the identity of political aims of the leaders of this movement with the views of the progressive political party in the country as represented by the Indian National Congress

One of the demands formulated by them is that the legislative councils both imperial and provincial should be enlarged so as to contain a substantial majority of elected members, provision being made for the due representation of all communities and interests and that, in the combination of electoral areas, provision should be made for the representation of each district by at least one member. It is also suggested that half the number of members of the executive councils should be Indians and that these members should be nominated in such a way that the requirements of several communities are represented in the councils and that the non-official members of the legislative councils should have the final voice in the departments of local self-government, education, sanitation, co-operation, agriculture and registration. They also formulate a specific demand that, in any scheme of imperial reconstruction after the war, India should be accepted as an equal partner with self-governing colonies and they ask for a declaration that the goal of British responsibility is the establishment of self government in India. In all essential particulars, therefore, the political ambitions of the leaders of this new movement are exactly identical with those formulated by the Indian National Congress. The scheme of representation put

forward definitely ask for territorial representatives for each district. I do not believe that the framers of the proposals intended that in addition to those territorial representatives in a province, each community or caste of the Hindu society should have further separate representation of the communities. It is quite possible that what was intended was the due representation of the communities who are regarded as minorities. This is a perfectly legitimate proposal.

OPINIONS IN 1908.

If, however, the demand is a step in furtherance of the principle of caste representation adumbrated by the Government of India in 1907, the proposal was universally condemned on the above occasion by the non-brahmin leaders of thought and culture in the Madras Presidency and throughout India, whose outlook and statesmanship can hardly be questioned. I will only refer to the opinions of a few representative men who come within the category of the classes on whose behalf the demand for communal representation is now being made. Dewan Bahadur P. Rajarathna Mudaliar, Retired Inspector General of Registration, Madras, informed the Madras Government that "he does not consider it right in principle to form an electorate based on distinctions of caste and creed, but at the same time he was decidedly of opinion that provision should be made for the proper representation of different interests or occupations, such as landed interests, the interests of trade and commerce and the like."

The President, Madras Landholders Association stated that his association wished to point out that "the principle of representation of castes and creeds which stood out as one of the prominent features of the proposed scheme was open to grave objections in that it is calculated to accentuate differences which were losing their impor-

tance in "secular affairs and interfere with the growth of a sentiment of unity among the people which is a necessary condition of progress. Further, the principles will be attended with great many difficulties in its application in practice" The Maharajah of Bobbili, later a member of the Madras executive council, expressed his condemnation of the new principle, pointing out that, while substantial interests have necessarily to be cared for in the apportionment of representation, mere sentimental considerations are likely to run counter to the unifying influences now at work in the country which ought rather to be welcomed and fostered. The distinction made between brahmins and non-brahmins seems to go further in this obnoxious respect." The Hon'ble Rajah Vasudeva Raja, Valia Nambidi of Kollengode expressed his disapproval in no uncertain terms

"In regard to the method suggested for the filling up of the seats, I fear that the proposals made by the Government are not quite practicable. The cry has already been raised that the government, for political reasons, are attempting to accentuate caste difference at a time when, on account of the spread of Western Education, such differences are becoming every day of less importance

By far the most unmitigated condemnation came from the pen of the Hon'ble Mr. M. Krishnan Nair, now Dewan of Travancore. He said.

"It is respectfully submitted that the division of people by castes and creeds for the purpose of representation in the Legislative Council is highly objectionable in principle. There are no caste and religious interests in the Legislative council. The whole trend of education imparted in English Schools and Colleges and the general policy that has hitherto been pursued by the government has been to ignore distinctions of caste and creed and to teach the people to ignore them. There are no separate schools and colleges for brahmins and non-brahmins, Hindus, Mahomedans and Christians. The laws of the land are the same whatever may be the caste to which a man may belong. It is neither possible nor desirable now to

"revive and enforce the laws of Mann. It is too late in the day now to ask the people to go back to their caste organisations or to reconstruct them for the purpose of electing members to the Legislative Council." The most potent force that has been working in the country for several generations past, against caste and other disintegrating forces has been the healthy unifying influence of the policy, that has been followed by the British Government. That policy has apparently been reversed in the memorandum under consideration. Sectional schism and division which are kept under control under the wise policy of the British administration till now will appear with renewed vigour under the conditions laid down in the scheme. Caste is already a rigid institution in the country. Anything calculated to afford further rigidity to the caste system must be carefully eschewed by all and specially by the Government. To make caste system the basis of political franchise is, I submit, a grave blunder. The principle underlying the grouping of all non-brahmin elements in the presidency, which are divided and sub-divided into numerous sects under one head is not clear. These sects and sub-sects are as widely apart from one another as the brahmin and the Mohammadan or Christian. According to the reasoning adopted in the scheme, each caste of non-brahmin community is entitled to separate representation. In fact, the principle adopted in the scheme for separate representation of castes and creeds is highly unsound, and leads to all sorts of untenable positions. There is also considerable practical difficulty in the working out of the scheme. To group all members of a caste throughout the presidency in one electorate will be highly unsatisfactory."

Be it not for limitations of space, it would be easy to quote by the score opinions of other leading non-brahmin gentlemen of eminence and authority communicated to the Government of Madras at the time when the Minto-Morley Reforms were under discussion.

THE BOARD OF REVENUE.

The Madras Government, having ascertained the views of the public, condemned the scheme outright and before quoting its views it may be just as well to refer to the views of the Board of Revenue, Madras, as coming from four experienced members of the Indian Civil Service of their province.

"They say the suggestion under immediate consideration certainly does not seem likely to be accepted with gratitude by those whom it was intended to placate. On the contrary it is already viewed with intense and universal

suspicion as a Machiavellian device intended to widen existing lines of cleavages, to check the supposed growing sense of nationality and to secure the position of the British Government by the application of the maxim *divide and rule* "

"The Board cannot say that these suspicions are altogether unnatural. It recognizes that, in the case of Muhammadans, there are reasons for taking special steps to secure adequate representation of a special class, though rather on racial than on religious grounds; for the Muhammadans, whatever they may be historically, are practically a race. In regard to other castes or religions whom it is proposed to represent separately, the same necessity does not seem to exist.

"Apart from this and apart from the odium which Government will incur by seeming to set caste against caste, and to foster for self sh motives, difference which they have always professed to be anxious to obliterate there seem to the Board to be insuperable difficulties in the working of the proposed scheme. Any body which is to elect a representative must be to some extent, homogeneous with a more or less defined identity of interest, which the representative is to safeguard. It cannot be that the brahmins of the Presidency or the Christians of the Presidency or the Muhammadans of the Presidency constitute such bodies. It is inconceivable that such widely different communities as the Brahmins of Kumbakonam, the Uriya Brahmins of Ganjam and the Nambudries of Malabar would ever agree on a single representative. The same is true of Christians, including as they do numerous protestant sects, the Roman Catholics and the Syrian Christians of Malabar and it is true to some extent of the Muhammadans of Malabar, the Labbais and Rowthars of the South and the very distinct Muhammadans of the other parts of the Presidency "

THE MADRAS GOVERNMENT

The Government of Madras summarized the public opinion and their own in the following terms.

"No part of the Government of India's proposal has been received with general and decided disapprobation than this last suggestion. Apart from the very great practical difficulty of forming class electorates, the proposal to introduce the principle of race, caste and religious representation has been almost universally condemned."

The fatal defect of any scheme of class representation that may be devised appears to Government to be the practical difficulty of arranging for a class vote all over the Presidency or other large area and of canvassing over such large areas. The proposals relating to class electorates did not, therefore, prove acceptable to the Madras Government

in 1908. This part of the subject may be closed with the wise words of Mr. R. C. Dutt, C. I. E., an outsider to this Presidency, who said,

"The new proposal is attended with danger. It will foment jealousies and hatreds, accentuate differences in daily life, and will be fruitful of disturbance in future. It will create aspirations among separate communities which can never be satisfied and spread discontent and foster unfavourable impressions about the fairness and justice of the ruling power. European Governments do not accentuate religious differences in these days by creating separate electorates for Protestants and Roman Catholics. The same wise impartiality can be pursued in India."

The idea of communal representation was also denounced on the last occasion elsewhere as vigorously as in Madras. Clearly, therefore, the provision of the representation of the various communities of the Hindu Society which form the bulk of the population in several of the Provinces is out of the question and would be a most retrograde measure and would result in the disintegration of the unity of National sentiment, which has established itself throughout India and which has obliterated the distinctions between the Hindu and the Mohommadan, the Parsee and the Sikh, the Punjabee and the Madrassee. A scheme of representation once introduced is very difficult to alter and any proposals now made should be consistent with the ultimate development of true democratic ideals. As far as possible, therefore, our attempt should be to develop a scheme of territorial representation, where all the electors would be brought on one register and where men of all castes, and creeds would have ample opportunities of developing their political talent and to serve their country to the best of their ability.

THE MUHAMMADANS.

The present demand for communal representation is supported by the example of the Muhammadan Community to whom separate representation has been conceded. This

matter received a great deal of attention when the Minto-Morley proposals were under discussion in Parliament. It must, however, be pointed out that one of the determining factors in the discussion was the promises made by Lord Minto, who committed himself in various ways at an early stage of the discussion in regard to Muhammadan representation and the Secretary of State had to stand by him to carry out the pledges made by the Viceroy. Lord Morley recognized that the Muhammadans are an important minority and should receive separate treatment; but he disliked religious discrimination and his political instincts were greatly averse to a sectarian vote in politics. He therefore, proposed his scheme for electoral colleges by which proportional representation could be secured to the Muhammadans. He stated in the House of Lords that "to the best of his belief the plan of the Hindus and Muhammadans voting together in a mixed and composite electorate would have secured to a Muhammadan electorate, wherever they were to be so minded, the chances of returning their own representatives in due proportion." He also went on to say that the political idea at the bottom of his proposal was the promotion of harmony and co-ordinated political action and that these views were entertained by men of very high Indian authority and experience at the time. The Government of India doubted, however, whether this plan would work and Lord Morley accordingly gave it up with great regret. Separate representation to an important minority is an accepted political principle for the present. But will this justify us in extending this principle to Hindu Communities merely because the composition of Hindu Society has still in it disintegrating tendencies which are rapidly disappearing under the influence of western education? The ideal to which the leaders of the non-brahmin movement along with all other

progressive men in the country look to is the fusion of all communities into a homogenous whole. Let us not politically perpetuate the already existing social differences. This view has found very strong expression on the last occasion. I may refer to only one opinion among the many. It is that of one of the important and liberal minded Zamindars of this Presidency. The Raja of Pittapuram said :

" Successive social and religious reformers have decried caste as clogging the wheels of progress and it is very strange that, in a country whose watchword is forward, an enlightened government should think of not only accentuating sectarian differences but of perpetuating them."

" A Hindu like the late Mr. Prakasa Mudaliar, a Muhammadan like the Hon'ble Nawab Syed Muhammad Bahadur, a Sudra like the late Mr. Jambulingam Mudaliar have been elected by all classes of people alike and won their esteem and gratitude "

The Raja condemned the separate representation even to minorities like the Muhammadans. I am not in favour of special representation being granted to minorities for the simple reason that they have no special interests of their own apart from those of the people in general requiring separate legislation." However, the step having been taken, the Congress does not want to reopen the question and has simply ratified what has already been done. This does not mean that this principle should be extended. In adopting a scheme of electoral machinery at the present time, we have to remember that we are on the eve of great changes in the constitution of the Government of this country. Our aim is to develop a homogeneous electorate in time

TERRITORIAL ELECTORATES

We must, therefore, adopt a scheme of representation which, while providing ample opportunities for men of all castes and creeds for being returned to the councils should not destroy the basic principle of

united political action. Now, the Indian District is the unit of administration well known to the people and local patriotism is bound up very largely with the activities and political life of the district. Including Madras, the Madras Presidency has 25 Districts, Bengal has 28, Bombay and Sind 32, Bihar and Orissa 21. There is a community of sentiment generally amongst all classes of people in a district and the candidates are better known in a smaller local area than under existing conditions. In the discussions in connection with the Minto-Morley scheme, the Madras Government suggested territorial representation in some of their earlier proposals. The scheme adopted in 1909 was too much a representation of interests rather than a representation of the people themselves. If self-governing institutions are to be developed in this country with controlling functions over finance and administration, we must make a beginning in the introduction of some system of real representation of the people and not of interests, territorial district representation is the only way in which this can be attempted at the present day. During the debates in Parliament, Sir Henry Cotton moved an amendment that the regulations governing elections should, after making provision for important minorities and special constituencies, make a provision for adequate representation of the general population by means of territorial electorates based on the village communal system. The village Communal System was dead long ago and artificial organisations like the village panchayats and unions are of no value whatever in finding a basis for representation to the

Legislative Councils. The area of a District will be a suitable electorate and will bring in all the elements of sound progress on a single register. There are happy indications on the part of the leading men of all the communities of mutual goodwill and forbearance. I believe a satisfactory solution of this problem in Southern India will be reached very soon.

