

THE BRITISH GOVERNMENT IN INDIA

*For the use of general readers, specially of those
preparing for the Matriculation Examination
of the Calcutta University*

BY

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History of India for Juvenile Readers," Etc, Etc*

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PREFACE

The main object of this little volume is to give a general idea of the British Government as well as its benefits throughout the length and breadth of the Empire. It is a matter of great regret that most of the people of this land do not at all know how they are governed and what benefits they derive from British rule. The only reason of this drawback is this that the most of the boys in India generally give up their studies from classes VII and VIII (which are also called the 3rd and 4th classes in some parts of the country) of High English Schools. So they get very little opportunity to know something of the present government of the Country, and generally form an incorrect idea of the principles of British rule from rumours and false reports which have no foundation at all. Thus the great majority remain quite in the dark about the system of administration under British rule and of the benefits they derive from it. It is for this reason that this book has been written specially for use in those classes.

Students preparing for the Matriculation Examination of the Calcutta University may as

well get sufficient help in acquiring a knowledge of the system of government from this book *as it has been written with a special reference to the syllabus of the Calcutta University*. In it I have tried my utmost to give a *vivid idea* of the principles of British rule in India which will materially help the younger generations of this Country to grow up to be good citizens and loyal subjects to the British Crown. And I shall be amply rewarded, should this book contribute in the least to that end.

I take this opportunity of expressing my deep gratitude to the late lamented Mr. N. Bonham Carter, I. C. S., formerly Commissioner of the Dacca Division, as well as to Mr. P. C. Lyon, C. S. I., I. C. S., late Member of the Bengal Executive Council, for their kind appreciation of my humble work in different capacities. I am ever grateful to the departed soul of the former, and I earnestly pray to God that he may enjoy eternal blessings in Heaven. As to the latter, I am under deep obligations to him, and pray that he, too, may enjoy his retired life in peace and happiness at home.

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The British Government in India

INTRODUCTION

The country in which we live is called India. It is a very big country. So it is often called the continent of India. King George V is our present Emperor. He lives in England, and rules our country with the help of a Parliament.

As our Emperor lives in a far distant country, it is very difficult for him to govern the country personally. So he sends out a representative called the Viceroy and Governor-General who governs the country on his behalf. The Viceroy is directly responsible to the Secretary of State for India who also, in his turn, is responsible to the British Parliament in England.

The British Government has to face various sorts of troubles and difficulties in governing the country. During the earliest part of the British administration the extent to be governed was not so great as it is now, the population was not so numerous, the style of public living was not so high. So the Government had to face less trouble in governing the country at that time. But under the system of British administration the communication between different parts of India has become very easy now. The people are fully known

to the Government. Though there are many inconveniences in governing the country owing to its various races of people, castes, and religions, the administration on the whole has become simpler by the exertion of the British authorities which will be shown later on.

In order to have the country well-administered, the British authorities have divided the Indian Empire into some fourteen unequal provinces, *viz.*, (1) Bengal, (2) Bombay, (3) Madras, (4) the Punjab, (5) the United Provinces of Agra and Oudh, (6) the New Province of Bihar and Orissa, (7) Burma, (8) British Beluchistan, (9) the North-West Frontier Province, (10) the Central Provinces and Berar, (11) Ajmere, (12) Assam, (13) Coorg, and (14) the Andamans. Of these Bengal, Bombay, and Madras are called Presidencies and are ruled by Governors who are deputed direct from England. The Punjab, the United Provinces of Agra and Oudh, the New Province of Bihar and Orissa, and Burma are called Local Governments and are administered by Lieutenant-Governors who are appointed by the Viceroy in Council with the approval of the Crown. British Beluchistan, the North-West Frontier Province, the Central Provinces and Berar, Ajmere, Assam, Coorg, and the Andamans are called Local Administrations and are ruled by Chief Commissioners who are also appointed by the Governor-General in Council. The Viceroy and Governor-General has general control over all these Provincial rulers.

In view of the differences of rules and the systems of administration British Presidencies and Provinces are

divided into two classes, *viz.*, the Settled or Regulation Provinces and Non-Regulation Provinces. The provinces which are ruled by laws systematically framed and regulated by the Governor-General in Council under the provisions of the Charter Acts are called the Settled or Regulation Provinces. As for instance, Bengal, Bombay (excepting Sind), Madras, and Agra are Regulation Provinces. Oudh and Assam are now under the head of the Regulation Provinces. The provinces which are ruled only by the active orders of the Governor-General in Council and not by laws framed under the forms of the Charter Acts granted by the Sovereign are called the non-Regulation Provinces. For a time there was some difference in the systems of laws and administration between the Regulation and Non-Regulation Provinces. But this difference is now almost gone out of use except in the names and in the qualifications of the administrative staffs only.

The British Province in India is divided into a certain number of Divisions which are also divided into some Districts. In the Regulation Provinces the Divisions are under the control of Commissioners. The province is also divided into its smaller portions as Districts or Counties which are placed under the charge of District Magistrates in the Regulation province, and in the non-Regulation province they are placed under the charge of Deputy Commissioners. The Districts are divided into some sub-divisions, and these latter into thanas. Of all the various divisions of

a province the district is very important. The whole of British India with the exceptions of the Native States is found to contain some 267 districts at present as against 250 in 1900. The area and population of a District vary in different provinces. The average size of a British District is more than 4,000 square miles, whereas the average population is more than 900,000 souls. The district is often defined as the life of the Indian Empire as the whole work of the Division, the work of the Province and so also of the Empire depend upon its work. If the district is properly administered, the machine of Government goes on smoothly.

It will be clearly shown in this book how the English have been governing India by adopting various measures, such as for the protection of the country from enemies, for the establishment of peace and order throughout the country, for the administration of justice, and for the bearing of the cost of administration in general.

Under the English system, the present administration of this country is roughly divided into some two main divisions, *viz.*, Military and Civil. The Military administration of the country is very important. It creates the Army and the Navy for the protection of the country from the enemies both by land and water. The Civil administration which is subdivided into three main divisions, *viz.*, the Executive, the Legislative, and the Judicial respectively, is also very important. The function of the Executive Government is to make

necessary arrangements for the maintenance of peace and order. The duty of the Legislative administration is to make laws and regulations for this country and to put them in force. And the function of the Judicial department is to administer justice by explaining the Laws and applying them to cases when the people go to law for the illegal disturbances of their fellow-citizens. There is another system of administration called the Revenue or Fiscal system, but this is the part and parcel of the Executive administration of the country. Thus we see that the administration of the country is divided under two main heads upon which the whole system of the British Government in India rests.

At first we see that the English protect us from various foreign enemies with the help of the army and the navy. Secondly, they form the executive government for the management of executive affairs. Thirdly, they make laws and see whether justice is properly administered to all people without any distinction of caste or creed. Lastly, they see whether peace and order are maintained among the people in general throughout the country. In performing all these things they have to work very hard. They are providing for the security of life and property of the people of this country by the establishment of different branches of administration. Under the system of British rule the life and property of every citizen of India are safe in all respects. Now the rights and privileges are given to the public without any distinction

at all. Thus we see that all the systems of good management are the fruits of the excellent administration of the British Government in India, and they are nothing but great blessings to this country.

CHAPTER I

DEFENCE OF THE COUNTRY BY THE ARMY AND THE NAVY

The British form the Indian Army for the protection of the country.—The Indian Army was formed by the English in order to protect the country by land. At first under the provision of the charter of 1669 the East India Company formed the "First European Regiment" at Bombay. This regiment simply consisted of some volunteered officers and soldiers of the King. The East India Company actually formed the Indian Army in 1748. In that year a small mass of troops was created at Madras in order to protect that site against the probable attack of the French during the course of their war with the English in 1744. A small European force was also raised at the same time. In 1781 the British Parliament in England empowered the Company to enrol soldiers. In 1799 an Act of Parliament also authorised the Company to raise further European troops. The raising of all these troops caused

the establishment of the three armies in the presidencies of Bengal, Bombay, and Madras. Besides these, there were several groups called the Contingents which were formed at the cost of the Native Princes for the protection of their estates. The Bengal Army consisted of the Rajputs, the Brahmins, and Muhammadans of the North-Western Provinces and Oudh; but it did not allow the people of Bengal to enter it. In 1856 the number of the Bengal Army was greatly increased, even it surpassed the numbers of Bombay and Madras Armies put together. Parts of the Bombay army and of the Native contingents were also recruited from the Rajputs, Brahmins, and Muhammadans of Oudh. The Madras Army generally consisted of the people of the Madras Presidency alone. The unsystematic cavalry and infantry generally formed the Punjab Frontier Force. By the end of the year 1856* the total Indian Army consisted of 40,000 English soldiers and 215,000 Indian soldiers. Besides, there were some 32,000 men in the Native contingents. A large number of the Indian artillery consisted of Indian soldiers. In 1861 a staff corps for each of the three armies of Bengal, Bombay, and Madras were appointed. In 1891 the three staff corps were combined into a single body.

* Memorandum on some of the results of Indian Administration, p. 90, edition 1911.

Some important changes are brought into the Military administration of the country after the transfer of Government from the Company to the Crown.—The Great Sepoy Mutiny broke out in 1857. During this crisis the whole of the Bengal Army put the English to much trouble. But the armies of Bombay and Madras kept themselves loyal to the British Raj. The Punjab Frontier Force remained quite faithful to the English, and rendered excellent services to them during the dark days of this great crisis owing to the tactics and ability of Sir John Lawrence who was the Chief-Commissioner of the Punjab at that time. The Hyderabad Contingent also remained faithful to the English. After the transfer of Government from the Company to the Crown a great change was brought into the military organization of the country. The Bengal Army was abolished, the European army there was also abolished and the British regiments were engaged in place of the European infantry. Only the English were appointed in the artillery. In former times the native army did most of the work of the police. But after the Sepoy Mutiny, the Police Department was reformed. The English troops were increased to 62,000, and the native army was decreased to 135,000. The Armies of Bengal, Bombay, and Madras still continued under the different heads. Steps were taken to improve the condition of the military administration of the country. The system of infantry was also introduced into the regiments of the Bengal army. Every battalion of forces of the

Bengal Army consisted of the Brahmins, Rajputs and Jats generally. In 1885 the whole military system of the country was reorganized owing to the probable advance of the Russians. The armies, both European and Native, were considerably strengthened by the addition of troops. In 1900 the total number was raised to 223,000, of whom nearly 76,000 were Europeans and the rest were the natives. In 1909* the total numerical strength of the British troops was 75,751 only, and the native army consisted of some 158,932 troops.

The functions of the military authorities.—The Governor-General in Council has the supreme control over the Indian Army provided he is also under the control of the Crown which is exerted by the Secretary of State for India. The charge of the Military Department is vested in the Military Member of the Viceroy's Council. The Commander-in-Chief of the British Forces in India is the Chief Executive Officer of the Army. He is under the control of the Viceroy and Governor-General in Council. Formerly each of the armies of Bombay and Madras was placed under a local Commander-in-Chief of its own. The Commander-in-Chief had only a general control over the troops of Bombay and Madras. In 1893 an Act was passed by which the posts of the provincial Commander-in-Chief were abolished, and the authorities of the military control so long exerted by the provincial governments

* Memorandum on some of the results of Indian Administration, p. 90, Edn. 1911.

of Bombay and Madras were transferred to the Governor-General in Council. This arrangement came into force in 1895, when the entire forces were divided into four territorial commands of the Punjab, Bengal, Bombay, and Madras respectively, each of which was placed under a Lieutenant-General. In 1904 Burma was separated from the Madras Command and thereby formed the fifth Command. These territorial commands, in their turn, were divided into Military districts. In the same year Lord Kitchener reorganized the military administration by giving up a number of petty military stations and bringing the greater part of the troops in large quarters of soldiers. All these troops were distributed in three Army Crops Commands, *viz.*, Western Northern, and Eastern, which consisted of eight divisional commands. There were two divisions, namely, Sikunderabad exhibiting the old Madras Command and Burma, but they were not under any of the Commands and were placed under the direct control of the Commander-in-Chief of the British Army in India.

The British authorities make some changes in the administration—In 1906 an important change was made in the administration of the country. The highest control was still in the hands of the Viceroy provided that he should be under the control of the Crown through the Secretary of State for India. But the old Military Department was divided into two distinct divisions, *viz.*, the Department of the Army and the Military Supply Department. The former was in charge of the Commander-in-Chief who had to

transact all affairs regarding the army in general and to make necessary arrangements for the disposal of business in connection with the willing military recruits and the cantonments. The latter was in charge of an Ordinary Member of the Council who had to transact business in connection with military supply, army contracts, the registration of transport animals and to command the works of the artillery, horse supply, cloth supply of the army, medical service, general military works and the Royal Indian Marine. In 1907 some further changes were made in the military administration of the country. In this year the Western, Northern and Eastern Commands were abolished, and the entire Army in India was divided into two parts, *viz.*, the Northern Army and the Southern Army which were placed under the control of a general officer. In 1909 the Military Supply Department ceased to exist, and the additional services of the army, such as artillery, horse supply, transport and general military works etc., were transferred to the direct control of the Army Department which took charge of the Military Supply Department still vested in the hands of the Government of India. The Commander-in-Chief as member of the Council of the Governor-General got charge of the whole military administration of the country provided he should be under the supreme control of the India Government. The total strength of the Indian Army is counted without the active reserve which consisted of the volunteers and of men who had already served in the

Native Army from five to twelve years. Besides these, there are the auxiliary forces, the militia levies, the military police and the Imperial Service troops which are under the authority of the Native princes and are commanded by the native officers; but they are under the supervision of the British Inspecting staffs

The Constitution of the Native Army.—The Imperial Service troops are under the control of the Native States as I have already told you. Besides, the Native States also keep general military forces. The Rajputana and Sikh States maintain best military forces. The Gwalior, Hyderabad and Kashmir States also possess good quality of troops next to the former native states. The English officers of the Native Army were previously called the Indian staff crops. In 1861 the Native Army was reformed. In 1903 the Indian Staff Crops were changed into officers of the Indian Army. In that year the number of these officers was nearly 2,700. They are engaged in the military department of the Native States as well as in the civil department. Many of them serve in the Political Department and in administrative and judicial posts in the non-regulated provinces. Owing to the great mutiny of 1857 the number of native soldiers had been greatly reduced. The high-class men were not enrolled then and the future hopes of native officers were not at all bright.

But now the Government has given the best opportunity to Indians to enlist in the army. And it is expected that they will be given the higher posts

in the Department if they are found fit. Recently Indian officers have received Commissions in the army in consideration of their abilities, and it is expected that more will follow in the future.

The British construct defensive works, and form the Navy for the protection of the country.—Besides the organization of the army, the British constructed defensive works for the protection of the country. The North-Western Frontier is strongly fortified in all respects and connected with the network of Indian railway lines. All the principal forts in India have also been strengthened by various sorts of defensive works, and furnished with recent guns. The system of wireless telegraph has also been introduced into Delhi, Simla, Bombay, Calcutta, Allahabad, and in other important places in India. The British guard the Indian harbours by a fleet of turret-ships, torpedo-boats, torpedo gun-boats and imperial cruisers*. During the administration of Warren Hastings, the English Navy cleverly guarded the seas against the attacks of the French. The East India Company engaged ships of war for the defence of the country. By the provisions of the Charters of Charles II and James II the Indian naval force of the Company was formed. In 1829 the Bombay fleet was joined with the fleet of Calcutta, and the union of these two constituted the Indian Navy.

* Sir W. Lee—Warner, K. C. S. I (The Citizen of India, Edn. 1900, page 123).

But in 1862 the Indian Navy was abolished in order to curtail the expenditures to a large extent, and it was settled that the Royal Navy would take up the work of the Indian naval defence. But a navy called the Bombay Marine was then formed, and in 1877 it was united with that of Bengal under the name of "Her Majesty's Indian Marine." The functions of this department were the carrying of local troops and stores, the protection of convict settlements and of the forts, the entire inspection of the sea, and the checking of robbery on the high seas. In 1891 the Board of Commissioners selected for the administration of naval affairs took charge of the fleet of turret-ships, gunboats, and torpedo ships from the Indian Marine. In 1892 "Her Majesty's Indian Marine" was called "The Royal Indian Marine." The Secretary of State for India generally appoints the officers of the Royal Indian Marine. The English vessels are equipped with munitions of war for active service. Dockyards have been established in Calcutta and Bombay for the repair of those vessels. Since 1896 India has to pay annually a sum of £100,000 for the maintenance of some ships of the East India Naval squadron. These ships cannot be engaged beyond certain extents without the express permission of the British Government in India. Now we see that with the help of the British Navy scattered in every part of the world, India can protect her shores against the attacks of foreign enemies by water.

CHAPTER II

CHIEF AGENCIES FOR THE MAINTENANCE OF ORDER

THE MAGISTRACY AND THE POLICE

The functions of the district Magistrate.—The district Magistrate is one of the chief agents for the maintenance of order. He is the principal officer of the whole of the district who is entrusted with the chief executive functions in a settled district. In all his functions he has to keep two objects in view, *viz*, the principle of economy and the principle of unity throughout his district. He is also called the Collector as he has to collect the land revenue and the taxes. He is not only responsible for the collection of the revenue and taxes, but he has to do multifarious business. He controls the police for the maintenance of peace and order, and for these purposes, he may take help from the military forces in extreme cases. His task is very difficult. He is solely responsible for the public welfare. Besides, he has to inspect various kinds of workshop and factory throughout the whole range of his jurisdiction. He has also to determine where public works and roads are required and to suggest where good sanitary measures should be adopted so that epidemic and other kinds of disease may not break out suddenly. If anything goes wrong, it is his duty to rectify the matter in every possible way; and if it is beyond his power he has to bring the matter to the notice of the higher authorities for rectification. To crown all, a

District Magistrate is responsible for anything and everything in his own district. The Magistrates who are appointed for the Presidency towns of Calcutta, Bombay, and Madras are called Presidency Magistrates.

