MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION

UPON

DECENTRALIZATION

IN

EASTERN BENGAL AND ASSAM.

VOLUME V.

Presented to both Houses of Parliament by Command of His Majesty.

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MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION UPON DECENTRALIZATION.

TWENTY-SEVENTH DAY.

DACCA, *Monday, 6th January*, 1908.

PRESENT :

C. E. H. HOBHOUSE, Esq., M.P., Under Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

The Hon. Mr. P. C. LYON was called and examined.

The Hon. Mr. P. C. Lyon.

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19243. You are Chief Secretary of the Government of Eastern Bengal and Assam?—Yes.

Larger powers should be given to the provincial Government to deal with provincial funds. All important schemes of expenditure should be referred to the Government of India for orders before their inception, but once such schemes have been sanctioned, and there is provision in the budget estimates for their execution, it should be unnecessary to refer again for sanction to specific items of expenditure under these schemes, or to the creation of the appointments necessary to carry them out. Again, when choice has to be made between various schemes which have been sanctioned, but which cannot all be undertaken at once owing to want of funds, the Local Government should be permitted to use its discretion as to the order in which such schemes should be taken up, and the rate of progress to be laid down with respect to them. Similarly, I am doubtful whether the Government of India does not exercise too minute a control over the details of the budgets of Local Governments. In the interests of uniformity and economy, it is necessary that the experience of other provinces should be laid before the Local Government for consideration, but when that consideration has been given to them, more discretion should be left to the local authorities to decide finally on the expenditure of provincial funds.

The Government of India is inclined to interfere too much in matters of detail, and occasionally forces views as to revenue policy, derived from experience in provinces in which the conditions are altogether different, upon officers who are well acquainted with local circumstances. In matters also of establishments and office administration, too detailed a control is sometimes exercised.

A large measure of decentralisation is required, and that can best be secured by the grant of some general power to delegate, or to refuse to delegate, or to withdraw powers. There is serious difficulty, however, in dealing with powers which have been conferred upon certain authorities by Acts of the Legislature. The exact authority who will hold such powers has been decided by the Legislative Councils, and the fact that certain orders can only be passed by officers of a certain standing may frequently have conciliated opposition based on a fear of orders being passed by junior and inexperienced officers. In many such cases it would not be right now to modify the action thus taken without very full consideration, but executive orders, and a vast mass of detailed executive work can safely be delegated to lower authorities without breach of any express or implied undertaking.

Undoubtedly, the Government of India is occasionally influenced too exclusively by officers whose experience has not extended to provinces other than their own. It is difficult to arrange for the representation of all provinces in the Government of India, but it seems advisable, when matters of great moment are being discussed by the Supreme Government, that the Local Government concerned should be fully represented personally, as well as by its written letters of protest. A very important case in point is certain correspondence on large revenue matters which took place a few years back between the Government of India and the Government of Bengal. The Revenue Department of the Government of India being at that time almost exclusively manned by officers whose experience was limited to the Punjab, it was difficult for the Government of Bengal to secure proper appreciation for its own important revenue problems or an understanding of the circumstances that have grown up in Bengal under the permanent settlement, or in those tracts of Bengal to which the permanent settlement does not apply. Large matters connected with the Bengal Tenancy Act, the survey and settlement, and the maintenance of the records of those settlements, were dealt with by the Government of India from the standpoint of officers who had no experience of Eastern India, and the protests and arguments set forth by the Government of Bengal were occasionally overruled with some lack of comprehension of the questions at issue.

The appointment of the Directors and Inspectors-General is of the greatest value to Local Governments. Their proper functions would appear to be to inspect, to suggest to Heads of Departments and to Local Governments where the reforms carried out in other provinces appear to them to be applicable in the province they are visiting, to bring the Secretariat of the Government of India into touch with provincial matters, and to deal directly also with the Local Governments, discussing with them the views of the Government of India and the reforms which they think it desirable to suggest. They should not, however, have power to pass orders, or distribute funds, nor should the Government of India issue orders on their reports without previous consultation with the Local Government.

