

subordinates from existing cadres, and so organize his department. When ready to do so, he would notify the Provincial Government that he was prepared to assume control of the functions assigned to him. To take one example, the Educational Department would then transfer the whole control of primary education to the Minister of Education and to his new Department, built up from materials recruited in the old one

*Transfer of Officers.*

In the Joint Address it is proposed that the transfer of officers from the Provincial staffs to those of the States should be arranged by ministers with the assistance of the Chief Commissioner. In the event of any final difference of opinion, the last word is to be with a permanent Civil Service Commission. The success or failure of the experiment will, I believe, largely depend upon the ability of the first ministers to secure as the permanent heads of their departments the ablest members of the existing Services. Decisions must rest with responsible ministers, but it is thus, and thus only, that ministers will have before them the best technical advice upon which to decide.

The estrangement developed of late years between educated Indians and members of the Service is deplorable. Like all such estrangements, it is largely due to ignorance of each other, and to want of any regular sphere of work common to both. It is safe to say that two classes of men never work together without coming to think better of each other. The Transvaal Civil Servant was the target of almost as much criticism and abuse as members of the I.C.S. are here. One Boer leader just before assuming office as a Minister, said in a public speech, that, of all the plagues from which the Transvaal had suffered, the plague of experts was perhaps the worst. Yet soon after he assumed office he confirmed the position of nearly if not quite all the British Heads of Departments under him. Most of them still retain those positions and speak of him in terms of the highest praise as a political chief. With the new ministers this was the rule,

not the exception, and the reason was simple. They felt their own want of experience in technical matters. They wanted to succeed, and so like sensible men they put their prejudices in their pockets, and kept the men who knew the technical details. And before these men had worked together many weeks the mutual prejudice began to evaporate, and made room for mutual confidence and respect.

British officials, it may be said, will not serve under Indian Ministers. I can only say that several of them, and those not the least able I have met, have assured me that this would not be so. They have before their eyes the position in which British officials have served from the first under Egyptian Ministers. As one of my friends in the Service said, it would be a great adventure to him to throw his energies and knowledge into the task of making responsible government a reality in India. Any one, he added, could administer the village on lines worked out by men like Monro, Elphinstone and Colvin. It is easy enough to continue the methods which they evolved and applied. To their successors of the present day is presented a new and far more delicate problem, and one calling for qualities higher than those demanded by the simpler conditions of the past.

And while we are on this point let me notice that the one real objection brought by Nationalists against this scheme is that the I.C.S. will thwart the work of the State ministries, with the deliberate intention of bringing them to naught, and so seeming to prove their incompetence. Those who use this argument fail to see that it is fatal to any scheme of reforms. If the assumption they make is correct there is nothing before India but revolution. Believe me, it is not correct. The charges you bring against British officials here, should really be directed against us, the people of England. It is we who have failed since 1858 to revise instructions which have long been obsolete. The members of the Service now have their instructions, and will be found loyal to their spirit as well as their letter. I venture to predict that as they

realize the nature of the new enterprise before them, they will come to glory in its pursuit. There are many unofficial Europeans, who would feel more hopeful of this adventure, if their imaginations allowed them to depict the first Indian Ministers selecting as their permanent assistants, able members of the I.C.S. and of the collateral Services.

## XVI

### LEGISLATIVE POWERS.

We may now consider the manner in which the legislative powers of the States are to be defined. They cannot, like the executive powers, be scheduled at present. In framing a federal constitution the greatest difficulty to be faced is usually that of drawing the line between the legislative powers to be exercised by the Provincial Governments on the one hand, and by the National Government on the other hand. The only true guide is experience, and the best way in which to evoke and crystallize that experience is the device of enabling legislation, promoted by the provincial authority, and passed into law by the central authority. It was thus that the powers of the great municipal corporations of England were built up in the 19th century. Cities, like Manchester, Newcastle, and Birmingham had corporations based upon Charters granted centuries ago. In the first decade of the 19th century the introduction of steam power and the factory system caused an unprecedented growth in their populations, and created all sorts of needs which were not foreseen when the original Charters were granted. Such cities, for instance, required to be drained in accordance with modern sanitary science. This involved an interference with private rights and a power to raise loans, which was not within the existing powers of the Town Council. In order to obtain these powers, the Council would present a petition to Parliament in the form of a private Bill, in the clauses of which were defined all the necessary powers of expropriation, of making bye-laws and of raising loans. Such Bills, after passing their first and second readings, as a matter of course, were then referred to a Standing Committee appointed to deal with all measures of this class. The Corporation was represented before the Committee by counsel. Opponents of the measure would appear in the same way. Govern-



ment, departments would also be represented. Evidence would be heard for and against the Bill as a whole, and also with reference to its various provisions. The Committee would then report whether the Bill ought to be passed, and, if so, with what amendment of its original terms. In practice the Committee's report was practically decisive and was accepted by Parliament. In this way the Corporations obtained enabling legislation based on an experience of their actual needs and adapted thereto by an accurate and searching inquiry into the subject-matter to which each measure related.

Then came the period when the multifarious results of such legislation all over the country were reviewed by the Local Government Board, and consolidated into one Municipal Corporations Bill, which, when passed by Parliament, applied to all the great Corporations alike.

The powers, and especially the legislative powers appropriate to States, might well be worked out by some such process. And in doing so India might loose the heaviest fetters in which she has bound herself.

I have often heard it said that, before Indians ask for political powers, they ought first to devote themselves to the task of social reform. If Englishmen will think of the social reforms effected in their own country, they will realize how unfair and impossible a condition this is. What great social reform has ever been effected in England without legislative action? How could the employment of women and children in industries and mines, the status of married women, or the sale of liquor, have been reformed without the enactment of a new law?

In India the need for social reform largely arises from customs which have been crystallized by decisions in the courts, under the rigid legal system which we ourselves introduced from the West. The possibility of improving custom by custom has been checked in the process. But the necessary corrective, a legislature which could alter the binding effect of legal decisions, has been largely wanting in India. Before

the Government will consent to alter the social law by statute, the reformer has been asked to convince the Government that he is backed by "an overwhelming demand" of public opinion. At present the means of showing that such a demand exists are wanting. On the other hand, the forces of reaction have every opportunity of convincing the Government that a change in the law will be followed by serious trouble. A desire to avoid trouble has become a dominant motive of Government in India. The social results are deplorable. In the Transvaal the marriage of a negro with a European woman, that is to say, between two castes, is contrary to law. In England I have often heard South Africa branded as the one country beneath the British flag in which marriage between any two sections of British subjects was forbidden. What was my surprise then, on coming to India, to find that under the law of that country no legal marriage between members of two different castes could be solemnised!

On glancing through the records of the Imperial Legislative Council for the year 1912, I came across a Bill moved by Mr. Bhupendra Nath Basu to allow civil marriage between members of different castes. The Bill, it seems, came to no more than this, that people might avail themselves of the Special Marriage Act of 1872 (which seems to provide for civil marriage) *without first declaring "that they profess no known religion in India."* With one exception, the debate was conducted exclusively by Indian members. That exception was the Home Member, who bluntly announced that, until the mover could show that there was an overwhelming preponderance of opinion in favour of the change, Government would oppose his measure. Mr. Gokhale pleaded in vain that the Bill might be allowed to go to a Select Committee upon which official members were in the majority. The mover, after replying, was supported by ten other members.\*

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\* Their names deserve to be recorded :—

The Hon'ble Raja of Dighapatia.

„ Mr. Sinha.

With the majority against him, the whole corps of British officials were ordered by the Governor-General and his Council to march into the lobby and vote the measure down. So far as the British Government was concerned it might not even pass to be considered by a Select Committee before it was rejected.

Let Englishmen ask themselves what great social reform could have passed in their own country, subject to the condition that its promoters must, in some undefined way, show an overwhelming majority in favour of the measure before the Government would permit it to pass. Some reason might be found for requiring an overwhelming majority in the case of a reform like the total prohibition of liquor, which means depriving individuals of a freedom they already possess. But the case in question is one exactly opposite to this. As things are, two members of one religion, if belonging to two different castes, of which there are thousands, cannot contract a legal marriage without a formal and public renunciation of their religion. It is not enough for Government that their religious organizations have ample powers of excommunication. A couple effecting such a marriage would, as a matter of course, be outcasted, just as divorced Catholics upon remarriage might be excommunicated by their church. In India, such persons must themselves formally renounce their belief in their own religion before the State will extend to them the rights of civil marriage. A more flagrant interference with the liberty of conscience it is difficult to conceive. But Government will not permit its removal until it can be shown that "an overwhelming" preponderance of public opinion is in favour of the change. An overwhelming majority of Hindus must be shown to have consented, before two of them may contract a civil

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The Hon'ble Mr	Haque.
"	Gokhale.
"	Madholkar.
"	Madge.
"	Dadabhoy.
"	Jinnah.
"	Bhurgri.
"	Sir V. D Thackersey.

marriage without first renouncing their religion. What business has Government to enforce the ordinances of the church against the enjoyment of civil rights, and those of the most elementary kind? It is for a religion to enforce its own ordinances by its own sanctions, which in India are of the most powerful kind. And, as I have said already, no means are given to the reformer for testing public opinion.

The attitude of Government in India on these subjects confronts social reformers with obstacles which are heart-breaking. Their feelings may be judged by the following extract from an article by Mr. H. U. Divatia, M.A., LL.B., in the *Bombay Political Reformer*:—

While it must be said to the credit of the British administrators of India in the sixties and eighties of the last century that they were sincere and eager to help the educated minority in their struggle to be free from what they believed to be unjustified social and religious trammels by permissive legislation, the same cannot be said of latter-day administrators who have betrayed an utter want of sympathy with the ideals of educated India and have shown themselves very reluctant to yield to the demands of educated Indians for further permissive measures, with the growth and change of public opinion. Witness, for example, the position of the Government towards the Minor Girls Protection Bill of the Hon'ble Mr. M. B. Dadabhoy. With the growth of education and progressive ideals in the country, the demand of social reformers for permissive legislative measures is bound to be more frequent and insistent and the Government would certainly be ill-advised if its dislike towards the aspirations of educated India were allowed to come in the way of social reform legislation, about the necessity of which the intelligent classes of the people themselves are the best judges. There are many rules of the Hindu Law in the domain of marriage, inheritance, joint family, *stidhan*, guardianship, maintenance, etc., which are found to be antiquated and unsuitable to the present stage of Hindu society, and it is by means of State interference only that reforms in this direction can be achieved. The demand must, indeed, come from the educated classes, but the Government should not adopt an indifferent attitude and bar the way of social progress. Some of

the other demands for legislation on social reform questions are as follows :—(1) Free and compulsory primary education as preparing, among other things, a ground for the promotion and spread of social reform schemes ; (2) legislation for the protection of minor girls. A Hindu Marriage Act declaring the marriages between the different castes and sub-castes of Hindus, permissible and legal ; (3) raising the age of consent to 14 or, if possible, to 16 years. This list is not exhaustive, but it represents some of the principal and pressing problems of the day, and it is hoped that Government will boldly encourage a policy of social progress and give effect to the articulate voice of educated India.

Government is not really standing apart from the struggle between conservatism and reform in India. As things are, the whole dead weight of governmental inaction is left to rest in the scale of conservatism against reform. In practice Government can only cease from this negative intervention by creating Indian electorates, and leaving their representatives to assume the burden of social reform ; and this, I suggest, can be done in the most cautious way possible.

A Nationalist leader asked me how the matter would work out under the proposals I am now making. And he pointed his question by suggesting an instance. There are, as he told me, a number of endowments left for specific purposes connected with temples. But no machinery exists for ascertaining whether the funds are actually applied to the purposes intended by the original donor. Under these circumstances, I suggested, the reformer would inaugurate a movement in favour of application by his State Government for powers to deal with the matter. A motion would be moved in the Assembly in favour of applying for such powers, and there the whole question would be publicly ventilated. If and when the motion was carried, ministers would then frame a petition to the Provincial Government in the form of an enabling Bill, defining the limits within which the Assembly might legislate on the subject. The Bill would come before the Provincial legislature, where the subject

would again be discussed, and the Bill might then be referred to a Committee. The State Government would appear before the Committee by counsel. So would the trustees of the endowments, and any other parties concerned to support or oppose the measure. Evidence would be taken on questions of fact, and, in the process, the whole subject would be elucidated from top to bottom. The Committee would then report, giving their opinion whether the Bill should be passed; if so, with what amendments; and whether the other States of the Province should be allowed to adopt its provisions. Upon this report the Provincial Government would act within their discretion, with the fullest possible information before them. The Bill would be negatived, or passed with or without amendment. But, if passed, the enabling Act would define with precision the limits within which the State Assembly could legislate on the subject. It would then be the business of the courts to decide whether any measure passed by the Assembly, and any action taken thereunder by ministers, came within the powers defined by the Act. But the enabling Act itself would effect no change in the social law. The actual change would be effected by subsequent legislation passed by the Assembly, a representative body, within the limits of the powers provided by the enabling Act.

Let us now take the more serious case instanced above, that of the marriage law. Suppose that a State applied for powers to legislate on the subject, opponents of the measure might argue that the law of marriage was not a provincial but a national question, and ought to be reserved to the Indian legislature. They could point with force to the confusion which has arisen in America, by reason of the fact that the law of marriage was left, under the constitution, to the States. Counsel in charge of the enabling Bill might reply that, under the American constitution, Congress is forbidden to touch the subject. It has no overriding power of legislation whereby to harmonize the marriage laws of the 48 States. In India it is not proposed to deprive the central legislature of

power to deal with the subject. Such powers might therefore well be conceded to the States, so that each might be free to liberalize the law within its own jurisdiction. Later on, when public opinion had expressed itself through the action of various Assemblies, the Central Government would be free to review the situation, and introduce a statute harmonizing marriage law for the whole of British India.

With these arguments before it, the Provincial Government, which is but a branch of the Government of India, and under its orders, would be able to decide whether the powers sought were such as a State Government could properly exercise, or whether they ought to be reserved absolutely to the Indian legislature.

By the use of this method, State Governments could also be encouraged to devise and suggest new sources of revenue for themselves. Ministers might think that revenue could be raised by a stamp on patent medicines sold within their jurisdiction, and submit the proposal to the Assembly. That body, having approved of the principle, would instruct the ministry to apply for enabling powers to the Government of the Province. The ministry would then frame an enabling Bill for submission to that Government, which would, of course, be fully informed as to the views of the Government of India. The arguments of the ministry and of the interests affected would be heard, and the enabling Bill would either be rejected, or passed with or without amendments. But if passed, it would constitute a permanent addition to the powers of the State. Within those powers, as defined by the Provincial Act, the ministry would proceed to frame a taxing measure of their own, which, when passed by the Assembly, would come into law. If the results, when tested by experience, proved satisfactory, the powers of the enabling Act might then be extended to all the others, to be exercised or not, as might be determined by their own discretion.

Thus, in the course of years, by the fullest public inquiry, and by actual experiment, the powers, which

a State needs and is capable of exercising, would be worked out. Whenever the time arrived for summoning a convention to frame a constitution, under which the Government of India would come to be responsible to an Indian Parliament and electorate, that convention would have before it ample materials for determining what powers should finally vest in the State Governments, as distinguished from those which would have to be reserved to the Parliament of India.



## XVII

### CO-RELATION OF PROVINCIAL AND STATE GOVERNMENTS.

The character and working of the new system proposed has now been outlined with sufficient clearness to enable us to consider what changes should also be made in the structure of the existing Governments of the Provinces.

I take it, as a matter of course, that half the Executive Councils would be Indian. But these Indians, I would urge, should be promoted officials. The popular leaders will all be wanted for the State ministries, and the great corps of Indian officials should be encouraged by having these posts opened to them. In the terms of their appointment, I would make it emphatically clear that the Indian members of Council hold office on exactly the same tenure as their colleagues and are, like them, responsible to the Secretary of State. Each Member of Council, moreover, should have an alternate to take his place automatically in case of illness or absence.

The Governor, I suggest, should, if possible, be a man who has served as Governor of a self-governing Colony. One of the greatest difficulties to be faced in the transition stage is the absence of knowledge which exists amongst all classes in India of the meaning and practice of responsible government. It is vital that the heads of the old Provinces, who will largely control the transition, should bring such experience from outside. Of experience in the technique of Indian government they will find an ample supply on the spot. But something ought also to be done to provide members of the Indian Civil Service with the experience which their present position denies them. The Imperial Government might with advantage arrange that, in future, the Private Secretaries of Colonial Governors should be seconded from the junior

ranks of the Indian Civil Service. Such men would return to India with ideals other than those which their present training provides. It is not less important that in future Colonial Governors should be drawn from the senior members of the Indian Civil Service. They would thus get an actual experience of the working of responsible government, and could then be drafted back to act as the Chief Commissioners of States in India. The self-governing Colonies would, I believe, if properly approached on the subject, welcome the chance of offering themselves as a training ground for those who are to superintend the extension to India of the system under which they have thrived. The arrangement would help to create a new and better understanding between the different parts of the Commonwealth.