The constitution and functions of the police.—

The police are chief agents for the maintenance of order. They constitute the main branch of the Executive Government. The police system is rather distinct in different provinces of the country. In 1861 the general constitution of the police department in India was organized by a law. And the police administration is guided by the Code of Criminal Procedure which describes the powers of the different grades of police officers and the powers under which a police officer can arrest a suspected person and detain him for a period of time without bringing the fact to the notice of the District Magistrate. The police form a unique force in most of the provinces. In every province the police department is under an officer called the Inspector-General of Police who controls the whole police system throughout the province. So also in a district the police system is under an officer called the Superintendent of Police who is also under the Inspector-General of Police. In matters of maintenance of peace and order throughout the district he is under the control of the District Magistrate. A Superintendent of Police is also responsible to the Local Government for the discipline and training of his own police force. For better administration the police in a district is divided into some sections which

are placed under the control of some officers called the Inspectors of Police. There are some additional police stations in most of the provinces called the outposts for the good management of the Police system. In each district a reserve is also kept under the control of an Inspector in order to help the general police in cases of emergency. Within the jurisdiction of each police station there are a number of villages each of which is placed under the watch of a village *Chaukidar*. In all his duties a Chaukidar has to report crimes to the thana. But there are some police stations, outposts, and beats in towns in order to guard them, and besides, the system of night patrol is also in practice for the detection of various sorts of crime at night.

There is another kind of police called the Railway police which are separate from the district police system. It also acts in unison with the district police. The functions of the railway police are to maintain peace and order in railway stations where passengers may disturb the public peace, and as well as to arrest the gangs of robbers who travel from time to time to great distances from the spots of their crimes. Forces of military police are kept in some unsettled tracts of land, such as in the North-West Frontier Province, and in some portions of Assam, Burma, and Bengal. But there is a great distinction between the soldiers and the military police. The former is called the Imperial force, while the latter is called the provincial or the local force. To clear all these things, the former is under the control of the Central or Imperial

Government, while the latter is under the direct control of the Provincial or Local Governments, but they are sometimes controlled by the committees of cantonments. In 1904 the Thuggee and Dacoity Department was abolished and the Department of Central Criminal Intelligence was established in its place. This department has to work under the supervision of the Home Department of the India Government. The function of this department is to squeeze out information regarding the culprits who commit various sorts of crime from time to time along the railway lines, also to collect information regarding sinful tribes, the gangs of robbers and dacoits who commit mischievous deeds in different parts of the province, and communicate these to the higher authorities.

The River Police has to check the mischievous deeds committed by the dacoits, the bands of organized robbers, and wandering gangs who, from time to time, perform their work secretly along the banks and on the beds of the tidal rivers. It is also the duty of the river police to patrol the tidal rivers, to make general surveys, and to keep a very watchful eye upon the dacoits and robbers who mainly infest the rivers of this country. They are also to see whether some steamer or boat passengers carry with them some stolen goods with their luggages. Thus we see that the work of the police in general is very important.

CHAPTER III

THE EXECUTIVE AND LEGISLATIVE
GOVERNMENT OF INDIA

The Viceroy and Governor-General of India.—The Government of India is vested in a person called the



Lord Chelmsford.

Governor-General. He is the Viceroy or the Representative of the King or Queen of England, who appoints him for a period of five years. He is aided by a Council called the Viceroy's Executive Council which is

composed of six Ordinary Members. Besides these, the Commander-in-Chief is also appointed a Special Member. The Governors of Bengal, Bombay, and Madras also become Special Members of the Viceroy's Executive Council when it is held within their respective jurisdictions. The Ordinary Members are engaged by the Crown generally for a period of five years. Of the six members three must be appointed from the persons who have served at least for ten years under the Government of India. One of them must be a Barrister from England or Ireland or he must be a member of the Faculty of Advocates of Scotland who have practised at least for five years in the established bar. As to the authority of the members of the Council, in general cases the voice of the majority is confirmed. But in special cases the Governor-General can set aside his Council. The meetings of the Viceroy's Executive Council are held in private, but the orders and resolutions are issued officially. The special official acts of the Government of India are issued in the name of the Governor-General in Council.

The functions of the Governor-General in Council.—The Governor-General in Council is the supreme power in India. The functions of the Governor-General in Council are divided into some nine heads under nine distinct departments. They are the Home Department, the Foreign Department, the Military Department, the Financial Department, the Legislative Department, the Revenue and Agriculture

Department, the Public Works Department, the New Department of Commerce and Industry, and lastly the Department of Education and Sanitation. All these departments are under the Secretariat of the India Government. The Home Department has a wide scope of business, such as internal politics, judicial affairs, law and justice, police, jails, municipality and medical department. The Foreign Department deals with all affairs connected with the foreign powers including the Frontier tribes, and with the native states of British India. The Military Department deals with the army and the marine. The Financial Department has the business in connection with the Imperial and Provincial finances including the question of pays, pensions and the leave of Government Officers, with customs, opium and salt revenue, with the post and telegraph departments, and with trade, commerce, currency and banking business. The Legislative Department deals with all matters connected with the rules and regulations made under acts of legislation in the Governor-General's Council. The Revenue and Agriculture Department has the main charge of land revenue, and the general control of settlements, surveys, forests, the proceeds of invention, the removal of the subjects from one place to another, museums and exhibitions, meteorological prediction, agricultural query and improvement, and the question of famine relief. The Public Works Department has the charge of public roads, railways, public buildings and irrigation canals. The New Department of Commerce and Industry which was started in 1905

deals with the question of trade and industries of the whole of the Indian Empire. For the extension of commerce and industry a distinct Railway Board has also been formed within this department. The Senior Member of the Board is also treated as an additional member of the Viceroy's Council, and is competent to transact business direct with the Viceroy. The questions of education and sanitation used to be disposed of under the Home Department, but to facilitate business these two branches were separated in 1910. And since that year a distinct Department of Education and Sanitation has been formed with only one member and two different Secretaries to transact all business in connection with education and sanitation independently.

The most important of all these departments is the Foreign Department. So the Viceroy himself manages the affairs of this department. Next to the Foreign Department the Military Department is also important. The Commander-in-Chief takes charge of this department personally. Only one of the six Ordinary Members of the Viceroy's Executive Council is in charge of the two departments, viz., the Revenue and Agriculture Department and the Public Works Department. The remaining five members are in charge of the remaining five departments. There is also a Secretary to the Government of India at the head of each of these nine departments. All these departments generally settle the ordinary questions of their respective departments. But questions coming into collision with different departments are decided by the

Council. Thus we see that the various duties of the Government of India are divided into separate departments in order to perform them smoothly.

The constitution of the Legislative Council of the Viceroy.—The Legislative Council of the Viceroy is not different from his Executive Council. The Executive Council is called the Legislative Council when its meetings are held for the purposes of legislation, *i.e.*, for the purpose of making laws and regulations by the appointments of Additional Members to the former. All these Additional Members are nominated by the Viceroy in compliance with the rules framed by the Governor-General in Council with the final sanction of the Secretary of State for India. Indian Legislatures are the outcomes of the Indian Councils Acts passed by the Parliament in 1861 and 1892 respectively. By the provision of the Act of 1861 the Governor-General can frame the laws of his own accord in cases of emergency without consulting his Council, and have them in force at least for six months. And by the provision of the Act of 1892 it was decided that the number of the Additional Members should not be less than ten and not more than sixteen. So under the rules drafted according to this Act the total number of the Additional Members was sixteen, ten of whom were non-officials and the six were appointed from the officials by the Governor-General in Council. Of the ten non-official members, four were appointed by the Viceroy on the votes of the majority of the non-official additional members of the Provincial Legislative Assembly. Each

of these provincial bodies selected only one member for each province. The fifth member was employed on the strength of the recommendation of the Calcutta Chamber of Commerce. The other five members were appointed by the Viceroy at his own discretion. Thus we see that the constitution of the Viceroy's Legislative Council was formed in this way. All these Additional Members were appointed for a period of two years only.

The Government forms the Legislative Council of the Governor-General under the provisions of the Regulations of 1909.—In 1909 the Legislative Council of the Governor-General consisted of nine *Ex-officio* members, *viz.*, the ordinary members of the Council of the Governor-General, the Lieutenant Governor of the Province where the Council was to sit and His Excellency being the President of the same. There were twenty-eight official nominated members. Of these eight represented the different provinces, such as Bengal, Bombay, Madras, the United Provinces, the Punjab, the Central Provinces, Eastern Bengal and Assam, and Burma. There were seven Non-official nominated members, of whom three represented the Landholders Association of the Punjab, the Muhammadan Association of the Punjab, and the Indian Commerce respectively. There were also twenty-five non-official elected members. Thus we see that a total of sixty-nine members constituted the Legislative Council of the Governor-General in 1909. The provisions of the Regulations also gave a right to the effect that two

additional members, one by the Muhammadan Landholders Association of Eastern Bengal and Assam and the other by the same of the United Provinces should be elected at the second, fourth, and alternate elections. During these elections the number of nominated members should be thirty-three in place of thirty-five as was already made.

The recent changes have produced some effect upon the constitution of the Council of the Governor-General.—Owing to the recent changes in the constitution of the Council of the Governor-General the following arrangements are made therein. There are nine Ex-officio Members as before ; and twenty-eight official nominated members including the nine representatives of the different provinces, such as Bengal, Bombay, Madras, the United Provinces, the Punjab, the Central Provinces, Bihar and Orissa, Assam, and Burma. There are five Nominated non-official members. There are also twenty-seven Elected Members. Of these twelve are elected by the Provincial Legislative Councils, six are elected by the landholders of Bengal, Bombay, Madras, the United Provinces, the Central Provinces, and Bihar and Orissa respectively ; five are elected by the Muhammadans of Bengal, Bombay, Madras, Bihar and Orissa, and the United Provinces ; only one is alternately elected by the Muhammadans of Bengal, and the Muhammadan Landholders of the United Provinces ; one is elected by Municipalities and District Councils of the Central Provinces ; and lastly two are elected by the Bombay and Calcutta Chambers of

Commerce. Thus by the recent changes the constitution of the Council of the Governor-General is formed in this way.

The constitution of the various Provincial Governments—The whole of British India, which is under the charge of the Governor-General in Council was formerly divided into some eight great provinces and five minor administrations. Each of these divisions is called a Provincial or Local Government. The following were the eight important Provinces, *viz.*, the Presidencies of Bombay and Madras; the provinces of Bengal, Eastern Bengal and Assam, Burma, the Punjab, and the United Provinces of Agra and Oudh, and they were ruled by the Lieutenant Governors; and the Central Provinces which was under a Chief Commissioner. The five minor administrations were British Beluchistan, the North-West Frontier Province, Ajmeer-Merwara, the penal settlement of the Andaman Islands, and Coorg. The territory of Sind was afterwards attached to the Presidency of Bombay. Formerly the Presidencies of Bengal, Bombay, and Madras were managed by the Presidents and Councils formed of the servants of the East India Company. The Presidents exerted their influence over the whole tracts of land to which their Presidencies held out. And the Presidency of Fort William in Bengal not only included Bengal, Bihar and Orissa, but all the English territories in Northern India, hence it contained the whole of the possessions under the jurisdiction of the Fort William in Calcutta.

The changes in the Constitution of the Provincial Governments made by the announcements of December 12, 1911.—His Imperial Majesty King-Emperor George V announced some important changes in the Government of India on December 12, 1911. The announcements were these that the five divisions, such as Presidency, Burdwan, Dacca, Chittagong, and Rajshahi, of the old province of Bengal, which are inhabited by the Bengali-speaking people, should again form the Presidency of Bengal to be governed by a Governor in Council. That the capital of this new province should be in Calcutta, and that the town of Dacca should also be used as its second capital, and the Governor should live there from time to time as the Lieutenant-Governor of the United Provinces lives at Lucknow. That a province consisting of Bihar, Chota-Nagpur and Orissa should be created with its capital at Patna and be placed under the charge of a Lieutenant-Governor in Council and with a Legislative Council. That the province of Assam should be separated from Eastern Bengal and be placed under a Chief-Commissioner.

But all these changes in the administration have been carried into effect by the provisions of the Acts in connection with the Government of India. Besides, some additional Laws were also required to have the work completely finished. It was formally declared by the Secretary of State for India in Council that henceforward the Governor-General of India should be relieved of his charge of the Presidency of Fort William in Bengal and that a separate province should

be created in connection with Bengal with a Governor in Council. So by the provision of a royal authority of March 21, 1912, the Presidency of Fort William in Bengal was detached from the direct control of the Governor-General in Council, and Lord Carmichael, formerly Governor of Madras, was appointed Governor of that Presidency. A new province consisting of Bihar, Chota-Nagpur, and Orissa called Bihar and Orissa was created by an official notice of March 22, 1912, and was placed under a Lieutenant-Governor with a Legislative Council. By the provision of another proclamation dated March 22, 1912, the boundaries



Lord Carmichael.

of the Presidency of Fort William in Bengal were finally delimited. The Governor-General in Council brought the old territories of Assam (*i.e.*, the territories which had formed the province of Assam before 1905) under his direct control by the provision of the third proclamation of March 22, 1912, again constituted the province of Assam, and placed it under a Chief-Commissioner. Thus the administrative changes have been smoothly carried into effect by the Government of India.

The Governor-General in Council superintends the works of the Local Governments.—The Governor-General in Council supervises the works of all the local Governments which, also, in their turn, are bound to carry out the orders of the former. They are also to make him acquainted with the proceedings which they frame from time to time for the convenience of their work. The heads of the Local Governments are the Chief Executive Officers in their respective provinces, and are held responsible for anything and everything within their jurisdictions.

But he has little direct concern with the Presidencies of Bengal, Bombay and Madras.—The Presidencies of Bengal, Bombay and Madras have no such connection with the Governor-General in Council as with the other Local Governments. They are each governed by a Governor and Executive Council recognized by the British Crown. The Governors and their Executive Councils are appointed for a period of five years at a time. The Governor of each of these Presidencies is generally an Englishman. He may be a Scotsman or an Irishman as well. The Executive Councils of these Presidencies are each composed of two members of the Indian Civil Service who have served at least for twelve years under Government, and the other member being a gentleman or nobleman of this country selected and appointed by Government. Three members generally constitute the Executive Council of each of these Presidencies. As to the extent of power, the Governors of Bombay

and Madras possess the right of having communication with the Secretary of State for India direct. They have also the power of setting aside their Councils in cases of pressing necessity as the Governor-General can do from time to time. By the provision of the India Government Act of 1912 the Governor-General in Council has ceased to be Governor of the Presidency of Fort William in Bengal which has formed a separate province. And by the same Act the Governor in Council in Bengal has been placed on the same footing with those of Bombay and Madras, and are invested with the same powers.

The Province of Bihar and Orissa has an Executive Council of its own—Under practice the provinces under Lieutenant-Governors have no executive councils except the new Province of Bihar and Orissa. As a rule the Lieutenant-Governors are appointed by the Governor-General, with the final sanction of the British Crown. An Executive Council was constituted for the Province of Bihar and Orissa with effect from August 1, 1912, under the provisions of the Act of 1909 regarding the establishment of an Executive Council. It was organized on the same line to that of the Council which was established in 1910 in Bengal. The Executive Council of this new Province of Bihar and Orissa consists of three members, two of which are selected from the members of the Indian Civil Service, and the other is an Indian gentleman appointed by Government.

The different departments of the Provincial Governments.—Each of the Provincial Governments

has a Secretariat which is divided into various departments. Those departments are placed under the charge of different Secretaries who are assisted by some subordinate officers in their work. Generally there are the following departments in the Secretariates of almost all the larger Provinces, such as Bengal, Bombay and Madras, etc. The heads of those departments are the Director of Public Instruction, the Inspector-General of Civil Hospitals, the Director of Agriculture, the Inspector-General of Registration, the Superintendent of the Civil Veterinary Department, the Inspector-General of Police, the Sanitary Commissioner, and the Inspector-General of Prisons. Besides, there are some important departments of Government the heads of which are the Chief Engineers for Buildings and Roads, and for Marine and Irrigation works. All these different departments generally constitute the Secretariat of a Provincial Government.

The constitution of the Legislative Council of the Presidency of Fort William in Bengal.—Formerly twenty members constituted the Legislative Council of the Presidency of Fort William in Bengal. Of these thirteen members were to be selected by the Lieutenant-Governor himself who could nominate not more than ten from the officials of the Government. Of the remaining seven, two members were to be chosen and nominated by the Municipal Corporations of the Cities and towns of the Presidency; two were to be selected and recommended by the District Boards of the province; the University of Calcutta represented

one member, while the Chamber of Commerce and the Corporation of Calcutta each recommended one member respectively. The Municipalities and the District Boards of the Province were made to fall into equal groups in eight divisions agreeing with the different divisional Commissionerships into which the whole province is divided. Of these, two of the former groups and also two of the latter groups nominated one member each, *i.e.*, they elected four members in all. Each of them enjoyed the privilege of retaining its member on the Council for a period of two years. So each of the groups could expect to have its chance once in eight years as a rule.

But some changes have been made in the constitution of the Council under the recent regulations of the Government. By the provisions of those rules, the Indian Commercial Community has found a place to have a nominated member on the Council of the province. The recent changes in the government have detached the plantation grounds in Bihar and Assam from the Presidency of Fort William in Bengal. So the power of delegation of the Planters' Association has been reduced to only one member which is to be selected by the Managers of Tea Estates. Formerly the member on the Council representing the jute business was represented by the election of the Narayanganj Chamber of Commerce. This membership is now to be nominated by the European Mercantile Community beyond the limits of Calcutta and Chittagong. The following divisional bodies of electors, such as the

Municipalities, the District Boards, the Landholders, and the Muhammadan Community of each Division, have each got one member to elect to the Council. But the Municipalities of the Presidency and Burdwan Divisions are entitled to represent an additional member by turns at every election owing to the considerably grave importance of those Municipalities; and owing to the considerably less importance of concerns of the Municipalities and Landholders of the Chittagong Division, they are each to elect only one member by turns. Besides the representatives of the University and the Corporation of Calcutta, a seat has also been specially kept for the metropolis of Calcutta. Thus the total number of the elected seats on the Council stands twenty-eight. But it is definitely settled that the greatest number of the representatives who may be nominated from the officials must not in any way exceed sixteen. But there are two non-official nominated memberships which are at the disposal of the Governor himself. Besides the forty-eight nominated and elected memberships, arrangement has also been made for the representation of two experienced nominated members who may be selected from officials or from non-officials in order to transact business in connection with the preparation of some proposed or undecided laws. Thus we see that the status of the Legislative Council of the Presidency of Fort William in Bengal is extended under the provisions of the new regulations.