The initiative in large administrative reforms has come in the past few years from the Government of India, who are aided by their wider experience and broader outlook. I do not think that the guidance of the Government of India should be withdrawn. Much uniformity is desirable, and it is necessary for the Government of India to curb

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faddists when they attain to high local position. This is especially desirable in the case of highly specialised departments placed under the control of Local Governments. Minor reforms are, of course, frequently initiated by Local Governments.

The right of appeal, either in administrative or personal matters, should not be curtailed, but constant vigilance would appear to be necessary to prevent too great an interference with the discretion of Local Governments, and the consequent growth of an impression that the Local Government is not trusted.

The demands for returns and information has not increased materially in the past few years, but constant care is required to prevent this, and the present reports and returns might still be largely reduced, on the lines of the orders issued by the Government of India a few years back. There are reports sent up by all grades of officers which are not required. The information contained in them should be carefully registered and tabulated in the office of collection, so that they may be available when required, but they should not be reproduced in periodical reports for the information of higher authorities.

Large delegation should be made to Commissioners and to District Officers, of the powers both of the Local Government and the Board of Revenue. The status and position of the Board of Revenue should be materially changed. The members should still sit to exercise appellate authority, but for all executive work they should act merely as the Lieutenant-Governor's agents. While I would not impair the supreme authority of the Lieutenant-Governor, which gives strength and individuality to the administration, I would give him two officers to relieve him of much detailed correspondence and to help him in the inspection of the work of his Commissioners and the Heads of Departments. They should be senior officers with full knowledge of the province, who have themselves been Commissioners, and they should be consulted by the Lieutenant-Governor generally on all matters of importance. Their presence at headquarters would prevent the exercise of undue influence by junior officers in the Secretariat, and would bring more varied experience to the assistance of the Lieutenant-Governor, while they would be available constantly to visit divisions and communicate to Commissioners, and through them to District Officers, the policy and the detailed wishes of the Government. They would have no office separate from that of the Secretariat, and would see all cases concerning the department they were appointed to control. This would completely modify the present system, under which there is much unnecessary friction and delay over matters dealt with both by the Board of Revenue and the Local Government, and the position of Commissioners would, at the same time, be enhanced.

Commissioners should be given more power in matters relating to agriculture, police, education, excise and sanitation. It is through the Commissioner that the Government should get into touch with the people, and he should influence the policy of Government in matters in which he is able to ascertain local opinion and sentiment.

Executive Officers have not, of late years, had sufficient opportunities for personal contact with the people. The chief obstacles are the pressure of Court and office work, the want of communications, and the increased frequency with which European officers take leave out of India.

Frequent transfers have also militated against an intimate knowledge of the vernaculars. Assamese can be mastered without much difficulty by an officer who knows Bengali, and we have, since the constitution of this province, modified the departmental examination rules to secure an adequate knowledge of Bengali as a condition of service.

The pressure of Court and office work is due to the inadequacy of the staff available to deal with it, and the excessive area of some of our districts. For the proper government of the province the *cadre* of the Civil, Police and Educational Services should be largely increased. These Services are altogether undermanned, and it is impossible for the officers in them to perform the duties entrusted to them with adequate care and consideration. The consequence of this pressure has been that the valuable tours made by officers in the interior of their districts have to be curtailed, and those officers have not the time to enquire into details of village life and village organisation, and make themselves personally known to the people in the manner that is essential to the proper performance of their duties.

Considerable care should be exercised in the selection of Collectors of districts and of Commissioners of divisions, and seniority should only be held to give a claim when it seems probable that the senior officer will use intelligently the greater experience that he has acquired.