In considering the reform of the Legislative Councils of the old Provinces, it is well to hold in mind that, under the system proposed, they would be organs of government which are vanishing quantities. The present Governments of the Provinces will continue to exist only as trustees of residuary powers to be handed over as rapidly as possible to the elective Governments of the States, or, finally, to the Government of India, when it becomes answerable to an Indian electorate. It would exist to maintain order in the period of transition, and whenever the States are ready to assume that basic function, it would vanish. In the meantime it cannot be too clear that, in the discharge of its temporary functions, the Government of the Province is responsible to the Secretary of State, and has all the powers necessary for discharging the duties laid upon it. But in doing so it should be exposed as strongly as possible to the influence of Indian opinion. In all its executive acts, and in any legislation which it may find it necessary to pass, it should be exposed to the fullest criticisms of an Indian Assembly. In order to meet these conditions, the Governor-in-Council should legislate by ordinance. But the draft of every ordinance, and the estimates in draft, should come before a Provincial Council com-

posed mainly of delegations from the States, together with some non-official members appointed by Government. The official voters would disappear from the Council altogether. The Government would be represented in debate by the members of the Executive Council and their alternates. Seven or eight spokesmen are amply sufficient for the conduct of debate. But the officials should not vote. The Council should be free to discuss and pass any recommendations it chose, whether on matters of principle or detail. The final action of Government, whether in legislation or in the allocation of public funds, would only be taken in the light of such recommendations; but the power of final decision would rest with the Government. The enabling Bills of the States, for instance, would all come before the Council, but Government would nominate a majority on the Committee to which such Bills were referred, leaving the Council to elect the minority. The Council formed of delegations from the State Assemblies would constitute an important link between their Governments and that of the Province, until it had disappeared.

### *The Treatment of Friction.*

Whatever powers are conceded from time to time to State Governments, I would strongly urge that they should be conceded outright, subject to the power of veto on legislation, which, in the transition stage, should be exercised by the Provincial Government, not by the Chief Commissioner. The latter should be protected, as far as possible, from occasions for friction with ministers. The Provincial State Governments will be kept within their statutory powers by the action of the courts, which would be competent to decide whether any legislative provision or executive action was *intra vires*.

Friction there will be under this or any other scheme. There is serious friction at present between the Official and elective members of the Legislative Councils. Under some of the schemes proposed the friction would be such as would certainly burst into

flames. The scheme proposed in the Joint Address aims at developing a feeling of responsibility in electorates by making ministers and assemblies directly answerable to them for definite duties, and that this responsibility may be clear, as well as to reduce friction, it is proposed that the electorates should have separate officers and revenues of their own. But even so the separation will still be imperfect. Government is one, and all its functions are interconnected; though to say that they cannot be separated enough for the purpose of delegation to different authorities is contrary to facts before our eyes.

Let us take an example which has often been raised in the course of the last few weeks. The Police controlled by the Provincial Government are convinced that sedition is being taught in a school controlled by the State ministry. They ask ministers to take such action as is taken at present. Ministers refuse, and a deadlock occurs.

In passing, let us notice that exactly the same position can arise, if District and Municipal Boards are given real control over schools. But leaving that aside, it is not difficult to suggest provisions whereby difficulties of this kind can be overcome. It might be provided, for instance, that all such matters should be raised in the first instance with the ministry, by the department, and not by the Governor-in-Council. If the ministry and department cannot agree, then let the case be remitted to a joint session of Executive Councillors and Ministers in equal numbers, sitting together as a board of conciliation, under the chairmanship of the Governor, who should not vote or take sides unless called upon to do so as umpire. If the joint meeting fail to agree to an order, then let an order be made by the Governor. The sovereign specific for friction is to have some machinery for settling questions. Open questions are open sores.

## XVIII

### SELF-TAXATION.

As a scheme for developing responsible government, its success or failure would, I believe, largely depend upon the procedure whereby the transfer of fresh powers and revenues to the State Governments is to be effected. To start with, the States must have their full share of the revenues, that is to say, a share equivalent to what has been spent on the functions assigned them in past years, and this share must grow with the general growth of the Provincial revenues. But the basic facts of Indian finance are these. For the last century the British Government has steadily reduced the proportion of unearned increment from land due to the public treasury. Hence the failure of that Government to break down illiteracy in India. Crores and crores of rupees are necessary for that purpose, but they can only be raised by governments responsible to the people themselves. It is in facing that burden of self-taxation, and by no other means, that the people of India will achieve responsible government. The newspaper *Sanjivani* raises its hands in horror at the proposal:—'This plan of leaving to Provincial (State) Governments certain specific powers of taxation would make such Governments unpopular.'\* This is perfectly true, and many Governments will perish in the process, until at length the electorates have learned that no ministers can remain responsible to them for discharging their orders except in so far as they make themselves responsible to ministers for discharging the cost. Responsibility is always two-edged. The whole virtue of the system is that it brings home the elementary lesson that men can only reap as they have sown: and that way lies the making of men. The pace at which India

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See issue of November 22.

will travel towards the final goal will mainly depend upon how soon this difficult lesson of self-taxation is learned.

Hence the importance of periodic settlements of standing revenues. The States must be given an ample share of revenue at the outset. But if the question of increasing that share is left open from year to year, it is human nature that ministers should direct all their energies to obtaining more funds from the Provincial Government, for the extension of their services, instead of facing the unpopular expedient of fresh taxation. The energies of the new bodies will be spent in a chronic squabble with the old. The only remedy is for Parliament, or its agent the Secretary of State, to settle the matter on the advice of Commissioners reporting direct to itself for a period of years, revising the settlement by the same method at the end of that period. It is not fair to leave the onus on the Government of India and its Provincial Governments. In dividing the revenues between themselves and the popular Governments they cannot escape the charge of loading the dice. But if every seven years the settlement is revised by an impartial authority reporting direct to the Secretary of State, Governments of each type will then know what they have to spend, and each will realize that fresh taxation must be faced, if it wishes to increase its programme. I say, without fear of contradiction, that neither this nor any other Government in India will break down illiteracy which will not face fresh taxation.

#### *Sanctions.*

The finances of the State Government should be subject to audit by an officer appointed by the Provincial Government, whose reports should be published. On questions of extravagance or of expenditure made without proper authority, the auditor would report to the committee of public accounts appointed by the Assembly. The auditor should have full powers of holding an inquiry, wherever he sees traces of corruption. The Provincial Government might have power

to bring delinquents to trial, in default of action taken by the ministry. The auditor would have power to disallow expenditure which was *ultra vires*: but a power of remitting a surcharge should vest in the Provincial Government.

The borrowing of money would, of course, require the sanction of the Provincial Government, but otherwise I would urge that all sanctions in detail should be avoided. The necessity of obtaining sanctions in detail is a certain cause of friction. Let the new authorities be given a perfectly free hand, within the powers conferred upon them, if only that the responsibility which rests upon them may be perfectly clear to their electors. For details, let Government rely on the influence of the Chief Commissioner with his ministers. Let the one check be a power of total suspension, in cases where a State Government has clearly and absolutely failed in the duties imposed on them. If a Government so misuses the powers with which it is charged as to produce disorder, the Government, upon which rests the final duty of maintaining order, must have a power of suspending the delinquent authority and of acting in its place. But in such cases the Chief Commissioner should always change places with one in another State. He should never be exposed to the charge of aiming at personal rule. Summary suspension would of course require the sanction of the Government of India, subject to confirmation by the Secretary of State, and would only take place in the event of public disorder due to the action of the State Government.

It should be settled, I suggest, at the outset, that, after seven years' trial of the system, a Commission should be appointed by the Secretary of State to examine its results. The Commission should include men who had served as Governors of self-governing Colonies and of Crown Colonies. The Commissioners should be asked to examine the record of each State, and advise whether further powers should be transferred to it, and, if so, what those powers should be. In the case of any State which had utterly failed in its

task, it would be open to the Commission to advise a reduction of powers, or else total suspension. 'Responsible government will progress far more quickly if administrations saturated with corruption, or paralysed by inertia, are suspended, as those of Native States have been under similar circumstances. The old Government would then step in, to purify and reinvigorate the administration, until conditions seemed ripe for a further essay in responsible government. But, except in the case of public disorder, such suspension should only take place on the recommendation of such a Commission as that suggested above.

I believe this power of suspension, if made a reality, will do more than anything to accelerate progress towards responsible government, because it will embolden Parliament and Secretaries of State to insist on a free extension of further powers to States which are showing a real capacity for self-government. The most paralysing influence in India at present is the conscious weakness of Government. It is taken as an axiom that no forward step can ever be retraced. The inevitable result is that Government shrinks from any forward step, or deliberates so long that the step is obsolete when taken. These timid advances, moreover, afford too little scope for latitude in the various provinces of this diverse country. The reforms suggested are too rigid and too uniform for the multifarious conditions. The secret of rapid progress is, wherever a community shows capacity for progress, to enable it to move forward as quickly as it can. To do this Government must make experiments, and proceed by trial; but it is useless to talk of experiments, unless you are prepared to retreat where failure is ascertained, as well as to advance where success is proved. There would be more than twenty States in India. It is greatly to be hoped that at the end of seven years a marked addition could be made to the powers of many of them. No general unrest would be caused by suspending an egregious failure which was casting discredit on all the rest. And each of these Governments would always have fresh prizes before it



to be gained, until the final reward of complete responsible government had been reached. The principle of specific delegation gives all the elasticity, which is wanting in the various schemes so far suggested.

The powers of the States would thus be built up in two separate ways. The known executive functions of Provincial Governments would be scheduled. To begin with, an instalment of those powers would be entrusted to States, and every seven years the question of transferring further powers would be deliberately considered in the light of the record achieved by each electoral authority.

Side by side with this periodic transfer would go on a continuous transfer of new legislative powers, sought, as the need might be felt, by the States from the old Provincial Governments, acting as the agents of the Government of India. The limits of those powers would all be defined with accuracy in the terms of enabling Acts. From time to time the Government of India would review these local Acts, and generalize their contents into laws applying to all the States, the general Acts repealing and taking the place of local Acts. In this manner would be gradually built up the constitution of a self-governing India, on the one solid foundation of experience.

In conclusion, I desire to affirm once more the conviction which underlies the whole of these detailed suggestions. The backward and defective state of education in India is a reproach to the British Administration which must be wiped out. An improvement and extension of teaching in all its branches is a vital necessity. But that of itself will not avail to prepare Indians for the task of responsible government. On the contrary, it will prove to be a danger and positive mischief, unless accompanied by a definite instalment of political responsibility. It is in the workshop of actual experience alone that electorates will acquire the art of self-government, however highly educated they may be.

There must, I urge, be a devolution of definite powers on electorates. The officers of Government

must give every possible help and advice to the new authorities, for which those authorities may ask. They must act as their foster-mothers, not as their step-mothers. But if the new authorities are to learn the art of responsible government, they must be free from control from above. Not otherwise will they learn to feel themselves responsible to the electorates below. Nor will the electorates themselves learn that the remedy for their sufferings rests in their own hands. Suffering there will be, and it is only by suffering, self-inflicted and perhaps long endured, that a people will learn the faculty of self-help, and genuine electorates be brought into being. The control to which the District Boards have been subject has, in my judgment, almost destroyed the benefit of the experiment inaugurated by Lord Ripon.

I am proud to think that England has conferred immeasurable good on India by creating order and showing Indians what orderly government means. But this having been done, I do not believe the system can now be continued as it is, without positive damage to the character of the people. The burden of trusteeship must be transferred, piece by piece, from the shoulders of Englishmen to those of Indians in some sort able to bear it. Their strength and numbers must be developed. But that can only be done by the exercise of actual responsibility steadily increased, as they can bear it. It cannot be done by any system of school teaching, though such teaching is an essential concomitant of the process.

The goal now set by the recent announcement of the Secretary of State will only be reached through trouble. Yet troublous as the times before us may be, we have at last reached that stage of our work in India, which is truly consonant with our own traditions. In the past our work has been that which other great Empires have accomplished. We may well be glad to feel that in our generation has begun the work of remodelling the Government of India on those principles which all free nations have borrowed from England, and which most of them have now combined to defend

at an immeasurable cost. No human work is perfect, but the foundations of responsible government in India have been firmly laid by our predecessors. Yet finer qualities will be needed in raising the walls; and the task is one worthy of this epoch in our history, if only because it calls for the effacement of ourselves.

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## APPENDIX I.

### MEMORANDUM BY MR. P. C. MITTER.

Keeping myself within the twelve points agreed upon, I note below an outline of the form of government I should like to have. I should like to mention at the outset that the twelve points agreed upon by the signatories were certainly not a scheme of reform, but were meant to be mere outlines on the basis of which it was desired that schemes of reforms might be discussed.

#### TERRITORIAL REDISTRIBUTION.

This is referred to in Article (2) of the points of agreement. I suggest that we should begin by redistributing the provinces on a linguistic basis provided the people concerned do not oppose such a territorial redistribution. I suggest the following redistribution:—

(1) *The Punjab and Sindh* to form one province for the reserved government. For the transferred Provincial State I would prefer to have the Punjab and Sindh as two separate States. If, however, the people of Sindh do not like to be separated from Bombay or do not like to be formed into a separate State for transferred powers, I would not recommend any redistribution.

(2) *The United Provinces*—From the present administrative area of the United Provinces I would exclude the eastern portion speaking the Bhojpuri language (the language of the present western portion of Behar, south of the Ganges). By eastern portion I refer to the districts of Benares, Corgkhpur, Mirzapur, Azamgarh, Balka and Cazipur. The population of these districts is about 4 millions. It would perhaps be desirable to add a small Hindi-speaking area of the Central Provinces to the altered United Provinces. The population of the United Provinces as altered will be about 43 millions instead of its present population of about 46 millions.

As regards the Provincial State for the United Provinces, for the reserved powers I would for the present leave the same administrative area unless there be a demand by the people to form themselves into one or more Provincial States. If Mr. Curtis's ideas about subdivision into small Provincial States really embodies a political truth, then the people themselves in the course of the next seven years will realize their difficulties, and at the time of the next septennial enquiry they themselves will ask a subdivision into Provincial States. If on the other hand it is attempted to force this political truth upon an unwilling people, then the resentment and the bitterness created by such forced subdivision will not give the people concerned a fair chance of realizing as to whether Mr. Curtis's suggestion embodies a political truth or not.

(3) *Behar*.—As already stated, I would include the six eastern districts of the United Provinces and the north-eastern portion of the Central Provinces (Hindi-speaking). Behar then will be a fairly compact province speaking practically the same language. I would exclude Orissa from Behar, and also the district of Manbhoom and the subdivisions of Deoghur, Jamtara and Pakaur of the district of Sonthal Pergannas on the ground that this small area is practically Bengali speaking. The population of Behar will then be about 35 millions. The addition of the six rich districts from the United Provinces will, it is expected, minimize Behar's financial difficulties.

I would have the same area for the Provincial State for Behar unless Behar State there be a strong demand by the people concerned for subdivision into two Provincial States.

Bengal

- (4) *Bengal*.—To the present area of Bengal I would add the district of Manbhoom and the subdivisions of Deoghur, Jamtara and Pakheer of the district of Sonthal Pergannas. There is a fairly wide-spread demand for the inclusion of the district of Sylhet (at present forming part of the province of Assam) into the province of Bengal, but on the other hand an objection has been suggested, namely, that if Sylhet be excluded from Assam, Assam's position will be financially unsound. I would leave it to the Commissioners when they come out to decide the question of inclusion of Sylhet into Bengal. The population of Bengal including that of Manbhoom and the small portion of Sonthal Pergannas will be, about 47 millions. An objection has been suggested that the population is too large. I would, however, point out that the population of the province of Bengal as it was constituted after the first partition was 57 millions and odd, and that population consisted of three linguistic areas, viz. the Bengalee, the Oriya, and the Beharee. Regard being had to the insistent feeling on the question, I would strongly urge the inclusion of this outlying small area within the province of Bengal.

Bengal State Government.