The Constitution of the Legislative Councils of the Presidencies of Bombay and Madras.—The

Legislative Councils of the Presidencies of Bombay and Madras are constituted by their respective Governors and their Executive Councils together with some additional members for the purpose of making laws for those provinces. Thus we see that the Executive Councils are extended by the addition of some additional members. Previously the number of the additional members could not exceed twenty and be not less than eight for each of the Presidencies, and comprised the Advocate-General of the province. It was also enacted that one-half of the additional members would be gentlemen who had not served in the Civil and Military departments of Government. The Governor of each of these provinces could nominate those members under the provisions of the rules which were made by the Governor-General in Council, and finally sanctioned by the Secretary of State for India in Council. Their number was fixed at twenty both for Bombay and Madras in compliance with the rules under the Act of 1892, and by the same rules it was definitely settled that only nine of them would be chosen from the officials of the Government. The rules thus framed were to present a system of delegation in the nomination of members on the Council. In relation to the Legislative Councils of the Presidencies of Bombay and Madras the Governors were entitled to adjust the rules of asking the general questions about the administration and the discussion of the Provincial budgets by the members of the Legislative Councils, and to place them under the same system as was done

for the Council of the Governor-General. But some recent changes have made a great effect upon the Legislative Councils of the Presidencies of Bombay and Madras.

Constitution of Legislative Councils of the Punjab, the United Provinces of Agra and Oudh, Bihar and Orissa, and Burma respectively.—The Legislative Councils of the four provinces, *viz.*, the Punjab, the United Provinces of Agra and Oudh, the New Province of Bihar and Orissa, and Burma, consist of their Lieutenant-Governors and of gentlemen who are nominated by their respective Lieutenant-Governors on some enacted laws and under the rules prescribed by the Governor-General in Council, and finally approved by the Secretary of State for India in Council. Under the general rules some twenty additional members are to be nominated for each of those provinces, of whom only nine should be chosen from the officials of Government. In connection with the Legislative Councils the Lieutenant-Governors of the United Provinces of Agra and Oudh, and Bihar and Orissa are empowered to adjust the rules relating to the asking of questions and of the discussion of the provincial budgets by members of the Legislative Councils, and to put them under the same conditions as made for the Council of the Governor-General. The right of asking questions about the administration, and the discussion of the provincial budgets were not given to the Councils of the Punjab and Burma. But some fresh changes have also produced a greater

effect on the constitution of the Councils of these provinces.

The general control of the Governor-General in Council.—All the Acts passed by the Councils of the different Provincial Governments must be approved by the Governor-General in Council. It is not necessary to have them sanctioned by the Crown. But the Sovereign has the power to reject any Act or Law which has been passed by the Government of India. The Governor-General in Council has the power of making laws or legislations for the whole of British India except the cases in which they might affect some important Acts of Parliament on which the Government of India rests ; and besides, no laws can be framed by the Government of India which can materially act upon the established power of Parliament or of the Crown. Thus we see that the power of the Governor-General in Council is restricted to some extent.

The Secretary of State for India.—I have already told you that the Governor-General in Council is the Supreme Executive Authority in India. But he also, in his turn, is responsible to an officer called the Secretary of State for India. The Parliament of Great Britain and Ireland passed an Act for the better government of India in 1858, by which the Government of India was removed from the hands of the East India Company to the Crown. Under the provisions of this Act it was decided that the Court of Directors and the Board of Control by which British India had so long been governed should be abolished, and that the

Empire of India should be governed by the Sovereign of Great Britain and Ireland with the help of a Secretary of State for India with a Council. The Secretary of State for India is nothing but one of the principal secretaries of state of His Imperial Majesty. He is assisted by a Council in the performance of all his works. The Secretary of State for India in Council is placed with the definite authority in matters of appointments, the distribution of patronage, the general agreements on fixed terms, and in the supervision of general properties of the Crown. He is in charge of the India Office which is generally called his Secretariat. His office is divided into different departments for the transaction of business. The Council of the Secretary of State is also divided into different Committees corresponding to the different departments of his office. It is definitely confirmed that the expenditure of the Indian revenues on different items should be placed at the disposal of the Secretary of State. But in all his works regarding expenditures of the revenues of India he must secure the assent of the greater number of his Council. It is his duty to set an annual statement of the finances of India before Parliament, and to prepare a general statement of the administration of India showing the moral and material progress of the country in every respect. The whole series of Indian administration must pass through the knowledge of the Secretary of State for India. He is a member of the British Cabinet which governs the whole of the British territories and dominions throughout the world.

The Cabinet which consists of a limited number of the chief ministers who govern England, is responsible to Parliament for its affairs in India, and in all other parts of the British Empire. The Secretary of State is the essential adviser of the Sovereign in all matters regarding the constitution of British India. His authority is supreme in all respects, such as he can give orders even to the Governor-General, and may remove any officer from the service of Government. He can give advice to the Crown regarding the appointments of the Governor-General, the Governors of the three Presidencies of Bengal, Bombay and Madras, the members of their respective Councils, the Judges of the High Court, and also the appointments of some other higher officials of Government. All the laws or regulations passed by the different Provincial Councils of India, and approved by the Governor-General in Council, must pass through the Secretary of State for the final sanction of the Crown. And in case they are rejected by the Crown, the matter should again be reported to the Government of India through the Secretary of State. Thus we see that the Secretary of State for India is the main channel through which the Government of India passes to the Crown.

The constitution of the Council of the Secretary of State for India.—Formerly the Council of the Secretary of State for India which is also called the Council of India was composed of some fifteen members which might be reduced to ten by an Act of 1889. The Secretary of State himself appoints the members.

of the Council of India. It was decided that some three members who possess some unusual distinction are to be appointed even for life. The rest are generally appointed for a period of ten years. But in some special cases they are likely to get the chance of re-appointment for an additional period of five years. As to the appointment of members of the Council of India it was enacted that at least nine of them should be the gentlemen who have worked under the Government of India or lived in this country for at least ten years and left this country for a period of not more than ten years before they get the memberships of the Council. But some changes have been introduced into the Council of the Secretary of State for India. Under the provisions of the fresh Bill of the India Council it is decided that the number of members of Council of the Secretary of State should not exceed ten and be not less than seven.

As to the appointment of new members, when a vacancy occurs in the Council it must be filled up by a person who must be housed in India, in case at least two of the standing members of the Council at that time were not domiciled in India when they were first appointed, and if at least six of the standing members of the Council were not either domiciled in India or had not worked under the Government of India or lived in this country for at least ten years and had not given up serving or residing in India for more than five years before the time when they were appointed. The person who is likely to fill a vacant seat on the Council

must under rules be domiciled in India or have worked under the Government of India or lived in this country before his appointment. It was for the first time in the history of India that in 1907 it was settled that two Indian members, one Hindu and the other Mahomedan, should be appointed to the Council of India from the list of some legally qualified gentlemen who are selected by the non-official members of the Indian Legislative Councils. Recently the number of Indian members has been increased to three by the appointment of another Indian to the Council.

It is also proposed that the members of the Legislative Council of the Secretary of State should get a salary of £ 1,200 each with an allowance of £ 600 a year. By the provisions of the recently introduced India Council Bill it is decided that the signature of the Secretary of State may not be required to put to a communication or any order to India or to any other order in the United Kingdom regarding the administration of India. According to the same Bill the Secretary of State is authorised to make rules for the management of affairs under different limitations. The Secretary of State is also entitled under the provisions of the India Council Bill to appoint a financier as a financial member of the Council of India on some particular conditions. Thus we see that the constitution of the Council of the Secretary of State for India stands on a strong basis by the recently introduced India Council Bill.

The functions of the Council of India.—The Council of India has to conduct business to be done in the United Kingdom in connection with the Government of India, and to have regular correspondence with this country regarding the general administration of India. All these things are done under the orders and directions of the Secretary of State for India who is the President of the Council. The orders of the Secretary of State which should be passed at a meeting by the assent of a greater number of votes of the members of the Council are necessary under rules in some subjects, such as the expenditure of the revenues of India, etc. Besides these, in all other matters, the Secretary of State can set aside his Council subject to the condition that in case one of the members who disagrees with him, accepts his version to be true by reasons. But in this case the reasons of his assent should be recorded for reference. The Council has not the power of making a beginning in any matter. As for instance, it cannot give any opinion at first on any subject whether important or unimportant until the Secretary of State lays it before the members of his Council. In matters of foreign relations, such as war or peace, etc., the Secretary of State can overrule his Council, *i. e.*, the Council of India. He can also set aside his Council even on the subjects of expenditure in case they come out of the past decisions of the British Cabinet. Thus we see that the Council of India serves only the purpose of an Advisory Committee to the Secretary of State for India. But it is true that in all matters regarding the

administration of British India the Secretary of State must ask the advice of the Council of India.

CHAPTER IV

THE ADMINISTRATION OF JUSTICE

General Introduction.—For the administration of justice, *i. e.*, justice should be properly administered to the people of British India, the Crown in England has made proper arrangements by establishing different courts of appeal, such as the Judicial Committee of the Privy Council, the High Courts, the Chief Courts, District Courts, both Civil and Criminal; so that the judicial authorities might hear the complaints of the breach of law by some individual person. Of these the Judicial Committee of the Privy Council is the highest court of appeal in England through which the Crown may hear the decisions of the complaints of the people by the High Courts or Chief Courts in British India. The District Courts are the general courts for hearing complaints from persons within the jurisdictions of the districts. But they are subordinate to the higher courts of appeal, such as the High Courts and Chief Courts. The people who are not satisfied with the decision of the District Courts may appeal to the High Courts and Chief Courts for their satisfaction. Similarly when the people are not satisfied with

the decisions of the High Courts and Chief Courts, they may apply to the Privy Council in England for better judgment. But the decision of the Judicial Committee of the Privy Council in England should be accepted as the final decision of appeal. In connection with the general power in the administration of justice, the Governor-General in Council and some other particular Local Government may exercise an act of mercy in any case within the legal authority of the latter by their rights of office. But in this case the superior influence of the Sovereign or of the Judicial Committee of the Privy Council in England may not suffer in any way.

The function of the Judicial Committee of the Privy Council in England.—The Judicial Committee are an offshoot of the Privy Council which form a Court of Appeal. The Sovereign of Great Britain and Ireland has the special rights by right of office which cannot be shared by no other, over the Judicial Committee of the Privy Council in England. But his rights are controlled and adjusted by Acts of Parliament through which he is entitled to hear appeals from his Indian subjects. By the statute of 1833* the general power of the Sovereign is wielded by the action of the Judicial Committee of the Privy Council. But the Sovereign may submit anything and everything to the Judicial Committee for advice or decision. Be-

* The Imperial Gazetteer of India—The Indian Empire, vol. IV—Administrative, New Edition (1909), page 152.

sides this, as a rule, in civil cases the Indian appeals are adjusted by the Charters of the High Courts with the provisions of the Civil Procedure Code and the regulations of the Privy Council.* But in criminal cases, generally the subject of appeal is supported by the High Court to the effect that the case is really fit for the same in consideration of its previous sentence or order in any point of the judgment in the exercise of its original legal authority. In any criminal case about which the opinion of the High Court is necessary under rules, the subject of appeal must accordingly be defended by its opinion and report. But the Judicial Committee of the Privy Council in England may take up the case of an appeal superseding the provisions of the Indian Laws if the Committee think that the subject of appeal is a fit one, and if they are so moved and interested. Thus we see that the work of the Judicial Committee of the Privy Council in England solely depends upon the work of the High Courts and Chief Courts of British India.

* An appeal in civil cases is now taken up by the Privy Council when it is come out of a final decree passed by the High Court or Chief Court on an appeal from a lower court, it may be taken up by the same when it is finally decided by a High Court in the exercise of its power for trying cases in the first instance; and the Privy Council may take up any case of final decree when it is certified by the High Court to the effect that it is fit for appeal to the Judicial Committee of the Privy Council. The real value of the subject-matter of the suit in the first two cases must at least be Rs. 10,000 in the court of first instance.

The Charter of the King in Parliament permits to set up the High Courts in British India.—The High Courts are the highest Courts of justice in British India. The King in Parliament had the power to establish the High Courts for Bengal, Bombay, and Madras under the provisions of an Act of Parliament called the High Courts Act for British India which was passed in 1861. The Sovereign generally appoints the judges of the High Courts and may retain their services as long as they discharge their duties to the satisfaction of the King in Parliament. As to the qualifications for the appointment of a high court judge, a person should be a member of an English or an Irish Bar or be 'a member of the Faculty of Advocates in Scotland, and must practise there for a period of at least five years. He may be a member of the Civil Service of India; but in that case he must serve under Government for at least ten years, and during this period he must work as a district judge for at least three years. A person who serves as a subordinate judge or a judge of small cause court or holds a similar other judicial post may also be appointed a high court judge, but in that case he must work in his capacities for at least five years. A Vakil of a High Court with a practice of at least ten years may as well be appointed a high court judge. As a rule, a High Court consists of a Chief Justice and some other puisne judges, not more than fifteen in all. At least one-third of the judges of a High Court inclusive of the Chief Justice must be barristers of an English or an Irish law-court and

of nine persons it can take up the cases in connection with the common legal powers for trying fresh cases which are transferred to the Sessions Court by the Magistrates of the Presidency town. The crimes which are committed beyond the limits of the Presidency town of Calcutta in connection with the legal powers for the trial of fresh cases which do not legally belong to the High Court of Calcutta may under special circumstances be tried by it. It has also power to act as a Court of appeal, to submit a dispute for inquiry or decision and to make a judicial revision in matters relating to the criminal cases. In regard to the general power of the High Court, it can pass any sentence or order under the provisions of the Penal Code or some other laws relating to the administration of justice. As regards the power of the High Court jury, if its finding on a trial is of one mind, it is the final even in case the Judge differs from it. The High Courts of Bombay, Madras, and Bihar and Orissa have the same civil and criminal powers as those of the High Court of Calcutta. So it is useless to repeat the same thing over again. Thus we see that under the system of the British Government in India different High Courts have been established in different provinces of the country in order to hear appeals from the people in general.

The Government of India founds Chief Courts in the Punjab and in Burma.—Under the orders of the Government of India two Chief Courts were set up for the Punjab and Burma respectively on the same

plan as those of the High Courts of some other provinces. The Chief Court for the province of the Punjab was established in 1866 at Lahore its capital; and the same for the province of Burma was established in 1900 at Rangoon its capital.* They receive their legal powers from the body of persons who make laws for the Government of India. Each of the Chief Courts of the Punjab and Burma consists of a Chief Judge and some other puisne judges all of whom are selected and appointed by the Governor-General in Council.

Now we see that there are some five High Courts, such as Calcutta, Bombay, Madras, Allahabad, and Bihar and Orissa, for this country, and there are two Chief Courts, *viz.*, the Punjab and Burma. In a province where there is no High Court or a Chief Court, and which is not under the jurisdiction of any one of the above High Courts or Chief Courts, one or more Judicial Commissioners are appointed to transact business for that province.

The constitution and function of the District Civil Courts.—In every province the general arrangement and the exercise of legal powers of the District Civil Courts are settled under the provisions of some particular rules. There are several classes of Civil Courts in different provinces of the country. Generally there are the Courts of the District Judges, the Courts

* The Imperial Gazetteer of India—The Indian Empire vol. IV—Administrative, New Edition (1909), p. 147.

of the Additional Judges, the Courts of the Subordinate Judges or Sub-Judges, and lastly the Courts of the Munsifs in the Presidency of Fort William in Bengal, and in some other provinces, such as the United Provinces of Agra and Oudh, the New Province of Bihar and Orissa, and Assam respectively. As to the appointment of Judges and Munsifs, etc., to those posts, members of the Indian Civil Service and of the Provincial Civil Service are appointed. As a rule, a District and Sessions Judge is appointed to transact judicial business in every district of the regulation provinces. He has to perform judicial work, both fresh cases in his office and cases of appeal from the subordinate offices. Besides, he has to do many other things, such as to distribute work among the other Civil Courts within the district, and to have perfect discipline over the same. As regards the extent of legal powers of the District Judges, Additional Judges, and Subordinate Judges, they can try all fresh cases for the present provided they are fit to be tried in Civil Courts. Generally a Munsif can try a case of the value of Rs. 1,000 only, but in special cases, he can try a suit worth Rs 2,000 *. For the trial of most ordinary cases the Courts of Small Causes have been established in the Presidency town as well as in the provincial towns. As to the extent of legal powers of a Sessions Judge, he can pass any sentence under the provisions of the laws, but in cases of death he must secure the approval of

the High Court in his judgments. Cases which are placed before a Sessions Judge are always tried with the help of assessors or legal advisers who are authorized to sit beside him and assist him in his work under the orders of the Local Government. But they cannot, under rules, unjustly influence a Sessions Judge in passing his judgments. A Sessions Judge may as well be assisted by a jury which consists of any odd number, but not exceeding nine, as suggested and appointed by the Local Government. When a Sessions Judge thinks that the jury has given an unjust finding on a trial, he may forward it to the High Court which has power to finally reject it or alter the finding of the jury. Thus we see that the work of a District Sessions Judge is very responsible and important at the same time.

The constitution and function of the District Criminal Courts.—Besides Civil cases, suitable plan has also been adopted for the conduct of criminal cases. All the criminal cases may be tried by Criminal Courts subject to the control of the High Courts. I have already told you that every settled or regulation Province is divided into some Divisions which are presided over by some responsible officers called Commissioners. The Division, in its turn, is divided into some Districts controlled by some important officers known as District Magistrates. A District Magistrate is aided by some subordinate officers, such as Joint Magistrate, Additional Magistrate, Deputy Magistrate and Sub-Deputy Magistrate, etc., in his various works.

Besides executive works, a District Magistrate has power to try criminal cases. For these works, he is always assisted by some Joint Magistrates, Additional Magistrates, and Deputy Magistrates, etc. As to the extent of power in the matter of imposing punishments in criminal cases, the Magistrates are generally divided into some three orders or ranks, such as the Magistrates with first class powers, the same with second class powers, and the same with third class powers, in order to have the gravity of justice in criminal cases. In all their judicial capacities the District Magistrates are under the jurisdiction of High Courts and Chief Courts which have supreme power both in civil and criminal cases inside British India. Thus we see that the arrangements for the trial of criminal cases have also been done as well as in civil cases.