The transfers of officers have been, at times, unnecessarily frequent, and the greatest vigilance is required to reduce their number. They are due to inadequacy of staff, the working of leave rules, and the system under which promotion frequently connotes a transfer. It would not be advisable in the public interest to touch the leave rules, and I am doubtful whether any system of pay can be devised which would obviate the necessity for transfers on promotion. But with a larger staff a great many of them could be avoided, as the large majority of transfers which are made are due to the necessity of supplying the place of an officer going on leave, or falling sick, by an officer of equal calibre from a distant place. With a larger staff, and strict attention to the principle that officers must be allowed to remain for three years in the districts to which they are appointed, many of the disadvantages due to the present system would disappear.

I am doubtful whether much larger powers can be granted to municipalities or District Boards, but something can be done in this direction. The difficulty lies in securing proper control over the executive of such bodies, and in maintaining that executive at a proper standard of efficiency. If these Boards would secure the services of the best men to fill the posts under them, and would leave good men to carry out orders without excessive interference, there would be less objection to the granting of larger powers to them. It is not so much that they fail to issue the right instructions and the right orders, as that they fail to see that those orders are properly carried out.

While anxious to devise some means by which Indian gentlemen who are ready and willing to help in the administration can be associated with the Government in its work, I am doubtful whether the constitution of Advisory or Administrative Councils will greatly help matters, though committees of Indian gentlemen constituted to assist in sanitary and educational matters can be utilised with great advantage to the administration. We have for our permanent assistance a large body of Indian members of the Provincial Civil and allied Services, and private gentlemen, who have their own business to attend to, and who are not directly associated with the Government, would find it very difficult to take any such prominent part in Government work as is implied by the formation of Advisory or Administrative Councils. A great deal can be done by a policy of consultation and deliberation with Indian gentlemen of all classes in the district or division on all matters of local interest, and I am only doubtful whether such a policy should be carried out on the lines of the proposals hitherto made for the creation of formal councils.

An experiment might be made in investing District Boards with powers of supervision and control over small municipalities.

Efforts are being made to encourage the growth of village communities, and to entrust village officers with greater powers over the disposal of local affairs, but great care has to be exercised to secure that the powers thus given fall into the right hands. I am convinced that, for some time to come, the main work of the administration must remain in the hands of those who are trained up to the work, whether they be Europeans or Indians. For the present there must be a large leaven of Europeans, in order to give strength and backbone to the administration. We at present recruit almost all our Government officers from among the

natives of the country, and at the time of the transfer of the Bengal districts to the new province there were only 93 Europeans in all branches of the Government Service within the province. Experience has shown, however, that our staff was in this respect much too weak, and it has been necessary, and it still is necessary, to strengthen it to enable us to perform our obligations towards the masses of the population.

19244. Will you give the Commission a very brief sketch of the organization of the province?—The Head of the province is the Lieutenant-Governor who is assisted by three Civil Secretaries and a Public Works Secretary. There is a Board of Revenue, comprising two members, and there are five divisions in charge of Commissioners. The District Officers are known as Deputy Commissioners in Non-Regulation districts, and Collectors in Regulation districts. Then there is a Legislative Council consisting of 15 members.

19245. What place does the Board of Revenue occupy?—It stands intermediary between the Commissioners and the Government in all matters connected with land revenue and miscellaneous revenue. It is only concerned with revenue. The members tour in the province, but they have their headquarters at Dacca and visit Shillong during a portion of the hot weather and rainy season.

19246. Do they ever sit as a Board of Revenue?—Occasionally both members jointly sign a reply if they are consulted jointly on any important matter, but their work is practically separate

19247. Has each individual member the full powers of the Board, as a Board?—He has, except in the matter of appeals; if the Board of Revenue differ from the Commissioner on appeal, both members have to be called in.