For the Provincial State of Bengal I would have the same area. The observations I have made while discussing the question of subdivision of the United Provinces apply to Bengal with much greater force. As a Bengalee I can assert with confidence that any attempt to subdivide Bengal will raise such bitter feelings that it will be extremely impolitic even to suggest a subdivision. As I have already observed, if after seven years' administration the Bengalees in the outlying districts feel that their affairs are being neglected, they themselves will ask for a subdivision.

Madras.

- (5) *Madras*.—I would exclude the small Oriya population of about a million and a half in Ganjam from the province of Madras and would put all the Oriya-speaking population in one Provincial State. Excluding the Oriyas, Madras has a Tamil-speaking population of about 16 millions in the tract known as Dravida, a Telugu-speaking population of about 15 millions in the tract known as Andhra and a Malayali-speaking population of about 3 millions in the tract known as Malabar. It also includes a Canarese-speaking population in the tract known as Canara. The Canarese-speaking population however is divided between the provinces of Madras and Bombay. Their total number is about 4 millions. I would like to place all the Canarese-speaking population under one administrative unit, and I would leave it to them to decide as to whether they would like to be included in the province of Bombay or in the province of Madras. In other words, when the Commissioners come out they should decide the question after consulting the public opinion in Canara, and after considering other pertinent questions that may arise. I do not discuss the total population of Madras as that will obviously depend upon the ultimate decision.

Madras State Government.

As regards the Provincial State of Madras, I leave it to the people concerned to decide whether they should start with one Provincial State or more. My own suggestion is to have as few changes as possible in the beginning.

Bombay

- (6) *Bombay*.—I would suggest the exclusion of Sindh from Bombay and the inclusion of the whole of the Mahratta-speaking population of the Central Provinces and Berar. As regards the Canarese-speaking population, I have nothing to add to what I have said in connection with that population in Madras. The question of the inclusion of the little State of Coorg, which adjoins south Canara, may perhaps be usefully left to the Commissioners. The Mahratta-speaking population of Bombay including Berar and a portion of the Central Provinces will be about 35 millions, and the Guzerati-speaking population will be about 34 millions.

Bombay State Government.

As regards the Provincial State dealing with the transferred departments, my inclination is to have the same area for both the Governments.

**Orissa.**—I would strongly urge that the whole of the Ooriya-speaking Orissa population of 6½ millions including a small tract from Madras should be formed into a separate Provincial State for the transferred powers. For the reserved powers the area so formed may be placed either under Madras or Bengal as the Commissioners may determine after consulting Ooriya public opinion.

**Form of Government—Reserved Powers.**—I would suggest that all the Government above six provinces should be administered by the Governor brought out from Executive England with an Executive Council of 4—2 Europeans and 2 Indians. The Council delegation of certain powers to Provincial States will require a re-arrangement of officers. In Bengal, for example, I would suggest that after the delegation of certain powers to the Provincial State of Bengal the Commissionerships of Divisions may be abolished, and so there would be sufficient work for four members of the Executive Council. I shall discuss the question of redistribution of officers later on, as that will obviously require a more detailed consideration.

I would suggest that an Indian member of the Executive Council should always be in charge of the Police Department. I would further suggest that about police the member in charge of the Police Department should have associated with him a Committee of three non-official elected members of the Legislative Council. All papers of the department should be available to these members and they should be freely consulted on all questions. If there is difference between the member in charge and the non-official Committee, the matter should be placed before the Governor in Council. Further, unless the Governor in Council unanimously decides to the contrary it would be open to the members of the non-official Committee to raise a debate in the Legislative Council, but the ultimate decision will rest with the Executive Government. It is well known to the authorities that there is a strong feeling amongst a large section of the people about Police administration. I will not discuss as to whether there is justification for this feeling or not, but in my view the existence of the feeling is a point which cannot be ignored. The Government has nothing to lose but everything to gain by allowing extended popular influence (I do not suggest for the present actual power) over the administration of Police Department. While I do not agree with those who ask for the immediate transfer of the Police Department to popular State Government, I strongly feel that extended popular influence will be conducive to the best interests of law and order and purity of administration.

**Form of Government—Transferred Powers.**—I would suggest that responsible Ministers should remain in charge of the transferred powers. So long as the Ministers can command a majority, they should remain in office. There should be three to five Ministers according to the size of the Provincial State and to the number and importance of the delegation of departments. The Ministers should be whole-time men and should be paid reasonable salaries.

Under the Ministers there should be permanent officials to be selected from the permanent Civil Services, Indian and Provincial. The officers so selected will be subordinate to the Ministers and will not be in any way subordinate to the Reserved Government, viz the Governor in Council. There should be a complete bifurcation of the services of the reserved and the transferred departments, but I will allow under certain conditions transfers of officers from the reserved to the transferred department and vice versa.

**Administration of the Transferred Government by Permanent Officers.**—Local Self-Government.—One of the most important departments which it is proposed to be transferred is the department of Local Self-Government. This department will obviously require permanent officials (a) to check and audit accounts, (b) to detect and check corruption if any, (c) to supervise with a view to the performance of statutory duties by local bodies, and (d) to reporting to the Minister in charge any neglect to initiate or to carry out local administrative measures in the interests of the health, sanitation or safety of the local public. For these and other incidental work I would have below the Minister the

charge two permanent paid officials who will form a Board on the lines of the Local Self-Government Board in England. Immediately subordinate to these officers will be a permanent official in charge of an administrative Division. For this post I should like to have an officer of the status and position of a first-class Collector. Subordinate to these officers I would have an officer in charge of the local bodies of each district. For these posts I should like to have officers of the status and position of Deputy Collectors of 10 to 15 years' standing. The staff suggested by me is by no means too large. I am familiar with the conditions of my province of Bengal, and I desire to justify the staff proposed by taking Bengal as an illustration. Rural Bengal consists of about 67 thousand square miles, and as the whole of that area has to be mapped out into Village Union Committees, I expect the total number of such Committees will be something between 7 thousand to 10 thousand. Besides the 25 District Boards a fairly large number of Sub-district Boards or Circle Boards will have to be created. Besides all these there are a large number of Muffassil municipalities. Regard being had to the volume of work appertaining to such a large number of local bodies the staff proposed by me is by no means too large.

Department  
other than  
Local Self-  
Government

As regards other departments that may be transferred, e.g. departments like Agriculture, Forest, Co-operative Credit, and Economic Development of Provinces, Education, Sanitation, Excise, etc., they have already got their separate permanent staff and there will be no difficulty in transferring such staff bodily to the transferred department.

Abolition of  
Commission-  
erships of  
Divisions

**Administration of the Reserved Government by Permanent Officials.**—Here again I would draw my illustrations from the province of Bengal. As I have already stated, I would abolish the Commissionerships of Divisions. I would also suggest the separation of judicial and executive functions. At the present moment Local Self-Government and the large amount of work relating to the subordinate magistracy occupy much of the attention of the Commissionerships of Divisions. Under my scheme, on account of the separation of the judicial and executive functions and of the transfer of Local Self-Government to Provincial State Government, it will be unnecessary to have a supervising officer of the type of a Commissioner of a Division especially as I have proposed 4 members of the Executive Council. Further, the abolition of the Commissionerships of Divisions will tend towards decentralization, and many questions will perhaps be decided far more expeditiously and satisfactorily if the District Officers are allowed to correspond and take their orders direct from the Provincial Government without the intervention of Commissioners of Divisions.

District  
Officer—his  
functions

I shall now take up the question of district administration. If the District Officer be relieved of his magisterial duties and his duties relating to Local Self-Government, his main duties will be his work as a Collector and his work as the head of the Police. After a District Officer is relieved of the duties mentioned, it will perhaps be not necessary to subdivide some of the districts in Bengal as have been proposed. This will mean a considerable saving to Bengal, and perhaps there are questions of subdivisions of districts in other provinces as well. In the next place, after the District Officer is relieved from the work of these two important departments it will, I hope, be possible for him to pay greater attention to the work of the supervision of his Police subordinates. This, I believe, will tend to the improvement of Police administration. Further, in small districts the District Officer will, I hope, be able to manage only with a Deputy Superintendent of Police and the number of posts of the District Superintendents of Police may in future be reduced.

**Judicial Administration of the District.**—Instead of there being two services of Deputy Magistrates and Munsiffs there may be one service of officers who will administer both civil and criminal justice with the District Judge as the head of the judiciary in the district. I have dealt with this question of a separate judicial service in my book on the Separation of Judicial and Executive Functions, and I have shown in that book by detailed calculations that a separate judicial service will ensure both economy and efficiency.

**Departments to be Transferred to the Provincial State Government.**—The Reserve de-  
 condition of different parts of India not being the same, the departments to be transferred  
 be transferred need not be the same. In a province like Bengal (and I take and trans-  
 Bengal only as a type) I would suggest that all departments save and except transferred de-  
 (1) Land Revenue, (2) Stamps, (3) Civil and Criminal Justice, (4) Prisons, (5) ports.  
 Ports and Pilotage, and (6) Police, should be transferred; that is to say, the  
 following departments will be transferred: (1) Local Self-Government, (2)  
 Education (all branches including higher, secondary and primary), (3) Regis-  
 tration, (4) Agriculture, (5) Co operative Credit and Economic Development  
 of the Province, (6) Forest, (7) Irrigation, (8) Sanitation, (9) Medical, and  
 (10) Excise. The work of the Finance and the P.W. Departments will have  
 to be apportioned between the reserved and the transferred departments. I  
 shall illustrate what I mean. If a Police station or a Court House has to be  
 built, such building will have to be erected by a P.W.D., appertaining to the  
 Reserved Government. If on the other hand a registration office or a dispens-  
 ary has to be constructed, such building will have to be constructed by a  
 P.W.D. appertaining to the Transferred Government. This will mean in  
 practice that a number of officers of the P.W.D. will have to be placed under  
 the Reserved Government and a number under the Transferred Government.  
 The same arrangement will obviously be necessary with regard to the Finance  
 Department.

The principle underlying the suggested arrangement about the transfer On what  
 of the departments is that to start with departments on which the safety of principle  
 the State depends should be reserved, but subject to extended popular in- should de-  
 fluence (and not power). The departments mainly concerned with the build- parts be  
 ing up of the people should be immediately transferred. Although I believe transferred  
 that in most Indian Provinces an intelligent electorate and also men fit to or reserved  
 administer all provincial departments may be found, yet it is equally a fact  
 that no opportunities have yet been given to the electorate or to the ad-  
 ministrator. It is possible therefore that through inexperience there may be  
 some mistake or some error of judgment in the beginning. If departments  
 concerned with the safety of the State are entrusted at the beginning and if  
 mistakes are committed either by the electorate or by the assembly or by  
 the ministers, then not only will the State suffer but the enemies of progress  
 will take full advantage of such mistakes, and it is likely that our ultimate  
 progress will be retarded rather than furthered by such enthusiastic attempt  
 to take over the whole administration of the province. On the other hand,  
 if my suggestion about the transfer of the departments be accepted even if  
 mistakes are made, such mistakes will only affect the Indian interests mainly,  
 and non-Indians and enemies to the progress of India on democratic lines  
 will have less legitimate grievance against the responsible Government.  
 Furthermore, the most important point is to create and develop a wide  
 electorate. Once a wide and intelligent electorate is formed, progress is  
 bound to come. Then again, I should like to point out that I have sug-  
 gested many important safeguards about the most important of the reserved  
 departments, viz. the Police Department—I mean the safeguards about the  
 administration by an Indian member and other points already mentioned.  
 The transfer of the departments already mentioned is the maximum I desire  
 for the present for provinces like Bengal. Obviously for small and back-  
 ward provinces the transfer of functions should be less. Take the case of a  
 poor and backward State like the suggested Provincial State like Orissa. In  
 that Provincial State, for example, I would suggest a transfer of the depart-  
 ments of Local Self-Government (including Roads and Bridges, Dispensaries,  
 Sanitation, Primary Education and other functions usually administered by  
 District Boards and Mufassil municipalities). The great problem in such a  
 State would be to develop a proper electorate. Regard being had to the  
 comparative dearth of men and money and the probable backwardness of  
 the possible electorate, it will not do to transfer as many departments as  
 may be suitable for Bombay or Bengal. These may be other Provincial  
 States in an intermediate state of progress. So the best course would be to  
 prescribe in the amendment of the Statute a maximum and minimum of the



departments to be transferred, leaving to the Commissioners when they come out to settle details after full enquiry and after taking evidence of the people concerned and of the Public generally.

**Scheduled Districts.**—I would suggest that all the scheduled districts should be administered by the Reserved Departments.

**Revenue and its Division between the Reserved and Transferred Powers.**—

This is no doubt one of the most important and difficult of questions. I venture to think, however, that the solution is not as difficult as it seems to be. The chief apprehensions are—(a) that there would be constant friction between the Reserved and the Transferred Departments, (b) that it would be asserted that the Reserved Government would unfairly keep more revenue in its control, and would attempt to starve the transferred departments, (c) that such apprehended attempt would cause great discontent in the public mind, (d) that it would be difficult to formulate a machinery for equitable adjustment, and (e) that it would be difficult for the Responsible Government to raise revenue for the improved administration of the departments transferred without causing great discontent. I propose to meet the points raised. In the first place I would like to observe that it is proposed in the outlines agreed that the division of the revenue would be made by the Commissioners. So, to start with we have an independent tribunal. I admit that the task of the Commissioners may be a difficult one. I suggest that some time before the Commissioners take up the question of the allotment of revenue the Government should appoint a Committee of six—three officials and three non-official elected members of the Legislative Council—to report on an equitable division of the revenues of the Province. The points of reference should include—

(a) The total net revenue with a detailed statement of the net revenue of each of the revenue heads (i.e. heads in which the income exceeds the expenditure)

(b) The total net expenditure with a detailed statement of the net expenditure of each of the expenditure heads (i.e. heads in which the expenditure exceeds the income)

(c) The growth of revenue and of expenditure of each of these heads.

(d) The legitimate requirements of growth of expenditure of the departments reserved by the old Government with direction to report specially on any excessive growth of expenditure of any department due to abnormal conditions and the likelihood of such expenditure diminishing or remaining stationary, or growing still more. (As for example in Bengal the expenditure on the department of Police has grown by about 60 % during the last few years on account of abnormal conditions. The Committee may state their views as to whether this expenditure is likely to grow more, or remain stationary, or diminish).

(e) The legitimate requirements of growth of expenditure of the transferred departments with directions to report specially about departments like Education, Sanitation, Local Self-Government, Co-operative Credit, Agriculture and Fishery, that is to say, departments concerned with the moral and material progress of the people and the province.

(f) The contribution to the Government of India in the past, and what contribution would be necessary in the future.

The non-official members should be allowed to select a financial expert, and a staff under such expert, to examine all detailed papers. They should be allowed to select, with the approval of the Government, an officer or a retired officer of the financial department of the type of say Mr Bhupendra Nath Mitter, C.I.E., or Mr Kristolal Dutt. The report, together with the note of the expert, should be placed before the Commissioners, who should ultimately decide after taking any further evidence or making any further enquiries that they may think fit. It should be laid down in the statute that a percentage (to be fixed by the Commissioners) of the net revenue of the reserved departments (including the growing revenue) should be made over to the transferred departments. It should also be laid down that out

of the growing revenue an additional percentage (to be fixed by the Commissioners) should be made over to the transferred departments. The reason for this last suggestion is that an examination of the finances will show that it will be possible to allocate an additional percentage to the departments dealing with the moral and material development of the people and the province. Further, if some additional percentage can be handed over, it will go a long way towards conciliating public opinion. Nor will this additional percentage jeopardize the financial necessities of the reserved departments. I would suggest a further safeguard in order to conciliate public opinion, namely that at the end of say every two years the reserved departments will hand over to the transferred departments 75 % of their surplus, keeping only 25 % for their own future use. In order that this provision may be an effective one, I would suggest the appointment of one or two Indian financial experts (of the type of officers already mentioned) to scrutinize the accounts of the reserved departments. These two officers (or one as the case may be) should be appointed by the non-official ministers with the approval of the Governor. They will have access to all papers and will report to the non-official ministers from time to time. The non-official ministers will have liberty to bring all cases of excessive expenditure to the notice of the Governor-in-Council, and will also have the right to raise a debate in the Legislative Council. The decision of the Legislative Council, however, will be treated merely as a recommendation, and the sole object of providing for such debate is to ventilate any particular question of expenditure before the public and to appeal to public opinion. The expenses of the reserved departments are more or less fixed—at any rate they ought to be so. I shall proceed to illustrate my Scheme with reference to some important heads of the Bengal Administration. For facility of reference the figures are set forth in Appendix A. It will appear from these papers that the total income of the reserved departments is Rs. 5,53,82,013 (five crores fifty-three lakhs and odd), and the total expenditure of the main reserved departments is Rs. 2,42,02,121 (two crores forty-three lakhs and odd). If we deduct from this the net imperial contribution of Rs. 2,06,26,341 (two crores six lakhs and odd) there remains a balance of one crore five lakhs and odd. A calculation will show that about 63 per cent represents the total expenses of the reserved departments and the imperial contribution, and about 37 per cent represents the balance. The Commissioners may therefore safely say that 37 per cent of the consolidated revenue should be handed over to the Provincial State Government of Bengal. Further, if we examine the figures about the growth of revenue and expenditure of the reserved departments we find that the growth of revenue in four years amounted to 53 lakhs 80 thousand and odd, and the growth of expenditure amounted to 32 lakhs 76 thousand and odd. This leaves a margin of 21 lakhs and odd in 4 years. An additional percentage (say 50) out of this margin of net growth may also be handed over to the transferred departments. The net result therefore would be that the reserved departments will not only have income sufficient to pay their expenses but a margin of several lakhs from each year's revenue, and a further margin out of the difference between growth of revenue and growth of expenditure. *The reserved departments therefore can have nothing to complain. The transferred departments also can have no legitimate grievance because I have suggested that the ultimate residue should go over to them. I have also suggested an independent tribunal and a scrutiny both before the matter goes up to the tribunal and also after. I believe I have answered points (a) to (d) of the difficulties set out above. I should like now to consider point (e) and I propose to show, taking Bengal as my type, that there are possibilities of meeting additional expenses if the Responsible Government choose to incur such expenses for development of the province. The important spending departments of the Responsible Government will be (a) Local Self-Government, and (b) Education. I take up first Local Self-Government which has two important branches, viz. the District Boards and the Mofussil Municipalities. The total revenue of the District Boards from local rates, tolls and ferries is about 65 lakhs, and the total revenue of the*

mofussil municipalities (excluding the small contribution from Government) amounts to about 54 lakhs. If the Responsible Government desire to spend 25 per cent more on improvements they will have to spend about 29½ lakhs more on the head of Local Self-Government.