CHAPTER V

THE ADMINISTRATION OF LOCAL AFFAIRS BY THE PEOPLE

Local Self-Government.—Under the auspices of the British Government in India the people have been taught to govern themselves to some extent in their own local affairs. They are daily gaining knowledge in the conduct of public affairs as non-official members

of the Viceroy's Legislative Council, and of the Provincial Legislative Councils, members of the District and Local Boards, Municipal Commissioners of towns, Headmen and Panchayets of Village Unions, and Members of the Managing Committees of Schools and Colleges, etc., and to this end they are getting every opportunity in the discussions of public concerns. Residents of both towns and villages have been given an important share in the management of local affairs, and they are doing their duties to the extreme satisfaction of the British authorities. To-day Local Self-Government which was of much less importance some years ago plays an important part in the Executive Government of India. The British authorities are so much pleased with the works of the Indians in the public affairs that they anticipate that one day the Indians will be able to conduct some important business in connection with the administration of the country. "Self-Government within the Empire," says Lord Ronaldshay, "will some day be achieved, but it will come as the crown of much patient and sustained endeavour, and by no conceivable possibility can it be brought about by a mere stroke of the pen" * This shows that much more endeavour and patient labour are required to reach that stage in which much more important work can be given to the people of this country for transaction.

* His Excellency's Reply to Dacca Addresses, on 5th July 1917

Local Self-Government of different provinces of the Empire is broadly divided under two heads, *vis.*, Municipalities, and District and Local Boards. The works of all these public bodies are managed under the provisions of the different local Acts, and so they are not of equal type throughout the country. The Municipality is the most important of all the public bodies. So I shall explain it at first.

Municipalities: the general introduction.—The system of local committees also existed in the districts of some of the provinces in the Empire before the terrible days of the great Sepoy Mutiny in 1857. The system of town councils or panchayets consisting of some five persons continued before and after that time. These Councils were nothing but consultative bodies. But the members of those committees were to be selected and nominated by Government; and the officials of the Government entirely managed the local affairs, such as the bettering of the conditions of towns, the construction of public roads in the districts, the establishment of hospitals and schools for the benefit of the public, and the improvements of ports, etc. But in order to give a clear effect to this system a complete Municipal government was formed in 1860. And since then laws and regulations have been framed and passed; and under the provisions of those rules the affairs of the cities of different provinces of India have been placed in the hands of local bodies the members of which are elected in some degree and nominated in part from among the people of the towns. As a rule

nearly half the members of the Municipalities of every province are elected by the people, and the remaining half are nominated by Local Governments. The object of Government is to enlarge the principle of election as far as practicable by giving free scope to the various classes of the community to represent provided good results are secured in the municipal administration of the country. And with this view power has been given to the local committees of many cities to elect private gentlemen as chairmen of those Municipalities instead of Government officials who were appointed up to that time. Under the provisions of the laws and with the express permission of the Government the municipal bodies of different provinces of the country are empowered to raise funds from the purse of the public in order to conduct the local affairs; and they are also, in their turn, responsible for making improvements of sanitation, streets, general lighting, hospitals, and schools etc., of their own cities. Practically they are responsible for every local affair of the towns.

Lord Ripon extends the status of municipal government in India.—By the provisions of the Acts which were passed in 1872 the practice of sending representatives from among the rate-payers to the municipal council was first introduced into Bombay, and so also into Calcutta in 1876. Similarly the principle of election of representatives was also brought into practice for Madras in 1878 on the same lines as those of Bombay and Calcutta. But during the administration of Lord Ripon the status of the municipal government

was extended to a large extent by the introduction of Local Self-Government under the provisions of orders of the Governor-General which were issued in 1881, and by which district boards were established in different provinces of the country after the plan of the English county councils in order to give a complete effect to this system. The municipalities of Bombay and Madras are conducted by persons called municipal councillors, while those of Calcutta are managed by persons known as municipal commissioners.

The general constitution and function of the municipal government.—The municipal corporation of a town or city is a body or society which is authorised by law to act as a single person. It is composed of municipal commissioners some of which are elected by the people and the rest are nominated by the Local Government of the province. The President or Chairman of the Municipality who is nominated by the Government at certain times may often be elected by the commissioners or councillors from among the municipal body. The authority of the municipal government of a town is controlled by the Magistrate-Collector of that District and also by the Divisional Commissioner under whose jurisdiction the district is situated. As to the control of finances and Municipal appointments, the Government keeps a very strict eye over the revenues of the Municipality, and does justice in the affairs of appointments. If the municipal commissioners do not perform their work properly or are found incapable of doing their duties the Local

Government may at once debar them from office for a time and make necessary arrangements for their work. The Government may as well suspend them if they are found to abuse the powers vested in them. The general work of the municipality is to take care of public health, to ensure peace and security in the municipal administration of the country, and to establish schools for the spread of education among the people in general. The municipal authorities levy taxes from various sources, such as lands, houses, trades, callings, carriages and animals, etc., within their administrative limits. The main sources of the municipal income are the taxes * which they receive at the gates of their city on articles brought in. The municipal authorities impose tolls on public roads and ferries, and levy rates for lighting, the act of preserving fisheries, etc., on a tank or river and also for the supply of water. They collect all these taxes, tolls, and rates in order to enable them to have all their public duties performed, and to this end they are authorised by the municipal laws and Acts passed for the transaction of their business and with the express permission of the Government as I have already told you.

The general constitution of the Corporation of Calcutta.—The Corporation of Calcutta is composed of some fifty commissioners. Of these some twenty-five are elected by the twenty-five different wards of the town one at each. The remaining twenty-five

* They are called octroi.

are nominated and appointed by various elements, such as fifteen of the commissioners are appointed by the Government. The Calcutta Trades Association has power to nominate four commissioners, while four are nominated by the Bengal Chamber of Commerce, and the remaining two are appointed by the Port Commissioners of the town. The general control of the Corporation is exercised by three joint-authorities, that is to say, the common power of the Corporation, the President or Chairman of the same, and a body composed of some twelve commissioners known as the General Committee of the Corporation. The President who is called the Chairman of the Corporation is appointed by the Local Government, and he is the main executive authority of the Corporation. But the executive power of the Calcutta Corporation is to some extent exercised by the Local Government which has also control over the finances of the same.

The constitutions and functions of the District and Local Boards --The district and local boards have been started in different parts of the country in order to give a complete effect to the system of local self-government in rural areas under the orders of the Government of Lord Ripon in 1881 as I have already told you. A district board has been established in every district of almost all the larger provinces of the country, and the management of all the public affairs, *viz.*, the improvement of sanitary conditions, the making of district roads, and the establishment of hospitals and schools, etc., in rural tracts have been removed

to this board. In the Presidency of Fort William in Bengal some thirty-four district boards have been established with sub-district boards for thirty-four districts one at each. The principle of election for the district and local boards is found to vary in different provinces of the country. As to the election of District Boards in Bengal, the sub-district boards are authorised to elect at least half the members of the District Boards in general. In districts of much greater importance nearly two-thirds of the members of the sub-district boards are elected by the people. But in towns of much less importance the members are generally nominated by the Government. In regard to the appointment of the President or Chairman of a District Board the Local Government can determine whether he should be nominated by it or be elected by the members of the board. But generally the District Magistrate is nominated by the Local Government to be the Chairman of the District Board in every district. The main functions of all these boards are to support the dispensaries, hospitals, schools, markets, and rest-houses which are under their jurisdiction, to improve the condition of sanitation, and to make arrangement for the spread of primary education among the people in rural tracts. The boards are to make provision for water-supply, the system of drains in towns, vaccination, and to take measures for the maintenance of people in times of famine or something like that. They are also to improve the means of local communication from one place to another by the construction of roads,

etc., As regards the income of the boards in British India, they mainly draw their income from the land revenue, and local rates collected from agricultural lands, and receive grants from local or general revenues. They also augment their income by receipts from ferries or ponds within their jurisdiction, and get fees and payments in connection with schools and hospitals. "The policy with regard to these boards, as in the connected case of municipalities, is to make them more thoroughly representative and to enlarge their self-governing powers, with a view to enlisting the best energies of the people and familiarising them with the administration of public affairs." *

The Unions and the Panchayats.—The system of local authorities in the Presidency of Madras is very perfect. There are also some three grades of boards similar to those of Municipalities and boards of different orders. The most important of all those local authorities is the *union* which is also called *parish*. It is composed of some important villages or groups of villages and its general control is exercised by an assembly of residents called *panchayat*. The main duty of a Union is to impose light taxes on houses in order to enable it to improve the condition of sanitation. There is also a provision for the system of village union in Bengal, but this system is not widely practised. Lastly, there is another type of local authority called

* East India (Fifty Years Administration) Edn. 1911, page 84.

the *taluk* board which is practised in some tracts of the country. It materially helps the administration of a district in its local affairs. Thus we see that the people of the country administer the local affairs to some extent.

CHAPTER VI

THE FINANCIAL ADMINISTRATION OF THE COUNTRY

General Introduction.—The financial administration of the country is very important, and upon which the whole system of administration depends. As you know without money nothing can be done in this world. You may be a schoolboy, and so you entirely depend on your father who gives you everything, such as food, dress, and books, etc. Can he procure all these things for you without money? No. So he earns it in order to support you, and also for the maintenance of his family. If he cannot earn, you are sure to starve then. Such is the case with the Government of India. If it cannot procure sufficient money in the shape of land revenue or finance, it cannot conduct business in connection with the administration of the country smoothly. Hence arises the question of revenue and finance. So you see that the revenue of the Government is very important. Whence does this revenue

come? The thing is that the Government mainly derives its revenue from the produce of the soil and also from some other sources of taxation. Now I shall tell you what are the chief sources of Government revenue. They are the Land revenue, the Permanent, *Raiyatwari* and *Talukdari* settlements, Salt and Opium monopolies, Excise duties, Import duties, Income tax, and Direct and Indirect taxes. Besides there are some minor sources of Government revenue and finance which will be discussed later on. Of all these sources of the public revenue the Land revenue is the most important.

"In India, the prime source of revenue is the Land; and it is from the land that the great mass of the inhabitants derive their maintenance. The Land "settlements" therefore are of vital importance both in the fiscal and the social system." *

The system of land revenue had been practised in India from a time beyond the reach of memory, and since then it has been continuing till now. The system is this that the ruling power in India should get a share in the produce of the soil, and in this way the largest part of the Government revenue is mainly derived from the land as the most of the people in India obtain their livelihood from the production of the soil. Thus the land revenue forms a principal item in the public revenue of the country. The land revenue settlements are mainly divided into two broad divisions.

* Mr. A. D. Innes (*A Short History of The British in India*, p. 196).

viz., the Permanent settlements and the Transitory settlements. The Transitory settlements are again, in their turn, divided under two broad divisions, namely, the Raiyatwari and the Talukdari settlements. The latter are also called the Zemindari or the Malguzari settlements in some parts of the country. The Permanent settlement is the important of all these settlements. So I shall describe it in the first instance.

The Permanent Settlement made by Lord Cornwallis—In 1793 Lord Cornwallis, the then Governor-General of India, introduced the Permanent Settlement of the Land Revenue into this country. By this system the landlords who were called the Zemindars became the real proprietors of the soil and collected the land revenue, the cesses, and the taxes from the ordinary raiyats within their jurisdiction, and made them over to the Government. The rent collected from the produce of the soil in the shape of the land revenue was fixed for endless duration. Thus under the provisions of the Permanent Settlement the land revenue of the Zemindars payable to Government, and the rent and nature of the tenure of the cultivating tenants or the raiyats were fixed for ever. Lord Cornwallis at first made the Permanent Settlement of Bengal, Behar, Midnapur, and part of Hughli in 1793. But two years later, *i.e.*, during the administration of Sir John Shore, the province of Benares was also brought under the system of the Permanent Settlement of Lord Cornwallis. At present the greater portion of Bengal,

the province of Benares which is now included in the United Provinces of Agra and Oudh, part of Madras and some other detached regions enjoy the advantages and disadvantages of the Permanent Settlement of the land revenue.

The Raiyatwari settlement forms a broad division in the Transitory settlements.—The system of Raiyatwari settlements is practised in the greater portion of Madras, and in Bombay, Berar, Assam, and Burma respectively. Under this system the raiyat or the tenant keeps possession of a land as his proprietary right or the right of his ownership which is settled for a term of thirty years on condition of his paying the fixed revenue. In the periodical assessment of the land revenue in the Raiyatwari system the rates vary in different tracts within the jurisdiction of the Raiyatwari Settlements from one-fifth to one-twenty-fifth of the gross price of the general production of the soil. By the provisions of this system the raiyat can give up the tenure of his whole land or a part of it by the end of an agricultural year or a period. He has also the power of letting his land to any one for hire or of pledging it as a security for his debt, and even he can sell it to anybody without the permission of the Local Government. It is implied that during the time of the periodical settlement the Government is not entitled to make his assessment larger on the material progress of his land by his personal efforts. To crown all, he is so long the real proprietor of the soil as he keeps the proprietary rights with him; and

he has the direct concern with the Government. And after his death his land passes to his sons under the provisions of the rules by which an estate goes from father to son.

The Talukdari Settlements or the Zemindari or Malguzari settlements.—I have already told you that the Talukdari settlements are also called the Zemindari or the Malguzari settlements in some tracts of the country. As to the existence of these systems, they are mainly put in practice in the Punjab, the United Provinces, the Central Provinces, and Orissa respectively. By this system the landlord or the owner of the land is to pay the land revenue to the Government, and it is his look-out to realise the money from the land somehow or other. Under this system the landlord cannot be exempted from paying the land revenue to Government in case he cannot prepare the land for crops by himself or by his tenants or raiyats who pay him the rent. In Talukdari settlements the Government has no direct concern with the tillers of the soil, but, on the other hand, it makes the Talukdars responsible for the non-payment of their land revenue. These settlements are generally made for a period of thirty years with the exceptions of the Punjab and the Central Provinces where they are ordinarily made for twenty years only. As to the assessment of the land revenue, the village is taken to be the least plot of assessment generally. In the assessment which is made after a period in the Talukdari settlements, the sum to be assessed is considerably less than one-half of the rent what has already been assessed or fixed for the owners of the soil.

The other sources of the public revenue besides taxation.—The opium revenue, the Post office, Telegraphs, the Forest Conservancy, Railways, the Irrigation Works, and lastly, the contributions and subsidies from the Feudatory or Protected States are the sources of the Public or General revenue apart from taxation. All these sources in combination contribute a good deal towards the general revenue of the Government of India. I shall now describe all these sources of revenue one by one.

The opium revenue has a share in the general revenue.—The revenue on opium was mainly derived from its supply to China and to some other tracts of land through the sole right of dealing business in it in Eastern India. It is now derived from an export duty which is levied upon its production in the Feudatory or Native States of Western India. But the China income is gradually going down as the Chinese Government has made necessary arrangement for the production of opium in its own country, and has recently ordered its people not to take any other opium except its own. So there is a great loss in the opium revenue of the country which cannot be sustained in any way. As to the production of opium in India, the poppy is at present grown only in particular tracts of the United Provinces, and Bengal under the special supervision and control of a Department of Government. This Department has to decide how much land should be engaged yearly for the production of opium in the provinces, such as the United Provinces and Bengal.

It is enacted that in the cultivation of opium a cultivator is bound to have an express permission of the Government in the form of a license by giving necessary fees for the same. The cost of producing opium in this country is gradually increasing. So nothing handsomely is gained by this source of income except only the export duties in the Native States, and the license fees from the opium cultivators or planters. Thus we see that at present the opium revenue does not yield any handsome income to the public or general revenue of the country.

The Post office revenue.—The system of post office after the English pattern had been brought into practice in this country before the year 1858. Since the above-mentioned date the system of post office has been gradually improving with its rapid extension. A cheapest possible stamp of uniform type is at present used for all spaces throughout the country from Quetta of British Beluchistan to Bhamo near the Chinese border by all means of communication, such as ocean, river, railway, and road respectively. Of all the works of the post office the affairs of the savings bank, and of money orders are the most important. The postal system in India yields a source of income to the general revenue of the country.

Telegraphs.—There were some 3,000 miles of single telegraph wire, and a certain number of telegraph offices in this country during the year 1857. But at present there are large number of telegraph offices with a line and wire of great many miles throughout

the country carrying a large number of messages during the year. The general receipts from the sources of telegraphs offer some income towards the Public revenue after satisfying the charges for the general maintenance of telegraph lines and offices.

The Forest Conservancy.—At first the system of the preservation of Indian forests had been brought into practice in Pegu, Tenasserim, and parts of Madras in 1858 as public properties in connection with the improvement of the country. And gradually this system has now been extended to every province of this land. The principle of the Forest Conservancy is to secure the general supply of timber, firewood, and some other productions of forests. A special department called the Forest Department has been created by the orders of the Government whose main duty is to look after the State forests and to make necessary arrangement for the general preservation of the same. Some 200,000 square miles of forests have been acquired at present as against 92,000 square miles in 1909. The business of the Forest Department is now conducted on scientific method. The scientific principle has also been conveniently introduced into some Native States, such as Mysore, and Travancore. The Forest Conservancy of British India yields a handsome revenue to the Public funds of this country.

Railways have a larger share in the Public revenue.—The Government of India had opened only 300 miles of railway in 1857 which carried a very small number of passengers and also of goods during the

year. But at present railways have been opened throughout the country and carrying a very great number of people and goods. The railway receipts from passengers and others contribute largely towards the general revenue of British India.

Irrigation Works.—The method of irrigation is a process of increasing fertility in soils by an artificial supply of water in the fields, *i. e.*, by means of navigation canals and some other tanks. Irrigation works may also be carried into effect by means of embankments by which flood waters may be kept outside the limits of corn fields, etc. The Government has done some irrigation works, such as the Sind canals, the Chenab and Jhelum canals, the Baree Doab canals, the Ganges canal, the Jumna canals, and the Cauvery, Godavery, Kistna, and Palar irrigation works, for the improvement of the country in its fertility of the soil. "The value, however, of irrigation works", says Sir William Lee-Warner, "does not lie so much in their usefulness as a money investment, as it does in the benefits they confer upon the raiyats, especially in seasons when the monsoon fails". Nevertheless, the irrigation works draw some revenue from the customers to the funds of the Government.