19248. What is the distribution of work at the headquarters of a district?—Our districts are divided mostly into sub-divisions. The central or *sadar* sub-division is in the direct charge of the Collector, but each of the outlying sub-divisions has a Sub-Divisional Officer, either an Assistant Magistrate or a Deputy Collector, and some of the Collector's powers devolve upon the Sub-Divisional Officer who deals with the criminal work of his sub-division. In Assam a large portion of the revenue work is also done by the Sub-Divisional Officer within his own sub-division, but in Eastern Bengal practically the whole of the revenue work is kept in the direct charge of the Collector at headquarters. He has under him at headquarters a considerable staff—3 or 4, or more, Deputy Magistrates, sometimes a Joint Magistrate and an Assistant Magistrate also, who deal with criminal cases and with various departments of revenue work. Deputy Collectors are placed in charge of the Income-tax Department, the Excise Department, Partition, Road Cess, Land Registration, and so on.

19249. Has the Deputy Collector at headquarters no territorial jurisdiction?—No, not in Eastern Bengal.

19250. There is a Sanitary Board in the province; what does that consist of?—The first member of the Board of Revenue, the Chief Engineer, and the Sanitary Commissioner—the Sanitary Commissioner being both member and Secretary.

19251. With regard to the Director of Agriculture, he has lately been appointed to this province?—Yes. He was previously on the Civilian *cadre* of the province. He was selected by the Local Government.

19252. Was his appointment confirmed by the Government of India?—I do not think the appointment was specially reported to the Government of India, but they are aware of it no doubt.

19253. Have any officers of the Agricultural Department been sent to you lately by the Government of India to advise?—Mr. Finlow, the jute expert, was in the province of Bengal before the partition, and he came over to this province which contains the largest jute area. There is another expert about to join who is under training at Pusa; he is an agricultural chemist. He is one of the experts we have asked for—we asked for 4 or 5.

19254. Then there are certain other heads of Departments, the Jail Department, Registration, Excise, and so forth; are these all under the Local Government?—Yes. The Departments of Excise and Customs and Land Records are under the Board of Revenue.

19255. Is the Customs Officer an imperial officer?—The Collector of Customs at Chittagong is the Commissioner of the division. Under him we have an Assistant Collector of Customs who is a local officer, but I think he is under some special agreement. He would ordinarily be an imperial officer.

19256. While the Government of Eastern Bengal and Assam has put in a memorandum which states the views of the Government, the expression of opinion by officers generally is that of their own individual view of the questions put to them?—Yes, that is so.

19257. The Government of Eastern Bengal rather takes the view that the control of the Government of India is over-elaborate? In what particular?—The constitution of the Board of Revenue as it was formerly in Bengal, and as it at present is in this province, seems to result in the delay of work and to afford an example of over-elaboration.

19258. Does the Government of India inquire too minutely into the details of your budget?—We are of that opinion, but I understand that a good deal of change has been effected lately in the direction of giving the Local Government more freedom in settling the details of the budget.

19259. You say you want greater power to judge from among approved schemes those which are of the greatest importance; have you not the power to do that now?—The difficulty is that some schemes are pressed on us as matters of great urgency, and we have been restrained by the Government of India occasionally from proceeding with other schemes in preference, which we consider of greater urgency, although the expenditure is mainly from provincial revenues.

19260. Have you no power to resist such interference in the case of the expenditure of provincial funds?—I do not think so; if the Government of India desires that we should cut down certain items of the budget in view of increased expenditure on other items they can make us do so, while we should perhaps prefer to distribute our expenditure somewhat differently.

19261. Do you mean that, instead of saying to you, "Your whole budget represents a total of so and so, you must reduce it by 10 lakhs," they say, "You must take off two lakhs in the Education Department, two lakhs in the Public Works," and so forth?—Yes, I believe a great deal of change has been made recently, and objection is not now being taken so much, but it was previously the case. The general limitation of expenditure is within the proper supervision of the Government of India.

19262. With regard to the status of the Government of India itself, speaking with the authority of the Government here, will you explain your views?—In matters where the Government of India express views which are opposed to those held by the Local Government, the Local Government has not always had sufficient opportunity of emphasising their views and discussing matters with the Government of India. That might be remedied if the officers of the Government of India were taken from the various provinces. I do not in the least wish to suggest that the number of officers of the Government of India should be multiplied, or that any further over-elaboration should take place in the work of the Government of India, but the suggestion is made with reference to the proposed increase in the membership of the Legislative Councils. By such an increase a large number of official members will be brought into touch with the Government of India, and that might render it possible for representatives of the Local Government to be consulted, and the ideas of the Local

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Governments to be thoroughly explained before any dissent from them is expressed.