I now take up the question of expenditure on Education and note some of the principal items—

Calcutta University .. ..	1,15,000
Direction .. ..	1,64,393
Inspection .. ..	9,43,936
Government Colleges (general) ..	9,53,535
Secondary High Schools .. ..	5,96,721
Grants-in-aid .. ..	29,45,916

About 48 lakhs

(This is the gross and not the net expenditure. I have not included here for example the receipt from fees, etc. of the schools and colleges)

If a 25 per cent increased expenditure be estimated the amount necessary will be 12 lakhs.

I next take up the question of the expenses for introducing compulsory primary education. Compulsory primary education may be introduced into—

- (i) the whole of the province, as also
- (ii) into such towns and villages where the population is more than 1,000

My calculations have been based on the present scale of expenditure and are for male children only. Further, I have taken into account only such areas where a literacy of 33 per cent already exists.

The additional amount necessary for the whole of the province will be about 50 lakhs, and that for towns and villages with a population of more than 1,000, will be about 9 lakhs. Assuming that the whole of this additional expenditure will fall upon the Provincial State Governments, the increase on this head will be 50 lakhs or 9 lakhs as the case may be.

I think, to start with, we should introduce compulsory primary education into towns and villages where the population is more than 1,000. The total expense on this head therefore will be 9 lakhs.

From the above it will appear that the total additional expense on the basis of 25 per cent increase in expenditure for Local Self-Government and Education will be about 50 lakhs.

**How this Additional Expenditure can be Met.**—I now propose to consider how this additional expenditure can be met. The suggestions contained in the following lines are mere indications of the possibilities of the situation and not cut and dried schemes which would obviously require further consideration. I would divide my suggestions into two heads—

- (a) possibilities of increase of taxation, and
- (b) possibilities of increase of income by development of resources

HEAD (A)		
Head of income.	Present income	Suggested increase.
1 Sale of stamps ..	62,96,051	3,14,000 (increase of 5% suggested)
2 Sale of court-fee stamps ..	1,54,15,690	7,70,000 (increase of 5%), and 2,00,000—about (increase of court-fee stamps from 1 anna to 1½ annas in petitions and petty litigation, and from 8 annas to 10 annas in important litigation)
3 Sale of dmy paper ..	3,22,885	3,22,885 (It is suggested that three papers should be sold for a pice instead of 1 pice).

Total increase—about 16 lakhs.

Head of income	Present income	Suggested increase.
Excise ..	1,51,40,074	7,57,000 (5% increase suggested)
Registration ..	18,12,868	1,81,286 (10% increase suggested)
		Over 9 lakhs.
		Total—over 25 lakhs

*Growing Heads of Revenue.*—Most of the heads of revenue are growing. I note below two heads amongst many:—

1. I find in the report of 1915-16 (p. 16) that the current demand for cesses increased by 2,13,488 over that of the previous year, and in the report of 1914-15 (p. ) that the increase was 1,89,607. I may take it that the average increase is about 2 lakhs.

2. Waste land is a growing source of revenue. Waste lands let out under capitalists' settlement rules would yield an increase of about 1,50,000 (one lakh and a half) in two districts only. The figures as to waste lands settled to ryots are not available to me. This must yield a considerable increase, perhaps not less than 8 lakhs. Almost every head of revenue is a growing one.

*Additional Cesses that may be Suggested*—A malaria cess of 1 pice in the rupee may be suggested. The assessment may be made in the same way as Road and P.W. Cesses are assessed. The total gross rental on which these cesses are assessed is 12 crores and 7 lakhs.

A cess of 1 pice to the rupee will yield 18 lakhs and 80 thousand rupees. This sum may be made over to the District Boards who are at present entrusted with measures relating to sanitation. I think this cess will be the least unpopular of all cesses. I desire to point out that most of the increase suggested by me is by indirect taxation. A young democracy should be very cautious about direct taxation. The only direct taxation I have suggested is the small figure of 1 pice per rupee for malaria. This tax will benefit the tax-payers immensely.

The sum total of the increase suggested above come up to Rs. 47 lakhs and 30 thousand. It very nearly approaches the total of 51 lakhs. The difference of 3 lakhs and 70 thousand will, I believe, be met from the other sources of growing revenue and the growth of the income from the settlement of waste lands.

*Development of Resources.*—I will now discuss the question of the possibilities of the increase of income by development of material resources. The material resources of the province can be very materially increased by judicious administration, and I note only a few of various possibilities.

#### Salt—

The total consumption of Bengal is—70,76,593 maunds.

The average price is—Rs. 3-6-2 per maund.

(The figures are taken from the report of the Salt Department)

#### Imports into Bengal—

Great Britain ..	..	..	24 lakhs maunds (neglecting thousands)
Portesaid ..	..	..	24 lakhs maunds (nearly)
Spain ..	..	..	15 lakhs ..
Massowa ..	..	..	10 lakhs ..

At present the difficulty in obtaining tonnage is well known. Although the difficulty will be less after the war, yet for years some difficulty will continue. Further, trade in more valuable articles but of less bulk will be more attractive. My suggestion is that at any rate the approximate amount of 50 lakhs of maunds imported from countries other than Great Britain should be attempted to be manufactured locally. This will mean saving in

expenses in tonnage and will give employment to a large number of people uneducated and educated. The average saving to the Government will be, I understand, at least one rupee per maund. The total income will be 50 lakhs if non-British salt be dispensed with, and will be 70 lakhs if British salt be also dispensed with. The employment to a large number of people will mean greater trade to Great Britain and income to Government in tariff duties and income tax.

*Cinchona*.—At present less than 1/2 a square mile is under cinchona cultivation, and cinchona yields over 5 lakhs annually to Government. The area of the Darjeeling Sadar Sub-division is 726 square miles. I understand over 50 square miles are fit for cinchona cultivation. If cinchona cultivation be extended to about 10 square miles gradually, it will yield about 1 crore of rupees and will be of incalculable benefit to the malaria-stricken population of Bengal.

*Forests*.—The forest area of Bengal is 10,612 square miles. The total gross revenue from forests is 11,50,000. The gross income per acre is about 1/2 rupee or about 1 pice to the acre. The price of pure milk is 4 seers or less per rupee (about double the rate prevailing in England), and of ghee is about 80 rupees to the maund. It is possible to develop the income of the forests (without any risk of deforestation) by providing large grazing grounds to reliable concerns. It should not be difficult to set apart in various plots 2 to 3 thousand square miles suitable for grazing purposes and developing forest resources. The income on this head alone would in course of time rise very considerably.

Medicinal plants and materials for manufacture of paper may under suitable administrative methods increase the income of the forests very materially.

I hope I have discussed the question sufficiently to satisfy *prima facie* that the financial question will not stand in the way.

*Electorates*.—I desire to take up the question of Electorate next. The following figures relating to the Province of Bengal are interesting and helpful:—

Total population	..	65 millions (about)
Exclude females	..	22 " "
		43 millions (about)
Exclude those under 21 years	..	11 " "
Remaining male population about 21 years	..	12 millions
Total male literates	..	2,401,716
Do. in English	..	319,904
Ordinary cultivators (males)	..	8,190,142

I will now quote certain figures showing the number of cess-paying estates and tenures

Total number of revenue-paying estates paying cess	..	102,272
Total revenue-free	..	30,378
Do. rent-free	..	38,578
Do. tenures assessed with cesses	..	2,393,124
Total	..	2,564,352

Keeping in view the above figures I would suggest direct voting on the following lines for the Province of Bengal:—

- (a) All persons paying a rent or revenue of Rs 100 or cesses of Rs 6-4 whether literate or illiterate.

- (b) All persons paying a revenue or rent of Rs 16 or excess of Rs. 1 who can read and write vernacular or English with facility
- (c) All persons paying an income tax on an assessment of Rs 2,000.
- (d) All persons paying tax to a municipality on an assessment of Rs. 250 per annum
- (e) Do on Rs 50 per annum who can read and write a vernacular or English with facility.
- (f) All literates in English who pay any rent, cess, or tax or who own any property valued at not less than Rs. 500.

If the qualification be fixed on the above lines I expect that out of 2,564,352 cess-paying estates or tenures a comparatively small number will go out on the ground of illiteracy. These men are mostly middle-men and well-to-do ryots. Literacy prevails largely amongst these people. If I allow a deduction of 10 per cent on the ground of literacy and a deduction of 30 per cent on the ground of low property qualification, I believe I shall be allowing an ample allowance. The total number will be 1,025,740 (little over a million). Many of these persons are middle-men, as also actual cultivators. Many of these persons are prosperous ryots. As regards 8,190,142 classed as actual cultivators, my estimate is that the actual number of voters will vary from 5 to 10 per cent of the total, i.e. from 40 thousand to 80 thousand. In other words, the total number will be 1,025,740 + 40 thousand = 1 million 65 thousand, or 1,025,740 + 80 thousand = 2 millions 4 thousand. Besides the above there will be some income tax-payers or municipal tax-payers. I suppose we may expect about 1 million and 75 thousand voters out of a total male population of about 10 millions. The possibilities are far more satisfactory than the state of the Electorate in England long after the Reform Act.

*Legislative Council.*—I would leave the settlement of details to the Commissioners who would decide after considering various interests. I would like however to indicate the main outlines of the strength, power and functions of the Legislative Council. I suggest a total strength of about 125 to consist only of non-official elected members. The Council should have power to legislate, to tax and to pass the budget of the Responsible State Government. I would also give all powers which a Responsible Government usually possesses, but such powers should be within the limits of the departments handed over to the Responsible State Government.

• *A Second Chamber.*—A Second Chamber, if constituted on right lines, would be a very useful brake, and I should like to have a Second Chamber for the Responsible State Government. In the Second Chamber I should like to have a combination of men of intellect and of sober views, and men of outstanding position in the province, as also of men with large stakes in the country. I would suggest a body of the following type:—

- (a) To be elected from the Universities .. .. .
- (b) Non-official Europeans paying an income-tax of not less than 12,000 a year .. .. .
- (c) Non-official Indians paying an income tax of not less than 18,000 a year .. .. .
- (d) Zemindars (same property qualification as in the present Imperial Council election) .. .. .
- (e) By the Legislative Council .. .. .
- (f) All ex-Members of Executive Council who have permanent residence in the province .. .. .
- (g) All persons who served as Ministers of the Provincial State Government for not less than 5 years .. .. .
- (h) All permanent ex-Judges of the High Court who are also permanent residents of the province .. .. .

All legislations and resolutions of the Legislative Council will have to be passed by the Upper House. But a resolution or a legislation which has been

thrice presented before the Upper House at an interval of 6 months each, will automatically become binding without any further reference to the Upper House. The budget will be presented before the Upper House as a Financial Statement. All questions of taxation affecting interests of minorities or of special classes will have to be passed by the Upper House

## APPENDIX A.

## TOTAL ACTUAL REVENUE OF THE MAIN HEADS OF REVENUE.

Land Revenue .. .. .	2,98,96,600	
Deduct expenditure including charges of District Administration, Land Revenue collections, management of Government estates, Survey Settlement and Land Record .. .. .	36,76,687	2,62,19,913
(Reserved Department)		
Stamps .. .. .	2,24,37,340	
Deduct expenditure .. .. .	5,82,710	2,18,54,630
(Reserved Department)		
Excise .. .. .	1,51,40,074	
Deduct expenditure .. .. .	7,48,506	1,44,11,568
(Transferred Department)		
Provincial Rates .. .. .		2,33,854
(Reserved Department)		
Income tax .. .. .	72,26,611	
Deduct expenditure .. .. .	1,52,964	70,73,647
(Reserved Department)		
Forest .. .. .	11,45,610	
Deduct expenditure .. .. .	5,93,635	5,51,975
(Transferred Department)		
Registration .. .. .	18,12,868	
Deduct expenditure .. .. .	11,27,323	6,85,540
(Transferred Department)		
Total actual revenue of the main revenue-yielding Departments .. .. .		7,10,31,126
Total of Reserved Departments .. .. .		5,53,82,013
Total of Transferred Departments .. .. .		1,57,49,113
		7,10,31,126

## TOTAL ACTUAL EXPENDITURE OF THE MAIN HEADS OF EXPENDITURE OF THE RESERVED DEPARTMENTS.

General Administration .. .. .	23,88,887
Courts of Law .. .. .	1,03,11,110
Deduct income .. .. .	8,48,999
	94,62,117
Jails .. .. .	25,06,667
Deduct income .. .. .	9,09,149
	15,97,518
Police .. .. .	1,09,03,783
Deduct income .. .. .	1,96,866
	1,07,06,917
Ports and Pilotage .. .. .	13,73,063
Deduct income .. .. .	13,49,562
	23,501
Political .. .. .	23,187
Total actual expenditure of the main heads of expenditure of the Reserved Departments .. .. .	2,42,02,121

IMPERIAL SHARE			
Last Revenue ..	..	..	1,16,41,984
Stamps ..	..	..	1,12,18,670
Income tax ..	..	..	36,13,306
			<hr/>
Deduct net transfer from Imperial to Provincial ..			2,64,75,960
			58,49,619
			<hr/>
Net income from the following main Departments, viz. Land Revenue, Stamps, Excise, Provincial Rates, Forest, and Registration ..			7,10,31,126
Net expenditure on the following Departments, viz. General Administration, Courts of Law, Jails, Police, Ports and Pilotage, and Political ..			2,42,02,121
			<hr/>
Deduct present contribution to Imperial Government ..			4,68,29,005
			2,06,20,341
			<hr/>
Net income available for the remaining Departments ..			2,62,02,664

## SOME FIGURES RELATING TO GROWTH OF REVENUE.

			Net income.
Land Revenue (Reserved) ..	{ 1915-16 .. 2,98,96,600		
	{ 1912-13 .. 2,79,87,155		
			19,09,445
Stamps (Reserved) ..	{ 1915-16 .. 2,24,37,340		
	{ 1912-13 .. 2,07,43,853		
			16,93,487
Excise (Transferred) ..	{ 1915-16 .. 1,51,40,074		
	{ 1912-13 .. 1,37,59,045		
			13,81,029
Provincial Rates (Reserved) ..	{ 1915-16 .. 2,33,853		
	{ 1913-14 .. 1,31,340		
			1,02,513

(The figures of 1912-13 have not been taken because of the making over of 29 lakhs and odd to the District Boards in November 1913).