EXTENSION OF FRANCHISE.

Finally the extension of franchise to as many as possible, on a sound democratic basis is necessary. The extent to which the franchise is now exercised and the directions in which it may be extended may be illustrated by examining the conditions of one Province. I shall, therefore, refer to Madras. The non-official members of Municipal Councils and District Boards in nine different groups of Districts return nine members. The total strength of the electorates of these 9 groups is 3369. The Presidency is divided into two electorates for the Zamindars and the total number that are entitled to vote in these two groups is 277. The minor land-holders, other than Zamindars, in the Presidency return two members and the number on the electoral rolls of these two groups is 2313. A special electorate for the landholders in the Districts of Malabar and South Canara has been provided, in which there are 444 voters. The separate constituencies of the two Muhammadan electorates consist of 1368 electors. The Madras University is represented by one member, who is elected by the ordinary and honorary fellows numbering about 180. Now coming to the representatives of Trades Association, the

Madras Chamber of Commerce and the Planting community, the first is composed of twenty-two firms, who record their votes through their representatives. The membership of the Chamber of Commerce is 40 and the planting community, who exercise franchise for the return of their membership, consists of thirteen affiliated associations whose individual membership is not large. The member for the Madras Corporation is returned by 36 Commissioners. It will be seen, therefore, that the whole body of 21 elected members of the Madras Council are returned by less than 10,000 voters out of a total population of 41 millions. This is a state of things which cannot be allowed to continue with equanimity. If political responsibility is to be acquired by the exercise of political power, the present electoral arrangements are not conducive to the same. The figures given above relate only to Madras, where the system of direct election prevails, much more than in the other Provinces. Under the existing system in all Provinces, the largest number of elected members are returned by the Municipalities and District Boards and in Provinces like Bombay and the United Provinces, the rules provide that the members should be elected by the votes of the delegates to be appointed by each municipality or district local board in each group. The delegates have unlimited discretion to choose anybody they like from among the nominated candidates and are not bound by any instructions. The number of voting delegates which each municipality can appoint depends upon its population. A municipality with a population rang-

ing between 5 and 10 thousand can appoint one voting delegate and a municipality, between 10 and 20 thousand can appoint two voting delegates and for every ten thousand or part thereof in excess of 20 thousand, a municipality can appoint an additional voting delegate. In regard to the District Boards also, where the population of the district does not exceed 1,00,000 it can appoint one voting delegate and where it exceeds 1,00,000 but is below 2,00,000 it can appoint 2 voting delegates and so on. It will thus be seen that the 8 members of Local Boards and municipalities in the Bombay Presidency are elected by voting delegates, who cannot exceed under any circumstances four or five hundred men. In the United Provinces, at the last elections one of the members was returned by 16 voting delegates selected by the municipalities of one of the electoral divisions. A radical alteration of the whole system of election is, therefore, required in order to make it as direct as possible. In each province, there are a very large number of literate and competent men who have no voice under the present arrangements in the election of candidates. If a vigorous practical comprehension of the political affairs of this country and a general grasp of the principles and practice of self-government is to be attained by the communities in India, it should be on a generous extension of the electoral principle. As has been already pointed out, the true line of advance is a constitution of territorial district electorates in which all persons holding land and paying an assessment not less than 50 rupees and persons paying a certain amount

of income tax are brought on the electoral rolls. Mr. Gokhale has also proposed that the two members for each district should be elected on a territorial basis and if this suggestion is adopted, we shall have in Madras, out of 100 members 50 returned by districts. The number that can be brought on these territorial electorates would be fairly numerous under the qualifications indicated above. According to the latest returns, there are 1,92,300 who are qualified by the payment of land revenue alone and besides, there are a large number who pay income-tax. This will be a fairly large electorate. The remaining seats may, for the present, be added to the existing electorates which will have to be reconstituted. In regard to each of these electorates, the franchise will have to be further extended. A proposal was made some years ago that the representative of the Madras Corporation should be elected not merely by the Commissioners but by all those who are eligible to be Commissioners, of which there are several hundreds in the city. The Madras Corporation did not agree to this proposal and this was only natural. The acceptance of this proposal would take away the power of election from the 36 members of the Corporation who now enjoy the privilege. A proposal to abolish the present system will not, therefore, find favour. I would, therefore, suggest that the Madras City Corporation may continue to return its present member in its corporate capacity but 2 additional members may be returned by the rate payers. The existing arrangements for the return of 9 members by 9 groups of municipalities and district boards may continue and in addition the first

and second class municipalities in this presidency with a population of over 50,000, of which there are nine, should each be entitled to send one representative. I do not suggest that all those who are on the electoral lists of these municipalities should take part in the Legislative Council elections. This class of electors do not understand the wider politics of the country and a special electorate with higher qualifications similar to those proposed for rural areas will have to be thought of. The electorates must, however, be sufficiently large as to enable as many as are capable in taking part in the election, and not merely of the Commissioners or Councillors. In this way the effective representation of rural and urban areas may be secured. In other provinces also, there are large cities and towns which may be given the right of representation. In making this suggestion for the representation of cities and towns, I have in mind the experience of the extension of the electoral franchise in Great Britain and elsewhere where the rise of manufacturing towns and the growth of urban population forced the hands of conservative Parliamentary statesmen to undertake a radical revision of the electorates. It will also be necessary to make a statutory provision for a periodical revision of electoral arrangements after each decennial census. This will be specially necessary in the case of municipalities who would come within the category of cities with a population of 50,000 and over. There are similar provisions in the Acts regulating electoral methods and procedure in some of the self-governing colonies. The University Senate may return its

present member and also an additional one and the graduates may be permitted to return two members, one for the northern and the other for the southern group of districts. The Muhammadans are entitled to 15 per cent of the seats under the Congress—League scheme. The Indian christians being an important minority should be conceded the right of election and I would suggest that they should return 3 members—one for the Madras city, one for the northern group of districts and another for the southern group of districts. As regards Trade and Commerce, the right of election has not as yet been conceded to the Indian Commercial Community. I would suggest that the Indian trading communities in Madras city should return two members and the commercial community in the Northern and Southern groups of districts should each return one. European trade and commerce is now represented by three members and I would give them two more. The present separate electorates for Zemindars may continue to exist but their membership may be increased to four. It would be unnecessary to retain the constituency of minor landlords as the territorial electorates would be mainly composed of land owning classes. A scheme such as the one suggested here will, I venture to think, promote solidarity of political sentiment amongst all classes and interests. The cultivator is the backbone of Indian Society and his interests have always been safeguarded hitherto by the members, who sit for the existing electorates. Nevertheless, the territorial representatives will be largely drawn from this class.

The educated classes too will have a fair field for giving their stimulating guidance in the discussion of public questions. I believe the adoption of a scheme such as this would secure the objects, which those who are now asking for special representation have in view.

CHAPTER XII.

LOCAL LEGISLATURES.

ELECTORAL MACHINERY, PROCEDURE AND POWERS

The limitations of Parliamentary legislation in regard to Indian affairs is fully illustrated by the Indian Councils Act, 1909. The Act embodying the Reforms did not contain any provisions relating to the constitution of the electorates and to the qualifications of persons to be elected—matters of great importance in an enactment, which sought to extend the representative principle to India. Parliament authorized the Governor-General in Council to make rules “as to the conditions under which and manner in which persons resident in India may be nominated or elected as additional members of any of those Legislative Councils, and as to the qualifications for being nominated or elected an additional member of any of these Councils, and as to any other matter for which rules are authorised to be made under this section and also as to the manner in which those rules are to be carried into effect.” Parliament is no doubt not competent to devise a satisfactory scheme of representation for India. We have to consider not merely the number of voters but the value of their votes and this depends upon the distribution of political power among the various classes and constituencies. Parliament does not possess the necessary local knowledge. A system of electoral representation which will do for Madras may not do for Bombay or Bengal. It is, therefore, obvious that the electoral

machinery should be settled in India. Parliament, therefore, left it to be dealt with by rules to be framed by the Governor-General in Council, subject to the special approval of the Secretary of State. Under the power thus conferred, the composition of Provincial legislatures, the development of the whole electoral machinery in India and the extension of franchise are all left to the discussion of the Executive Government in India. The Indian Legislative Council is expressly debarred from repealing or altering these rules and the provincial Legislatures have also no voice in the framing of their own constitutions. The position, therefore, is that the composition of the Legislatures is determined by an outside executive authority on the recommendation of the Government of the Province. The Indian Councils Act, 1909, therefore, has given the Government of India, as it then existed and as it will exist hereafter for all time, a blank cheque to do what it likes with the composition of the Legislative Councils. Mr. Balfour very rightly pointed out that the Government has "elaborately and carefully taken precautions that there shall be nothing in the measure which shall prevent any future Government of India doing exactly what they like with representation. The then Government of India pledged themselves to give undue representation to the Muhammadans. Nothing in the world would prevent some other Government from giving undue representation to some other community."

The Government controls, therefore, not only the executive Government but also determines the com-

position of the Legislatures. The main reason for vesting this power in the Executive Government is that the present legislatures are not representative of the people. On the other hand, there is an underlying assumption that the Executive Government looks after the interests of all communities and that the Government of India, as an outside authority, is in a better position to decide these questions. If an electoral system truly representative of the people is to be developed in India, this power should be transferred from the Executive Government to the Legislatures themselves, imperfect as they may be. It is only then that the evolution of representative institutions would really begin. Provincial Legislatures would then vie with each other in perfecting their electoral system and to secure the real representation of all classes of people. This power of the executive Government in India to determine the scope and composition of the legislatures must at once be removed. It is repugnant to a free development of self-governing institutions. A government essentially bureaucratic in its nature, should no longer be entrusted with the nursing into full growth of the representative bodies in the country. There are many complicated questions both in relation to the extension of franchise and the composition of constituencies, which can only be settled by appropriate measures in the Legislatures of the country. The whole basis of representation is now settled by the Government of India in correspondence with Provincial administrations.

RULES OF PROCEDURE.

Another matter equally important in which the Legislatures have no voice, is in regard to the rules for the conduct of their own proceedings. The Minto-Morley Reforms have empowered the Legislative Councils for the first time to discuss the annual Financial Statement and have also conferred the power of moving resolutions on matters of general public interest and of asking questions and supplementary questions. The Local Governments have been authorised, with the sanction of the Governor-General in Council, to make rules for the observance of the Councils in regard to these important constitutional privileges. It was expressly provided in the amending legislation that the rules so framed should not be subject to repeal or alteration by the Indian Legislative Council or by the Local Legislatures. The rules were accordingly framed in 1909 by the Local Governments in consultation with the Governor-General in Council without any reference to, or discussion in, the Legislative Councils. The position, therefore, is that the Councils have no power to determine their own procedure and are governed by the rules which are made for them by the Governor or the Lieutenant-Governor and the Councils themselves have no opportunity of free debate and discussion on them or to amend or alter them. The whole authority for framing the rules of procedure, is now vested in the Governor, and the Councils have no voice in determining the breadth of their own debates and discussions. The rules framed by the Local Governments and the Governor-General in Council

have considerably cut down the discussion powers of the Councils. The scope of these irritating restrictions was pointed out at the time in Parliament and an amendment proposed by Mr. Donald Smeaton at the committee stage of the Bill, that the Councils should have some voice in settling their own procedure was negatived. It will be an interesting study to make a list, in the various provinces, of the disallowed resolutions, and the grounds of disallowance, of the resolutions which were not allowed to be moved on the ground of the subject-matter being under correspondence with the Secretary of State or the Government of India, of the resolutions which were not brought up on the ground that a discussion of them was opposed to public interest, and of the various other instances in which restrictions were imposed on debates in the Legislative Councils. All self-governing institutions have their procedure in their own hands but the Legislatures in India are an exception. Municipal Councils and District Boards have the power to settle their own rules for the conduct of business and the Bombay Government very properly observed that the Provincial Governments were in a worse position than the Corporation of Bombay. Sir Dinsbaw Eduljee Wacha complained a few months ago about the restrictions on free and healthy discussion in the Indian Legislative Council, which, in his opinion, was not at all a self-governing body. He advocated an urgent reform of the present rules of procedure. The same feeling exists in most of the Local Legislative Councils. The Councils must be immediately freed

from these very serious restrictions, which have cramped their activities and cut down their usefulness.