19263. You wish to enable the Government of India to get advice upon the varying local conditions of the various provinces?—Yes. I should like to refer to a case regarding revenue matters in Bengal. The Government of India in the Revenue Department was almost exclusively drawn from officers of experience in the Punjab, and the proposals of the Government of Bengal at the time with reference to the maintenance of the settlement records and the Bengal Tenancy Act were dealt with entirely by officers of the Government of India who had no knowledge of the circumstances of Bengal. There was a very lengthened correspondence with regard to the matter, much of which might have been avoided. The result was that the representations of the Local Government, which had been repeated on more than one occasion, were finally over-ruled. The action consequent upon that case is not yet completed; the correspondence took place a few years ago.

19264. Would it not be quite possible, notwithstanding the overruling of the provincial Government, that the decision might be a wise one?—That of course might be the case.

19265. The Board of Revenue, as it exists now, is a copy of the system in Bengal as it formerly existed. Are the relations of the Local Government with the Board of Revenue entirely within the competence of the Government of Eastern Bengal?—The changes that have taken place in the Bengal Government are wholly within the competence of the Local Government.

19266. The Lieutenant-Governor desires a change in the system by which the members of the Board of Revenue would be brought more directly into touch with them. Surely the Government of Bengal have full powers over the procedure of their own officers and the relations of those officers to the Government?—I am not sure that there are not some difficulties as regards the powers of the Board of Revenue which might be involved if this change was fully carried out. The members of the Board of Revenue have been known to object to the change as bringing them into too great subordination to the Lieutenant-Governor and making them mere Secretaries rather than independent members of the Board. That creates some difficulty in carrying out the change, but to a certain extent, as regards pure matters of procedure, there should be no difficulty.

19267. The view of the Local Government is that it is desirable first of all to have a Board of Revenue, and secondly to have a strong one?—That is the view taken in the Government letter.

19268. Is that your personal view?—My personal view is that we should go further. All I would leave to the Board of Revenue, as such, is their appellate jurisdiction, and for its appellate jurisdiction it should be strong. The Board of Revenue, except for appellate purposes, should cease to exist; the two members who are now members of the Board should become advisers of the Lieutenant-Governor, not as having the powers of the Lieutenant-Governor, but as his deputies, so that they could visit various parts of the province and carry out and communicate his orders. As senior officers of the Service they should be advisers between him and the Secretaries, who might be more junior officers. My proposals are mainly in the interests of the greater simplification of business. The present system greatly increases correspondence. There are a vast number of matters which go from the Commissioner to the Board of Revenue, and again from the Board of Revenue to the Government, sometimes differences of opinion arise between the Board of Revenue and the Commissioner, and again between the Board of Revenue and the Local Government, involving correspondence and adjustment. If all these matters were dealt with directly between the Commissioners and the Government, the Lieutenant-Governor being assisted by two Councillors who could discuss matters with him, or visit the divisions, it would simplify business.

19269. Could the same result be obtained, not by the creation of a Council, but by an increase in the powers of Commissioners, leaving the Board of Revenue for the purposes of appellate jurisdiction?—I think my proposals would be accompanied by a great delegation of power to Commissioners.

19270. If there was a great delegation of powers to Commissioners what would be the necessity of some body intermediate between the Lieutenant-Governor and the Commissioners?—I do not suggest an intermediate authority, but assistance to the Lieutenant-Governor both with regard to advice and for inspection purposes.

19271. Would it not be sufficient to make a Commissioner go direct to the Secretariat without the assistance of these Councillors?—That would be an inferior system, because the assistance which would be given by these Councillors should be very great.