Income tax (Reserved) ..	{ 1915-16 .. 72,26,611		
	{ 1912-13 .. 55,51,652		
			16,74,959
Registration (Transferred) ..	{ 1915-16 .. 20,36,068		
	{ 1912-13 .. 18,23,161		
			2,12,907
Total growth of Reserved Departments ..	53,80,404		
Do. Transferred Departments ..	15,93,936		
	<hr/>		
	69,74,340		69,74,340
Average for each year ..	..		17,43,585
Net decrease in Forest ..	{ 1912-13 .. 16,00,601		
Revenue (Transferred) ..	{ 1915-16 .. 11,45,610		
	<hr/>		
			4,54,991
			<hr/>
Average for each year ..	..		65,19,349
			16,29,837



## SOME FIGURES RELATING TO THE GROWTH OF EXPENDITURE.

				Net increase of expenditure.
Courts of Law	..	{ 1915-16 ..	1,03,11,110	
		{ 1912-13 ..	96,39,400	
				6,71,710
Jails		{ 1915-16 .	17,75,645	
		{ 1912-13 .	10,17,401	
				3,58,244
Police	..	{ 1915-16 .	1,09,03,783	
		{ 1912-13 .	83,99,859	
				25,03,924
				35,33,878
Deduct saving in expenditure in general administration				1,57,825
Net growth				32,76,053
Average for each year				8,83,469
Deduct saving in expenditure in general administration				39,456
Net increase				8,44,013
Net increase in expenditure without taking into account				
Police				10,29,954
Average for each year				2,57,488
Deduct saving in expenditure in general administration				39,456
Net increase excluding Police				2,18,032

## SOME FIGURES RELATING TO SAVING IN EXPENDITURE.

			Net saving
(General Administration	{	1912-13 .	25,46,712
		1915-16 .	23,88,887
Average for each year			1,57,825
			39,456



5

to the fact that the great communities of India

(b) That this Congress demands that a definite step should be taken towards Self-Government by granting the reforms contained in the scheme prepared by the All-India Congress Committee in concert with the Reform Committee appointed by the All-India Muslim League (detailed below).

## REFORM SCHEME

1. Provincial Legislative Councils shall consist of four-fifths elected and of one fifth nominated members.

2. Their strength shall be not less than 125 members in the major provinces, and from 50 to 75 in the minor provinces.

3. The members of Councils should be elected directly by the people on as broad a franchise as possible.

4. Adequate provision should be made for the representation of important minorities by election, and the Mahomedans should be represented through special electorates on the Provincial Legislative Councils in the following proportions:—

**Punjab**—One-half of the elected Indian Members.

United Provinces—30 %

United Provinces—35 %	11	11
Bengal—40 %	1	1

Behar—25 %	“	“
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Central Provinces - 15 %

Madras—15 %	15	15
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Bombay-- One-third	"	"
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Provided that no Mahomedan shall participate in any of the other elections to the Imperial or Provincial Legislative Councils, save and except those by electorates representing special interests.

Provided further that no bill, nor any clause thereof, nor a resolution introduced by a non-official member affecting one or the other community, which question is to be determined by the members of that community in the Legislative Council concerned, shall be proceeded with, if three-fourths of the members of that community in the particular Council, Imperial or Provincial, oppose the bill or any clause thereof or the resolution.

5. The head of the Provincial Government should not be the President of the Legislative Council, but the Council should have the right of electing its President.

6. The right of asking supplementary questions should not be restricted to the member putting the original question, but should be allowed to be exercised by any other member.

7. (a) Except customs, post, telegraph, mint, salt, opium, railways, army and navy, and tributes from Indian States, all other sources of revenue should be Provincial.

(b) There should be no divided heads of revenue. The Government of India should be provided with fixed contributions from the Provincial Governments, such fixed contributions being liable to revision when extraordinary and unforeseen contingencies render such revision necessary.

(c) The Provincial Council should have full authority to deal with all matters affecting the internal administration of the province including the power to raise loans, to impose and alter taxation, and to vote on the Budget. All items of expenditure, and all proposals concerning ways and means for raising the necessary revenue, should be embodied in Bills and submitted to the Provincial Council for adoption.

(d) Resolutions on all matters within the purview of the Provincial Government should be allowed for discussion in accordance with rules made in that behalf by the Council itself.

(e) A resolution passed by the Provincial Legislative Council shall be binding on the Executive Government, unless vetoed by the Governor in Council, provided however that if the resolution is again passed by the Council after an interval of not less than one year, it must be given effect to.

(f) A motion for adjournment may be brought forward for the discussion of a definite matter of urgent public importance, if supported by not less than one-eighth of the members present.

8. A special meeting of the Provincial Council may be summoned on a requisition by not less than one-eighth of the members.

9. A Bill, other than a Money Bill, may be introduced in Council in accordance with rules made in that behalf by the Council itself, and the consent of the Government should not be required therefor.

10. All Bills passed by Provincial Legislatures shall have to receive the assent of the Governor before they become law, but may be vetoed by the Governor-General.

11. The term of office of the members shall be five years.

### II.—Provincial Governments.

1. The head of every Provincial Government shall be a Governor who shall not ordinarily belong to the Indian Civil Service or any of the permanent services.

2. There shall be in every Province an Executive Council which, with the Governor, shall constitute the Executive Government of the Province.

3. Members of the Indian Civil Service shall not ordinarily be appointed to the Executive Councils.

4. Not less than one-half of the members of the Executive Council shall consist of Indians to be elected by the elected members of the Provincial Legislative Council.

5. The term of office of the members shall be five years.

### III.—Imperial Legislative Council.

1. The strength of the Imperial Legislative Council shall be 150.

2. Four-fifths of the members shall be elected.

3. The franchise for the Imperial Legislative Council should be widened as far as possible on the lines of electorates for Mahomedans for the Provincial Legislative Councils, and the elected members of the Provincial Legislative Councils should also form an electorate for the return of members to the Imperial Legislative Council.

4. One-third of the Indian elected members should be Mahomedans elected by separate Mahomedan electorates in the several Provinces, in the proportion, as nearly as may be, in which they are represented on the Provincial Legislative Councils by separate Mahomedan electorates.

*Vide* proviso to section I, clause 4.

5. The President of the Council shall be elected by the Council itself.

6. The right of asking supplementary questions shall not be restricted to the member putting the original question but should be allowed to be exercised by any other member.

7. A special meeting of the Council may be summoned on a requisition by not less than one-eighth of the members.

8. A Bill, other than a Money Bill, may be introduced in Council in accordance with rules made in that behalf by the Council itself, and the consent of the Executive Government should not be required therefor.

9. All Bills passed by the Council shall have to receive the assent of the Governor-General before they become law.

10. All financial proposals relating to sources of income and items of expenditure shall be embodied in Bills. Every such Bill and the Budget as a whole shall be submitted for the vote of the Imperial Legislative Council.

11. The term of office of members shall be five years.

12. The matters mentioned hereinbelow shall be exclusively under the control of the Imperial Legislative Council:—

- (a) Matters in regard to which uniform legislation for the whole of India is desirable
- (b) Provincial legislation in so far as it may affect inter-provincial fiscal relations.
- (c) Questions affecting purely Imperial Revenue, excepting tributes from Indian States.
- (d) Questions affecting purely Imperial expenditure, except that no resolution of the Imperial Legislative Council shall be binding on the Governor-General in Council in respect of military charges for the defence of the country.
- (e) The right of revising Indian tariffs and customs duties, of imposing, altering, or removing any tax or cess, modifying the existing system of currency and banking, and granting any aids or bounties to any or all deserving and nascent industries of the country.
- (f) Resolutions on all matters relating to the administration of the country as a whole.

13. A Resolution passed by the Legislative Council should be binding on the Executive Government, unless vetoed by the Governor-General in Council: provided however that if the resolution is again passed by the Council after an interval of not less than one year, it must be given effect to.

14. A motion for adjournment may be brought forward for the discussion of a definite matter of urgent public importance, if supported by not less than one-eighth of the members present.

15. When the Crown chooses to exercise its power of veto in regard to a Bill passed by a Provincial Legislative Council or by the Imperial Legislative Council, it should be exercised within twelve months from the date on which it is passed, and the Bill shall cease to have effect as from the date on which the fact of such veto is made known to the Legislative Council concerned.

16. The Imperial Legislative Council shall have no power to interfere with the Government of India's direction of the military affairs and the foreign and political relations of India, including the declaration of war, the making of peace and the entering into treaties.

*IV.—The Government of India.*

1. The Governor-General of India will be the head of the Government of India.
2. He will have an Executive Council, half of whom shall be Indians.
3. The Indian members should be elected by the elected members of the Imperial Legislative Council.
4. Members of the Indian Civil Service shall not ordinarily be appointed to the Executive Council of the Governor-General.
5. The power of making all appointments in the Imperial Civil Services shall vest in the Government of India, as constituted under this scheme, due regard being paid to existing interests, subject to any laws that may be made by the Imperial Legislative Council.
6. The Government of India shall not ordinarily interfere in the local affairs of a province, and powers not specially given to a Provincial Government, shall be deemed to be vested in the former. The authority of the Government of India will ordinarily be limited to general supervision and superintendence over the Provincial Governments.
7. Legislative and administrative matters the Government of India, as constituted under this scheme, shall, as far as possible, be independent of the Secretary of State.
8. A system of independent audit of the accounts of the Government of India should be instituted.

*V.—The Secretary of State in Council*

1. The Council of the Secretary of State for India should be abolished.
2. The salary of the Secretary of State should be placed on the British Estimates.
3. The Secretary of State should, as far as possible, occupy the same position in relation to the Government of India, as the Secretary of State for the Colonies does in relation to the Governments of the self-governing Dominions.
4. The Secretary of State for India should be assisted by two Permanent Under-Secretaries, one of whom should always be an Indian.

*VI.—India and the Empire*

1. In any Council or other body which may be constituted or convened for the settlement or control of Imperial affairs, India shall be adequately represented in like manner with the Dominions and with equal rights.
2. Indians should be placed on a footing of equality in respect of status and rights of citizenship with other subjects of His Majesty the King throughout the Empire.

*VII.—Military and other matters.*

1. The military and naval services of His Majesty, both in their commissioned and non-commissioned ranks, should be thrown open to Indians and adequate provision should be made for their selection, training and instruction in India.
2. Indians should be allowed to enlist as volunteers.
3. Executive Officers in India shall have no judicial powers entrusted to them, and the judiciary in every province shall be placed under the highest Court of that province.

Commission in the  
Army

Volunteering

Separation of judicial  
and executive functions

SYED MOHAMMED,  
N. SUBBA RAU,  
*General Secretaries.*

## APPENDIX III.

### A JOINT ADDRESS from Europeans and Indians to His Excellency the Viceroy and Governor-General and the Right Honourable the Secretary of State for India.

THE following is a record of meetings, held at Darjeeling and Calcutta, to discuss the position created by the pronouncement of the 20th of August on Indian Policy, by the Imperial Government:—

*"The policy of His Majesty's Government, with which the Government of India are in complete accord, is that of increasing the association of Indians in every branch of the administration and the gradual development of self-governing institutions with a view to the progressive realization of responsible government in India, as an integral part of the British Empire. They have decided that substantial steps in this direction should be taken as soon as possible, and that it is of the highest importance, as a preliminary to considering what these steps should be, that there should be a free and informal exchange of opinion between those in authority at Home and in India. His Majesty's Government have accordingly decided, with His Majesty's approval, that I should accept the Viceroy's invitation to proceed to India to discuss these matters with the Viceroy and the Government of India, to consider with the Viceroy the views of Local Governments, and to receive the suggestions of representative bodies and others. I would add that progress in this policy can only be achieved by successive stages. The British Government and the Government of India, on whom the responsibility lies for the welfare and advancement of the Indian peoples, must be judges of the time and measure of each advance, and they must be guided by the co-operation received from those upon whom new opportunities of service will thus be conferred and by the extent to which it is found that confidence can be reposed in their sense of responsibility. Ample opportunity will be afforded for the public discussion of the proposals, which will be submitted in due course to Parliament."*

#### I.—PRINCIPLES.

The Imperial Government having sent the Secretary of State to India for the purpose of gathering the opinions of all sections, we feel that the members of both the communities should discuss together the advice to be offered to the

Government, bearing in mind that future generations are more affected than ourselves by changes about to be made. We also think that, in times like these, anything of the nature of civil discord amongst those not called upon for active service is out of place. Our opinion is that Europeans and Indians should first agree as to the main outlines which they think the pending reforms should follow. These outlines having been settled, it will then be possible for the different sections to formulate their own views as to details, in respect of which it would be to the public advantage that the Government should have every shade of opinion before them. The agreement relates only to the points printed in black type.

Turning then to the recent pronouncement, we note that it was issued as embodying the policy of the Imperial Government upon which the three principal parties in Great Britain are now represented. As no contrary motion has been raised in either House, it must, in accordance with all precedents, be recognized as a declaration of policy accepted unanimously by the supreme legislature of the British Commonwealth.

In view of these considerations we agree to accept the pronouncement of the 20th August as common ground, within the limits of which the discussion can take place.

We have next to consider the positions implied in this pronouncement. To begin with we note that, for the first time in any official pronouncement the vague and ambiguous term 'self-government' is replaced by the plain and definite words 'responsible government,' which necessarily means the creation of executives responsible to, and therefore removable at the will of, elective bodies and electorates. This principle finds no expression in the various proposals already before the public on the 20th of August, which were all inspired by the looser conception embodied in the words 'self-government.' The pronouncement thus creates a new position, which cannot be met by the adoption of any scheme of reforms as yet submitted for public consideration.

We agree that, having accepted the pronouncement, we are not only free, but even bound to consider the new situation created thereby with open minds.

We are further of opinion that the direction of any steps taken in the immediate future ought to be considered first and foremost from the point of view whether they are calculated to lead towards the goal presented in the pronouncement.

ment under review. The necessary criterion, whereby all immediate proposals must be judged, is a clear conception of the ultimate goal, however remote. That goal is defined as 'responsible government in India as an integral part of the British Empire.' This implies the calling into existence in India of a self-governing nation or nations, on the lines of the great self-governing Dominions. The all-important question is, therefore, raised, whether India is to be regarded, like the continent of Europe, as the future home of a number of self-governing nations; or else like the United States as it would have been, had it developed as a British Dominion, a nation living within the bounds of one territory, but in size so great that it must be divided into a number of self-governing provinces. Is India to become a nation or a continent of nations, a Dominion or a group of Dominions? Are the separate provinces to be developed as separate self-governing nations? Or are we to look forward to a time, however remote, when interests common to India will be controlled by a Government responsible to India as a whole?

For those who accept the pronouncement the answer will be found implicit in its terms. Bengal, Madras, Bombay, Bihar and Orissa, the United Provinces and the Punjab are indeed units of population equal or approximating to the scale of great European powers. But, if developed as self-governing nations, their future electorates would still be unable to control railways, tariffs, commercial law, and other major interests common to India as a whole. The control of interests purely Indian, would still have to be exercised in the future, however distant, by the Imperial Government of the British Commonwealth. Responsible government for India in Indian affairs could never be realized under these conditions. The history of the United Kingdom of Canada, of Australia and of South Africa proves that national self-government cannot be realized here for any unit smaller than the Indian Peninsula. However formidable that enterprise may seem, and however remote its ultimate attainment, that goal must be adopted by those who accept the pronouncement and read its terms in the light of the experience gained in the other Dominions. In the comprehensive nationhood of India, to be called into being in centuries to come, the individualities of the Bengalee, the Maratha, the Sikh, the Canarese and all the other numerous races must each find their place as sub-nationalities, like those of the English, Scotch, Welsh and Irish in the United Kingdom, and



like those of the British and French in Canada. The goal to be kept in mind must, therefore, be, not the nations of Europe, but rather the United States as it would have been had it developed as a self-governing dominion of the British Commonwealth. However remote the realization of this conception may be, steps to be taken in the immediate future must yet be judged by the criterion whether they tend towards that goal.

To begin with, we are bound to consider how far the existing map is in harmony with this conception.

The map of India has been designed to suit the needs of a great dependency, whose internal and domestic affairs are subject in every detail to direction from an authority on the other side of the world. A government, whose mainspring is outside the area it is governing, has no difficulty in uniting under one administrative machine, not only communities which are different in character, but separate territories. Under this system, the Imperial Government had no difficulty in incorporating Burma as a province of India. But if India is now to be governed with a view to becoming a self-governing nation, Burma, by reason of her situation, never can have a place in its national fabric. She has less in common with India than Ceylon. Her affinities with India are less than those of Finland with Russia, or of Mexico with the United States. The project of developing India as a self-governing nation can be rendered less formidable at once by eliminating Burma. It has no place in the picture. It ought to be put in the same category as Ceylon, and nothing in these suggestions should be taken as referring to Burma.