THE PRESIDENT.

A third point relating to the conduct of the proceedings of the Councils remains to be stated. The Viceroy is the President of the Indian Legislative Council and the Governors and the Lieutenant-Governors of the Local Legislatures. They have the power to summon and adjourn the meetings of the Councils, whenever they like. The Viceroy and the Heads of Provincial Administrations are responsible for the executive administration of the country and for the general policy of administration in various spheres of activity. This policy is the subject of frequent criticisms in the Legislatures and is vigorously defended on behalf of the Government. The Viceroy, the Governors and the Lieutenant-Governors are the heads of the executive administration and are parties to the acts of the executive Government which are very often challenged in the Councils. Now in these discussions, the head of the administration, who is a party to the act challenged, is also the President of the Council and occupies the position of the Speaker in the House of Commons. The difference is that in the one case, the President is a member of the Government, whereas in the other, he is a non-party man in whom all sections of the house have confidence and whose impartiality is above question. The experience of the working of the Council regulations during the last 8 years make it extremely desirable to place the action of the Governor of a Province and the Governor-General in the Legislative Councils beyond cavil and criticism. It is only human nature that the Governor of a Province should, when the action of the Government of which he is the head is challenged, go out of his way, when sitting as President to throw the weight of his influence on the side of the official view. It

is, therefore, undesirable to place the Governor and the Viceroy in a position where his impartiality may even be suspected. The cleavage between the official and the non-official in the Legislative Councils is fairly well established, and there are many points in the conduct of the business of the Councils in which one party or the other frequently appeals to the President. Before the Indian Councils Act, 1892, the official and the non-official voted as they liked on any measure brought before the Councils, but after that it has become the rule for the officials to vote together and the non-officials, in a majority of cases, do the same though not under a mandate. In the House of Commons, the obligation of impartiality is imposed on the Speaker in the shape of a legally formulated provision that the Speaker is only entitled to vote in case the members on a division are equal, and that in such a case he is bound to vote. The Speaker is, by Parliamentary usage, debarred from the exercise of his rights as a member especially that of speaking in debate. Such intervention is supposed to clash with the exalted conception of a Speaker's impartiality and the Parliamentary historian says that for the last two generations there had been no instance of such interference. The Speaker is also enjoined to keep aloof from all political controversy both outside as well as inside the House and even in his own constituency. The position of the Speaker has been described in the following terms.—“The Speaker's constituents not only do not go to the poll; they cannot, according to present day usages, call on their representative to vote either for or against any measure which may be before Parliament. As the speaker never meets his constituents to discuss politics, one of the chief means of present-day political education is lost to them. Political organisation is suspended in a Speaker's constituency, for a present-day Speaker has no

need of any local party organisation to secure his return, even if he deemed it proper to contribute to party funds. The newspapers in the constituency have necessarily to refrain from criticism or comment on the Parliamentary conduct of its representative; and in nearly all the essentials which go to make representation, the constituency is unrepresented. In the constituency represented by the Speaker of to-day, political life is dormant; for all its outward activities, concerning both political education and local political organisation, are suspended. But no constituency complains or frets under its temporary and peculiar political disabilities. It is honoured in the honor done by the House of Commons and the country to its representative." The President of the Legislative Council in India should occupy as far as possible a similar position. The present position is quite the reverse. At the very first meeting of the Madras Legislative Council, which I attended on the 29th November 1910, a proposal was brought forward that the Local Government should give up its annual move to the Hills. Sir Arthur Lawley wound up the discussion with a speech which fully occupied half an hour in which he advanced every argument that could be urged against the proposal. There are numerous instances in the proceedings of the Councils where the votes were influenced by the speeches of the Presidents. A reform in this direction is necessary especially when a portion of the House is nominated by the Governor.

THE MEETINGS

In regard to the summoning of the Legislative Councils also, there have been considerable complaints that they are summoned at long intervals and that sufficient opportunities are not given for the discussion of the affairs of the country. Resolutions have been moved both in the Indian Legislative Council and the Madras Legislative Council

to the effect that meetings should be more frequent, but they have been negatived mostly by the votes of the official and the nominated members. The Hon'ble Pandit Madan Mohan Malaviya urged that more meetings were required for the discussion of the country's affairs, for an examination of its financial system, for a criticism of public expenditure and for thinking out the problems of national welfare. Mr. Bhupendra Nath Basu was emphatically of opinion that the present arrangements for the summoning of the Indian Legislative Council were altogether inadequate. "They had to deal with questions affecting many Provincial administrations, many nationalities, many communities, many classes, many different and divergent interests" All these arguments were of no avail. Speaking of the work in the Madras Legislative Council, the Hon'ble Mr. Lionel Davidson, the official representative of Madras, stated, in the Indian Legislative Council, that on account of continuous sittings in Madras some of the resolutions are dropped from conditions of exhaustion, and he suggested that if there are more meetings there would be more resolutions and more interpellations. He took up the position that if the request for more meetings of the Indian Legislative Council were acceded to, Provinces would soon seek to follow the same course, and it might come to be said of the proceedings of these councils that "of the moving of the many resolutions there is no end and much answering of questions is a weariness of the flesh." Mr. Davidson was reminded by one of the members that the officials are after all the servants of the public and not their masters, and if public interests demand that they should give more time to matters brought forward in the Councils, the officials must submit to the task. In the Madras Legislative Council, Sir Alexander Cardew, the senior member of the Executive

Council, raised a constitutional point. He urged that the request for more meetings is an interference with the discretion of the Governor. The Governor has now complete discretion to summon meetings of the Legislative Council at such times and places as he thinks fit." It is within the experience of many members of the Legislative Councils that meetings of the Council for the discussion of important questions engaging public attention at the time could not be arranged, though it would have been in public interests to do so, the Governor cannot be compelled to convene a meeting and there is no constitutional means at present of forcing his hands. In convoking, proroguing and dissolving Parliament in countries which have self-governing institutions, the Governor acts on the advice of Ministers and in some cases the Governor of a self-governing colony had to bring pressure to bear on the ministers to meet Parliament early for some reason or other. But in India, the Governor is the master of the situation and is advised by members of the Government who have no ties of responsibility to the Legislative Councils or the wider public who watch their proceedings. So long ago as in 1895, Mr Gokhale suggested that the present procedure should be amended so as to compel the Governor to summon a meeting on the requisition of one-third of the members of the Council. No change in this direction has been made hitherto. Another ground that has been urged in Madras under the present constitutional law is that a meeting of the Legislative Council cannot be convened unless there is some Legislative business to transact. Too rigid an interpretation has been placed on the wording of section 80 of the Government of India Act, 1915. The Legislative Councils in India since 1909 are no longer confined to purely Legislative work. Any member can bring under discussion any branch of administration and the new constitutional changes were expressly made to give the

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members an opportunity of associating themselves with the day to-day administration of the Provinces.

In regard to all these matters, therefore, the constitutional position of the Councils requires strengthening. The electoral arrangements and rules of procedure should be in the hands of the Councils. They should also have the power of electing a President and the Governor, while continuing to be the Head of the Executive Government, should occupy the same position in relation to the legislature as in the self-governing Colonies. There must also be some provision compelling the Governor to summon a meeting of the Legislative Councils, should there be a necessity for it.

THE CONTROL OF EXPENDITURE AND OF GENERAL POLICY.

The control of the Provincial Legislatures over the Executive Government has already been referred to in a general way in the preceding chapters. There cannot be any provincial autonomy without financial and administrative independence and power of taxation. The constitution of autonomous provinces was suggested in Lord Hardinge's Delhi Despatch, and under Mr Gokhale's scheme the immediate constitution of autonomous provinces in India is also advocated. There can be no autonomy unless the control of the Central Government in purely local administration is withdrawn and until popular control is established in its place. What we want is real power in the administration of our affairs. As pointed out by Sir Satyendra Sinha, "to give the Indian Government more power without making it responsible to Indians would be to make the Government still more despotic." Further power should not be given to the administration unless accompanied by Legislative concessions to the people. On the other side, we have Lord Sydenham who feels that the effect of the immediate trial of a scheme of Provincial autonomy

as sketched out by Mr. Gokhale would be "not only to disturb British rule but to deprive it of all real power" but he expresses the hope that a time will come when a scheme of Provincial autonomy can be adopted almost in its entirety. Even in this country some curious ideas are still prevalent about Provincial autonomy. In connection with the release of Mrs. Besant, the Pioneer charged Mr. Montagu with the violation of his principle of Provincial Autonomy. This organ of European opinion seems to think that Provincial autonomy consists in increasing the powers of Provincial Governments and constituting them into uncontrolled petty despotisms. Neither Mr. Montagu nor anybody else has ever said so. On the other hand the trend of political thought in this country for over a quarter of a century has been in the direction of increasing popular control over the Executive Administration.

This being the essential condition of the change, the point has been raised as to whether the control of the Councils should extend to the whole sphere of Provincial Administration or be limited to certain departments of activity. In his Oxford address, Lord Islington referred to the control of the Legislative Councils in the following terms: "The Government would act, as stated, in certain departments with the assistance of the Legislative Council or of one of its committees to whom they would refer their policy before its execution. It would then be open to the Legislative Council to criticise and suggest improvements, which the Government would adopt unless they could convince the Legislative Council that there were sufficient reasons for acting otherwise. If the Indian members of the Executive were properly chosen, it cannot be doubted that the Government's policy would be formulated with due regard for the views of the Indian elected members of the Legislative Council. The debates would be invested with a reality which does not exist at present; for

Indian speakers would not, as now, always be found on the side of the opposition, and it is to be remembered that if in deference to the Legislative Council, the Government modified their policy, the Council would have to shoulder the responsibility for the results. This is the essence of responsible Government as we understand it."

There is an echo, here and there, of these sentiments in the Anglo-Indian Press and the Anglo-Indian officialdom. The underlying suggestion is that a few departments of provincial administration should be selected in which the Legislative Councils should have complete control and that the control of other spheres of activity should be left exactly where it is at present until the experiment of the transferred departments has been tried over a fairly long period. It is stated that the departments so transferred should not be those on the efficiency of which public peace depends or departments of a highly technical character. Under these proposals, the Legislatures will have two distinct sets of functions the separation of which will be necessary. The Madras Mail expounds this view as follows: "In respect of the departments transferred from time to time to the virtually complete control of the councils, these bodies will act authoritatively. In respect of departments left as at present, the Councils would be advisory. In these circumstances, it is to be expected that the non-official members of the Councils will naturally take more interest in the former than in the latter, and it seems probable that they will urge special increases of expenditure on them. Now it is essential, if their new authority is to be real, that such increase of expenditure should be allowed with reason. But if it is to be allowed, then the Councils should be made thoroughly responsible for it. It should not be open to them to ask for a transfer of money from departments left as at present to those newly

brought under their control. If they desire more expenditure on their special concerns, they should be invited to frame taxation proposals for the purpose, and to experience, what may be disagreeable but is certainly educative, a reference to the electorate on the issue. For political training, it would be useless to give the Councils power to increase expenditure in respect of particular departments unless the members were obliged to face the electors with the promise of boons on the one hand and a demand for money on the other. What ought to happen in practice is that, the department being transferred, a percentage of the general revenues, corresponding to that expended on the department before the change, would also be transferred to the Council, and if an higher outlay were urged, recourse would be had to special cesses, the members taking the popularity resulting from any good results and the disfavour incurred by special demands on the tax-payer." The scheme herein sketched out aims at whittling down, as far as possible, the control of the Councils and at maintaining the supremacy of the Executive Administration intact. It is proposed that there should be two budgets, two sets of accounts and two different categories of activity. In the one, the officials of the executive government are to be at liberty to spend the people's money as they like and in the other, any deficit is to be made by a special provincial taxation, to be proposed by the non-official members.