19272. Are you quite prepared, and is the Local Government here quite prepared, to delegate very largely increased powers to Commissioners?—Yes. The retention of the Board of Revenue for appellate purposes is of importance in any case.

19273. Do you suggest that the granting of these larger powers to Commissioners would require their more careful selection?—Selection should be more carefully made; it is made with some care now.

19274. Would you begin the process of selection very much lower down the scale of officers?—An officer should be selected for the charge of a district; every officer is not fit for the charge of a district.

19275. Are officers so selected now?—Some officers are passed over.

19276. Is that passing over less frequent than it might advantageously be?—If greater power was given, more officers should be passed over; the system might be slightly more strict than it has been.

19277. In the case of either a Sub-Divisional Officer who is passed over for a Collector, or a Collector who is passed over for a Commissioner, what should be done with them—should they be allowed to remain in the Service, or would you retain them in the charges in which they were before they were passed over?—I think so. I do not think it means any further deterioration in the officer, because he may be fit for the charge of a district, but he may not be fit for the higher duties of a Commissioner.

19278. But taking the case of an officer who has been three or four times passed over, would you retire that officer or would you retain him to the end of his service?—I think he should be retained—I see no reason against it.

19279. Do you see no reason against retaining an officer, say, of 40 or 45 years of age as perhaps Assistant Collector if he has been passed over for a Collectorship?—Some scheme, by which officers who might be reported as unfit for a higher post than that of Joint-Magistrate should possibly be given some compassionate pension, might be worthy of consideration, but it is not a matter I have fully thought out.

19280. You suggest that Commissioners should be given power to post and transfer subordinate officers—do you mean Gazetted Officers?—Gazetted Officers, but Uncovenanted Officers, such as Deputy Magistrates. Commissioners have now the power of transferring and posting Sub-Deputy Collectors, and it is merely an extension of that system to the rank of Deputy Collector.

19281. You would not give power of posting or transferring in the case of Imperial Civil Servants?—There would be no objection to the Commissioner posting Assistant Magistrates to different districts, but he should not post Joint-Magistrates or Collectors.

19282. You suggest that reference should be made to Local Governments after the Government of India have received advice from their Inspectors-General; supposing the Inspector-General was an officer, say, of the Government of Eastern Bengal, and he criticised rather sharply the proposals of

the Government of India, and his criticism were referred to the Local Government, might not that prejudice his forward path after he had ceased to be an Inspector-General of the Government of India?—Officers are not drawn from Local Governments. Personally I do not see any difficulty.

19283. Is the Government of Eastern Bengal not only prepared to delegate powers to Commissioners, but do they think that the Commissioners, in their turn, should be called upon to delegate powers to Collectors and Sub-Divisional Officers, particularly with regard to revenue work?—Yes. Delegation from a Commissioner, of course, would be to the Collector and the Collector would delegate to Sub-Divisional Officers.

19284. With regard to District Boards and municipalities, the Government of Eastern Bengal do not think it would be well at present to extend their powers?—That is the view taken. In the opinion of the Government the management of the District Boards and municipalities has not proved so specially successful as to justify the delegation to them of further powers, but at the present time very large powers lie in the hands of District Boards and municipalities.

19285. Do the powers lie with the District Board now, or with the Chairman of the District Board?—I should say distinctly with the District Board.

19286. When you were a Chairman of a District Board, did you find, generally speaking, that the Board were unwilling to disagree with you in any views which you might happen to take upon a particular question?—I would rather put it that I consulted the Board.

19287. And that the Board agreed?—No, I do not wish to put it in that way, because I differed in many cases from the Board. If I had views on a certain point, I put them to the Board and they discussed those views, but I do not think it can be said that the Board always agreed.

19288. Was there full discussion of all matters with the Board?—That would apply to certain members of the Board, but not to all; there were many members from whom I did not get much assistance, but there were others who were ready to express their views and from whom I did get the greatest assistance.