In like manner, the conception, abandoned in the recent pronouncement, has operated to divide India into a few great satrapies commensurate with the principal nations of Europe. In Bombay, it has united communities so diverse as Sindhi, the Marathas and the Canarese. No less artificial is the union of Bihar with Orissa. In the United Provinces more than 48,000,000 souls have been brought under the rule of a single officer, and so long as these Governments are solely amenable to a Government which takes its direction from London, no difficulty is experienced. But the moment any real beginning in responsible government is made, and executives responsible to electorates are created, however limited the powers entrusted to them may be to begin with, such combinations will surely break down. They will fail as certainly as did the attempt to unite Ontario and Quebec under one execu-

‘tive responsible to a common electorate. The foundations of Canadian nationhood were only laid by according separate provincial governments to both the races, under which each race could enjoy unhampered its own language, religion and system of law. The examples of the United States, Canada, Australia and South Africa, as contrasted with India, China and the dependencies of Spain and France in the eighteenth century, prove that under elective institutions provincial administration cannot be made effective for units of population the size of great nations. Had the United States attempted to develop herself on the basis of five or six provinces, each would, for administrative reasons, have been driven to subdivide itself into minor self-governing provinces commensurate in size with the existing forty-eight States. County Councils or District Boards cannot take the place of Provincial Governments, which in nations of a certain magnitude, must be interposed between local authorities on the one hand, and the national Government on the other. Hence, the Government of the United Kingdom with its population of 45,000,000 is increasingly unable to cope with their need for social reform.

Thus, had America tried to develop on the basis of five or six provinces, each with subordinate provinces, each therefore on the scale, and organized on the pattern, of great federal nations, each would have felt and acted as nations. They would have fallen apart, and the United States would have failed to achieve national unity in accordance with the demands of nature and good government. Her territory would have become the home of five or six nations, with no common control of interests common to all. Like Europe or South America, she would have become the theatre of ceaseless wars, instead of the home of internal peace.

The conclusion is that it is impossible for India to develop as a self-governing Dominion or to achieve a genuine nationhood in the future, however distant, on the basis of a map inherited from the Mughul Empire and fashioned to suit the needs of an administration which has its mainspring in England. We agree, therefore, that the selection of areas capable of development as the self-governing provinces of a future United States of India within the British Empire should be undertaken at the outset. These areas should be termed “Provincial States” as a reminder that they are designed to serve as the autonomous provinces of the future United States of India within the Empire. The term also recalls the

Native States. Their areas should be commensurate with the larger of those States like Hyderabad and Mysore, and should be determined, so far as possible with reference to history, to community of race, language and religion, and above all to effective self-government on true provincial lines. Care should also be taken not to combine under one Provincial Government areas of totally different types, the economic interests of which are wholly distinct.

So long as an autocratic regime exists, its subdivisions can be re-adjusted with relative ease. But the moment they are made the areas of elective authorities, the difficulty of changing them tends to become insuperable. Had the States of America been too large at the outset to serve as the ultimate areas of provincial autonomy, no power could alter them now, short of conquest or civil war. The Kingdom of Prussia overshadows all Germany, and no one dares to suggest its partition into provinces commensurate with its partners. To-day it needs but the nerve and foresight of a statesman to find and fix areas in India capable of developing into effective self-governing provinces, and yet such as will admit of her growth as a nation at unity with herself.

We agree, therefore, that the existing provinces need not be assumed to be areas suitable as a basis for responsible government, but such areas must be settled at the moment when the first instalment of responsible government is granted.

Bearing in mind, then, the picture of India as a self-governing Dominion of the federal type, we recognize that, in the words of the pronouncement before us, 'progress in this policy can only be achieved by successive stages.' There must be stages, and the questions before us are, where those stages should begin, and what they should be. Reason and experience alike point to the conclusion that it is not in the sphere of the central Government that the beginning should be made. Whether in the case of the United States of America, of Canada, Australia or South Africa, nothing was done, or could have been done, to create a central and national Government responsible to the nation as a whole, until responsible government had been completely and finally established in the several provinces. This does not imply that changes cannot, or ought not, to be made whereby public opinion may be voiced more freely in the counsels of the central authority, while that authority remains in theory and practice responsible to the Secretary of State. But respon-

sible government means entrusting some functions to executives which hold office, and can be dismissed from office, by elected legislatures or electorates. That principle must first be tried and established in the provinces. It is only when provincial executives are answerable for all their functions to provincial electorates that the Indian executive can be rendered answerable to, and removable by, an Indian Parliament and an Indian Electorate.

We, therefore, agree that the first steps towards responsible government cannot be taken in the sphere of the central Government.

We have next to consider the fact that administrative mechanism designed to obey an authority remote from India itself cannot, as it stands, respond to the impetus of Indian electorates. Mechanism must be adapted to the nature of the force which drives it. The whole administrative system of England would have to be revised, if the control of the electorate were replaced by a centralized power exercised from without. The reverse is equally true of India. If electorates are to be given responsibilities however limited, they must to a great extent, and to an increasing degree, operate through departments, organized on principles different from those of the present machinery. With the introduction of responsible government it is necessary, therefore, to contemplate a change, not only of areas, but also in the character of the departments through which the electorates are to operate. The existing provincial administrations cannot be moulded by a series of gradual changes into the provinces of a self-governing Dominion. Their place must gradually be taken by provincial organs of a new type. The first step must be to create new organs responsible to the electorates of suitable areas. To these, specified functions, together with corresponding revenues and powers and additional taxation, must be transferred. All other functions must be reserved to the existing provincial Governments, to be transferred by successive stages to the elective organs, as each may prove its capacity for assuming the additional burden.

It follows, therefore, that during the period of transition governments of two different types will have to exist side by side. No instalment of responsible government can be granted without creating executives responsible to, and therefore removable by, elective assemblies and electorates for certain functions and revenues within suitable areas. Meanwhile, the powers not yet transferred must be exercised by the exist-

ing provincial Governments, which must be kept in being for that purpose, and remain responsible to, and therefore removable only by, the Government of India, the Secretary of State and finally Parliament itself. If responsible government is the goal, the only other alternative is sooner or later to transfer all powers of government at one stroke to executives removable at the will of Indian electorates. But this course is expressly barred by the terms of the pronouncement we have agreed to accept. It follows that in the transition stage governments of two different types must co-exist, the one responsible to electorates, the other to the Secretary of State. In our opinion, therefore, it is of the utmost importance to insist now that the responsibility must in either case be a real one. The responsibility of the new executives to their assemblies and electorates, however limited their functions, must be real. It must not be confused and destroyed by a net-work of minor restrictions and sanctions. On the other hand, the responsibility of the old governments to the Secretary of State for the functions reserved to them must be no less a real one. In discharging those functions, they can and should be exposed in every detail to the criticism and influence of Indian opinion. But in the last analysis the ultimate power of decision in respect of those functions must be reserved to the Secretary of State and his agents, until they can be transferred to the executives responsible to the electorates. And, in the words of the pronouncement, 'the British Government and the Government of India must be judges of the time and measure of each advance.'

We agree, therefore, that, during the period of transition, Governments of two types must co-exist, the one responsible to electorates for specific powers, the other to the Secretary of State for all other powers, and that the responsibility of each must in fact be a real one, and their powers must be sufficient to enable them to discharge that responsibility efficiently.

We have now to approach the question how new organs of provincial government responsible to electorates can be brought into being. The first preliminary is to create these electorates, and also to provide an adequate supply of leaders competent to guide them and to translate their mandates into action and law.

With a view to providing men in some sort competent to act as members of popular legislatures and executives, there are improvements which might be made in the existing system. Executive Councils might be introduced in, the

United Provinces, the Punjab and the Central Provinces, and Indians, not exceeding in number half the members other than the head of the province, might be appointed to each. A second Indian Member might be added to the Executive Councils already in being. But these suggestions, if adopted, would add but half a dozen to the number of Indians in touch with administrative detail; of greater importance therefore is the suggestion that the unofficial Members of Provincial Councils should be divided into committees, severally attached to the Members of Council, in much the same relation as the India Council is attached to the Secretary of State. In this capacity they would see and advise upon cases submitted to their opinion by their Member of Council, and thus gain an insight into administrative conditions. The most valuable of these changes can be made without legislation and might, therefore, be effected as quickly as possible. They will help to prepare legislators and ministers for the first experiments in responsible government.

On the other hand, they will do nothing to prepare electorates. Electoral figures have never been published; but in parts of Northern India they are known scarcely to exceed one two thousandth part of the population. But electorates of an adequate strength and quality are the necessary foundation of responsible government. There must be an adequate number of citizens to whom Government is answerable, and from whom, therefore, Government can derive its authority; and those citizens must be capable in some sort of understanding the questions submitted to their judgment, of placing the public interest before their own, of doing justice to each other, and, what is of even greater importance, to those outside the electorate, even at the sacrifice of their personal interests. The material for such electorates is sadly deficient, and must be created. To argue that this can be done merely by extending the type of education given in schools and colleges is a dangerous fallacy. On the contrary, as all experience shows, a general extension of education without a simultaneous extension of political responsibility ends by sapping the foundations of government. A great improvement and extension of education throughout India is urgently needed. But wisdom can only be learned from the teaching of experience itself, and all that education can do is to open a people's mind, and enable them to read the lessons of experience which the exercise of responsibility alone can bring.

In order to train voters for the task of government, some responsibilities for government must be laid upon them. Until this is done, the process of political education has not been started. The gradual extension of such responsibilities must go side by side with the extension of education. Nor do we consider that this can now be limited with safety to the sphere of Local Government, which, of necessity, deals with administrative details only. The time is at hand when some responsibility for considering and deciding questions of principle, some political responsibility, that is to say, ought to be placed on the shoulders of electorates. Thus, while we do not think it is possible at this stage to make such changes in the Government of India, we think that the time has past when the principle of responsible government can be limited, as it now is, to the sphere of local administration. If genuine electorates are to be called into being, some responsibilities of a provincial nature must first be laid upon them, and afterwards increased, as the electorates can be strengthened and enlarged, and can demonstrate capacity for bearing the burden. To make that burden too heavy at the outset is to jeopardise the whole project. No prudent person, for instance, would suggest that they should be made responsible for the maintenance of law and order to begin with. To do so, would be risking a break-down, which more than anything would delay progress towards complete responsible government. To begin with, the old experienced Government must stand by to maintain order, and discharge those functions upon which the immediate stability of the social fabric depends. The first powers to be transferred to electorates should be those connected with social reforms, with the future building up of society, like education and Local Government. As soon as electorates have proved themselves capable of discharging these functions, it will be time to transfer others, the neglect of which is more quickly felt. We think, as a general proposition, that an electorate may be deemed fit for the exercise of full responsible government whenever it has been entrusted with, and has proved its competence in the control of, Police and Justice.

In our opinion, therefore, a beginning should be made in training electorates by making them responsible for certain provincial functions. But the training will not be effective, unless the system is so simplified that electors can easily trace the effect of the votes they cast. The existing tangled and complicated system of election is destructive of all educa-

sional result so far as political responsibility is concerned. The ordinary voter cannot possibly foresee the result of his vote on the Provincial Council, still less on the Imperial body. Besides which the existing system is an incentive to corruption. If only to render corruption more difficult, the initial electorates should be as large as possible. They should include those whose pockets will be directly affected by the votes they cast, for it is thus that the connection of cause and effect is first brought home to electors.

Above all, the method of voting must be direct. Indirect election not only destroys the educational value of the system, but destroys responsibility itself. It is really a device for concealing the fact that adequate electorates do not exist and evades the difficult truth that they cannot be made a reality without giving some responsibilities to some electorates not yet ripe for them and taking inevitable risks.

## II.—OUTLINE OF THE SCHEME PROPOSED.

We now propose to outline a scheme of development such as we think would give effect to the principles upon which we have agreed. Having done so, we shall be in a position to suggest the special safeguards which should be accorded to Industrial and Commercial interests. We recognize that the scheme must be one capable of adaptation to suit the highly various conditions and levels of advancement in the different provinces of India. We shall, therefore, sketch the scheme as we think it might be applied to a particular province, taking as our example one, which is not so advanced as the old Presidencies, but perhaps more so than other parts of India. For this purpose we select the United Provinces, which has the advantage of being, not only central, but also the largest in India.

• In this Province we suggest the old Kingdom of Oudh as an area suitable to form a Provincial State in the future self-governing Dominion. Another might be formed from the divisions surrounding Benares, a third from the Doab; while those to the North-West might be grouped round Meerut. Primitive communities, like those of the hill districts of Kumaon and Bundelkhand and of Mirzapur, might, to begin with, be reserved to the present Government of the United Provinces. This Government, subject to certain changes, which we shall outline later, would remain in being, holding and exercising all powers which had not been transferred to the four Provincial States.



The first step would be to create the largest electorates which may be deemed possible under existing conditions, in accordance with the principles suggested above. Indian conditions are so various that these principles must be applied in harmony with the conditions of each Provincial State.

These electorates should elect assemblies consisting of from 45 to 75 members each. To these bodies should be transferred at least the present functions of the District Boards, coupled with the control now exercised by the Government over those functions. In order to simplify the electoral system, as far as possible at the outset, and avoid confusing the minds of inexperienced voters by numerous elections, those of the District Boards might be abolished for the present in backward provinces at any rate. The Boards might be appointed by the Government of the Provincial State until it sees fit to re-establish an electoral system for the districts.

The municipalities would, of course, remain as at present; but would be transferred to the control of the Provincial State. The creation of panchayats and other local authorities would also be included within its legislative powers.

By this scheme the new Governments would at once be vested with the full control throughout their areas of—

Roads and Bridges. | Primary Education.  
Local Government

To these in the United Provinces we think that Agriculture, and in Bengal that higher education, should be added.

The administration of these functions would rest with a Ministry drawn from the assembly and responsible thereto. The Ministry would consist of five portfolios:—

A Minister of Public Works.  
Ditto of Education.  
Ditto of Local Government.  
Ditto of Agriculture.  
Ditto of Finance.

The Ministry would be called into being as follows. An officer, presumably the senior commissioner in each Provincial State, would be made the superior officer of the other Commissioner or Commissioners in that area. As Chief Commissioner he would thus control all the officers in charge of the reserved functions retained by the Government of the United Provinces. He would also act as the constitutional head of the Provincial State, that is to say in the capacity of the

Governor of a Province like Quebec or Tasmania. In that capacity he would send for the Member of the newly elected assembly who, in his judgment, was best qualified to command the support of that body, and would ask him to form a Ministry.

The Ministry, when formed, would then proceed to design departmental machinery suitable for administering the various functions under their portfolios. Their new departments would be staffed from officers taken over from the services of the United Provinces, all existing rights of officers being strictly safeguarded by law. In this operation they would be assisted, not only by the Chief Commissioner, but also by a Civil Service Commission of three, with reference to which we have more to say hereafter. Ministers would not be expected to take over their functions from the old Government until the arrangements for the necessary departments were complete.

The relations of the Chief Commissioner to his Ministers are of great importance. An undivided responsibility would rest on Ministers, so far as the functions transferred to them are concerned. They would be responsible to the assembly for their decisions, and, provided they were *intra vires*, the Chief Commissioner would have to give legal effect to those decisions by his signature. No responsibility would rest upon him in respect of the transferred powers. But before signing their decisions he would have every opportunity of giving his Ministers advice, and, if they were wise, they would avail themselves of his advice to the full. They would do so the more readily in that an undivided control of their own functions would rest with themselves. They would be responsible to the assembly, and the assembly to the electorate; and a chain of responsibility at once simple and clear, between the elector and the administrative officer, would thus be established.

The Chief Commissioner would thus be in a position to guide his Ministers in the execution of the transferred powers by his influence and advice. On the other hand, he would control all the officers of the United Provinces in charge of the reserved functions within the area of the Provincial State. He would thus be well situated to smooth away the causes of friction inevitable between the two authorities. In all federal systems at least two authorities must administer their different functions within the same area, and some friction always exists. Whether the system works or not,

simply depends upon the efficacy of the means provided for reducing the friction and of disposing of questions at issue between the two organs of Government.

We agree that a share of the consolidated revenue of the Province should be handed over to the Provincial State Governments, proportionate to the cost of the functions transferred to them; in addition to which should be handed over certain specific powers of taxation, such as would fall on the Provincial State electorate itself.

This is essential to any genuine scheme of responsible government. The electors must learn from experience that, if they demand an extension of services placed under their control, the cost of the extension must also be met from their own resources. This condition is vital to their political training. The taxes imposed by them can still be collected by the existing Board of Revenue, as happens at present with the cesses imposed by District Boards. The taxes, however, imposed by the Provincial State Government should be collected from the tax-payer on separate and distinctive notes of demand so that he may clearly recognize that the charge is one imposed by his own representatives.