The contributions and subsidies from the Feudatory or Protected States.—The Feudatory or Protected States pay subsidies or tributes to the British Government in return for its help and protection of their States by the maintenance of subsidiary forces under the provisions of the subsidiary Alliances of Lord Wellesley,

the then Governor-General of India. They also pay something in the shape of contributions to the British Raj on condition that the latter should be held responsible for the general peace and security of their Estates. Thus we see that the contributions and subsidies from the Feudatory or Protected States yield something to the Public revenue of the country.

The sources of Government revenue derived from taxation.—The sources of Government revenue derived from taxation are mainly salt, stamps, customs, excise, assessed or income tax, registration fees, and provincial rates. Of these salt tax is the most important. I shall now trace out all these sources one by one.

The Salt Tax.—The system of tax on salt has been continuing in this country from time immemorial. It is the only common tax which falls upon every citizen of India who consumes more or less salt, and generally on all persons who live from hand to mouth without possessing any landed property, taking any kind of intoxication, such as opium or any kind of liquor and also without going to law at any time. During the year 1858 the rate of salt duty was Rs. 2½ a maund in Bengal, Rs. 2 a maund in Northern India, Rupee one in Madras, and annas twelve a maund in Bombay. The salt tax throughout the country varied in different times after the year 1858. But since 1907 the salt duty has become uniform being fixed at the rate of Rupee one a maund throughout country. The rate of salt tax still varies in parts of Burma where the greater portion of salt has to pay a tax of annas eight a

maund, but in all other parts of the country the rate is at present uniform as already stated. As to the general supply of salt throughout the country, it is partly brought from abroad, partly procured from the salt mines of the Punjab, and the pits of Rajputana, and partly manufactured in some parts of the country, such as Burma and Bombay, etc. The salt tax is generally imposed on salt at the station where it is kept ready for importation or at the place where it is manufactured. In course of the years from 1870 to 1878 the Government obtained control of some salt sources within the jurisdiction of the Chiefs of Native States on condition of giving them a handsome yearly allowance. Since then the Government has been able to equalise the salt duties throughout the country by joining railway connections to all the important salt sources of India.

But at present there are some salt sources which are under the possession of some private gentlemen. But they manage their salt affairs under the light of English principle. The Government has not kept the sole power of dealing business in salt into its own hands only, but has also given leave to importation from abroad. But as to the manufacture of salt in this country, the Government has not given permission to its manufacture in some parts of the country which are adjacent to the sea. Because in that case the Government suffers a good deal in the realization of salt duties as some mischievous men, from time to time, manufacture salt without the knowledge of Government, and

thereby cheat it in its income. Thus we see that the income derived from the sources of salt is purely a revenue by taxation.

The Stamp Duties.—The stamp duties were introduced into this country before the year 1858, and since then they have been enduring till now. They were at first imposed mainly upon legal contests and documents. In 1860 Mr. James Wilson, the well-known financier, made a careful revision of the stamp law and almost placed it on the same footing as that of England. The stamp duties were then levied on commercial and trading papers, *viz.*, receipts, cheques, bills of exchange, and bonds, etc. Since 1860 the rates of the stamp duties have been annually revised, and the proportion of duties has been lessened to a great extent. The stamp duties are also collected from judicial papers with stamps used in connection with the administration of justice in courts; and they are generally the stamps on petitions, complaints and on some other papers used in legal matters. Thus the stamp duties bring some income to the Public fund; and this is an income obtained by taxation.

The Customs Duties.—The customs duties are nothing but taxes imposed on imports and exports. Previous to the year 1857 a tax was imposed on imports in general. But the rates of duties altered from time to time according to the circumstances. At present the general rate of the import duties has been fixed to be of 5 per cent. upon the price of the goods or articles. The special import duties are also levied on

opium, salt, alcoholic liquors, petroleum and arms respectively. An export duty has also been imposed on rice and ground rice at the scale of annas three a maund of rice which is not stripped of husks. Cotton piece goods and spun threads were at first free from duties. But in 1896 it was considered desirable to impose a uniform customs duty of $3\frac{1}{2}$ per cent. on all woven cotton goods whether imported from foreign countries or manufactured in this country, according to their intrinsic value. But all cotton threads and yarns are at present exempted from customs duties. Articles produced from hand-looms or weaver's looms are also free from the taxes of customs. Owing to the growing trade of the country the customs duties are collected in a handsome quantity. Thus we see that the customs duties render immense help to the Public fund.

The Excise revenue.—The system of levying excise duty on spirits and other kinds of liquors was also in practice in India during the time of the Muhammadan rulers of this country. But there was no systematic law for the administration of excise duty. The British authorities had adopted this system from their Muhammadan predecessors, and since then it has been enduring till now. But before the year 1858 the system of the administration of the excise revenue was continued under the process of a farming system. But during the period of British administration up to the recent times the system of the excise revenue has been greatly changed. Now the excise revenue is regularly drawn from a duty levied on spirits, liquors, opium, cocaine,

and hemp drugs for their general manufacture and also from the license fees of shops licensed for their sale. At present the greater part of the excise revenue is obtained from a system called the still-head duty system by which a maximum of revenue is secured with a minimum of consumption, *i. e.* by levying a heavier rate of taxation. The system of illicit or unlicensed distillation of liquors and also of their sale has altogether been checked. A wonderful result has thus been achieved at present in the securing of a large income to the treasury by an administration of the excise revenue by a department of Government called the Department of Excise.

The assessed tax or the so-called Income tax.—Before 1860 there was no system of income tax in this country. The professional and trading classes did not pay anything in the shape of contribution or something else to the Public fund. Owing to the great Sepoy Mutiny of 1857-1858 the public revenue suffered a great loss. After the removal of government from the Company to the Crown, Mr. James Wilson was appointed Financial Member of the Council of the Governor-General in 1859 in order to make up the heavy deficits in the public fund. So in 1860 he introduced the system of income tax into India for the first time in order to improve the financial resources of the country. The rates of the income tax varied in different times. But under the present law of the income tax no incomes less than Rs 1,000 are taxed. Incomes drawn in connection with the military service of less than Rs 6,000

a year are also exempted from tax. All incomes drawn from wages, pensions, and interest on the laying out of money or on some other securities amounting to Rs 1,000 yearly are taxed at the rate of 4 pies in the rupee; and incomes rising up to Rs 2,000 a year are taxed at 5 pies in the rupee. Incomes derived from agriculture or land are also exempted from the income tax. The limited Companies are generally taxed at the rate of 5 pies in the rupee on their clear gains, *i. e.*, on the gains which are clear of all charges or deductions. On the whole the assessed or the income tax gives a good revenue to the Public Treasury.

The Registration fees.—The registration fees are derived from the registration of new instruments or tools made by any individual person or groups of persons living under the protection of the Government of India. The registration is made with the object that some other persons cannot, in any way, copy the pattern or the main features of those tools or instruments for sales in their own interest. Thus we note that the fees for the registration of tools and instruments yield something to the Public Treasury.

The Provincial Rates.—The provincial rates which are also called the provincial cesses are collected by the Government for local bodies to meet some local purposes. These rates are levied on the land as cesses for the cost of maintaining hospitals, roads, schools, canals, and for some other village purposes. These cesses are shown under the head of Provincial rates on

the general assessment of land. However, these items confer some revenue on the Public purse.

The distinction between the direct and indirect taxes.—The direct taxes are those which are imposed on persons to pay them directly in the shape of money, while the indirect taxes fall upon the masses of the population in an indirect manner; and hence most of the people of this country do not know that they are paying an indirect tax. As for an instance of a direct tax, a person who pays an income tax or purchases a stamp for the registration of a deed or a document or pays provincial rates or cesses for the holding of a land, is said that he is paying a direct tax as he pays all these things directly in the shape of money. Similarly a license duty and a pool-tax are included under the head of direct tax because the people are to pay these taxes directly in the form of money. Next comes the example of an indirect tax. The salt tax, the customs duties, and the excise duties are instances of an indirect tax. They are called indirect taxes because the people do not pay those taxes in the shape of money, but they pay them indirectly. As for example, a man buys a maund of salt, and he gives the price of salt with the tax imposed on it. He cannot give the price of the salt without paying the tax levied on it, nor can he pay the tax of the salt without giving its price. So the salt tax is called an indirect tax because it is paid indirectly, *i. e.* with the price of the salt, and not in the form of money. Similarly the customs duties and the excise duties are indirect taxes, because they are involved in the

general prices of the things on which they are imposed. Thus we see that there is a great distinction between the nature of the direct and indirect taxes.

The Board of Revenue administers the finances in some provinces—In some provinces, such as the Punjab, the United Provinces, Madras, and Burma, the finances of the Local Governments are controlled by a Board of Revenue. Of these the Boards of the Punjab and Burma are each administered by only one responsible officer who is called the Financial Commissioner of the Board. The finances of Bengal are at present controlled by its Executive Council instead of a Board of Revenue. In all other provinces the finances are administered either by a Provincial Government or by Local Governments or by Local Administrations.

CHAPTER VII

THE GENERAL CHARGES FOR ADMINISTRATION

General Introduction.—In the previous chapter I have told you the financial administration of the country, *i. e.*, how the revenues and finances of the country are administered and collected for the public purposes. Now you can again ask of me what is the necessity of procuring so much money in various ways. To this I shall tell you that as your father earns money for the maintenance of his family, he spends it on different

items of expenditure, such as he has to buy rice, meat, fish, and cloth, etc. Such is the case with the Government of India. It receives money from different sources as I have already told you, and spends those revenues upon the general administration of the whole of Indian Empire by bearing various expenses of public works, *viz.*, the cost of maintaining army for the protection of the country, the cost of engaging officers for the maintenance of internal peace and order, and the expenses of the administration of justice throughout the country, and so on. So you see that sufficient money is absolutely necessary for an efficient administration of a vast country as India. I shall show you the principal items of expenditure for general administration of the country in this chapter. In short, all the finances of the country are spent on its own purposes. The country bears the complete charge of the administration of the Empire of India together with the entire cost of the India Office in England, and also of the British Army which has been constituted for the protection of the country. The British Government in England does not derive any benefit from the finances of this country. India also, in her turn, does not get any financial help from the United Kingdom in the administration of her affairs.

The Secretary of State controls the finances of India.—During the administration of the East India Company, *i. e.*, previous to the year 1858 the entire control of the revenues of the Indian Empire with the minutest details was in the hands of the Governor-

General in Council. Not a single farthing could be spent upon local purposes without the sanction of the Supreme or Central Government. So even the smallest or the most urgent work in local centres had to be detained for a longer period for the sanction of the Supreme Government. After the transfer of government from the Company to the Crown the entire charge of the finances of India has been placed in the hands of the Secretary of State for India in Council by an Act of Parliament in 1858. Since then he has the general control of the finances of India. But the Secretary of State for India, in his turn, has entrusted a larger share of his power to the Viceroy and Governor-General of India in Council under the provisions of certain rules and regulations specially framed for the purpose. It has been laid down that the Governor-General in Council is entitled to create a new office with an annual expenditure of 400 £ only; and that without the sanction of the Secretary of State he cannot involve any fresh expenditure exceeding the sanctioned budget estimates for the year. But in times of pressing need the Governor-General can exercise full power in the financial matters of the country in anticipation of the sanction of the Secretary of State for India.

Mr. Wilson, the well-known financier, improves the financial system of the country.—During the rule of the East India Company there was no system of Budget Estimate in this country by which the Government could make an estimate what it would get and what it would spend during the year. The general

expenditures were prudently limited, the accounts were carefully examined, but there was no system of fixed grants of money to be expended on different heads of work. So the accounts could be checked with much difficulty. But after the transfer of government from the Company to the Crown Mr. James Wilson, the well-known financier, at first introduced the system of annual budget estimates into India in 1860 by which the receipts and expenditures of different provinces of the country could be checked at a glance.

According to Mr. Wilson budget estimates are prepared for the Empire from the confirmed or sanctioned estimates of the different provinces of the country. Before the beginning of a year the final estimates are given publicity with the accounts and the revised estimates of the two previous years in order to give the public a scope to compare the amounts in the items of expenditure. Hence the budget estimates of every year are placed before the Legislative Council to have a general discussion over the receipts and expenditures put down in them, and any increase or decrease in the matter of taxation is not allowed without the sanction of the Legislative Council. Under the rules every department is bound to keep itself within the sanctioned grant of the budget estimates. And if owing to some unforeseen circumstances, *viz.*, famine, failure of crops, war or some other accident, the department is not able to receive the sanctioned estimates of revenues or finances or is not able to manage affairs with the sanctioned grant, it must

report at once to the higher authorities for their orders and sanction therein. Under the financial system of Mr Wilson it was also decided that the entire revenues and finances of the whole of British India should be considered as of only one fund, and the sole charge of sanctioning the expenditure was placed at the discretion of the Governor-General in Council without whose sanction not a single farthing could be spent. By this system the Provincial Governments were made nonentities as they could use no discretion in the matters of expenditure without the sanction of the Supreme Government. Thus we see that under the system introduced by Mr. Wilson the financial discretion of the different Provincial Governments were not improved in any way as they could not go beyond the sanctioned budget estimates without the express permission of the Supreme Government.

Lord Mayo introduces the system of Provincial Contracts or the financial decentralisation.—The exercise of sole control by the Supreme Government over the finances and expenditures throughout the Empire caused a great inconvenience in the general administration of the country. As owing to the manifold business of the Supreme Government it was found extremely difficult for it to enter into every item of expenditure throughout the country. The budget system of Mr. Wilson only gave some limited grants to the different Local Governments in order to meet the charges for administration. But at the end of every year the Provincial or Local Governments urged to

have more grants for the transaction of business in their own respective provinces. To remedy these inconveniences, Lord Mayo, the then Governor-General of India, decided to give the different Provincial Governments a wider scope in the financial charges of their provinces by allowing them sufficient powers in the conduct of their own affairs. Hence in 1870 the Government of Lord Mayo transferred the entire management of some heads of expenditure in the civil works with the allotted grants of money for the transaction of business of those sections to the Local Governments. To these ends the Supreme Government gave them the full discretion in the expenditure of those grants to their convenience under the provisions of the budget rules provided they might not encroach upon the powers of the Secretary of State for India in the matters of revenues and finances. The Local Governments were also entrusted with the full control over the expenditures from all the sources of income collected for the conduct of local affairs.

Now under the provisions of the Provincial contracts an agreement is made with the different Local Governments for a term of years, generally for a period of five years for the transaction of local business. By this arrangement the different Provincial Governments are given some shares in the land revenue and in the general receipts of excise, stamps, forests, assessed taxes and some other minor sources of income with the intention that they might profitably spend all these sources of income upon the various works of public

utility within their jurisdiction, such as the collection of land revenue, the maintenance of courts of justice, Police, Jails, roads, and the civil administration of the provinces together with civil buildings, and medical and educational works, etc. And as they are entitled to enjoy the every benefit of their economies, they show much earnestness in their works and much prudence in their expenditures on different items. At the same time the Supreme Government is thus relieved from much correspondence and difficulty of entering into every item of expenditures of the different Provincial Governments.

The Supreme Government or the Government of India now keeps under its direct control the receipts from opium, post office, telegraphs, railways, paper currency and mint, contributions and subsidies, salt, and customs, and the expenditures on those heads together with the debts on public purposes. The Government of India also keeps at its disposal the control and expenditures of the army and military works with the political relations including war, treaties, and other foreign relations. But under the system of provincial contract or the financial decentralisation the Governor-General in Council and the Secretary of State in Council are not in any way free from the financial responsibilities or from the financial administration of the different Provincial Governments. The Secretary of State in Council and the Supreme Government maintain discipline over the revenues and finances of the Local Governments, firstly, through the rules of the

budget estimates, secondly through the provisions or regulations passed by the Legislative Council, and thirdly by making frequent reports on the transactions of the different Provincial Governments throughout the Empire. But the right of altering or modifying the financial arrangements of the different Local Governments at the end of a period or in times of any particular necessity remains with the Government of India and the Secretary of State in Council. Thus we see that the system of Provincial finance or the financial decentralisation has saved the Supreme Government from much troubles and worries in the financial administration of the country.

The country incurs a series of expenditures for the sake of general administration.—For the conduct of the administration of the country the Government has to incur various charges of expenditures, such as the charges for the military administration of the country including the cost of supporting the army together with the general military works. The charges for the civil administration of the country include the cost of general administration, by the Secretary of State in Council in England, by the Viceroy and Governor-General of India, by the Governors, Lieutenant-Governors and Chief-Commissioners of different Presidencies and Provinces together with the Councils, and by the Commissioners of different Divisions as well as by the Magistrates of different Districts. The civil administration also embraces the cost of maintaining the different Courts of Justice, Police, Marine, Political,

Medical, Educational and Ecclesiastical Departments and it also includes the Survey of India Department, the Geological and Botanical departments, Emigration, Experimental Cultivation, Meteorological and Scientific Sections, and some other minor departments.

The civil charges of various other kinds are the expenses of maintaining Public roads and buildings, the pensions given on political and territorial purposes, and the cost of printing, stationery articles, and some other minor items of expenditure. The State has to spend money on the construction and maintenance of irrigation works, and telegraphs, and on the establishment and upkeep of the post office and the mint. It has also to pay interest on debts for public purposes, such as the general debts and the debts incurred for the continuance of works made for public use or benefit. Besides these, the country has to lay out money for special purposes, *viz.*, the special defences, the special military works, the famine relief works, the construction and maintenance of irrigation works and railways out of the funds meant for the famine insurance, and also the openings of railways from the general revenue of the State. Thus we see that the Government of India has to incur various expenditures for the administration of the country.