It is generally suggested that the departments to be so transferred to the control of the Legislative Councils should be those relating to Local Self-Government, Education and one or two others. The practical effect of the acceptance of these proposals would be that the Legislative Councils will not have any effective voice in the administration. There is no reason to distrust the capacity of the Councils. The proceedings of the Councils of the Viceroy and of the major Provinces show that the Viceroy and the heads of the

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administrations have spoken in the highest terms of the work of the Legislative Councils. In his budget speech in 1915-16 just before his departure, Lord Hardinge stated "that from experience gained in different parts of the world he was able to say that the Imperial Legislative Council was second to none in the dignity of its proceedings and the good feelings that animated its members." In the Provincial Councils similar acknowledgments also have been made. The reasonableness of the proposals brought forward, the readiness and the desire to co-operate with the Government have all been referred to with commendation. Impartial observers of the proceedings of the Councils have also made reference to the dignity and the sobriety of their proceedings and the ability of the members. There seems to be, therefore, no justification for any fear that the control of the Legislative Councils over the whole field of Provincial administration would jeopardise public interests. Much of the expenditure in any year is of a recurring character and cannot form the subject of contention. Moreover, the fundamental principles of financial discussion in popular assemblies cannot be forgotten. Under the law as now laid down, any legislation affecting the revenues of the province can be introduced only with the permission of the Governor. In the United Kingdom, permanent expenditure charged upon the Consolidated Fund does not usually come up for annual discussion, which appears to be usually confined to the Army and the Navy Estimates and the Civil Services and any supplementary and exceptional grants. The proposals of expenditure are also usually initiated by the Government and the House of Commons exercises its power over the management of money matters "upon a field narrowed down in advance by previous enactment." In the Legislative Councils in India the usual recurring expenditure on the establishment has not formed the subject of much contention, the discussion being practi-

cally confined to new proposals and for better allotments for sanitation, education and medical relief. There is no reason, therefore, for any fear that, if the control of the Councils is extended to all departments of Provincial activity, the machinery would be dislocated and the members of the Councils would disturb the stability of the administration. With the settlement of a proper finance procedure in the Councils, no difficulty can arise when the control of the Councils is asserted over all departments of Provincial administration.

CHAPTER XIII.

DISTRICT ADMINISTRATION

"A scheme of Provincial Autonomy will be incomplete unless it is accompanied by (a) liberalising of the present form of District administration, (b) a great extension of Local Self-Government." MR. GOKHALE'S POLITICAL TESTAMENT.

In the preceding chapters, I have drawn attention to the need for changes in the constitution of the Local Governments and the Central Government in India and also to the provision of effective popular control of the executive administration. I shall now refer to the changes so necessary in the administrative machinery of the District for meeting the altered conditions of the present day. The success or failure of British Administration depends not only on the constitutional reforms discussed in the previous chapters but also on the quality of the District Administration. To the great mass of the population of India, who are in daily touch with the officers in charge of districts, it is a matter of supreme importance that the District officials should be responsive to local sentiment. Mr. H. L. Hitchens, one of the members of the Royal Commission on Decentralisation, rightly laid a great deal of emphasis on this aspect of British Rule. If autonomy is conceded to the Provinces, popular control will be established in the machinery of the Provincial administration at the centre. Lord Morley's Reforms attempted to liberalise the administration at the centre and the top by securing the association of the people with the administration. But in regard to District Administration no changes have been made. The chain of Governmental machinery consists of the present fabric of Indian Administration for its base, the Provincial Governments and administrations for the centre and the Government of India with its Executive and

Legislative Councils for the top, the Secretary of State with his Council standing behind all and above all, representing Parliamentary sanction, parliamentary initiation and Parliamentary control. The reform of the administrative machinery, at the centre and top without a suitable readjustment at the bottom, must necessarily throw the machinery out of gear. We must, therefore, make a beginning by laying a solid foundation for Self-Government by a change in the present bureaucratic administration of the District. The District, in India, is the principal unit of administration. There are more than 250 districts at present in the country and they vary both in size and in population. The average area of a District is about 4,430 square miles or, to quote a comparison made by the Royal Commission on Decentralization for the benefit of the Englishmen in the United Kingdom, three-fourths of the size of Yorkshire. The average population of a District is about a million. The immediate responsibility of the day-to-day administration rests with the District Officers, the chief of whom is the District Collector, who is also the Chief Magistrate of the District. He is the local representative of the Government in the District and is the pivot of the whole administration. He controls the activities of the special departments such as the Public Works, the Forest, the Excise, the Police, the Survey and the Land Records. Besides holding this dominant position in relation to other departments, his responsibility for the well being of the agricultural classes and the general revenue administration of the District is unquestioned.

THE COLLECTOR'S FUNCTIONS.

The Royal Commission on Decentralisation compendiously described the numerous functions of the Collectors in the following terms:—

“As Collector, he is not merely responsible for the collection of most branches of the revenue, but is concerned with the manifold relations

existing between the Government and the agricultural classes, who represent two-thirds of the total population of British India. Thus, he is concerned with questions relating to the registration, alteration, relinquishment or partition of land-holdings, which pay revenue direct to Government and in the greater part of India, has to deal, in these respects, with an immense number of petty peasant proprietors. He is likewise, in most Provinces, concerned with the adjudication of disputes between landlords and tenants, and also with the administration of estates taken under the management of the Court of Wards. He has to keep a careful watch over the general circumstances of his district, and in times of famine or severe agricultural distress, he is responsible for the administration of relief and other remedial measures. He also deals with the grant of loans to agriculturists, and with the preparation of agricultural and other statistics; and he has a general control over the working of the Forest Department in his district, in so far as this touches on matters affecting the economic or other interests of the people.

"It is his duty to guide and control the working of Municipalities, and he is often the actual Chairman or Presiding Officer, of one or more of these. He usually also presides over the District Board, which, with the aid of the subordinate Local Boards where such exist, maintain roads, schools and dispensaries, and deals with vaccination and Sanitary Improvements in rural areas. Finally, he has to furnish information on all important occurrences in the district and he is called upon to advise on any general schemes affecting it which may be under consideration.

"As District Magistrate, he is responsible for all matters affecting the peace of the District and exercises a general supervision over the local Police Officers, while he controls the working of subordinate Criminal Courts, and has himself a certain amount of original and appellate Magisterial work".

In the discharge of all these duties, the Collector acts alone and on his own individual responsibility. Leaving aside the small measure of Local Self-Government initiated by Lord Ripon, we are in the same position to-day as we were at the beginning of the last century. In making this statement, I am looking at the question entirely from the point of view of the people. Popular control has not been developed during all these years in any other branch of District Administration. On the other hand, official control has been established in a variety of ways. In all the Major Provinces except Bombay, either a Board of Revenue or Financial Commissioners have been constituted and

appointed as a subordinate agent of the Provincial Government to whom the superintendence of the details of the Revenue Administration of the Province has been assigned. Besides these controlling authorities, there are also in some of the Provinces, territorial Commissioners in charge of groups of Districts, who are the immediate controlling authorities over the Collectors. These territorial Commissioners, who occupy a position of subordination to the Board of Revenue, are the appellate authorities from the Collectors and are invested with a certain amount of financial and administrative power. The official immediately over the Collector is therefore the territorial Commissioner and over him, there is the Board of Revenue and the Government. This system of official control over District Administration, which has been developed during the last century is similar in its nature and scope to the official control exercised over Provincial Governments by the Government of India and the Secretary of State. No attempt has, however, been made in developing a system of popular control over the administrative machinery of the District except to the small extent already referred to, namely, in the sphere of local self-government.

POSITION OF THE COLLECTOR

The rapid growth of the administrative machinery during the last century has, however, affected the position of the Collector in a variety of ways. As I have already stated, the first great change is the control of territorial Commissioner and the Board of Revenue. It was originally the intention to vest the Commissioner and the Board of Revenue with large powers in revenue matters, but this has not been done chiefly owing to the centralisation of the Secretariats of the Local Governments. The financial and administrative powers of these two authorities at the present day are comparatively insignificant. The establishment of the Commissioner and also of special

departments has adversely affected the position of the Collector. They have robbed him of his powers of initiative and have deprived him of his influence. Uniform methods of administration and Secretariat control have also considerably contributed to centralize the power at Headquarters and have also greatly tended to limit the financial and administrative powers of the Collector. These restrictions have resulted in reducing the position of the head of the District and also in unduly prolonging the settlement of even trivial questions by numerous references to the controlling authorities. Each of these authorities has centralised as much power as possible in its own hand, with the result, that there is very little Government on the spot. This is the position on the official side.

NEW FACTORS

On the side of the people, new factors have also come into existence. The spread of education has quickened the interest of the people in the administrative problems of their Districts and the old autocracy of the Collector is now impossible. The people desire a recognised association with the Government in the task of administration. It has now become necessary to admit the educated classes to share the responsibility of administration and to give them an interest in that administration. The growth of these new factors has brought into existence critics of District administration, who did not exist before and who wish to have a hand in many questions affecting the welfare of their Districts. There are many grievances which require ventilation in a responsible manner in the District itself and for which there is no statutory provision at present. The District Administration is, therefore, more and more out of touch with the people. The Royal Commission on Decentralisation was asked to enquire into the question of financial and administrative decentralisation with a view

to bring the executive power into closer touch with local conditions. The improvement of District Administration was one of the principal topics that came under the consideration of the Commission and a large part of its labour was devoted to this subject.

THE TWO REMEDIES.

The two schools of reformers before the Royal Commission sought for a remedy in two different directions. On the one hand, there was a large number of official witnesses, who had various suggestions for releasing the Collector as much as possible from petty and harassing control and for bestowing on him wider powers with a view to enable him to decide matters much more expeditiously on the spot and with a certain amount of finality. With this view, a number of specific suggestions were made to the Royal Commission for increasing the financial and administrative powers of the Collector. Other questions equally important also came up for consideration. One was whether the territorial Commissioners were at all necessary. Another important point was whether the Boards of Revenue should continue to exist. In regard to the Commissioner, it has been felt that he is merely a channel of communication between the District Officer and the Government and that his usefulness in the official hierarchy was not apparent. The abolition of this post was suggested by various non-official witnesses on the ground that these officers exercise neither control nor influence in District administration. The Royal Commission, however, came to the opinion that the abolition of Commissionerships was undesirable. Their main ground was that such abolition would lead inevitably to increased centralisation. They said "A well-devised system of Decentralization must necessarily include the devolution of greater powers, to those highly paid officers, who are possessed of large experience and ample opportunities of

keeping in touch with the people". They have accordingly made various recommendations for increasing the powers of the Commissioner and to improve his status. On the subject of the Board of Revenue, there was also a volume of opinion that they are really additional Secretariats doing practically the same work as the Government and that there is an unnecessary reduplication of work under the existing system. Here again, the official view was in favour of the retention of this organ of administration and the Royal Commission came to the conclusion that in some of the Provinces, where Council Governments are set up or are to be set up or where the executive councils are proposed to be strengthened, the revenue functions of the Board of Revenue should be absorbed by an expanded Local Government. In effect, the Royal Commission made no organic changes in the system of official control over District Administration and has left it practically where it was.

THE ADVISORY COUNCILS.

On the other hand, the main suggestion of non-official witnesses for the improvement of District Administration was not so much the increase of the powers of the Collector as a recognised association with him of the responsible leaders of the people in the task of administration. With this view, District advisory or administrative councils were suggested by almost the whole body of non-official witnesses that gave evidence before the Royal Commission. Out of the 68 officials, who gave evidence, ten were favourable to the creation of advisory councils and out of the 84 non-official Indian witnesses, 71 were in favour of this reform.

MR. GOKHALE'S VIEWS.

The reasons for the creation of the advisory councils have been explained at length by several of the witnesses, but it will be enough to refer to the evidence of the late Mr. Gokhale. He said, —

"The three evils of the present system of district administration are its secrecy, its purely bureaucratic character, and its departmental delays. Important questions affecting the interests of the people are considered and decided behind their backs on the mere reports of officials, only final orders being published for general information, as though the people existed simply to obey. The constant references, backwards and forwards, which an excessive multiplication of central departments has necessitated, involve long and vexatious delays even in the disposal of petty matters, and are a fruitful source of irritation and suffering to simple villagers. The Collector is the chief representative of the executive government in a district, and to prevent the evils of an uncontrolled exercise of power, he is subjected to a series of checks in his work. These checks are, however, all official, they are all exercised by the members of his own service, of which he himself, as a rule, is a fairly senior officer, and though they may serve to prevent gross abuses of power, they are not of much value in promoting efficient administration, and they certainly hamper him largely in the prompt discharge of his duties. What the situation requires is not such official checks exercised from a distance, but some control on the spot on behalf of those who are affected by the administration. For this purpose, I would have, in every district, a small council of non-officials, two-thirds of them elected by the non-official members of the District Board, and one third nominated by the Collector. I would make it obligatory on the Collector to consult the Council in all important matters, and I would delegate to him large additional powers to be exercised in association with the Council, so that ordinary questions affecting the administration of the District should be disposed of on the spot without unnecessary reference to higher officials."