19289. You did not feel that your position as Chairman so dominated the Board that they practically took little interest in the proceedings?—I do not think that any want of interest in the proceedings which might have been shown by the members of the District Board was due to that, because many of those who opposed the Chairman were those who took the greatest interest in the proceedings.

19290. When was the budget first seen by the Board, the day they had to discuss it?—That I cannot say. I should not dream of asking a Board, if I was now Chairman, to discuss a budget on the day I presented it to them. I cannot say what I did in former days; it is some years ago.

19291. With regard to transfers, you are responsible, subject to the authority of the Local Government? Do you find that there is a great number of transfers from post to post?—There is a very great deal. I look upon it as a very grave nuisance and I do what I can to avoid it. The Lieutenant-Governor has written a minute on the subject, of which perhaps I may give the substance now. His Honour is of opinion that transfers are justified by so many considerations that, so far as he knows, they have not been unnecessarily made, in the vast majority of cases. Such as have been made could not have been avoided without falling into worse difficulties. The causes of transfer may be divided into, (*a*) breakdown of health; (*b*) leave; and (*c*) unfitness proved by conduct. That means where an officer has proved a failure in a district, and it is necessary to transfer him in consequence. Then (*d*) the necessity of taking a man from a district for more important work. Thus; a Financial Secretary might break down, and it might be necessary to select a man for the post; there are very few men in the province who could be selected for such an important post, and it might be necessary to take a man from a district where he had only been for a year or six months. Then (*e*) senior officers returning from leave requiring posts to be allotted to them; (*f*) promotion; (*g*) social disqualification. That is a matter which requires perhaps some explanation. It is highly undesirable that two officers who are known to be on very bad terms should be placed in close connection with each other—similarly with two Deputy Magistrates. We know that two Deputy Magistrates are on very bad terms (they may have had some trouble between them known to Government), and they could not be placed as Sub-Divisional Officer and second Deputy Magistrate in the same sub-division. Then (*h*) hardship and general dissatisfaction, if prizes and good appointments are not fairly distributed among those fit to hold them. We have a large number of appointments which vary greatly with regard to the qualifications of the officers who are required to fill them, and a number of officers who vary largely in the qualifications they possess; consequently transfers are inevitable if attention is to be paid to the special fitness of officers for the posts they are to hold. As an example, the very important district of Mymensingh might fall vacant; it would be impossible to appoint to the post the man who was Assistant Magistrate there, and it might be necessary to bring a man from another district to fill the place.

19292. Would that be the case as regards a period of long leave?—Perhaps, anything over six months.

19293. Would you fill a three months' vacancy with an Assistant Magistrate?—Yes, Probably. The remedies suggested for the transfers are, firstly, that we must increase our staff if we are to avoid breakdowns which are due constantly to overwork; secondly, as regards leave, it is suggested that after six months' combined leave, even if part of it was privilege leave, three years should be the interval before the next long leave could be taken; and it is to be considered whether a senior officer returning from leave could not be allowed to keep his post and pay, until a suitable vacancy occurs without having to make a fresh appointment. As regards promotion, it might be possible that officiating pay should not go to the officer who would get the promotion without his having to go and actually take up the appointment. Those are the main points.

19294. With regard to leave, do officers stay out here too long when they first come without going home? They have to stay out eight years subject to a period of three months' privilege leave?—No, I do not think so. They can sometimes get three months' privilege leave combined with three months' special leave, and a considerable number of officers go home after three or four years on six months' leave, so that the old rule is mitigated by those circumstances.

19295. Have you any particular trouble with regard to the knowledge of officers of the vernacular here?—We have taken measures to stiffen the examination, because officers have not so much to do with other vernaculars—we are almost limited to Bengali.

19296. Is there any lack of cordiality or a lack of sympathy between the officers of the Government and the people?—I think the increase of work has made it increasingly difficult for officers to cultivate the friendship of Indian gentlemen, and meet them. Officers have too much work, and they have not the time for relaxation which would give them the opportunity.