The Home Charges.—The Home Charges are not separate from the general charges for administration. But to make a general survey of the Home Charges in England it may be said that they are nothing but the charges for all sorts of stores, arms, war materials,

machinery, and tools of all kinds for the departments in general. The Home charges also include the interest on loans called the public debts which are raised in England from time to time for public business of the Empire. The country has to pay charges in England on account of interest and annuities for the purchase of railways from the guaranteed Companies; and it has also to pay charges on account of furloughs and of pensions to retired members of the Indian Civil and Military Services and also to soldiers in general. And lastly the State has to pay charges incurred in England in connection with the maintenance of the British force in India. Now in making a general review of the Home Charges we find that they are not different from the cost of administration of the Empire.

CHAPTER VIII

THE FEUDATORY STATES IN INDIA

Prefatory.—The Feudatory or Native States are those which hold lands or power under the paramount authority by the system of feudal tenure or by the method of subsidiary alliances adopted by Lord Wellesley; and they are within the component parts of the country. Hence the Empire comprises the whole of the Feudatory or Native States in India. They are ruled by the Chiefs or Rulers of the Indian nationalities.

under the supervision of the British Government in India; and their number at present is about 700 as against 682 with a population of more than seventy millions in 1909. Thus we see that though the Feudatory or Natives States are ruled by the Native Chiefs or Princes, they form the part and parcel of the Empire of India.

Lord Dalhousie and the Feudatory States.—The system of adoption on the failure of a natural heir had been in practice in the Feudatory or Native States in India from time immemorial. But Lord Dalhousie, the then Governor-General of India, did not see any reason why the adopted son should enjoy the benefit of an estate or a throne of his adoptive father who had no blood-relation with the former. Besides, he had another view in his mind that the British rule would be more suitable to the subjects in general than that of the Native Chiefs or Heads. With these views he held that on the failures of natural heirs the Feudatory or Native States in India should lapse to the British Government, and his principle was known as the "doctrine of lapse." By the provisions of this system the Government of Lord Dalhousie did not recognise the validity of an adopted son to the throne of his adoptive father. The system had no doubt some merits on the one hand, *i.e.*, in respects of an efficient government and discipline, etc., but on the other hand it was a regular hindrance to the growth of the Feudatory or Native States in India.

But after the terrible days of the great Sepoy Mutiny in 1857 during which the Native States not only

remained quite faithful to the British Raj, but also rendered valuable services to the British Government, the system of doctrine of lapse was altogether given up by the British authorities. It would not be out of place to mention here that without the help of the ever loyal Native States under the suzerainty of the paramount power, it would have been extremely difficult for the British Government to quell the disturbances of the great Sepoy Mutiny within a very short time. It was on this occasion that the British authorities got opportunity to realise the real value of the existence of the Native States in India. Instances of deep sense of loyalty to the British Crown were also offered by the Feudatory States in some other critical moments, such as in 1887 on the occasion of the defence of the north-west frontier of India the principal Native States helped the British Raj with men and money under the leadership of the Nizam, and in 1890 when most of the Native States organised the system of Imperial Service troops in order to take responsibility in the defence of the Indian Empire. The Native States showed the signs of loyalty to the British Government on some two occasions of the Jubilee Celebrations of Her late Majesty Queen Victoria and at the time of Her sad demise in 1901. They also gave proofs of loyalty to the British Crown on the occasion of the Coronation Durbar of His late Majesty King Edward VII in 1903, at His lamented death in 1910, and on the Coronation Durbar of Their Majesties George V and Queen Mary in 1911.

The British authorities place the Feudatory States on a firm footing.—Immediately after the suppression of the Mutiny the Government of India issued documents in the name of the Queen Victoria to all the leading Native Princes who were then governing their own territories. In them the Queen gave them leave in the system of adoption on the failure of natural heirs according to the laws and customs of the country, and on condition of their firm loyalty to the British Crown. The Muhammadan Chiefs and Rulers also got the same advantage in accordance with their laws and customs. It was definitely settled that all the cases of adoption either among the Hindus or among the Muhammadans the Government would recognise them provided they would make them under rules and keep themselves loyal to the British Raj. But the British Government has the power to nominate successors in cases where no adoptions have been made. The Government has also to make necessary arrangements for the administration of the Estates of those who have not yet attained majority. The Native Chiefs or Rulers have thus got relief by the grant of the system of adoption which was once rejected by the Government of Lord Dalhousie on the failure of a natural heir under the provision of the doctrine of lapse. Now the Feudatory or Native States are not annexed to the British dominion owing to the grave offence or serious misgovernment on the part of the Native Rulers. But in those cases the Government is entitled to remove the reigning Chiefs and to fill those vacant seats by some competent and worthier successors.

of the old ruling families. In short, no Native States could be annexed to British India so long as they prove loyal to the British Raj, and act up to the advice of the British Government. Thus we see that the present policy of the Government of India has created a number of well-satisfied and loyal Native princes who are really treated as the colleagues and partners of the British authorities in this country.

The classification of the Feudatory or Native States.—The Feudatory or Protected States are generally divided into three classes. In the first class are included those which have direct political relations with the Viceroy and Governor-General in Council. They are Hyderabad, Mysore, Baroda, Jammu and Kashmir, and Nepal. In the second class are those which are supervised by the Political Agents to the Supreme Government or the Government of India. The second groups of States are generally called the Agencies, *via.*, the Beluchistan Agency, the Rajputana Agency, and the Central India Agency. There are some 170 States in all the three Agencies. The most important States in the Beluchistan Agency are Khelat and Lus Beyla. In the Rajputana Agency the most important States are Udaipur or Mewar, Bikanir, Jaipur, Marwar or Jodhpur, Jasalmir, Bharatpur, Dholpur, Alwar, and Kota. The well-known States in the Central India Agency are Gwalior, Indore, Bhopal, Rewa, and Ratlam. The Native States of third class are generally very small; and they are under the supervision of, and have political relations with, the Provincial or Local

Governments. The most important of them are Bhutan, Sikkim, Cooch-Bihar, Mayurbhanj, and Hill Tippera, and they are under the suzerainty of the Government of Bengal. The number of the third group of States is the greatest of all the three classes of the Feudatory or Native States in India.

The particulars of some important Native States.—
The general statement of some important single Native States, such as Hyderabad, Mysore, Baroda, Jammu and Kashmir, and Nepal, are given here for the sake of general information. As to Hyderabad, its area being 82,698 square miles, is a large Feudatory State. Asaf Jah, the founder of this kingdom, was one of the chief officers of the Mogul Emperor of Delhi. This State was not so large at that time as it is now. Its area was subsequently enlarged to a great extent by the grace of the British authorities. Then comes the turn of Mysore which was originally a Hindu kingdom. It was at first usurped by Haider Ali in 1760. But it was restored to its former Hindu dynasty in 1799 by the British Government after the death of Tipu, the usurper's son. But the unbearable oppression of the Hindu king of Mysore compelled the British Government to take its rule into its own hands in 1831. But the Government of Lord Ripon wisely put Mysore to Native rule again in 1881 which is known in the history of India as "the Rendition of Mysore." Thus we see that after some fifty years of British rule Mysore was again restored to native rule under some conditions by which its king is to remain loyal to the British Raj, and

to manage the affairs of the State under the instruction of the British authorities. It lies in the south of India with an area of 28,000 square miles. Mysore is very fertile in soil and at the same time rich in gold.

Next may be taken up the case of Baroda, a very important Native State. It stands by itself in Western India in the fertile tract of Guzrat. On the fall of the Moslem rule in Ahmedabad one Pilaji Rao Gaekwar or so-called Damaji founded the Gaekwar family of Baroda with an area of 8226 square miles. It was gradually formed into a strong native State by the substantial help of the English from time to time. But in 1875 the British Government was compelled to depose the then Gaekwar of Baroda on account of the misgovernment of his State affairs. The Government then permitted the widow of a former Gaekwar to adopt a boy from a distant relative of the ruling Gaekwar family under the selection of the British authorities, and vested the administration of the State in him subject to its care and supervision. Since then the Gaekwar of Baroda has been ruling the territory under the protection of the Government of India. Then comes the Feudatory State of Jammu and Kashmir. The hilly tract of land between the Indus and the Ravi called Kashmir was actually created by the English after the battle of Sobraon in 1846 in connection with the first Sikh War in which the Sikhs were totally defeated by the English. After the close of the war, Golab Sinha, the ruler of Jammu, agreed to pay some money to the English as the expenses of the war if

he was recognised as the independent Maharaja of Jammu and Kashmir. Since then Jammu and Kashmir have been forming a separate kingdom in direct political relations with the Government of India. Lastly we may take the case of Nepal. It is an important Feudatory State standing by itself in the north of India. Nepal has power to administer its internal affairs independently, and has to entertain a British Resident at its Court. But it is dependent on the Government of India in respect of its foreign relations, such as war, peace or any other consular arrangements. Besides, the Chief of Nepal is not entitled to have any European officer for the transaction of his work without the express order of the Viceroy and Governor-General of India in Council. Thus we see that the important Native States are in direct political relations with the Government of India in regard to the administration of their affairs.

The general limitations of the powers of the Feudatory States.—As a matter of fact the Feudatory States can have no relations with the other nations of the world, and, more especially, cannot negotiate any treaties with the foreign powers, such as the Russian, the French, the German, or with any other power of Asia, Europe and America. To make the matter clear, it may be said that the Native States cannot have any sort of engagement with any other nations or States of the world.

The Government of India has to exercise control over the affairs of the Feudatory and Native States in India.—As to the general control of the Government

of India over the Feudatory States, it has to maintain peace and order in all the domains of the Feudatory States in India. The British authorities as a matter of fact give the Native Princes and Chiefs an assurance of their retaining in their respective positions without any disturbance provided they, in their turn, give their subjects peace and order without offering any kind of misgovernment or of some sorts of pernicious acts. The Government of India generally exercises sole control over the Feudatory States in matters of foreign relations, such as war, treaties, etc. The British Government takes up the general charge of maintaining internal peace and order throughout all the territories of the Feudatory or Native States. But the Native States, in their turn, are to help the British authorities in their work of suppressing the disturbances led by any foreign elements in some parts of the country. The British authorities also take necessary steps for the general security of the life and property of their subjects who from time to time live in the territories of the Native States for the transaction of their business or for any other purposes. Thus we see that the Government of India has to do multifarious works in connection with the administration of the Feudatory States in India.

Progress of the Feudatory States under the auspices of the Government of India.—After the withdrawal of the principle of 'doctrine of lapse' the condition of the Feudatory States in India has improved in all respects. Since then the Native Chiefs or Princes have been earnest in the improvement of the financial

resources of their respective States, and wisely put the administration of the opium and salt duties in the hands of the English, who, in their turn, have greatly improved the condition of all those sources of income by efficient work and careful supervision. In many States the Feudatory Chiefs have strictly followed the principle of British rule in the administration of their affairs. They have really improved the system of administration of justice and of revenue and finance, have abolished the duties on goods passing through their territories, and have made roads, railways, and irrigation works for the benefit of their people. The ruling Princes of India have also established hospitals for the treatment of the sick, and schools, and colleges for the education of their subjects. They have made necessary arrangements for the relief of their subjects in times of famine or pestilence. In some Native States where famine and pestilence do not occur frequently the Native Chiefs try their best to have large reserves of revenues by keeping themselves within the limits of economic expenditures of their State services, and spend a greater portion of those revenues upon various works of public utility in their territories. Some of the minor States, *vis.*, Cooch-Bihar, Hill Tippera and Mayurbhanj, have made considerable progress by effecting various improvements of their States. Thus we see that the condition of the Feudatory States in India has greatly improved under the auspices of the British Government in India.

CHAPTER IX

BENEFITS OF THE BRITISH GOVERNMENT
IN INDIA

The country has now far advanced in political progress.—Now we see that under the excellent system of British administration laws have been framed by the provision of the Charter Act of 1833, and have been codified with the most recent English ideas according to the rights, feelings, and peculiar usages of the people of this country for the benefit of the public. Justice is now administered openly and publicly, and in connection with the administration of justice no secrecy is allowed by the Government. People may freely hear the arguments and judgment of a case at present. The public are now given free scope to consider how the affairs of justice are conducted in a Court. At present justice cannot be administered by the whims or caprice of a judge. And in the administration of justice all men are considered to be equal in the eye of the law. By this principle all persons whether Europeans or Indians should be treated equally in legal matters, *i. e.*, they must undergo the test of the law without any national distinction if they do anything wrong in the eye of the law. It is one of the great blessings of British rule in this country by which a man is entitled to enjoy the same rights and privileges as a citizen of British India. Now under the influence of English rule the practice of slavery in this country has altogether

been abolished as all people whether rich or poor are tried by the procedure of the same law, and are given equal share in the rights and privileges of the country. Then look into the debatable system of the criminal law. The best advantage of the criminal procedure is that no evidence is taken against a person who is accused of a crime, in his absence. When a person is charged of having committed a crime, the man, under the rules, cannot undergo any sort of punishment without being tried by a judicial authority. The Court has to decide whether the accused person has really committed the crime. As a regular course the man against whom a charge has been instituted is brought before the Court, and the person who has raised the suit is bound to prove the offence of the former by offering satisfactory evidence, and if he is unable to do it the accused person is set free without any hesitation. In the trial of a criminal case the accused person may be defended by counsel, such as a barrister or an advocate, and the Court cannot give him any punishment without hearing anything in his defence. In this way the prisoners may be defended by counsel in their trial, and no punishment can be given to them without a trial and without having sufficient proofs or evidence against their cases. Thus we see that under the present system of administration no sentence or conviction can be made in any case without a trial.

At present the judicial test of a case is generally conducted by the system of 'trial by jury' which was quite unknown to this country. It is certainly a recent

growth being introduced into this land by the provision of the Criminal Procedure Code of 1861. By this system the accused persons are tried in the High Courts by a Judge with the help of a Jury consisting of some nine respectable gentlemen ; and in the Sessions Courts they are tried by the Sessions Judges with the help of Juries or Assessors each of which consisting of any odd number up to nine as may be sanctioned by the Local Government from time to time. The advantage of the trial by jury is that the fact of the case may be freely and independently tested and judged by the jury consisted of non-professional men so that fair and impartial decision may be arrived at for the satisfaction of the public. So we see that every precaution has been taken by the Government to have a fair and impartial judgment in the administration of justice. The Government has also advanced the political progress of the country by the introduction of Local Self-Government, namely, Municipalities, District and Local Boards. By this system the people have been learning as representatives of the rate-payers of different towns to manage local concerns, such as the construction of roads and tanks, the proper arrangements for sanitation, and the establishment of hospitals and schools, etc., for the benefit of the public ; and to this end they are authorised by the different Local Governments to raise taxes from the public to meet the expenses for those works. The institution of local self-government in the shapes of village police and panchayet was, no doubt, an early creation in this country ; but they were not

of representative character as at present. They simply decided some local disputes in rural areas. But the Government of Lord Ripon extended the system of Local Self-Government by giving larger scope in the system of representation by the creation of municipalities and district and local boards in different parts of the country. Since then the system of Local Self-Government has been gradually improving by the extension in the system of election of representatives for those local bodies. The main object of Government in the maintenance of local self-government is to make the people administer local affairs with their local experience and general knowledge; and at the same time the different Provincial or Local Governments may thus be relieved of some of their important works which otherwise could be done by the officers of Government. Thus by the establishment of the local self-government the people are gradually gaining knowledge in the administration of local affairs, and at the same time the extension in the principle of election has also attached greater importance to the existence of those self-governing bodies, such as municipalities and boards of different orders, in this country. Thus we see that the country has made a great advancement in matters of political progress.

But in recent political progress the Government has not neglected the original ideas and institutions of the country in any way.—In the midst of grand political progress the Government does not forget to pay due respect to ancient rights, customs, and usages

of this country. Under the present system of administration every one is entitled to follow his own religion without any interference at all, and none is disqualified for any post owing to his religious creed, and no question of one's religious belief can be raised in the matter of imparting education in schools and colleges. Thus we see that there is a complete religious toleration in matters relating to public life in India. The Government pays due regard to the seats of Oriental learning by recognising the early system of educational institutions, such as the Hindu system of the 'tols' and the Muhammadan systems of the 'maktabas' and 'madrassas' respectively. Gradually the Government started schools and colleges* on the oriental lines for the encouragement of Oriental learning in this country. Reasonable grants were sanctioned by the Government for the upkeep and maintenance of those schools and colleges, and the students were encouraged in their work by the grant of regular stipends and scholarships. But in course of time English classes were attached to most of the Oriental schools and colleges in order to give an impetus to Oriental learning with the consent of the people of this land. Thus we see that every arrangement has been made by the Government for the encouragement of Oriental learning in this country.

*The Calcutta Madrasa in 1782, the Benares Sanskrit College in 1791, the Sanskrit College of Puna in 1821, the Calcutta Sanskrit College in 1824, and the Delhi and Agra Colleges in 1824-1825.

As to the administration of law, in certain classes of cases, such as caste, marriage, inheritance, and several other religious customs and institutions, the Government conveniently follows the Hindu system in cases of the Hindus according to their *Shastras*, and Muhammadan system in cases of the Muhammadans according to the *Koran*. At present we see that in pursuance of the Hindu Law the transaction of legal affairs in civil matters in connection with marriage, succession, partition, adoption, and the joint family system is conducted in cases of the Hindus. Under the same principle the Muhammadans also get the advantage of their own law in connection with marriage, succession relating to the valid and invalid wills, and some other trusts made after the manner of religious aspects in a certain degree for the benefit of others. Thus we see that under the present system of administration the Hindu Law is applied to the Hindus and the Muhammadan Law is applied to the Muhammadans in some respects. The system of land revenue which is not a tax has been improved to a great extent. The methods of land settlements, such as the Mahratta system of Raiyatwari, and in some parts the Talukdari, or Zemindari, etc., were the original practices of India. The systems afterwards got their development under the reformation of the British Government in India, and are at present yielding a great deal of income to the Public treasury of the country. The village police system was an early establishment in this country. In earlier times it went by the name of *Kotwal*. The early system of village

watchman and the village police was not altogether given up by the British authorities, but was improved and remodelled after the European fashion so that much more important work can be done by them. The Panchayet also existed before the days of English rule. It was a body consisting of some five men who had to decide disputes and quarrels among the villagers in matters social and legal. At present this system is encouraged by the Government as a part of local self-government in rural tracts in some parts of the country, specially in Bengal and Madras. And lastly the early methods of judicial administration of the country were not extinguished by the Government in any way. The present system of Civil and Criminal Courts grew out of the old judicial methods of the Muhammadan rulers of the country under the names of the *Dewani* and *Foujdari* Adalats to try civil and criminal cases respectively. Thus we see that the Government pays greater respects to the indigenous ideas and institutions of the country by encouraging them in every possible way.