ONE MAN RULE

This statement of the case for the constitution of advisory Councils in the District shows the grounds on which this reform has been advocated. The Collector's administration is a one man rule. However sympathetic any individual officer may be, the Collector acts in secret on the report of subordinate officials in most of the questions affecting the welfare of the district and comes to a decision without giving any hearing to the people concerned. Rigidity, uniformity and departmentalism have firmly established themselves in district administration and have caused a great deal of discontent all round. In the eradication of the many administrative evils, such assistance as may be derived from the public opinion of the District is not

sought by the head of the district and by his subordinates, and local influence which is specially valuable in deciding questions of local importance counts for nothing. In the settlement of the many questions affecting the well being of the ryot, the district officers go without local co-operation and district administration as now conducted lacks the strength which it would otherwise derive, by the identity of local public opinion with the administration.

THE PEOPLE.

If Self-Governing institutions are to be established in India, the character of district administration cannot remain the same as before. There must be a transfer of power and authority to the people in an ungrudging spirit and there must be a feeling that the matters concerning public welfare must be decided with their assistance, consent and co-operation. The opinion of the people must have a recognised place in the mechanism of district administration and the mere shifting of the power and authority from one official to another will not promote co-operation between the officials and the people so necessary to a well-ordered administration. Official decentralisation is no remedy to the growing estrangement between the official classes and the people. It may confer more power on one group of officials in preference to another group. It is not merely by a transfer of power from one official to another that any improvement in district administration can be looked to. The ideal of even official witnesses before the Royal Commission on Decentralisation was that the District Collector should be the final authority in almost all matters pertaining to the affairs of the District and that the action of the Government should be confined to inspection and audit. The difference, however, is that the advocates of official control would have the Commissioner to perform these functions of inspection and audit, while

the leaders of enlightened public opinion have advocated the substitution of popular control. If the official view is accepted, it must inevitably lead to the Head of the District becoming much more of an autocrat than he is. Almost every official who appeared before the Commission pleaded for a relaxation of official control; the subordinate official should be freed from the head of the district, the Collector from the territorial Commissioner, the Commissioner and the Board of Revenue from the Local Government and the Local Governments from that of the Government of India. The people, whose money they are spending, have merely to obey the orders and need have no voice in the administration. The methods of decentralization urged before the Royal Commission mostly came under this category and there was no attempt whatever to develop the control of the people over the machinery of district administration. The composition of the Royal Commission was not also favourable to the development of popular control. There was no non-official Indian representative on it if we exclude the late Mr. R. C. Dutt, who was himself a retired official.

THE ROYAL COMMISSION

Notwithstanding the very large volume of evidence which showed the unpopularity of the present District Administration and the pressing need to popularise the Government, the Royal Commission came to the conclusion that a separate advisory Council for the Collector was not necessary. Their main ground was that the District Board, which includes the leading non-officials of the District, affords a convenient instrument for furnishing advice to the Collector upon matters which, although not included in their administrative sphere, affect the District generally or important portions of its area or people. The second ground was that the Royal Commission regarded it

as impossible in the present circumstances, that the Collector should share his executive responsibilities with an advisory Council. Mr Dutt, however, dissented from this view and thought that an advisory Council, with some provision for its giving help to the Collector in his executive work, would make District administration more efficient and popular. He was decidedly of opinion that the isolation of the district administration which is virtually a one man rule is the real cause of much discontent in India. The only Indian representative on the Commission took a view which was in consonance with the whole body of non-official Indian opinion but this was of no avail.

THE DISTRICT BOARD.

The Royal Commission referred to the District Board as an existing institution which will serve the purpose of an advisory Council in matters of the general administration of the District. There is something to be said for this view. But the functions of the District Board are now solely confined to Education, Sanitation, Medical relief and Communications. Before the district board can authoritatively speak in the name of the people, its functions will have to be considerably enlarged and it will have to be constituted either as an advisory or as an administrative body in other spheres of district administration. Such a reform intended to make the District Board a useful adjunct to the general administration of the country, would be welcomed, the needs of a progressive administration are imperative and if district administration is to be reformed and brought into line with the present day conditions, an element of popular control must be introduced immediately into this branch of administrative hierarchy.

LEGISLATIVE COUNCILS

The importance of this reform has become much more urgent since the enlargement of the Legis-

lative Councils in 1909. The Councils are the only statutory bodies, now in existence, where the representatives of the districts can ventilate local grievances by interpellation and by resolution. The subjects so brought up are referred by the Local Government to the local officers and the answers of the Local Government are drafted in accordance with the facts so elicited. The growth of public opinion in the Districts has increased the volume of work in the Legislative Council. There is no recognised statutory body in the Districts where these questions could be brought up and redress obtained, and therefore every petty and trivial complaint has now to be taken to the Legislative Council. The Local Governments have already begun to grumble at the growing volume of work in the Legislative Councils and I feel certain that the work before the Councils will increase very much more in the years to come. The obvious remedy is the creation of the District Advisory Councils, where purely local questions can be dealt with. The Local Governments and the Legislative Councils will then be set free for the more important problems of the Province. Unless some such step is taken, the Local Legislatures must continue to be the only chambers where a man with a grievance can seek for redress. Speaking at the Madras Legislative Council, Sir Alexander Cardew complained of the enormous volume of work

VILLAGE PANCHAYATS.

So far, I have referred to the general question of the improvement of District Administration. It is not suggested that the character of this administration can be changed in a single day. Even in the sphere of Local Self-Government, where popular control has been conceded, nothing substantial has been done as yet for the restoration of the corporate life of the village which has been destroyed by the depart-

mentalism of the present day. Lord Morley had no doubt stated that the village should be the starting point of public life. This was more than ten years ago and no real attempt has yet been made by any Local Government to make the village a unit of Self-Government. Amending Legislation for the establishment of village panchayats and for investing them with definite powers to deal with village questions concerning Education, Justice, Forests, Abkari, Famine Relief, Police, Medical Relief and Sanitation has been under consideration for over a quarter of a century and nothing tangible has yet been done. The Royal Commission on Decentralisation made various recommendations for the revival of the corporate life of the village and in dealing with their recommendations, the Government of India stated that any policy of establishing panchayats should be the work of many years and would require great care and discrimination. They, however, were of opinion that any practical scheme can only be worked out in co-operation with the people concerned and have left the matter in the hands of the Local Governments and administrations. They laid down the following general principles on which advance is most likely to be successful

- (1) The experiments should be made in selected villages or areas larger than a village, where the people in general agree.
- (2) Legislation, where necessary, should be permissive and general. The powers and duties of panchayats, whether administrative or judicial, need not and, indeed, should not be identical in every village.
- (3) In areas where it is considered desirable to confer judicial as well as administrative functions upon panchayats the same body should exercise both functions.
- (4) Existing village administrative committees, such as village sanitation and education committees, should be merged in the village panchayats where these are established.
- (5) The jurisdiction of panchayats in judicial cases should ordinarily be permissive, but in order to provide inducement to litigants reasonable facilities might be allowed to persons wishing to have their cases decided by panchayats. For instance, Court-fees, if levied should be small, technicalities in procedure should be avoided and possibly a speedier execution of decrees permitted.
- (6) Powers of permissive taxation may be conferred on

panchayats where desired, subject to the control of the Local Government or administration, but the development of the panchayat system should not be prejudiced by an excessive association with taxation. (7) The relations of panchayats on the administrative side with other administrative bodies should be clearly defined. If they are financed by district or sub district boards, there can be no objection to some supervision by such boards.

In accordance with these views, representations were made in the various local Legislative Councils that legislation should be undertaken for the constitution of these panchayats. But the attempts have so far proved unsuccessful. In Madras, the local Government opposed all proposals for legislative action and contented themselves with the opinion that the existing provisions of the Local Boards Act should be utilised for the constitution of the larger villages into "Local Fund Unions" and for the rest, they directed the constitution, in the smaller villages, of 'informal panchayats,' without any legislative powers, to control village sanitation and vaccination, to look after the tanks, fisheries, cattle stands and threshing floors, to manage ruins of irrigation, to enforce kudi-maramat, to maintain fuel and fodder reserves and to manage village forests as well as to maintain village schools and to undertake other local public works. It was pointed out at the time that these informal panchayats entrusted with the functions assigned to them and without the legal power to enforce their decisions could never achieve anything and the Madras Government's faith nevertheless in the success of these panchayats to undertake all these functions is simply astonishing. The Government of the United Provinces have appointed a committee, who recommended that, if it is worthwhile to establish panchayats, they should have the necessary power in Civil, Criminal, Sanitary and Educational matters, and that it is important that the panchayats should have enough cases to try, enough business to transact, and enough money to spend, to keep alive the sense of reality and responsibility. They have recommended the enactment

of a general Act giving all these powers wherever it is necessary. The consideration of this measure has not been taken up by the Government of the United Provinces. In Bengal, the Local Government appointed a committee to examine the whole question of District Administration and that committee gave some attention to village organisation. It is understood that some legislative measure is under contemplation. In Bombay, nothing definite has yet been done for organising village life. In the Central Provinces, a vague promise has been made by the Government that the question will be considered. The subject of the revival of corporate life in the villages had been so long under consideration that nobody now believes that the Government will take any action in the matter. The subject will continue to be discussed between the district officers and the Local Governments and between the Local Governments and the Government of India.

LOCAL BOARDS AND MUNICIPALITIES

The only institutions where there is now an element of popular control are the Local Boards and Municipalities. These were constituted in 1884 under the scheme of local Self-Government associated with the name of Lord Ripon. In the resolution on Local Self-Government issued in 1882, the Government of India stated that "it was commonly asserted that the people of India were themselves entirely indifferent to the principle of Self-Government, that they took but little interest in public matters and that they preferred to have such affairs managed for them by Government officers." The Governor-General in Council stated "that he did not attach much value to this theory" which represented the point of view of many of the officers. The Governor-General then proceeded to state "that the task of administration is yearly becoming more onerous as the country progresses in civilisation and

material prosperity. The annual reports of every Government tell of an ever-increasing burden laid upon the shoulders of the local officers. The cry is everywhere for increased establishments. The universal complaints in all departments is that of overwork. Under these circumstances, it becomes imperatively necessary to look around for some means of relief, and the Governor-General in Council has no hesitation in stating his conviction that the only reasonable plan open to the Government is to induce the people themselves to undertake, as far as may be, the management of their own affairs, and to develop, or create, if need be, a capacity for self-help in respect of all matters that have not, for imperial reasons, to be retained in the hands of the representatives of Government." Notwithstanding this definite statement of the policy of the Government, the official hierarchy is very slow to part with its powers. Out of 965 Municipalities in existence in 1915, only 273 have either elected or nominated non-official chairmen and the remaining 422 Municipalities are still under the control of either elected or nominated officials. In regard to Local Boards, the position is even worse. The District Boards are still presided over by Collectors and most of the Sub District or Taluk Boards are also still very largely presided over by Government officials. As regards the composition of Municipalities and the boards, the official element continues to be a powerful factor. The present position was summarised in 1915 by the Government of India from which it is clear that, in most of the provinces, the official element is either one third or one half of the maximum strength of the District Boards and sub-district Boards respectively and that there is no preponderance of elected members as yet in several provinces. The composition, therefore, of these bodies is still very largely determined by the official head of the District and the

executive functions of the boards and municipalities still continue to be discharged by the official classes.

Even where there is a non-official Chairman or President, the policy and control is still very largely in the hands of the Government and heads of departments and other officials. In this country, we are now to some extent in the same position as the Local Authorities in the United Kingdom before the Reform Act of 1832, when the administration of local affairs was carried on by the Crown or by the nominees of the Crown. The Reform Act democratised the Parliament and the Reformed Parliament at once proceeded to abolish the local corporations and to extend democratic Government to the locality and the bodies discharging the functions of the Local Government were accordingly placed upon an electoral basis by the Municipal Corporations Act of 1835. A similar change is also taking place in this country. Since the reconstitution of the Legislative Councils, proposals for expanding Local Self Government on a fully elective basis are being continuously pressed in the council. But the Government has not, as yet, seen its way to alter the constitution of the Local Bodies in this country so as to free them from official control.