The finances of the Provincial States should be subject to the same audit as those of the United Provinces itself, that is to say of the Finance Department of the Government of India. The auditors should disallow any expenditure outside the powers of the Provincial State, and institute enquiries, when any trace of corruption is found. They should also disallow all unauthorized expenditure, but on this, and, generally, on all matters relating to financial administration, they should report direct to the Committee of Public Accounts of the State assembly.

The Government of the United Provinces might be empowered to make grants in-aid of certain objects, subject to inspection, the payments to depend upon the Provincial State Government having carried out those objects to the satisfaction of the Inspectors. But otherwise checks and sanctions in detail should be studiously avoided, for two reasons. In the first place, they are the most fertile cause of friction. In the second place, they undermine the responsibility which ought to rest on the new Governments and their electorates. The Government of the Province will, of course, retain the usual power of veto over legislation passed by Provincial State assemblies; and borrowing would be subject to Government control.

Otherwise, we believe, that the one sound and effective check will be found in a power of total suspension held in reserve. If the Government of a Provincial State prove its utter incompetence, the assembly should be dissolved, and the issue referred to the electors. If then the electors fail to establish a Government competent to put matters straight, and their area remains a scene of neglect, corruption or disorder, the system must be suspended for that area. The Provincial Government will be there to resume their functions and to set the Provincial State in order, just as is done in the case of Native States, continuing to administer until the time seems ripe for a fresh beginning of responsible government. In the case of civil disorders, brought about by the intolerance of a Provincial State Government, there must be powers of summary suspension. We return to this subject also later.

The initial experiment would be started for a definite period of, say, seven years. At the end of that period the whole system throughout India would be reviewed by a Commission reporting direct to the Secretary of State. The Commission should include men who had served as Governors of Crown and self-governing Colonies. After examining the conditions of each Provincial State on the spot, the Commissioners would report whether fresh powers should be granted such as the control of irrigation and forests, of higher education, of local railways, of famine relief, and so forth. Or it might report that the Government had done so indifferently that the existing powers should merely be renewed. Lastly, in cases of total failure, it should have powers to report in favour of suspension; but, before the Secretary of State takes final action, the papers should be laid before both Houses of Parliament.

It must, at the outset, be laid down that during the seven years' period no claim can be entertained for further administrative powers, or a further share of the consolidated revenue of the province. This is essential in the interests of the new electoral bodies themselves. Their whole energies must be reserved for the task of justifying the powers already assigned to them and thus establishing their claim to further powers at the end of the period. If the attention of the electorates is continuously diverted from social reforms to agitation for political change, progress towards responsible government is foredoomed from the outset. The dates at which claims for further changes are to be considered should be fixed in ad-

vance, and the machinery whereby those claims are to be decided on the basis of fact and experience should be settled from the outset.

We agree that in the intervening periods no demand for further executive powers or for a further share of existing revenues should be entertained.

This does not apply, however, to legislative powers. Again we are keeping in mind the picture of India, as she will be when constitutional finality is attained, and all matters, domestic to India, are subject either to her Provincial State assemblies, or to an Indian Parliament. In the work of framing the final constitution, the task of apportioning the legislative powers between the National Government on the one hand and those of the Provincial States on the other, will be difficult indeed, unless, during the period of transition, the problem has been worked out and solved by the test of experience. To this end we suggest that Provincial State assemblies shall be encouraged to petition the Provincial Governments, from time to time, for legislative powers they desire to exercise. The petition would be cast into the form of an enabling Bill submitted to the Legislative Council of the Province. The Bill, after first and second reading, would be referred to a committee upon which the Provincial Government would appoint a majority of members. The procedure of the committee would be exactly that of a Standing Committee of Parliament appointed to deal with Bills promoted by local authorities. Counsel would be heard on behalf of the promoters, and of all interests affected by the Bill. The preamble would have to be proved. The clauses would then be considered, passed, negatived or amended; and evidence for or against the contentions of those promoting the Bill would be heard. The enabling Bill, if passed into an Act, would then define with accuracy the limits within which the Provincial State assembly could legislate on the subject.

The same method is applicable to new sources of revenue. A Provincial State Government might desire to increase its revenues by a stamp on patent medicines sold within its area. It would then be open to it to embody the proposal in an enabling Bill, and to bring it before the Legislative Council of the Province. Under the Bill, if passed, its assembly would then pass legislation imposing the new tax. Thus by means of experiment, appropriate sources of Provincial State revenue would be discovered.

At the close of each period of seven years, the Commis-

sioners would review the results, and advise whether the powers so obtained by one Provincial State should be extended to all. The Government of India should be free, at any moment, to generalize such powers by legislation. In this way, whenever the time comes to create a government for India responsible to an Indian electorate, the legislative powers appropriate to the Provincial States will have been ascertained by the only trustworthy tests, those of trial and experience.

That time will have arrived whenever a sufficient number of Provincial States have acquired the control of justice, jails and police and have proved their competence for the fundamental task of Government, that of maintaining order. The confirmation of a Provincial State in those powers will amount to a final certificate of the fitness of its electorate for full responsible government. When a sufficient number of Provincial State electorates have acquired that certificate, the time will have come to summon their representatives to a National Convention to devise a constitution, under which the Government of India can be made responsible to an Indian Parliament and electorate, and the constitution, like those framed by the representatives of the Canadian, Australian and South African Provinces, will acquire legal effect as a statute of the Imperial Parliament. In matters common to all India, responsible government cannot be introduced by stages. It must be introduced at one stroke, by one instrument of Government—the constitution of India, under which she will assume her final place in the Commonwealth of Nations. That can only take place when a sufficient number of Provincial States have established and proved their competence for responsible government. The stones will then have been quarried and shaped from which the final edifice can be built.

The old Provincial Governments will, of course, vanish the moment their final powers have passed to their Provincial States. But the question of reforms, such as will fit them to fulfil their transitional functions, is of great importance. Their functions will be to hold and administer the reserved powers until the last final function, that of maintaining order, can be handed over. But another and even more important function will be that of supervising the acquisition by the Provincial States of new legislative powers and sources of revenue, which, of course, they will do subject to the direction of the Government of India.

As stated already, we assume that Executive Councils will be established in all but the minor provinces, one half of which will be Indian; a majority being retained for the European members by the Governor's casting vote.

The Legislative Councils should be composed mainly of delegations from the assemblies of the Provincial States, together with some additional members appointed by Government to represent special interests. There is nothing to prevent the introduction of officials at any time who are required to discuss matters within their expert knowledge. But official voters should vanish. The existing system of official members voting by order, irrespective of their personal views, is derogatory to their own position, wasteful of their valuable time, fatal to principles which should govern public debate, and eminently calculated to create a feeling of antagonism between Indians and Europeans as such. It is also insincere. If Government cannot accept a motion of whatever kind, let the Governor say so, and let that suffice. A final difference of opinion between the Government responsible to the Secretary of State and the spokesmen of public opinion is not mended by the practice of annulling the votes of elected members by those of officials' cast, under orders of Government. Let the Councils consist entirely of non-official members, the members of the Executive Council and such other officials as they choose to bring with them appearing only for the purposes of debate. Let every detail of administration, of legislation and of the estimates be brought before the Council for discussion. Let the work of Government be exposed to unofficial criticism and influence from end to end. The onus of final decision in matters for which the executives are responsible to the Government of India and to the Secretary of State rests with them, subject, of course, to the provision that those superior authorities can always reverse the decision of their agents, on petition from the Legislative Councils. Just as the responsibility of the Provincial State ministers to their assemblies and electorates must be unhampered and clear, so also must be that of the Provincial executives to the Government of India and the Secretary of State.

That the two principles are inseparable will be seen by reference to the procedure whereby the Legislative Councils will deal with enabling Bills promoted by Governments of Provincial States. The Legislative Councils will mainly consist of delegations from those bodies, one of which is promoting the

Bill. An assembly so formed will be likely to voice every kind of opinion which may be held with regard to the new legislative powers sought therein. On second reading, on report stage and on third reading its members will have every opportunity of doing so. The assembly will send members to the Select Committee. Government will thus have access to every phase of public opinion on the subject, as well as to the views of the Government of India, which will hold a brief for the future federal Government of India. But clearly the power of final decision on any disputed point could not be left with the spokesmen of the Provincial State assemblies. The system will not work, unless the responsibility of either authority for the functions assigned it is real; which cannot be, unless its power is equivalent to its responsibility. The most important of all the responsibilities reserved to the old Governments in the transitional stage is, that of judging of the time and measure of each advance.

We consider that the Imperial Legislative Council should be reformed on the same principles. The official votes should vanish and the members should be largely recruited by proportional representation from the Provincial State assemblies and other public bodies as at present.

As the transfer of officers is likely to prove more delicate and difficult than the transfer of powers, the subject has been left for separate treatment. Our view is that there should be attached to the Government of India and to the Government of each province a standing commission of three senior officers, one of whom should always be an Indian. These Commissioners should inspect and be cognizant of the work of every department, and of every officer in those departments. It should be their duty to bring to the notice of Government all cases of over or under employment, of overlapping and of all defects in organization. They would serve in fact as the Consulting Engineers of the administrative machine. They would have no powers but those of report. It would rest with Governments to give effect to their recommendations. A vast human machine, which is always being changed and increased, requires continuous inspection of experts who stand outside it and view it as a whole. Government which is part of the mechanism has no time to do this; and, without the advice of such experts, the gradual adjustments required to keep it in gear, and to avoid overlapping and waste, are not perceived and made in time. When the whole structure has grown thoroughly



obsolete and clearly unsuited to public needs, a Civil Service Commission is appointed, largely consisting of amateurs. An elaborate enquiry is undertaken at vast expense. Questions are put which are difficult for officials to answer with honesty in public. A great strain is put on their time and a great disturbance of the public mind is occasioned. Their recommendations involve changes so great that it is very difficult to carry them into effect, whereas those changes, if effected gradually, as the need had arisen, could easily have been made.

This is one aspect of the permanent Civil Service Commissions which exist in the Dominions. But there is another and even more important feature of the institution as it exists in Australia and New Zealand. Appointments and promotions are, of course, made by the Government, but on the advice of the Commissioners. Government is not bound to take their advice, but if it departs therefrom, it is bound to record its reasons for the information of the legislature. The plan has been devised to relieve Government of the demoralising burden of patronage, which consumes the time and energy of its members urgently needed for administrative work. In effecting this object, the permanent Advisory Commission has proved successful.

In India, we think that all appointments should be made on the advice of such Commissioners. Three should be attached to the Government of India, and three to each of the provinces. Where the Government of India or Provincial Governments depart from their advice, their reasons should be recorded for the information of the Secretary of State, where Provincial State ministers are unable to take their advice, their reasons should be recorded and submitted to their Legislative assemblies.

The Standing Commissions would play an important part in the transfer of officers to the departments of the new elective authorities. Such transfers would be voluntary so far as is possible. Ministers, with the advice and assistance of the Chief Commissioner, would arrange for the voluntary transfer of officers from the old departments to their own. But where voluntary arrangements failed, the transfer would be effected on the advice of the Commissioners, to which effect would be given by the Provincial Government, subject to the conditions specified above. The organization of the new departments would also proceed subject to the expert advice of the Commissioners.

### III.—SAFEGUARDS.

We have outlined a scheme such as we think is capable of being adapted to varying conditions in the different provinces of British India. But wherever, as in Bengal, there exist commercial and industrial interests representing great investments of capital, we consider that special safeguards are necessary, less in the interests of the investors than of the people of India themselves. Responsible government cannot be initiated or advanced without an increase of public expenditure. A development of natural resources is essential in order to provide the additional revenue. But development requires a free investment of capital from without, and nothing could be more fatal to the prospects of such investment than to allow an impression, however unfounded, to take root at this juncture that existing investments of capital are not secure. Unless special safeguards are provided at the outset, fears will exist in the money markets of the world that existing interests may be subject to injury, either by reason of predatory or regulative legislation, or by reason of neglect of transportation and other facilities. It is wise to allay these fears at the outset.

In the first place, all legislation will be subject to the veto of the Indian and Provincial Governments subject to the Secretary of State. In Dominion constitutions, the Acts of Parliament, embodying the powers of the Dominion Governments, do not include most important constitutional provisions, those governing the relations of the Dominion to the Imperial Government. Such provisions will be found in the instructions issued to the Governors by the Imperial Government.

It is in instructions issued by the Imperial Government to the Government of India, that securities against legislation injurious to commercial and industrial interests can be given. In these instructions it should be laid down that legislation affecting commercial and industrial undertakings should be reserved for the sanction of the Secretary of State, and a limit of time should be laid down, within which representatives from the interests affected can be received by him.

*We agree that instructions to this effect should be included in a schedule attached to the Act of Parliament in which the scheme of reforms is embodied.*

This will not, however, allay the fears of those who have invested their capital in plantations and other industrial

undertakings scattered about the country, lest the value of their property may be ruined by neglect of transportation facilities, of protection from flood, water-supply and of other public utilities.

Where damage to industrial interests from such neglect can be proved, the Provincial Government should have power to step in, and do the necessary work at the cost of the Provincial State Government in default. Throughout the period of transition the Provincial Government responsible to the Secretary of State will be in existence and in a position to provide the necessary remedy. That Government will vanish only when the Provincial State Governments within its jurisdiction have finally proved their capacity for efficient administration. The final certificate of efficiency would not be given to a Provincial State Government, so long as it shewed a tendency to neglect public utilities upon which the value of capital invested on productive undertakings in their area depends.

We agree that the Provincial Governments responsible to the Government of India and the Secretary of State shall have power to do or repair public works, upon which the value of invested capital depends, neglect of which is due to the default of Provincial State Governments, and to charge the cost thereof to the revenues assigned to the Government in default.

In this connection we return to the final remedy of recalling powers and of total suspension. It is, however, mainly with a view to the progress of responsible government itself, that we urge that these safeguards should be made real. If India is to move as quickly as possible towards the goal of complete responsible government, each part of India must, in the stage of transition, be enabled to move at its own pace. Government must be ready to reward proof of efficiency in administering powers already granted by a generous transfer of fresh powers. The whole system rests on the principle of placing responsible governments on trial, testing capacity, and making recorded experience the ground of future advance. Such advances should be bold, but advances will not be bold, unless it is understood from the outset that, where steps in advance have clearly been premature, they can be retraced. Experiment is the only sound basis of policy; but no experiment is real, unless Government is able to abide by negative as well as by positive results. Government will make experiments freely, only if it knows that it can and must give practical effect to lessons of failure.

as well as to those of success. If the right of recall be established, Government should be bold in adding to the powers of progressive electoral authorities. For the rapid advance towards full responsible government of some Provincial States will certainly react on their backward neighbours. Nothing is more contagious than example, and it is to the forward States that we look to set the pace of progress. It should, therefore, be made as safe and easy as possible for Government at stated intervals to add to the powers.

For similar reasons the power of total suspension held in reserve is important. The existence of the power, in fact, as well as in law, will largely operate to render its use unnecessary. If the Imperial veto on Colonial legislation is rarely exercised, it is largely because the power, unlike that of the Sovereign, is a real one. Colonial ministers refuse to accept amendments from their own supporters when they know that such amendments, if incorporated in a measure before the legislature, would oblige the Imperial Government to veto it.

In like manner the public disgrace, inseparable from suspension, will act as a spur to the ministers, assemblies and electorates of backward Provincial States, and prevent their allowing the standard of government from degenerating to the point when total suspension is obviously needed in the public interest. Neglect and corruption cannot continue to flourish unchecked in one Provincial State without reacting on the progress of the others. Positive anarchy is infectious and spreads to its neighbours. Just as a progressive State will stimulate progress in those behind it, so a total failure will impede the progress of those in advance of it. The best hope for such a community is the total suspension of its incapable regime as in the case of a Native State where anarchy is rampant. Corruption must be weeded out, injustice must be redressed, public utilities must be restored, and a clean and efficient standard of government re-established, before the community is allowed to begin once more an attempt to do these things for itself. It is on the same principle that in the United Kingdom a constituency, provenly corrupt, is disenfranchised for a period of years.

We agree that the Government of India must have the right to recall powers which have been abused or neglected, and, in extreme cases, to suspend the Governments of Provincial States. Such powers shall always be subject to the sanction of the Secretary of State and of Parliament; but in cases of emergency the Government of India may exercise the power, subject to the subsequent sanction of the Secretary of State and of Parliament.