The British authorities make the social progress of the country.—The English made great progress in the advancement of social matters by suppressing many evil practices, *viz.*, the system of *sati* rite and the killing of children, etc., which prevailed in the social domain of the country from time immemorial. I have already told you that the Government did not interfere in any matter regarding the religious ideas and institutions of the country. But it could not but interfered in matters

which were highly objectionable and inhuman to the eyes of a rational being, and which were purely of criminal character. The system of burning of a woman called the *sati* on the funeral pyre of her deceased husband had been practised in this country for a long time. This was most cruel and sinful to the eyes of every civilized nation in the world, and of purely criminal character at the same time being a death to an individual person. So the Government put an end to this cruel practice after much strenuous efforts for the interest of the public. The infanticide was another kind of cruel practice in this country. The offering of new-born children to the Gangasagar in some tracts, the killing of the girls in the Punjab, Rajputana, and the United Provinces, and the offering of human sacrifices by a class of hermits, were in practice to a large extent before the days of English rule in this country and had been continued to the rule of the paramount Power. They were certainly crimes of purely criminal character causing murder and death to the human being. The British authorities, after a struggle for a considerable period, succeeded in abolishing those inhuman practices once for all by the passing and observing of some strict rules from time to time. There was a practice of hook-swinging in this country. This means an act of moving back and forth round the Charak tree by fastening hooks generally on one's back in times of the Charak Puja* festival in some parts of the country,

* A Hindu festival.

specially in Bengal and Orissa. But this practice was also suppressed by the Government after much hard work and careful consideration.

In India there had been scarcely any practice of the re-marriage among the higher caste Hindu widows previous to the rule of the English, though there was a provision for its work in some special cases according to the *Shastras* of the early Hindus. There was really a great bar on the part of both the widow if she was really willing to marry again and her guardians in case they were willing to give her in marriage for the second time. To remedy this evil, the Government thought it prudent to make such rules as would sanction the re-marriage of Hindu widows without any social friction, and since 1856 a regulation was actually made for the purpose. The system of female education in schools and colleges was not practised in this country. Women were educated, no doubt, at home, but not at school. But under British rule female education has been largely encouraged by the regular establishment of schools and colleges in different parts of the country which are supported by handsome Government grants. Previously any one holding the religion of the Hindus could not convert himself to Christianity of his own accord. In case he would convert he would have been liable to forfeit the rights of his properties which he had possessed before his conversion. The Government has, therefore, removed the disabilities of Hindus from conversion to Christianity by passing a law by which they could freely convert to Christianity with the rights of properties, etc.,

which they already possessed. For the social improvement of the country the Government has made a rule relating to elegance in manners and conduct in public life so that the people in general may not be annoyed by any individual person by the abuse of decency and morals in public life. By the exercise of this rule the various immoral acts, such as the unbecoming manners in public life, the uttering of indecent words or songs in roads or streets or in any other public places, and the maintenance of gambling-house or any kind of disorderly houses, etc, that might affect the decency and morals in public life has been checked to a great extent. Thus we see that the Government has taken various measures for the social advancement of the country.

The Government attends to the material improvement of the country.—The material work of the country has received a great impetus at the cultivated hands of the British Government in India. In the cause of the material improvement of the land the British Government took steps for the reclamation of the waste lands from the very beginning of its foundation in this country. For this purpose the Government has reclaimed a greater portion of barren and unfertile tracts of land in different parts of the country, especially in the Punjab, and in the Sunderbans of Bengal for cultivation by means of irrigation canals in the case of the former and by the clearing of jungles and bushes in the case of the latter. Private individuals are also encouraged by the Government who reclaim waste

lands from time to time for their own purpose. Thus we see that by the reclamation of waste lands many unfertile and barren tracts of land which were of no use to the former rulers of the country are now utilized for cultivation and thereby supply food to a large number of people at present. The railway communication which was quite unknown to this country has contributed largely towards the material improvement of the Empire of India under British rule. A net-work of railways throughout the country has effected a great material progress in the cause of travelling, communication, trade, commerce, and in the supply of food, etc, specially in times of famine, in different parts of the country. The system of telegraph lines has also added a good deal towards the material progress of the land. Most of the telegraphic lines in India are now going along the Railway lines in order to serve the principle of safety and economy at the same time. Under the guidance of the British Government in India irrigation works have been largely extended throughout the country. The condition of the most of the places in the Punjab, the United Provinces, Madras, Bengal, Behar and Orissa has been improved to a large extent by means of irrigation works.

The foundation of mills and factories in India has caused a great expansion of the material progress of the country in recent times. At present there are a number of cotton, jute, rice, flour, saw, oil, woollen and paper mills, and also a number of iron foundries, sugar, lac, tile, indigo, and soap factories, etc., in different

parts of the country. The total number of mills and factories is about fifty at present. For convenience of the naval establishments dockyards have been set up in Bombay and Calcutta respectively. Tanks and wells have been excavated by the Government as well as by the people in different tracts for the supply of pure drinking water to the public. Great bridges, namely, the Sara, the Sone, the Hughly, the Sukkur, and the Jumna bridges, etc, have been constructed under the auspices of the Government for the advantage of travelling and communication from one place to another. There are jetties and wharves in almost all the great ports and river-bank stations throughout the country for giving every facility in landing purposes. Good roads also existed here during the Muhammadan rulers of the country. But for want of proper care and supervision they were afterwards placed in a dilapidated condition. Now under British rule a number of metalled roads and bridges have been made in different parts, more specially in the Punjab, Bombay, the Central Provinces and Burma. At present there are some Imperial Trunk Roads here which afford every advantage to the people in the matter of journeys and travels. At this time there are good harbours in Karachi, Bombay Madras, Calcutta, and Chittagong respectively. The Government has made necessary fortifications of the country in the places by which foreign assaults are possible from time to time both by land and water.

The sanitation of the country is a very important thing as regards the preservation and improvement of

the health of the people in general. For the general improvement of the sanitation of the country the Government has provided to a large extent by the creation of Medical and Sanitary Departments. And in order to give complete effect to these systems the British authorities have founded General Hospitals, Charitable Dispensaries, Lunatic and Leper Asylums in different parts of the country. The Government has also established Veterinary Hospitals and Pinjarpoles for the treatment of the sick animals in various places. Now under the direction of the Government of India the local self-governing bodies, *viz.*, the Municipalities and District Boards in different provinces are taking lively interest in offering medical aid to the public by the maintenance of charitable dispensaries at their own expenses. In all the General Hospitals whether of purely Government support or maintained by the Municipalities or District Boards the Hospital Assistants or the Sub-Assistant Surgeons are rendering excellent services to the most ordinary public to which, it is expected that the Government will, in the near future, attach due encouragement by allowing them sufficient remuneration for their decent competence so that they may be able to do more work for the benefit of the most ordinary people who are generally neglected by the curse of the Heaven. Though higher philosophy and science tremble at the approach of death, they have some relative value at least, *i. e.*, they can prevent disease and death to some extent by sound judgment and precaution. With this

view men in general seek the aid of medical science. Arrangements have been made by the Government for the prevention of epidemic diseases, namely, cholera, epidemic fever, and small-pox, in various places by the deputation of special medical officers with sufficient medicine and relief. Special arrangement has also been made for the check of diseases from the remote countries by the careful examination of the passengers at the important stations and the landing places. For the general improvement of the sanitation of the Indian Empire various research works, such as Medical, Bacteriological, and Malarial, have been commenced by the Government of India. At present at the instance of Lord Ronaldshay, the present Governor of



Lord Ronaldshay.

Bengal, who takes a very close interest in the improvement of the sanitary condition of our province, a special research work on Hook-worm disease has been taken up by the Government of Bengal. An excellent treatment of Hydrophobia has been introduced into this country by the establishment of the Pasteur Institutes at Kasauli (in the Punjab), Conoor (in Madras), and Shillong (in Assam) respectively. The offering of the medical help to the women in India has not been neglected by the Government in any way. The first arrangement for the treatment of the female in India was made at the initiative of Lady Dufferin in 1885 who made her name dear to the people of this country by the foundation of some hospitals with trained native nurses for women and children of India. Now in looking back at the past history of the country we see that the systems of Hospitals and Dispensaries, etc., are purely the creations of the British Government in India, and it is admitted on all hands that they are yielding an excellent work to the people of this country in matters relating to sanitation and medical relief.

The survey system called the 'settlement' was an original institution of the country being introduced at the time of Sher Shah for the purpose of making assessment of land revenue. The system was afterwards developed by the expert hand of Raja Todar Mall, a man of rare and unique merit, who carefully surveyed the whole of Hindustan at the instance of Akbar the Great in order to fix the land revenue which

was the mainstay of the imperial treasury at that time, for the transaction of public business. At present the same survey system has received a considerable improvement at the refined hands of the British authorities who modified it into several kinds for various purposes. Now under British administration the Survey of India Department has been organised by the authorities for the purpose of giving complete effect to the general survey system of the country. The main surveys devised by the Government of India are the Geographical survey, the Frontier survey, the Trigonometrical survey, the Topographical or Descriptive survey, the Revenue survey, the Special Forest survey, the Magnetic survey, the Village survey, and lastly the Cadastral survey. The Geographical surveys are made with the object of gaining a correct geographical knowledge and information of different tracts of the country, and of making geographical discovery. The Frontier surveys are used for marking the limit of Frontier boundaries in connection with the Foreign relations of the Empire. The main object of the Trigonometrical survey is to form an idea of the country by triangulation and trigonometrical calculation on a single base, i. e., a survey made by the system of great triangles; and at present it serves as an auxiliary to the great Topographical survey of British India. A Topographical or Descriptive survey is a survey which contains a detailed account of the superficial features of the country. The Revenue survey is the most important of all the surveys under the Government of India as the whole revenue administra-

tion of the country depends on it, and which is meant for the settlement work in general. The Trigonometrical, Topographical, and Revenue surveys are now combined into one group to be called the General Survey of India. The Revenue survey generally does work under two heads, *viz*, the Uppër circles and the Lower circles. The Upper circles are practised in Sind, the Punjab, and the United Provinces, while the Lower circles do their work in Bengal, Bihar and Orissa, Assam, and Burma respectively. The Revenue surveys of Bombay and Madras are conducted under separate arrangements which have no connection with the Revenue surveys of the former territories. The Special Forest Survey which forms a branch of the great Topographical or Descriptive Survey of the country is made for the purpose of having a general feature of large uncultivated tracts of land which are ordinarily covered with trees and underwood. It is now under the general control of the Survey of India Department. The Magnetic Survey is a kind of survey by which the measure or an estimation of a land or country is taken by the process of a scientific method. This system was at first introduced into this country in 1897 for the purpose of making a survey on a purely scientific basis. The village surveys are made in a more detailed manner for the purpose of general administration of the country which clearly show the boundaries of each village and estate side by side ; and lastly the Cadastral surveys are practised for the purpose of preparing the public register of the lands of the country showing each ope

of the fields in every village upon which the entire land assessment rests. Besides the surveys of India Department, there are other surveys, *vis.*, the Geological survey, the Botanical survey, the Archaeological survey, and the Marine survey, which are taken up for special purposes. The Geological survey takes a general outline of the rocks, of the formations or the strata, and of the earth's crusts; and it has to investigate where earth-oil, coal, gold, and some other kinds of mineral substances are to be found. The function of the Botanical survey is to seek for and collect plants for study, and also to think over a remedy whether various diseases in plants can be cured in any way so that they may grow up largely after their recovery. It has also to suggest whether cotton or something else can be cultivated by means of experiment. The Archaeological survey has to find out a knowledge of the past times from the study of their existing remains, such as ancient records, plates, and inscriptions, etc., and has also to take care of the ancient monuments. The Marine survey has to make an estimation of the Indian coasts and harbours, and to publish their charts and soundings for general information.

Under the present system of administration the preservation of forests which was totally neglected by the former rulers of the land has produced a wonderful result in the material improvement of the country. At present a department for the conservation of forests called the Department of Forest conservancy has been organised by the Government to take care of every

forest timber or of any other valuable forest produce, and laws have been accordingly framed for the guidance of the Department. I have already told you that the Forest conservancy yields a handsome revenue to the Public treasury which was subject to spoliation only during the earlier rulers of the country. At present the mining operation of the country is a very important thing. Various measures have been taken up by the authorities for the improvement of the mineral resources of the country which now contain coal, iron, gold, ore, manganese, petroleum, sapphire, mica, salt, saltpetre, ruby, and some other valuable mineral products of the land. Now there are a good number of mines which contribute largely towards the mineral resources of the country. Bengal is specially noted for its coal mines which number about 300 at present. The workings in iron have received a great impetus in this country by the foundation of the great Tata Iron Works at Sakchi. Under the patronage of the British authorities measures have also been taken by the Government of India for the preservation of ancient monuments. An Archaeological Department has actually been created by the Government whose duty is to look after the preservation of ancient monuments and remains as I have already told you. Under the special direction of the Government of India the monuments of the Moguls at Delhi, Agra, Ajmere, Lahore, and at several other places have been repaired in order to throw some light on the past history of the country, and to do justice to the ancient monarchs and kings of the

Continent of India who erected those magnificent buildings during the different periods of their reign. Thus in reviewing all these things we see that the Government has done too much for the material improvement of the country in all respects.

The British authorities have contributed largely towards the economic progress of the country.—India is a land of agriculture which is also the main industry of this country. So to improve the agriculture of this land should be the main object of Government which, we see, has really devoted its best attention to the agricultural improvement of the country. Industries like agriculture being the mainstay of this country the Government has paid due encouragement to the Indian industries, and the industries in jute, cotton, tea, cinchona, coffee, indigo, silk, coal, iron, and paper have been encouraged to a great extent by the Government of India. All these industries give large gains to the capitalists as well as provide good many people of this country with employment. The commerce and industries of India are now controlled by a department of Government called the Department of Commerce and Industry. The British authorities in England at first maintained the principle of Free trade by imposing no customs duties either on imports or exports in regard to the transaction of business in foreign trade. But afterwards, they, under certain circumstances, were obliged to impose duties both on imports and exports; but in doing so they took precaution to such an extent that the principle of Free trade in this country might

not break in to a large extent. But in 1894 owing to the great financial difficulties of the State, the Government was compelled to break into the principle of free trade by imposing import and export duties almost on all the articles in this country. Famines are the most dreadful calamities which give a good deal of trouble to the masses of the population in India from time to time. They are generally caused by the failure of crops which is also caused by unfavourable seasons, namely, excessive dryness for want of rain or of water or an excessive inundation or of flow of water. However, in times of famine the Government opens protective works, such as the construction of railways and irrigation works from the grant of the famine insurance, against the violent ravages of the famine. The sole object of Government in taking up preventive measures by railways is to carry food to the effected parts of the country so that the people may be saved from starvation, and by irrigation works to supply sufficient water to those quarters so that drought may be removed to a considerable extent. In time of famine the Government gives food to the starving people in order to mitigate their sufferings on the one hand, and on the other it opens some relief works, *viz.*, the construction of roads and some other works of public utility, for somewhat strong and able-bodied men who are able to work for themselves in the indirect form of charity. The Government also relieves the famine-stricken people of their payment of revenues in time of famine.

For the benefit of the raiyats measures have been taken by the Government by the passing of the tenancy laws for the different provinces of the Empire in a way which might be suitable to each of them. But their principle being one and the same throughout the country, *i. e.*, to make arrangements for the payment of rent in a manner so that the tenants or raiyats in general might pay it without any difficulty at all by fixing their dues and rights in the holding of their tenancies, and to take care of them so that they might not be oppressed by the unlawful extortions of the Zemindars in any way. The same laws also preserve the rights and privileges of the Zemindars or landlords by affording them every facility in the collection of their rentals from the raiyats. The Government has also taken measures for the benefit of the raiyats or the agricultural classes by the establishment of the Co-operative Credit Societies in the nature of Agricultural Banks in different parts of the country, especially in Bengal, Madras, the Punjab, and the United Provinces, and also by the foundation of the Savings Banks in different tracts. The former help the people especially the agriculturists by the supply of cheap credits called agricultural loans on a very low rate of interests by teaching them an object-lesson of thrift with the purpose that they may increase their wealth in the near future. The establishment of the Savings Banks in the country has also given an impulse to the people in learning the principles of economy and thrift. The occasional savings in the Banks give them material

help in times of extreme need and dire calamities. The savings-banks in the post offices are not only meant for the agricultural classes, but other people may as well utilise them when occasion arises. The authorities have also taken steps for the protection of inventions by passing some important laws. Under this system none is allowed to copy the original plan of any instruments or any other artificial means or contrivances which may be invented by any individual person and are patented under the laws. This system has really given an impetus to the makers of the original inventions who also, in their turn, have given an equal impetus to the industrial progress of the country by making new inventions from time to time; and at the same time they can enjoy the fruits of their original works by the protection of the existing laws of the land. Industrial exhibitions are now held from time to time under the patronage of Government which gives due encouragement to the arts and skills of things exhibited as well as to the people who take lively interest in the organisation of such exhibitions as would enable the people to make better progress in the future exhibitions of industries in this country. The British Government now gives free scope to the commercial and industrial enterprise of this country in all possible way. The people of this country can now freely take to the cultivation or business in indigo and tea which was at one time in the hands of the Europeans only. The Indians are now entitled to establish mills and factories on their

own account with their own capitals. In a more or less degree mining business has also passed into the hands of the people. The educated Indians are now availing themselves of the opportunity given by the British authorities in the matters of commercial and industrial enterprise by taking to the business in connection with commerce and industries of the country. Thus we see that Government has really given impetus to the economic progress of the country in every possible way.