A NEW SYSTEM OF LOCAL FINANCE

Apart from the question of the mixed composition of the Local Bodies, there are other vital questions to which adequate attention has not, as yet, been given. The organisation of the Local Authorities in India depends not merely on liberating them from official control, but also on the improvement of their financial resources. Looking at the wide range of functions entrusted to them, and the extremely meagre character of the resources at their disposal, it cannot be a matter for surprise, that local authorities in this country are unequal to a proper performance of the functions entrusted to them. The local bodies in this country have

formulated proposals for definite financial assistance on some system of sharing of the revenues or of contributions for specified services. The whole feature of the Local Self-Government depends on better financial resources and many distinguished members of the Indian Civil Service like Sir Herbert Risley and Sir James Meston admitted before the Decentralisation Commission that the resources of the District Boards and Municipalities are not sufficient to enable them to work up to the modern standards of administration. Some of them stated that the surprise was not that they had not done better, but that they had done as well as they were doing and they pleaded for quinquennial financial settlements between District Boards and Provincial Governments so as to secure a progressive standard of administration. We want, therefore a new system of Local finance

CHAPTER XIV

THE CIVIL SERVICES.

The Indian Civil Service is the political and governing service of India. The supremacy of this service among the public services is one of the leading features of Indian administration. The members draw larger salaries and higher pensions and the whole political power is in their hands. The importance of this service is due to the fact that there are no self-governing institutions in this country controlling the permanent officials. In the United Kingdom and in the self-governing Dominions, the permanent Civil Service is under the control of Parliament and they work under the direction of Parliamentary Chiefs. The permanent Civil Service there can never forget that they are a body of servants whose work may be brought at any moment under effective criticism in Parliament. In India, the matter is entirely different. The Indian Civil Service is the Government, the control of the Parliament of the United Kingdom over Indian affairs being, for all practical purposes, non-existent. The system of Government in India is, therefore, essentially a bureaucracy. If self-governing institutions are to be established in this country, the whole problem of the services has to be looked at from an entirely different standpoint. That standpoint has already been stated by Mr Abdur Rahim, in his minute of dissent to the report of the Royal Commission on Public Services. He said

"The points of view from which the majority of the Commissioners and myself have approached the question of the employment of Indians are substantially different. The question they have asked themselves is what are the means to be adopted for extending the employment of Indians? But the proper standpoint, which alone, in my opinion, furnishes a satisfactory basis to work upon, is that the importation of officials from Europe

should be limited to cases of clear necessity, and the question therefore to be asked is in which services and to what extent should appointments be made from England? The suggestion involved in the majority's point of view is that special measures are necessary for finding employment for Indians in the administration, and that the practical question, therefore, is how many or how few posts are to be handed over to them. On the other hand, the view which, upon a review of the situation, has forced itself on my conviction, is that if Indians have not established a footing in the higher ranks of administration, it is not through their own fault, it is due to barriers of many sorts that have been raised in this way."

The whole country is thankful to Mr. Ardur Rahim for stating the Indian standpoint in clear and unequivocal terms.

POLITICAL TALENT

The point has been raised many times whether the scheme of Indian Bureaucracy has provided the necessary political talent in the past or is likely to provide it in the future. The point is important and has now become still more important in view of the proposals for the establishment of Self-Government. The Indian Civil Service has produced admirable administrators, whose absolute honesty and integrity of purpose, has always been admitted. The mere fact that they habitually conduct the affairs of the Government does not, however, necessarily confer upon them a right judgment on broad questions of policy. On this subject I may again turn to Dr Fisher, the present Education Minister of England, whose views as a member of the Royal Commission on the Public Services in India and based upon the most recent knowledge of the machinery of Indian Administration are entitled to weight. He says "It may indeed be questioned whether a life spent in the Indian Civil Service is calculated, except in rare cases, to stimulate that part of political talent which consists in the study and guidance of political opinion or in the framing of large legislative proposals which are from time to time needed in actively thinking political communities. Until quite recently

there was little need for such forms of talent in India, for if there was active thought among the Indians, it certainly did not revolve round the theme of politics. But the immemorial tranquillity of the East has now been disturbed, perhaps only for a time, perhaps never to be resumed, and we make our account to meet an age of political discussion and criticism among men educated on the Western Model, and using the Western philosophy to obtain their Eastern ends." This aspect of the matter had attracted a great deal of attention, now and then, and Dr Fisher puts his finger on the weakest part of the present administrative organisation in India. A great many of the political blunders and troubles of recent years in India were due to the fact that the personnel of the Executive Government has not been able to grasp the broad points of political progress in India. The European official is too secluded from the warm currents of progressive political life in the country and he has no political imagination to fall easily into line with them. The enlargement of the Legislative Councils has already revealed the great necessity for a political outlook and a knowledge of political conditions on the part of those who are responsible for the affairs of this country. Administrative ability is good but it is not merely too much knowledge of detail that is required. A broader, a more sympathetic and popular spirit is needed in the Provincial and Central administration in India. In the British Constitution, there is a happy combination of the lay element and the expert which allows the initiation of general policy by the wider outlook of public life. A foreign governing bureaucracy can no longer carry on the administration unaided by those who are in the political life of the country. Lord Morley aimed at some reform in this direction by the introduction of the Indian element in the Executive Councils but, this by itself has not had any effect on the broad lines of administrative policy. The

Indian National Congress and the Muslim League have now suggested that the highest administrative posts in the country such as the Lieutenant-Governors and Members of Council should not reserved for the Indian Civil Service but must be filled by men drawn from the public life of the United Kingdom and India. Lord Islington has given his general support to this idea in his recent address and Sir William Wedderburn and other Anglo-Indian Administrators have also expressed similar opinions. A change in this direction is urgently needed. It may to some extent, affect the prospects of the members of the Indian Civil Service and make the Service less attractive but it is, in practice, in the interests of the political and general progress of the country.

NATURE OF BRITISH RESPONSIBILITY.

In making their recommendations in regard to the Indian Civil Service and the Police Service, the Commissioners laid a great deal of stress on what they called "the nature of British Responsibility for the good Government of India." Their view of British responsibility is such as practically to exclude Indians from the higher ranks of the Civil Administration and is a direct violation of Royal declarations and Parliamentary pledges which have been made since 1833. But His Majesty's Government have recently explained the nature of British responsibility in quite a different way. The Secretary of State has definitely stated that the policy of His Majesty's Government is that of increasing the association of Indians in every branch of administration without any exception and the development of self-governing institutions with a view to the progressive realisation of responsible Government in India as an integral part of the British Empire. If this declaration is carried into effect and Self-Government is established

in this country, the employment of a preponderating number of British Officers in the Indian Civil Service and the Police Service in this country, as recommended by the majority of the Commissioners, is no longer a compelling necessity of the British connection even if it was so before. In his address on the problems of Indian Government, Lord Islington, stated that the recommendations of the Commission in regard to the Indian Civil Service and the Police Service were framed with a view to the existing conditions. He refused to prophecy what, in view of the establishment of self-governing institutions in India, the composition of these services may be or ought to be in the course of two or three generations. His Lordship was apparently conscious of the fact that, if self-government is conceded to India, the composition of the Indian Civil Service must be viewed from an entirely different standpoint. The establishment of Self-Government in India and the organisation of a Civil Service extensively recruited from outside the country are, as a permanent administrative arrangement, inconsistent and irreconcilable political ideals.

SIMULTANEOUS EXAMINATIONS.

I do not propose to refer to the many and intricate problems raised in the report of Lord Islington's Commission on the Public Services. The Commissioners' enquiry practically covered the whole field of Indian Civil Administration and extended to the recruitment and organisation of the 24 departments under the Government of India and the Local Governments. The majority report caused the most profound disappointment throughout the country and some of the conclusions of the Royal Commission were challenged in the Indian Legislative Council where a series of resolutions on the various points raised in the report were brought forward by non-official members for discussion. The controversy on the subject of the simultaneous

examinations for the Indian Civil Service dates almost to the period when direct sovereignty of the Crown over India was established. The demand for simultaneous examinations has been put forward for over 30 years by the Indian National Congress, and the justice of it has been admitted by the House of Commons in a resolution on the subject in 1893. In making this demand again, all the Committees in India, with the exception of the Europeans and Anglo-Indians, and all the Provinces are united and practically unanimous. And yet the Commission rejected this demand on the ground that the "nature of British responsibility" required that the composition of the Indian Civil Service should be essentially British. The obstacles devised for preventing Indians from entering this service are justified on the ground that they are all necessary for maintaining the British character of the administration. Indians have distinguished themselves in organising the administration of Native States like Hyderabad, Mysore, Baroda and Travancore and Indian Administrators such as Sir Salar Jung, Sir T. Madhava Rao, Sir Seshayya Sastry, Sir Seshadri Aiyar, Sir M. Visweswaraya and Mr V. P. Madhava Rao have been able to win distinction only outside the British Service in India. Some of them introduced representative institutions in the Native States and had in various ways improved the indigenous systems of administration and displayed administrative capacity of the highest order. In British India, an effectual barrier has been set up by the reservation of all the higher administrative posts to the members of the Indian Civil Service and by devising a method of recruitment which effectually shut the majority of candidates from competing for the Civil Service examination. In his recent speech in the Imperial Legislative Council, His Excellency the Viceroy stated that one of the ways for accelerating

the speed of Self-Government in this country is to admit Indians in steadily increasing proportion in the higher grades of the various services and departments and to the most responsible posts in the administration generally. He declared that "If we are to get real progress in India it is vital that India should have an increasing number of men versed not only in the details of every-day administration but in the whole art of Government." The mere increase in the number of Indians in the Civil Services, will not by itself lead to the establishment of self-government in this country. It cannot change the form of Government. It remains, however, to be seen how these views will be given effect to. The system of a foreign bureaucracy hitherto deprived us of the valuable administrative experience so necessary to the public life of the country and has also proved to be an effectual barrier to the wider employment of Indians and to the development of self-governing institutions.

A GOVERNING OLIGARCHY.

A great deal has been said that, if self-government is conceded to India or if simultaneous examinations for the Indian Civil Service are held, an oligarchy will be established in India. This argument has been used by the members of the Indian Civil Service who are themselves one of the closest oligarchies in the world. Even in a democratic country like the United Kingdom, the existence of a governing oligarchy at the present day is admitted. There is an oligarchy in the Cabinet and there is also an oligarchy in Parliament. "Even up to the present day, the British political system has preserved much of its oligarchical character and the effective power continues to be retained in the hands of a comparatively small band of persons, many of them born to politics and brought into it young. Mr. Sydney Low, author of "the Governance of

England", deals with the present limitations of democracy in the United Kingdom and says that "they have an actually large but relatively rather small governing class consisting of a few thousand representatives of the nobility, landowners, capitalists and leading professional men who make up London Society. No constitution, rule or precedent prescribes that ministers shall be appointed from this set of persons but from the circumstances of the cases they usually are so appointed." He then gives an analysis of the composition of the recent English ministries for a quarter of a century and shows how largely they still continue to be made up from this governing oligarchy. In the nature of things, whenever there is a government, there is necessarily some kind of oligarchy, and our main purpose is to see that the governing oligarchy does as little harm to the body politic as possible. The European oligarchy believe that they are more necessary to the country than an indigenous oligarchy who remain in the country with permanent interests in its welfare and progress. The members of the Indian Civil Service view with jealousy any proposals that will reduce their power, and several of them do not hesitate to put forward curious arguments for maintaining their existing position. One of these arguments is that the Western-educated classes have no sympathy whatever with the masses and that they do not reflect the views or represent the interests of the many millions in India. Both the Indian members of the Royal Commission entered their protest against these reckless allegations, and have completely shown the hollowness of this position.

ANGLO-INDIAN OPPOSITION.

Non-official Europeans and Anglo-Indians have also consistently opposed the wider employment of Indians on various grounds. The Hindu-Muhammadan problem did duty for a long time as an unanswerable argument against

the wider employment of Indians in the Public Services. Happily with the awakening of Indian National aspirations, Muhammadan sentiment has changed in a remarkable manner since 1886. The Muhammadans are now in complete accord with the political programme of the Indian National Congress. After a comprehensive review of the evidence of the Muhammadan witnesses before the Commission, Mr. Abdur Rahim has come to the conclusion that "the keynote of their attitude is the same as that of the others, a demand for a more definite and more extensive association of the people with the administration and a complete removal of the disabilities." Suggestions have also been made about the general unfitness and administrative incapacity of Indians to hold the superior appointments reserved for the Indian Civil Service and allegations that the Indians are wanting in initiative, driving power, resource, and the faculty of control have been recklessly made for years. These and other objections were again urged with great insistence before the Royal Commission by the generality of the European witnesses.