Lastly, it is necessary to consider how an adequate representation can be secured for those in charge of commercial and industrial undertakings. These are largely financed from capital outside India, and are mainly administered by Europeans. They are in number a mere handful, but, in the interests of the new elective authorities, it is essential that they should be represented in some proportion to the magnitude of the interests they control. It would be a calamity to India if they drifted into the position of Uitlanders. Their assistance is needed in building up the fabric of responsible government. Provincial State ministries and assemblies will have everything to gain by an adequate infusion of a race to whom the working of responsible government is familiar.

We agree that, (a) wherever industrial and commercial interests are located, an adequate representation should be accorded; (b) adequate representation should be accorded to Mahomedans, Land-holders and minorities generally.

#### IV.—PROCEDURE TO BE FOLLOWED IN GIVING EFFECT TO THE SCHEME.

The question will naturally be raised how effect can be given to the provisions set out at the end of the last section. The same question arises with regard to a number of other provisions recommended in this note. Any scheme, which suggests at this juncture how India can start on her progress towards responsible government, is open to the same criticism. The new pronouncement was only made on the 20th of August last, and the Secretary of State has reached India within three months from that date. It is utterly beyond the power, even of skilled and experienced officials, to collect within that time the facts and figures necessary before the details of proposals can be worked out. Nor we venture to predict, will the Secretary of State himself be able to do this, with all the assistance which the Government of India can give him. The short time at his disposal here will be more than occupied with the study of principles, and if any attempt is afterwards made to work these principles into a complete scheme in London, we believe that it will fail for lack of detailed information, which can only be obtained on the spot. Such failure will mean delay, and delay will not be understood in India. It will surely breed distrust and continued agitation. The greatest need of India is that prompt and unmistakable steps should be taken to give effect to the

policy outlined in the recent pronouncements. The only way in which this can be done, is by the early enactment of a measure by Parliament such as will set on train the progress of India towards responsible government there foreshadowed.

The solution of the problem, we suggest, will be found in the precedent set by the Government of London Act of 1899. By this measure it was proposed to abolish more than forty vestries, and establish in their place a far smaller number of municipal bodies. The whole scheme, including the constitution of the new bodies, was firmly outlined in the measure. Yet the Parliamentary draughtsman, situated as he was in the middle of the subject dealt with by the measure, with all the forces of the Local Government Board, the Home Office, the London County Council, the City of London, and the Vestries at his disposal, was unable to cope with the innumerable details which had to be worked out before effect could be given to its provisions. In order to bring the new bodies into existence, it was necessary to delimit areas, fix the number of members on the various bodies, adjust their finances, and disentangle and re arrange a multitude of details. All this was remitted to three Commissioners named and appointed under the Act. The moment the Act was passed the Commissioners got to work, and, as their arrangements were framed, legal effect was given to them by orders in Council issued in terms of its provisions.

We believe that the adoption of this course is the only way to avoid a delay which will prove mischievous in the extreme to the peace and interests of India. It is not delay in bringing into being the new organs of Government that we fear. That of necessity is a task the details of which need time for their execution. Any attempt to burke those details will only end in further postponement. The delay, we fear, is in framing a measure which the Imperial Government can adopt for submission to Parliament, and in the passage of that measure into law. The trust of India in Parliament is unimpaired, and if once the scheme of reforms is firmly outlined in statutory form, and Commissioners are appointed to give effect to it, the people of India will not be found wanting in patience. Their energies will, we think, be devoted to aiding the Government and Commissioners in working out the details and carrying them into effect.

We agree, therefore, in advising that the specific points to which our agreement relates and the outlines of the scheme sketched in these proposals be laid down in an Act of Parliament: but that all questions, within those outlines

relating to franchises, constitutions, powers, finances and such like details, be submitted to not more than five Commissioners named under the Act, to be dealt with in India by the Commissioners, in consultation with Governments and People, the arrangements of the Commissioners, to be given the force of law by Orders in Council.

The goal of responsible government having now been declared, the scheme should, in our opinion, be one which initiates not only the immediate steps, but renders visible to the people of India the whole path to the ultimate goal. We urge that the measures should be such as will leave no room for constitutional agitation, either now, or at any future time. It should set them free to devote their whole strength to social and political reform, by placing political as well as social reform within their reach. The situation we desire is one in which communities in all parts of British India can attain to new political powers, always, but only, by proving their fitness to exercise those they already possess, and will lead, as quickly as those proofs can be given, to a complete and final attainment of their status as the greatest Dominion in the British Commonwealth. It is to that end that we, British and Indians, have framed these proposals. We desire that the foundations of responsible government in India should be laid in trust and amity between her people and those whose forefathers have given this system to the world, that our enemies may learn that we know how to realize its principles, as well as to defend them. We, therefore, unite to submit this scheme, believing that so, in the Providence of God, a cornerstone may be laid in this Commonwealth of Nations for the perpetual union of East and West.

*With regard to the details of the scheme outlined above, we think that it is desirable that every one should reserve full liberty of judgment. Our agreement relates only to the following specific points:—*

**We agree—**

- (1) to accept the pronouncement of the 20th of August as common ground, within the limits of which the discussion can take place;
- (2) that, having accepted the pronouncement, we are not only free, but also bound to consider the new situation created thereby with open minds;

- (3) that the existing provinces here now be assumed to be areas suitable as a basis for responsible government, but such areas must be settled at the moment when the first instalment of responsible government is granted;
- (4) that the first steps towards responsible government cannot be taken in the sphere of the central Government;
- (5) that, during the period of transition, governments of two types must co-exist, the one responsible to electorates for specific powers, the other to the Secretary of State for all other powers; that the responsibility of each must in fact be a real one, and their powers must be sufficient to enable them to discharge that responsibility efficiently;
- (6) that a share of the consolidated revenue of the province should be handed over to the Provincial State Governments, proportionate to the cost of the functions transferred to them; in addition to which should be handed over certain specific powers of taxation, such as would fall on the Provincial State electorate itself;
- (7) that further additions to the powers of Provincial States, and to their share of existing provincial revenues should be considered by Commissioners reporting direct to Parliament, at intervals of, say, seven years, such interval to be specified at the outset; and that in the intervening periods no demand for further executive powers, or for a further share of existing revenues, should be entertained;
- (8) that legislation passed by Provincial State Governments affecting commercial and industrial undertakings should be reserved for the sanction of the Secretary of State; and a limit of time should be laid down, within which representations from the interests affected can be received by him; and further, that instructions to this effect should be included in a schedule attached to the Act of Parliament in which the scheme of reforms is embodied;



- (9) that the Provincial Governments responsible to the Government of India and the Secretary of State, shall have power to do or repair public works, upon which the value of invested capital depends, neglect of which is due to the default of Provincial State Governments, and to charge the cost thereof to the revenues assigned to the Government in default;
- (10) that the Government of India must have the right to recall powers which have been abused or neglected; and in extreme cases to suspend the Governments of Provincial States. Such powers shall always be subject to the sanction of the Secretary of State and of Parliament; but in cases of emergency the Government of India may exercise the power, subject to subsequent sanction of the Secretary of State and of Parliament;
- (11) that (a) wherever industrial and commercial interests are located, adequate representation should be accorded; (b) adequate representation should be accorded to Mahomedans, Land-holders, and minorities generally;
- (12) that the specific points to which our agreement relates and the outlines of the scheme sketched in these proposals be laid down in an Act of Parliament: but that all questions within these outlines, relating to franchises, constitutions, powers, finances, and such like details be remitted to not more than five Commissioners named under the Act, to be dealt with in India by the Commissioners, in consultation with Governments and People, the arrangements of the Commissioners to be given the force of law by Orders in Council.

# **List of Signatories to the Joint Address received up to date Dec. 17, 1917.**

- |                         |                            |
|-------------------------|----------------------------|
| 1. G. B. Gregson.       | 33. Rev. Josiah A. Ryland. |
| 2. G. Hengessy.         | 34. H. Kay.                |
| 3. H. Arden Wood.       | 35. Malcolm M. Crawford.   |
| 4. W. T. Grice.         | 36. Rev. A. G. Hogg.       |
| 5. A. R. Murray.        | 37. Roy D. Whitehorn.      |
| 6. R. L. B. Gall.       | 38. J. H. Fowler.          |
| 7. James E. Roy.        | 39. H. D. B. Harford.      |
| 8. A. D. Pickford.      | 40. Rev. H. E. Clark.      |
| 9. J. Wyness.           | 41. James Lyne.            |
| 10. W. R. Rae.          | 42. J. Broughton.          |
| 11. W. A. Tronside.     | 43. J. N. Jacobi.          |
| 12. A. W. C. Chaplin.   | 44. W. H. S. Holland.      |
| 13. A. J. Pugh.         | 45. C. F. Beadel.          |
| 14. W. H. Phelps.       | 46. H. St. V. Chancellor.  |
| 15. Patt. Love.         | 47. Rev. Chas. D. Donald.  |
| 16. Thos. F. Tremearne. | 48. Gordon S. Wilkins.     |
| 17. Robert W. Brock.    | 49. G. D. Fraser.          |
| 18. C. R. Gebner.       | 50. Ian H. B. Stewart.     |
| 19. T. R. Pratt.        | 51. E. P. W. Nicholl.      |
| 20. Herbert Anderson.   | 52. Christopher Blomfield. |
| 21. H. B. Eastwell.     | 53. A. Yule.               |
| 22. Geo. E. Hicks.      | 54. F. A. Didsbury.        |
| 23. A. P. Gray.         | 55. D. Sumerville.         |
| 24. E. d'Arville.       | 56. R. Stevenson.          |
| 25. N. M. Ross.         | 57. W. Stenhouse.          |
| 26. Rev. A. E. Collier. | 58. C. Westmacott.         |
| 27. P. N. F. Young.     | 59. A. B. Johnston.        |
| 28. Wm. Hundle.         | 60. Bernard Lucas.         |
| 29. J. Mahdes.          | 61. T. V. Campbell.        |
| 30. R. W. Ellis.        | 62. H. Martyn Newton.      |
| 31. Miss E. Goode.      | 63. A. M. Newton.          |
| 32. Rev. J. Evans.      | 64. J. D. Omond.           |

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| 1. Bijoy Chand Mahtab, Maharajadhiraja Bahadur of Burdwan. | 4. Girija Nath Roy, Maharaja Bahadur of Dinajpur. |
| 2. Maharaja Sir Prodyat Kumar Tagore.                      | 5. Sir K. G. Gupta.                               |
| 3. Kshaunish Chandra Roy, Maharaja Bahadur of Nadia.       | 6. Nawab Serajul Islam.                           |
|  | 7. Rajah Kisori Lal Goswami.                      |
|  | 8. Provash Chunder Mitter.                        |
|  | 9. Surendra Nath Roy.                             |
|  | 10. Bhubendra Chunder Roy.                        |

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|-----|---------------------------|-----|----------------------------|
| 11  | S. K. Das:                | 54. | The Hon'ble Rajah Kusnat-  |
| 12  | R. C. Mitter.             |     | pal Sing.                  |
| 13  | S. C. Roy Chaudhuri.      | 55. | N. Ghoshak.                |
| 14  | Amulya Dhone Addy.        | 56. | K. T. Paul                 |
| 15  | T. P. Ghose.              | 57. | Priya Nath Mallik.         |
| 16  | R. D. Mehta               | 58. | Nivaran Chandra Dutta.     |
| 17  | Saib Shikareswar Roy      | 59. | Jotish Chandra Mitter.     |
| 18  | S. Mahboob Ally.          | 60. | Rai Bahadur Manikl         |
| 19  | A. Suhra Wardy.           |     | Nahar                      |
| 20  | A. B. Dutt                | 61. | J. N. Bose                 |
| 21  | Bijoy Chatterjee          | 62. | Niraj Chandra Chakravarty. |
| 22  | H. D. Bose.               | 63. | Lal Mohan Sarkel.          |
| 23  | C. C. Ghose               | 64. | Rai Hariram Goenka Baha-   |
| 24  | B. L. Mitter.             |     | dur C.I.E.                 |
| 25  | R. C. Bosejee.            | 65. | Rajsh Monmaha Nath Roy.    |
| 26  | R. S. Bapai               |     | Chaudhury, of Santoch.     |
| 27  | R. H. M. Rustonjee.       | 66. | Rajah S. Acharya           |
| 28  | D. Adhya.                 |     | Bahadur, of Nymensingh.    |
| 29. | Gobardhan Addya           | 67. | Jitendra Kishore Acharya   |
| 30. | N. Gupta.                 |     | Chaudhury.                 |
| 31  | Jugal Kishore Ghose.      | 68. | Aminuddin Syder Faridie,   |
| 32. | Nawal A. F. M. Abdur      |     | M.A.G.S., F.R.H.S. (Lon-   |
|     | Rehman, Khan Bahadur      |     | don).                      |
| 33. | S. M. Bose                | 69. | D. C. Ghose.               |
| 34. | A. Goswami                | 70. | H. M. Bose                 |
| 35. | H. Mullick                | 71. | Siya Kali Kumar            |
| 36. | L. C. Majumdar.           | 72. | Hon. Abdur Rabim           |
| 37. | S. N. Banerjee.           | 73. | Sudhendu Mohan Bagchi.     |
| 38. | Aroon Sinha               | 74. | Kishory Mohan Bagchi.      |
| 39. | R. N. Mitter.             | 75. | Lakshminidra Choudhure     |
| 40. | P. N. Dutt                | 76. | Rampersad Bagchi.          |
| 41. | N. N. Sircar              | 77. | Kishori Mohan Bagchi       |
| 42. | Ramendra Krishna Ghose    | 78. | Surendra Mohan Maitra      |
| 43. | Protap Chandra Mukherji   | 79. | G. H. C. Ariff             |
|     | Rai Saheb                 | 80. | Khan Bahadur Nawabjada     |
| 44. | Rajendra Chandra Chatter- |     | Sayed Ashrafuddin Ahmed    |
|     | jee                       | 81. | Mahomedali Mamoojee.       |
| 45. | Surendra Chandra Chatter- | 82. | Abu Musa Ahmadul Hoqq.     |
|     | jee.                      | 83. | Joonas Oosman              |
| 46. | Srikanto Kumar Dey.       | 84. | Yaccob C. Ariff            |
| 47. | Tarini Charan Das.        | 85. | Elias Muthrodan,           |
| 48. | Hara Lal Chattopadhyaya.  | 86. | Moses Ambat                |
| 49. | Saroda Kant Bandopa-      | 87. | Alphai Kallon              |
|     | dhyaya.                   | 88. | Raja Gopal Lal Roy of      |
| 50. | Mehruddin.                |     | Tajhat.                    |
| 51. | Arsbed Ali                | 89. | Indar Jogendra Singh.      |
| 52. | Nemai Charan Dhopi.       | 90. | F. Sriman Kantimatina-     |
| 53. | Amar Charan Das           |     | than.                      |

The following letters are appended for general information

November 15th, 1917

MY DEAR PUGH,

With reference to the note embodying certain proposals to be made jointly by certain Indians and European gentlemen to the Secretary of State, I am not qualified to pronounce an opinion on their feasibility, and I cannot say anything about them at all as representing the Chamber of Commerce; but as a private individual they seem to me to offer a fair basis for a scheme of constitutional change which should mark a great advance on the road to representative Government for this country, and should at the same time afford protection for the minorities who are at present feeling anxiety on the subject.

Yours sincerely,

HUGH BRAY

November 15th, 1917.

MY DEAR PUGH,

With reference to the note on the future system of government in India which you have shown me, and which you and other Europeans have discussed with certain Indians, the position of the European Association is as you are aware, that a memorandum expressing the views of the Central Council and the delegates appointed by the various Branch Councils had already been drawn up and submitted to Government.

The note undoubtedly creates a new situation, and calls for the careful consideration of the Association. I am therefore proposing to communicate at once with the different branches with the object of endeavouring to arrange for a second Conference in Calcutta for the discussion of the scheme. I am hoping this may be found feasible in time for the views of the Conference to be formulated prior to Mr. Montagu's arrival here.

Yours sincerely,

A. BIRKMYRE.

November 18th, 1917.

MY DEAR PUGH,

I think there is no reason why the whole of the Provincial Governments should not be made responsible to the people in the different provinces. But in view of the differences of opinion that exist among different communities a scheme such as this calls for the careful consideration of all parties and communities. It is certainly desirable, as I said before, that in a matter like this all parties should cooperate and try and come to a common understanding. I have no doubt that the Bengal Provincial Conference which meets in Calcutta at an early date will fully and carefully consider this.

Yours sincerely,

C. R. DAS.