The progress of education under British Rule.—Education on a purely modern basis is one of the greatest blessings of the British Government in India. It could be given to the people through the medium of the Vernacular as well as of English. There was a strong controversy as to what should be followed as the medium of instruction in higher education in this country. But the Government of Lord William Bentinck decided that education in India should be imparted to the masses of the population through the medium of the English language as would bring the lustre of Western thoughts and ideas to the field of education in India which would enable to make the people fully up-to-date corresponding to the knowledge of the modern civilized world. In giving an extent to the different systems of teaching in India education may be divided under three broad divisions, *viz.*, the Primary, the Secondary, and the Higher. Primary education is given to the public in the most elementary form, that is to say, in the primary stage a man simply learns

how to read, to write, and to reckon the figures in his own vernacular and he gets a bit of knowledge in History, Geography, General Sanitation, Agriculture, and in ordinary account-keeping, etc., so that he can fully discharge his duties to the Government and also to his neighbours. The Primary Schools in India are generally managed by the Municipalities and District Boards. In some provinces, more especially in Bengal and Burma, most of them are managed by some private individuals under the control of the Education Department of Government. The authorities are now trying their best to the spread of Primary Education in India. Recently a special Commission on Primary Education has been appointed by the Government for the improvement of Primary Education in the province of Bengal. Secondary education is generally given to the people by means of three classes of institutions, *viz.*, the Middle Vernacular Schools, the Middle English Schools, and the Higher English Schools. The Middle Vernacular Schools give a general course of instruction in a way more advanced than that of the Primary Schools. The course of studies in the Middle English Schools is nearly the same with that of Middle Vernacular Schools, but the distinction is that English is taught in them in addition to the Middle Vernacular texts. And the Higher English Schools provide for a course of studies up to the Entrance or Matriculation standard of the Indian Universities. Higher education is given to the students in colleges through the medium of English under the control of the Universities.

Government has really given an impetus to the spread of higher education in this country by the establishment of several Universities in different parts of the Empire, such as the Universities of Calcutta, Bombay, Madras, Allahabad, and the Punjab Sir Ashutosh



Sir Ashutosh Mookerjee

Mookerjee, the most distinguished Scholar of the day, has effected great reforms* in the University of Calcutta as its Vice-Chancellor. In the reformation of education in India in 1904 it was decided that the Primary Examinations should be abolished, and that the Primary schools should be estimated by their

* For a detailed account, see H. L. Das Gupta, A Simple History Of India For Juvenile Readers, (1918), pp. 172, 173.

general efficiency and not by their examination results. In the case of the Vernacular schools it was decided that Vernacular education should be improved by the introduction of Kindergarten system, handwork and the nature-study classes in the Vernacular schools. As a result of the Commission of 1904 the system of University education has also been improved to a great extent. It is a great blessing to this country that a number of really qualified graduates are being turned out every year by the Universities of India.

At present the general theory of education has altogether been changed. Until recent times education in India was estimated by mere paper qualifications in the form of certificates and not by real study. Now the wave of education has rolled on to the right path. The system of committing something to memory for the purpose of getting certificates only has been totally discouraged by the Government as well as by the Universities. The real merit is now appreciated by Government like Akbar the Great who used to gather the eminent men round him even from jungles, and some other ancient monarchs of the country by showing them due regard for the encouragement of their work. The main object of education is to get oneself sufficiently qualified by deep study and independent thought. So in order to give an impetus to general education independent work* may be encouraged from time to time. A man cannot be really qualified unless he gets

* For the encouragement of independent work the system of

free scope for his work and holds independent views and opinions subject to the test of reason. This is also the theory of Oxford life also. "All opinions are subjected to the test of reason and who hold certain opinions will justify them by reasons and will never shelter themselves under the plea of authority"•

Government has started different grades of schools and colleges in different provinces of the country for imparting education to the masses of the population, and in them education is given to the people without any distinction of caste or creed, i. e., all the castes, races, and sects are taken to be of the same status in the eye of education. In all kinds of educational institutions Government strictly observes the principle of religious neutrality without professing any kind of religious teachings to the students in general. Scientific, technical, and artistic education is given to Indians by the special orders of Government in matters relating to general education of the people. The authorities have taken up the work of general research by engaging some of their officers from time to time to that direction, and at the instance of Government the Universities and some other private bodies have also adopted the

thesis is now prevalent in some of the great American Universities. By this system man finds opportunities to do independent work for his intellectual improvement, and is expected to be qualified to a great extent

• An article entitled "Undergraduate Life at Oxford" by Mr S. K. Sen (published in the *Dacca Review*, Vol. I. No. 3. August, 1911, p. 177).

systems of research work. The Government has made arrangement for the training of advanced Indian students in different subjects, *viz.*, Literary, Scientific, and Technical, etc., in foreign countries, such as Europe and America by awarding States Scholarships for the prosecution of their studies in distant and foreign lands. Besides schools and colleges Government has started libraries and museums, such as the Imperial Library of Calcutta, and the Economic Museums in Calcutta, Bombay, and Lucknow respectively for this advancement of learning and educational work in the country. The Indian Universities have also followed the principle of Government by establishing respectable libraries on their own account. Various learned societies have also sprung up under the patronage of the British authorities for the growth of learning and scholarship throughout the Empire. For administrative purposes and also for the preparation of the history of the country Government has made rules for the preservation of ancient and current records or documents in connection with the administration of the land. And lastly the Government comes to the encouragement of the deserving authors who are generally poor by the curse of the Heaven, by the purchase of a large number of the copies of their works, and thus gives them relief to a great extent. Thus we see that the Government has made various arrangements for general education of the people of this country.

Progress of Civic rights under British Rule.—The Press is an outcome of the British rule in India. Through

the instrumentality of the press the public affairs may be discussed, and the measures taken by Government may fairly be criticised. The press gives the people a scope to discuss the policy of Government, and to pass independent opinion on the system of work in the general administration of the country. The newspaper at first came into existence in India in 1818. Since then several other papers have gradually been in existence. But entire liberty was not then given to the journalists to write independently in their papers. In 1835 Sir Charles Metcalfe, the then Governor-General of India, made his name famous throughout the Empire by giving entire liberty to the Press. Some changes have been made afterwards in the constitution of the Press Act. At present the freedom of the press has been given to the journalists subject to some limitations, *i. e.*, a journalist is not entitled to write anything and everything at his own will, but he must do his work in such a way that he must not go beyond the limit of justice and of social order by abusing the laws of discipline. As a result of the freedom of the press a number of magazines and newspapers have been coming out regularly in this country. Under the progress of civic rights the people are enjoying the boons of no ordinary importance. Now the right of holding public meetings for the redress of some sorts of grievances or for the obtaining of some rights and privileges for the benefit of the public, and of processions has been given to the people by the authorities under some conditions which are subject to

the control of discipline and order, otherwise great disturbance and disorder could endure during the time and in the place of such meetings and processions. The right of making petitions for the mitigation of some other grievances has also been conferred on the people provided they are made in proper language and addressed to the right person through the proper channel.

The qualified Indians are now appointed to higher offices of the Empire. In 1853 the appointments of the Indian Civil Service which had hitherto been filled up by the Europeans only were thrown open to public competition, and since then a number of Indians have been appointed to the services which are the highest civil appointments in this country. The whole of the civil service is now divided into some three classes of appointments of which the Indian Civil Service is the most important. The other two are the Provincial and the Subordinate Services respectively. Of the three kinds of important services the members of the Indian Civil Service are recruited in England, while the members of the Provincial and Subordinate services are recruited in India generally from among the natives of the country. The Indians are now appointed to the higher appointments of the country, and are performing the most important work of the general administration as Divisional Commissioners, District Magistrates, and Sessions Judges etc., to the extreme satisfaction of the British authorities, and thus relieving them of various sorts of troubles in the work

of administration. Some people are rendering substantial help to the general administration of the country by holding honorary offices, such as members of the Legislative Councils of the Viceroy and also of the different provincial Governors, members of the Municipalities and the boards of different orders, and the honorary Magistrates, etc. Thus we see that Government has given free scope to the people in honorary offices also. Under the auspices of the British Government in India every profession, such as lawyer, engineer, physician, etc., is open to the public. The Government now heartily encourages independent profession in every possible way. Thus we see that there is a considerable progress in the civic rights under British rule.

General progress of the country under British rule.—With the maintenance of peace and order throughout the country the general administration of the Empire has been carried on with greater efficiency and integrity. By the exertion of the British Government in India the evil practices of the *thuggi* have been totally crushed, and the dacoity has been suppressed to a considerable extent. Now the people may live in this country without any fear from those mischievous elements. At present peace, the crowning result of the able administrators, has been secured for the general well-being of the Empire. The people can freely enjoy their life and property without any kind of fear or danger both from inside and outside the country. So they, quite undisturbed, have got

sufficient time and advantage to make progress in various branches, such as economic, material, and intellectual, etc. The public life in India has now been inspired by the new spirits of the Western Science, the Arts, and the Literature. The people have now found widened spheres to devote their energies and activities to the general improvement of the country. They are now leading their public life by rendering valuable help to the executive government of India with popular zeal and activity, as the members of Councils in their higher capacities and down to the President Panchayats in their lowest spheres. Lastly we note that the permanent effect of the British Government in India is that it has moulded the national character of the people of this country by the system of administration and of education. Now the people think for the public, work for the public and know that one's interest is the interest of all. This is the sign of a national character. The formation of a new national life has actually given an impulse to the minds of the people in general to a large extent. Now they have clearly learnt the theory that the public work should be done with co-operation and mature judgment, and to this end they are now devoting their best attention gradually. The Government has very kindly accorded the sanction to the formation of a Bengali Double Company and of the India Defence Force in connection with the recent war. The Indians are now fighting for the cause of justice, freedom, and civilization which Germany is going to threaten by the violation of the

terms of the International Law. And in the meantime thousands of Indians have sacrificed their lives for the sake of the British Empire within which alone India will get her freedom and in nothing else. Thus we see that the British Government in India is the only instrument of this awakening of a new national life which otherwise would have been checked for many centuries to come.

Conclusion.—Now I have come to the end of my book. In these few pages I have tried my utmost to tell you the general administration of the country under the present system, and have explained the benefits of the British rule in this country. So in conclusion we must pray to God for the complete success of the British Government in India in all respects. We are now really grateful to the British authorities for the benefits they have conferred on our country. And lastly we, with our all heart, say that God will surely help them in their works and activities for the improvement of a Country as India our home-land.

“ God save our King and Country ”

* A Law by which a short-lived association was formed in London in 1864 to unite the working classes of all countries in efforts for their economic freedom

APPENDIX A

QUEEN'S PROCLAMATION

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, and of the Colonies and Dependencies thereof in Europe, Asia, Africa, America, and Australasia, Queen, Defender of the Faith

Whereas, for divers weighty reasons, we have resolved, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, to take upon ourselves the government of the territories in India, heretofore administered in trust for us by the Honourable East India Company

Now, therefore, we do by these presents notify and declare that, by the advice and consent aforesaid, we have taken upon ourselves the said government; and we hereby call upon all our subjects within the said territories to be faithful, and to bear true allegiance to us, our heirs and successors, and to submit themselves to the authority of those whom we may hereafter, from time to time, see fit to appoint to administer the government of our said territories, in our name and on our behalf.

And we, reposing especial trust and confidence in the loyalty, ability, and judgment of our right trusty and well-beloved cousin Charles John, Viscount Canning, do hereby constitute and appoint him, the said Viscount Canning, to be our first Viceroy and

Governor-General in and over our said territories, and to administer the government thereof in our name, and generally to act in our name and on our behalf, subject to such orders and regulations as he shall, from time to time, receive through one of our Principal Secretaries of State.

And we do hereby confirm in their several offices Civil and Military, all persons now employed in the service of the Honourable East India Company, subject to our future pleasure, and to such laws and regulations as may hereafter be enacted

We hereby announce to the native princes of India, that all treaties and engagements made with them by or under the authority of the East India Company are by us accepted, and will be scrupulously maintained, and we look for the like observance on their part.

We desire no extension of our present territorial possessions, and, while we will permit no aggression upon our dominions or our rights to be attempted with impunity, we shall sanction no encroachment on those of others

We shall respect the rights, dignity, and honour of native princes as our own, and we desire that they, as well as our own subjects, should enjoy that prosperity and that social advancement which can only be secured by internal peace and good government

We hold ourselves bound to the natives of our Indian territories by the same obligations of duty which bind us to all our other subjects, and those

obligations, by the blessing of Almighty God, we shall faithfully and conscientiously fill

Firmly relying ourselves on the truth of Christianity, and acknowledging with gratitude the solace of religion, we disclaim alike the right and the desire to impose our convictions on any of our subjects. We declare it to be our royal will and pleasure that none be in any wise favoured, none molested or disquieted, by reason of their religious faith or observances, but that all shall alike enjoy the equal and impartial protection of the law, and we do strictly charge and enjoin all those who may be in authority under us that they abstain from all interference with the religious belief or worship of any of our subjects on pain of our highest displeasure.

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

We know, and respect, the feelings of attachment with which the natives of India regard the lands inherited by them from their ancestors, and we desire to protect them in all rights connected therewith, subject to the equitable demands of the State; and we will that generally, in framing and administering the law, due regard be paid to the ancient rights, usages, and customs of India

We deeply lament the evils and misery which have been brought upon India by the acts of ambitious men,

who have deceived their countrymen by false reports, and led them into open rebellion. Our power has been shown by the suppression of that rebellion in the field, we desire to show our mercy by pardoning the offences of those who have been misled, but who desire to return to the path of duty.

Already, in one province, with a desire to stop the further effusion of blood, and to hasten the pacification of our Indian dominions, our Viceroy and Governor-General has held out the expectation of pardon, on certain terms, to the great majority of those who, in the late unhappy disturbances, have been guilty of offences against our Government, and has declared the punishment which will be inflicted on those whose crimes place them beyond the reach of forgiveness. We approve and confirm the said act of our Viceroy and Governor-General, and do further announce and proclaim as follows

Our clemency will be extended to all offenders, save and except those who have been, or shall be, convicted of having directly taken part in the murder of British subjects. With regard to such the demands of justice forbid the exercise of mercy.

To those who have willingly given asylum to murderers, knowing them to be such, or who may have acted as leaders or instigators of revolt, their lives alone can be guaranteed, but in apportioning the penalty due to such persons, full consideration will be given to the circumstances under which they have been induced to throw off their allegiance, and large indulgence will be

shown to those whose crimes may appear to have originated in too credulous acceptance of the false reports circulated by designing men.

To all others in arms against the Government we hereby promise unconditional pardon, amnesty, and oblivion of all offences against ourselves, our crown and dignity, on their return to their homes and peaceful pursuits.

It is our royal pleasure that these terms of grace and amnesty should be extended to all those who comply with these conditions before the 1st day of January next.

When, by the blessing of Providence, internal tranquillity shall be restored, it is our earnest desire to stimulate the peaceful industry of India, to promote works of public utility and improvement, and to administer the government for the benefit of all our subjects resident therein. In their prosperity will be our strength, in their contentment our security, and in their gratitude our best reward. And may the God of all power grant to us, and to those in authority under us, strength to carry out these our wishes for the good of our people

APPENDIX B**PROCLAMATION BY THE KING-EMPEROR EDWARD VII
TO THE PRINCES AND PEOPLES OF INDIA,
NOVEMBER 2, 1908.**

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

Difficulties such as attend all human rule in every age and place have risen up from day to day. They have been faced by the servants of the British Crown with toil and courage and patience, with deep counsel

and a resolution that has never faltered nor shaken. If errors have occurred, the agents of my Government have spared no pains and no self-sacrifice to correct them: if abuses have been proved, vigorous hands have laboured to apply a remedy.

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

In the great charter of 1858 Queen Victoria gave you noble assurance of her earnest desire to stimulate the peaceful industry of India, to promote works of public utility and improvement, and to administer the government for the benefit of all resident therein. The schemes that have been diligently framed and executed for promoting your material convenience and advance—schemes unsurpassed in their magnitude and their boldness—bear witness before the world to the zeal with which that benignant promise has been fulfilled.

The rights and privileges of the Feudatory Princes and Ruling Chiefs have been respected, preserved, and guarded; and the loyalty of their allegiance has been unswerving. No man among my subjects has been favoured, molested, or disquieted by reason of his religious belief or worship. All men have enjoyed protection of the law. The law itself has been administered without disrespect to creed or caste, or to usages and

ideas rooted in your civilisation ; it has been simplified in form, and its machinery adjusted to the requirements of ancient communities slowly entering a new world

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

Unwilling that this historic anniversary should pass without some signal mark of Royal clemency and grace, I have directed that, as was ordered on the memorable occasion of the Coronation Durbar in 1903, the sentences of persons whom our Courts have duly punished for offences against the law should be remitted, or in various degrees reduced, and it is my wish that such wrongdoers may remain mindful of this act of mercy, and may conduct themselves without offence henceforth.

Steps are being continuously taken towards obliterating distinctions of race as the test for access to posts of public authority and power. In this path I confidently expect and intend the progress henceforward to be steadfast and sure, as education spreads, experience ripens, and the lessons of responsibility are well learned by the keen intelligence and apt capabilities of India.

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

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

The welfare of India was one of the objects dearest to the heart of Queen Victoria. By me, ever since my visit in 1875, the interests of India, its Princes and Peoples, have been watched with an affectionate solicitude that time cannot weaken. My dear son, the

Prince of Wales, and the Princess of Wales returned from their sojourn among you with warm attachment to your land and true and earnest interest in its well-being and content. These sincere feelings of active sympathy and hope for India on the part of my Royal House and Line only represent, and they do most truly represent, the deep and united will and purpose of the people of this Kingdom.

May Divine protection and favour strengthen the the wisdom and mutual goodwill that are needed for the achievement of a task as glorious as was ever committed to rulers and subjects in any State or Empire of recorded time

APPENDIX C

GENEROUS ANNOUNCEMENT OF HIS MAJESTY KING- EMPEROR GEORGE V AT THE CORONATION DURBAR AT DELHI, DECEMBER 12, 1911

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

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

By my presence with the Queen Empress I am also anxious to show our affection for the loyal Princes and faithful Peoples of India, and how dear to our hearts is the welfare and happiness of the Indian Empire

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

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

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

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

In token of these sentiments I have decided to commemorate the event of my Coronation by certain marks of my special favour and consideration, and

these I will later on to-day cause to be announced by my Governor-General to this assembly

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

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

To all present, feudatories and subjects, I tender
Our loving greeting

THE END.