SOME NEW OBJECTIONS.

In the recent discussion in the Indian Legislative Council, Mr. Hogg, the representative of the Bombay Chamber of Commerce, took a new line. He stated that, though he was not in the full confidence of his constituency, they were all in favour of self-Government and they realised that the time had come when immediate steps should be taken with that end in view. But he claimed all the same that the British commercial interests should be adequately safeguarded and that the best way of doing it was the maintenance of the essentially British character of the administration. He, therefore, supported the recommendations of the Commission for the employment of a

preponderance of British Officers Sir Hugh Bray, the representative of the Bengal Chamber of Commerce, claimed that the British commercial Community had given their men and money for India and that they are responsible for India's prosperity. He demanded the retention of such a measure of control as would safeguard the interests of the commercial community. He did not, however, wish for any changes and opposed the resolutions recommending various changes in the recruitment of the Services. He said that the European commercial community were prepared to pull together with the Indians but were not prepared to take a secondary place in pulling out the coach of state whenever it was in a quagmire. These criticisms show a lack of clearness in regard to the essentials of the problem. As has already been pointed out, self-Government in India and the employment of European civil servants recruited in England are, as a permanent arrangement, entirely inconsistent with each other. Then again, the maintenance of the British character of the Indian administration does not necessarily depend upon the employment of men of the British race, unless it is contended that the characteristics of the British administration cannot be acquired otherwise than by being born a Briton. British administration in India is now nearly a hundred years old and it has never been asserted that the increasingly larger employment of Indians has adversely affected the character of the administration. Mr. Hogg's contention, therefore, that the commercial interests require the employment of a preponderance of British Officers is due to the inborn unwillingness of the non-official European for the extension of Indian influence and control in the administration of the country. British commercial interests can in no way be jeopardised either by the greater employment of Indians or by the establishment of self-government in India.

THE CONGRESS SCHEME.

The logical position, therefore, in regard to the service is that indicated in the scheme of reforms framed by the Indian National Congress and the Muslim League. The power of recruitment for the Indian Civil Service and other Imperial Services should be transferred from the Secretary of State in Council and vested in the Governor-General in Council. If the Indianisation of the Imperial Services is to become a reality in the near future, the Secretary of State should no longer have anything to do with these services. He is beyond the pale of public criticism of this country and, as has already been pointed out, the Central Government of this country is the proper authority that should make these appointments. It will still be open to the Government of India to employ such European agency as may be necessary in the interests of the administration. It is not asserted that it can dispense with the European element for a considerable time to come. If the power of recruitment is transferred to the Government of India, the question will be continuously examined in India in the light of the public opinion of the country.

THE PRESENT POSITION.

The present position of Indians in the various public services of this country has been summarised in paragraph 34 of the majority report of the Royal Commission. It shows that, out of the existing 10,640 appointments on Rs. 200 and upwards, only 42 % was held by Indians and Burmans of pure Asiatic descent on the 1st of April, 1913. Then as we ascend higher up the scale, the position grows much worse. Out of 4,900 posts* carrying a salary of Rs. 500 a month and upwards, only 942 or 19% were filled by Indians as against 4,042 or 81 % occupied by Europeans or Anglo-Indians. When we reach a salary of Rs. 800 a month and upwards, which to a large extent, though not entirely

indicate the level of higher appointments of supervision and control, only 242 or 10% of the appointments were held by Indians as against 2,259 or 90% filled by Europeans and Anglo-Indians. Reference has been made in paragraph 34 of the majority report to the progress made from 1887 to 1913. In the region of appointments conveying salaries of Rs. 200 and upwards, the percentage has risen from 34 to 42 since 1887, and in appointments carrying Rs. 500 and upwards from 12 to 19 per cent and those carrying a pay of Rs. 800 and upwards from 4 to 10 per cent. This during the space of a quarter of a century.

The three essential reforms therefore are a speedy indianisation of the Services consistent with the maintenance of a high standard of administration, the establishment of the necessary educational institutions in India to afford the requisite facilities to the youth of the country to qualify themselves for service in all branches of administration and thirdly the adoption of a scale of salaries for cheapening the cost of the Civil Administration. The costliness of the European Agency is the most powerful argument for reducing it to cases of actual necessity.

JUDICIAL AND EXECUTIVE FUNCTIONS.

I must now refer to the subject of the separation of the Judicial and Executive functions, which has been advocated for over a century. The union of the functions of the District Magistrate and Collector is a strange combination of the functions of constable and magistrate, public prosecutor and criminal judge, revenue collector and appeal court in revenue cases. The Collector has the entire administrative control of the subordinate magistrates who are also employed under him in the discharge of revenue and general executive duties. In support of this system it has been contended that unless the District Collector is also a Magistrate, his prestige will be diminished in the eyes

of the people. These and other arguments have been examined and answered a number of times and the present system has been condemned in the strongest terms. From the earliest days of British Rule, many distinguished Anglo Indian Administrators expressed themselves in terms of strong disapprobation of the present system, but I need only refer to the modern history of the subject. In 1899, an important memorial was addressed to the Secretary of State signed by many eminent men including Lord Hobhouse, Sir Richard Garth, Sir Richard Couch, Chief Justice of the High Court of Bengal, Sir Raymond West of the Bombay Civil Service, Sir William Markby, Judge of the High Court of Calcutta and other experienced judicial Officers. Nothing came out of this memorial. Then there was a discussion in 1908 in the Imperial Legislative Council, when Sir Harvey Adamson admitted on behalf of the Government that the "criminal trials affecting the general peace of the district are not always conducted in that atmosphere of cool impartiality which should pervade a Court of Justice." He was also of opinion "that it is not enough that the administration of justice should be pure. It can never be the bed-rock of our rule unless it is also above suspicion." Sir Harvey Adamson declared that the Government of India had definitely decided to introduce the reform in a cautious and tentative way. Nothing practical having been done, the Hon'ble Babu Surendranath Banerjee again reverted to the subject in 1913 in the Imperial Legislative Council. In speaking on behalf of the Government on that occasion, Sir Reginald Craddock said that, in consequence of consultations with Local Governments, difficulties of a practical nature were elicited and correspondence upon them took place between the Local Governments and the Government of India and between the Government of India and the Secretary of

State. The discussion was still going on at that time in 1913 and has not been, I believe, finished as yet.

THE ROYAL COMMISSION.

The Royal Commission on the Public Services has not faced the question and has scrupulously avoided a consideration of this important subject. Under these circumstances, it is impossible to resist the conclusion that, as long as possible, the Executive Government will never find the time to consider the subject or to formulate a scheme and to find the money for it. The Indian National Congress and its allied organisations have, for 30 years, year after year, urged this important administrative reform but all to no purpose. The present system is a source of weakness and embarrassment to the administration. No Government can be strong whose administration of justice is not entirely above suspicion. The combination of functions in such a condition of society is a direct weakening of the prestige of the Executive. "The fetish of prestige," Sir Harvey Adamson said, "in the larger sense has been altogether discarded, and no longer forms an operative part of the policy of the Government of India." Notwithstanding this disclaimer, prestige is still too strong to be easily shaken off. Speaking at Cambridge in 1912, the present Secretary of State referred to prestige as a principle or policy which has often controlled the actions of the Government of India. He said "Oh India! How much happier would have been your history if that word has been left out of the English vocabulary. But there you have Conservative Imperialism at its worst. We are not there, mark you, to repair evil, to amend injustice, to profit by experience. We must abide by our mistakes, continue to outrage popular opinion simply for the sake of being able to say 'I have said what I have said.' I have in other places and at other times expressed my opinion freely on prestige.

We do not hold India by invoking this well-mouthed word. We must uphold it by just institutions and more and more as time goes on by the consent of the governed." Whatever successive Secretaries and Under Secretaries of State may think and say on the subject, it is impossible to effect this or any other reform in the administrative machinery of India unless the controlling power is vested in the people. The executive Government now controls not only the executive administration in India but also determines the composition of the Legislatures and controls the Judicial system of the country. In other countries, the executive Government, the Legislatures and the Judiciary control each other in various ways but the constitutional relation of each of these authorities is so regulated as to secure the independence of each of them. They act as a check on each other ; but in India the executive authority is supreme in all spheres of activity.

CHAPTER XV.

MILITARY SERVICES

"There can be no true sense of Citizenship where there is no sense of responsibility for the defence of one's own country. If there is trouble, others will quiet it down. If there is riot, others will subdue it. If there is danger, others will face it. If our country is in peril, others will defend it." When a people feel like this, it indicates that they have got to a stage when all sense of civic responsibility has been crushed out of them, and the system which is responsible for this feeling is not consistent with self-respect of normal Human Beings. Sir S. P. Sinha, at the Indian National Congress, 1915

Since the Indian Mutiny in 1857, the military policy of the Government of India had been actuated by a distrust of the people and every step taken was, therefore, in the direction of reducing the military efficiency of the people. On the eve of the Indian Mutiny, the Indian troops in India outnumbered the Europeans by nearly 8 to 1. The present proportion is two to one. Many other important changes were also introduced tending in the direction of increasing the military efficiency of the European Forces. One of the changes was that the field and other artillery should be exclusively or almost exclusively manned by Europeans. The two great principles observed since the Mutiny were the retention in the country of a large force of British troops and keeping the artillery in the hands of the Europeans. The organisation and recruitment of the Indian army was also completely changed in various ways. The Army Organisation Commission of 1879 recommended the abolition of the Presidency Army system and the constitution of four territorial Army Corps under the Supreme authority. This reform was carried out and a new scheme of military organisation was introduced by Lord Kitchener in 1905, which will be

referred to later on. In addition to all these changes in recruitment and organisation, the Government also pursued a rigorous policy of exclusion of Indians from all chances of military training. The admission of Indians to the Volunteer Corps was refused and the Indian Arms Act was worked so rigidly in all parts of the country that the people have been deprived of the means of defending themselves against dacoits, robbers and wild animals. These three subjects—the recruitment of the Army, facilities for military training and the working of the Indian Arms Act—fill a large space in the political discussions in India ever since the establishment of the Indian National Congress. Nevertheless, nothing tangible has been done hitherto to meet the wishes of the people in these three important respects.

INDIA'S EFFORT IN THE PRESENT WAR.

Happily, the present war has dispelled the suspicions of the Government about the loyalty of Indian people to the Empire. The Indian Army has distinguished itself on the battle-fields of Europe for the first time in the history of India and the hard solid work of the Army in all the theatres of war has received encomiums from all quarters since the commencement of the present war. The Indian soldiers fought at Ypres side by side with the Canadians; they were with the Anzacs in Gallipoli; they fought against terrible odds in East Africa before General Smuts brought over his troops from South Africa. Their magnificent work in Mesopotamia in spite of a most difficult situation has won for them great admiration from the military authorities. The heroism of Indian troops has attracted a great deal of attention in the theatres of the war in all parts of the world. The Indian States have also done their best in the conduct of this war. Many of the princes have served personally on the British Staff at

the front and their Imperial service troops have taken their place on the battle-fields of Europe and Asia.

All this was possible because Lord Hardinge trusted India. India was practically denuded of the British and Indian troops from the beginning of the war. Lord Hardinge has won the gratitude of the people of this country for the opportunities he has given to them.

INDIA'S POSSIBILITIES.

The inexhaustible military resources of India and their value to the Empire as a whole have also attracted certain amount of attention since the beginning of the war. In a previous chapter, I have already referred to the services rendered by India to the Empire. But the potentialities of India in meeting the military requirements of the British Empire are not fully realised as yet. A European war was necessary to convince the leading men in authority in India and the United Kingdom that India is loyal to the Empire and that there are millions of men of fighting quality and military age in this country, who will willingly adopt the military profession. There are martial races who can form the material for a most magnificent army. In referring to the part played by the Indian troops in 1914 and 1915, Mr. Winston Churchill said "that they held positions for the holding of which no other resources were, at the time, available in the allied armies in the West. They fought with the utmost heroism and effect. They acquitted themselves admirably both in defence and in attack again and again and yet again against our enemy. There were Gurkhas at Gallipoli and at the foot of Sari Bair side by side with their Australian comrades, thereby creating an impression throughout Australia which would never be forgotten. The wet wintry weather in Flanders, the pouring rain and mist, the undrained trenches,

deep in mud and water, were a heavy and cruel burden to the Indians" He then referred to the vast field for military recruitment available in India. Mr. Churchill stated that with 315 millions of people in India it was wrong to India and wrong to Europe to have only an Indian army of a hundred thousand in the line and he therefore thought, taking a cool view of the situation, that "of all chances and prospects the Government were bound to have a large Indian Army ready to bear its part in the final culminating shock" The great difficulty, however, is that the Indian Army at present is officered almost wholly by Europeans.

COMMISSIONS FOR INDIANS.

The wider employment of the sons of the soil in the public services has now been laid down in a series of pledges and Royal proclamations. Racial disqualifications have been abolished and merit has been laid down as the sole test of qualification for public employment. But there is always a great deal of divergence between principle and practice in regard to Indian questions. One of these is the granting of Commissions to Indians in the Army. Asiatics and Africans can obtain an honourable position in the armies of Russia and France, but after a century of British rule, Indians are not yet in a position to say that a dignified position can be secured by them in the military service of their own country.

The present war has revealed many defects in the army organisation, not the least important of which is the necessity of throwing open the commissioned ranks to Indians. The Indian regiments are all officered by European officers and the highest rank to which the Indian soldier may aspire to is a non-commissioned officer with the title of Risaldar Major or Subadar Major. Almost ever since the establishment of the Indian National Congress, the country

has demanded a better position in the military service of the country for the sons of the soil. In 1887, at the third Indian National Congress held at Madras, the resolution adopted was in these terms: "that in view of the loyalty of His Majesty's Indian subjects, this Congress considers it desirable that the Queen's proclamation should be given effect to, that the Military service in its higher grades should be practically opened to the Natives of this country and that the Government of India should establish military colleges in this country, whereat the Natives of India as defined by statute, may be educated and trained for a military career as officers of the Indian Army." It is now thirty years since this resolution was passed and every succeeding Congress has been asking for the establishment of Military Colleges in India and for organising the more warlike races on a system of military service. Educated Indians resent their emasculation as an undeserved and gratuitous stigma on their loyalty and on the national competency of Indians for a military career. Throughout the period of the moghul rule, the Army, in its higher ranks, afforded the most distinguished career to the sons of the soil, but after the establishment of the British Power no Indian, whatever his rank, social position or military worth, can hope to receive the King's Commission. The existing organisation of the Indian Army does not include any class of Indian Commissioned officers; no Indian soldier whether a Sikh, a Gurkha or a Pathan has ever become a lieutenant in the army. This grave disability is due to the mistrust caused by the events of the mutiny. The disqualification imposed by the British Government operates not only in the case of rank and file of the Indian soldiery as a permanent bar to promotion, but has closed an honourable profession to many Indians possessing an inherited taste and talent for the military profession. It has had a most detrimental effect on the morale of the Indian

sepoys, and many military officers of high standing have expressed themselves in favour of the admission of the Indians to the Commissioned ranks of the Army. During the Viceroyalty of Lord Minto, the matter was again pressed on the Secretary of State, but it did not make any further progress than any of its predecessors. At the autumn Session of the Imperial Legislative Council, His Excellency the Viceroy stated that the discussion of the question of commissions to Indians dates back to pre-historic times, that it has been the subject of discussion by Government after Government and that years slipped by and nothing was done up to the present day. It was announced by His Excellency that a despatch on the subject from the Government of India to the Secretary of State had gone and that His Majesty's Government had accepted the proposals of the Government of India. The country awaits the publication of this despatch to see to what extent the proposals of the Government of India would meet with public approbation. The reform has long been overdue and unless a substantial step in this direction is taken, the greatest disappointment would again be caused throughout the country. India will not be satisfied with mere beginnings. We know to our cost how many reforms have been delayed and obstructed either in this country, or in the United Kingdom, and we shall have no reason to rejoice till the reform is actually carried out. His Excellency has also announced that, as a beginning, nine commissions had been conferred on Indian Military officers who have distinguished themselves in the war. This tardy and inadequate recognition of the claims of the many distinguished Indian soldiers has come after three years of service in this world-wide war. The Military correspondent of the London Times has, however, already struck a note of warning. "It is a change which, once begun, must extend and, because it must have the inevitable result of placing

eventually British officers under the command of Indians, is not one to be lightly undertaken." This great war has changed many things, and whether it has changed the views of the British Military officers in regard to the claims of Indians yet remains to be seen. The position is, however, entirely different to-day. India must take an important part in future in Imperial Defence and her position in the Empire has been established by the great part she has taken in the present war. Russia is not the only possible enemy against which India may have to contend. Moreover, if India is to become a self-governing unit in the Empire, the whole question of the military organisation needs to be looked at from an entirely different standpoint. A standing European Army in the country is a necessary concomitant of a foreign domination, but if self-governing institutions are to be established in India and the civil administration of the country is placed in the hands of the people, a military organisation of foreigners can no longer continue on anything like the same scale as now. A beginning must, therefore, be made in establishing the normal conditions of a self-governing country. The opening of the King's Commissions to Indians on equal terms along with the other subjects of the King, the establishment of Military Academies for the highest instruction in the Military Art and the throwing open of all positions of trust, power and responsibility to Indian Military men in all spheres of activity are the directions in which such a beginning must be made.

METHODS OF RECRUITMENT.

The scheme of Military Reorganisation which owed its inception to Lord Kitchener introduced many far-reaching changes which, I believe, must now be revised in the light of more recent experience. Lord Kitchener and the Government of his day came to the decision that the main function of the Indian Army is the defence of the North

West Frontier. Russia was then supposed to have ambitions of an Indian Empire and it was Lord Kitchener's aim to reorganise and prepare the Army for an eventual conflict with that great Power. As a result of his scheme, several military stations were abandoned. The bulk of the troops were concentrated in large cantonments and recruitment was largely made from trans-frontier tribes. The principal races and castes now enlisted in the regiments are the Pathans, the Punjabees, the Muhammadans, the Sikhs, the Dogras, the Ghurkhas, the Hindustani Muhammadans, the Brahmins, the Rajputs, the Jats, Garhwallis, the Moplas, the Tamils, the Muhammadans of Deccan and Rajaputana, the Baluchis and the Mahrattas. An improvement of the conditions of enlistment and service for Indian Officers and men is necessary and the right to enlist in the regular Army, irrespective of race or province or origin but subject only to prescribed tests of physical fitness should also be conceded. Better pay, pensions, allowance and prospects, which will bear a reasonable comparison with those of the British soldiers and with those obtainable in the Civil services of the country must also be thought of. Some improvement has been made since the war, but a great deal yet remains to be done. Though her own needs may not require a large Army, India will have to supply very large reserves for the defence of the Empire, which can be mobilised and expanded indefinitely at the call of a great emergency. For these reasons, a thorough examination of all the available recruiting fields will have to be undertaken in the light of the new conditions. The weight of Indian defence should be thrown more and more on the citizens of India and less and less on the trans-frontier tribes. Apart from this, modern warfare requires the best intelligence of the country. On these grounds, it is clear that a change in Indian Military policy is bound to come at the end of the war. The conclusions of the Imperial War

conference in regard to Military equipment and material are not yet fully known but it is certain that the whole question will have to be viewed from an entirely different standpoint from that which has hitherto prevailed

A CITIZEN ARMY

I have so far dealt with the recruitment for the Regular Army. The creation of a citizen Army in India has also been suggested for a very long time. In 1887, with a prophetic vision of the coming events, the Indian National Congress adopted a resolution that "in view of the unsettled state of public affairs in Europe and the immense assistance which the people of this country, if duly prepared therefor, are capable of rendering to Great Britain in the event of any serious complications arising, this Congress do earnestly appeal to Government to authorise (under such rules and restrictions as may to it seem fitting) a system of volunteering for the Indian inhabitants of the country, such as may qualify them to support the Government effectively in any crisis." The right of military training and the formation of a National Militia in India have been urged with great vigor and enthusiasm many times from the platform of the Indian National Congress. If the people of India are allowed and trained to bear arms, there is no nation in the world whose strength will compare with that of England; nor is there any reason for any apprehension, that the formation of a National Militia would be a source of danger to Imperial supremacy or to internal peace and order. The refusal to permit Military training coupled with the rigorous working of the Arms Act has thoroughly emasculated the people. In speaking on the subject at the Indian National Congress, 1915, Sir Satyendra Sinha made one of the most scathing indictments against the present system. He said :—

"England has ruled this country for considerably over 150 years now, and surely it cannot be a matter of pride to her that, at the end of this

period, the withdrawal of her rule would mean chaos and anarchy and would leave the country an easy prey to any foreign adventurers. There are some of our critics, who never fail to remind us that if the English were to leave the country to-day, we would have to wire to them to come back before they go: as far as Aden. Some even enjoy the grim joke that, were the English to withdraw now, there would be neither a rupee nor a virgin left in some parts of the country. For my part, I can conceive of no more scathing indictment of the results of British rule. A superman might gloat over the spectacle of the conquest of might over justice, and over righteousness, but I am much mistaken if the British nation, fighting now, as ever for the cause of justice and freedom and liberty, will consider it as other than discreditable to itself, in the highest degree, that, after nearly two centuries of British rule, India has been brought to-day to the same emasculated condition as the British were in the beginning of the fifth century, when the Roman legions left the English shores in order to defend their own country against the Huns, Goths and other barbarian hordes.

"In asking, therefore, for the right of Military training, we are only seeking to remedy the results I have described. We are seeking to retain our self-respect and to strengthen our sense of civic responsibility. We are seeking to regain the right to defend our homes and hearths against possible invaders, should the strong protecting arm of England be ever withdrawn from our country. It is not sentiment that compels us to demand this inalienable right of all human beings, though sentiment has its undoubted place in the scheme of every Government. Some day or other, our right arm may be called upon to defend all that man holds most precious. For who will venture to prophecy that sooner or later there may not be another such conflict as is now convulsing the world, when there may be new alliances and fresh combinations and when England may not have the same allies and advantages as she has now."

This is a statement of the case by one of the most respected Indian public men and represents the sentiments of the whole country.

STUDENTS IN THE UNITED KINGDOM.

The disability to undergo Military training has been imposed not only on Indians but also on the Indian students in the United Kingdom. In the Universities, the Indian students have, for years, been refused admission to the University Corps. After the outbreak of the war, the Indian students in Oxford and Cambridge offered their services and claimed to be admitted to the Officer's Training

Corps, but this was refused. They then passed the following resolutions in June 1915 and submitted them to the authorities.

"That we view with pain and surprise the hesitation, and, as we understand, the refusal on the part of the authorities of the University Officers' Training Corps to include Indian students as members of that body.

"That in view of the part that India has played since the outbreak of the European War and the services that are being rendered by a very considerable number of Indian students resident in the United Kingdom in various capacities, we cannot help thinking the attitude of the authorities to be inconsiderate and unfair

"That we cannot understand why British subjects of Indian birth should be specially chosen for this disability, not even imposed upon naturalised Germans and Austrians before the war nor shared by other students of the University at present. We need hardly add that this constitutes an unfortunate distinction affecting the status of Indian students as members of the University "

We do not know what became of these resolutions. It would have been surprising if the rule was relaxed, so strong is the color bar. This racial discrimination even at the seats of learning is very galling to Indian sentiment especially after the splendid vindication of Indian gallantry and loyalty in the various theatres of war.

CHAPTER XVI.

THE NATIVE STATES.

If ever India is removed from the category of dependencies into the category of dominions, the constitutional pattern of the new state must be federation in which hereditary monarchies and principalities are included as constituent parts"—MR H. A. L. FISHER, EDUCATION MINISTER, UNITED KINGDOM.

I have so far dealt with the problem of Self-Government as it affects British India. No serious effort, however, has been made in the discussions, that have so far taken place, to determine, in a scheme of Self-Government, the exact place and position of the Sovereign Princes and Chiefs of the country and their constitutional relation to the Indian Government. Such an omission has been pointed out by critics, whether hostile or sympathetic, either in a spirit of cavil or in an attitude of constructive helpfulness. It is unthinkable that the six hundred and eighty Chiefships and principalities can remain untouched by any scheme of self-government for India that may be brought into effect in the near future. The Princes and people of India cannot remain isolated from each other, as they have been hitherto, during the past century and a half. They have also been touched by the spirit of the age. Representative institutions have been introduced in some of the more advanced States. Legislative Councils have also been constituted and some of the States have also organised Village Panchayats, conciliation boards, Municipal Councils, Taluk and District Boards. The Maharaja of Bikanir recently referred to the rapid progress of the Native States on constitutional lines and said, "that many states including his own are rapidly progressing in the association of the people in the work of administration and legislation." In a series of letters recently addressed by a 'Mysorean' to the