19297. When they are actually on tour, does the office work so haunt them that they cannot get about amongst the village people?—Not so much as they should be able to do. Their tours are confined by the press of their work; they are greatly confined to the main roads, when they should be able to go more into the interior of their districts than they do.

19298. Is there no limit to the distance that an officer may cover in a single day?—There are some rules passed to meet the case of motor cars, but I do not know exactly what the present limits are. There were limits beyond which an officer was not

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supposed to travel, namely, 20 miles a day, but I should not like to emphasise that, because very often an officer has to go out for the express purpose of inspecting certain offices which makes it desirable that he should travel far so as to make rapid progress.

19299. Is it not clear that it is no good an officer going on tour unless he goes at such a pace, and within such limits, as to be in touch with the people?—If he can make short marches in the cold weather that would be the ideal thing to do, but he is prevented from doing so by office work, and particularly in this province, owing to the want of staff.

19300. Although you are doubtful about the advisability of extending the powers of District Boards and municipalities, does the Government here think something could be done in the way of village councils?—Yes. Efforts are now being made to introduce a new system of panchayats.

19301. The individual panchayat or collective panchayat?—The individual panchayat who is called the President in Eastern Bengal. The old village system which prevails in other parts of India is scarcely known here; the districts have different systems of their own which may be worked up into some resemblance to the old village organization.

19302. Is it the desire of Government to gradually create some system of communal feeling in the villages?—I think it is most desirable.

19303. For the purpose of dealing with small petty and criminal work?—Yes.

19304. And some small amount of educational work?—Yes. I should think the village schools ought to be in charge of the local bodies.

19305. And also small matters of sanitation?—Yes, and also for arbitration in cases of land disputes between tenants and so on.

19306. You stated that at the present moment such councils should not deal with disputes in which zamindars are concerned?—The difficulty is not as to the councils; it is that if the President of the panchayat is given powers by Government, it will be very difficult to appoint a man who would deal fairly and properly with these disputes. If we could arouse the communal feeling we should be able to gradually evolve a local village council which would have the village at its back, and would deal with these matters efficiently. That is a question of time.

19307. Would it be a considerable time?—Yes, a considerable time, and it would require very careful management.

19308. Would that work be hampered by distinctions of caste and religion?—Very much so.

19309. You say that there are certain reports and so forth which the local officers have to make which might be diminished?—Some of the information, at any rate, which is sent up periodically to the higher authorities might be retained in the office until some special enquiry was made into a particular subject, or some necessity arose for collecting the figures. Some of the statistics as to criminal and civil jurisdiction, registration, and possibly excise and education and so on might be thus dealt with.

19310. Do you, as a Government, ask for a good deal in the way of returns from your officers and so forth, which are not occasioned by the demands either of the Secretary of State or the Government of India?—I doubt whether we ask for a great deal which is not passed on.

19311. But have you ever looked into the question of returns which you yourselves ask for, as apart from the Government of India?—No, I cannot personally say that I have.

19312. Would it be a subject worthy of consideration by the Local Government?—Certainly. I cannot say that it has been done.

19313. I am not speaking of merely annual returns, but rather of a case in which some one wants information and a return is asked for—We try to keep every possible check upon that kind of thing. It is being constantly suggested to us that in consequence of some difficulty which has arisen, or some fault that has been committed, a return should be prescribed in the future, and that it shall be required from all District Officers and Commissioners, but we do our best to stop that, and sometimes we think the recurrence of the fault is probably a smaller evil than a large number of returns.

19314. At any rate you think, as a Local Government, you are not particular sinners in that respect?—I hope not.

19315. Has there been a marked improvement in the morale of the Subordinate Service, or is there still some leaven of corruption in the Subordinate and Provincial Services?—It depends on how far you go down in the Service. I think in the grades of Deputy Collector and Sub-Deputy Collector it is far less than it used to be, though one knows of instances still.

19316. Would that be in any way due to the officers being kept a long time in their districts, or would the reverse be the case?—I have had a great deal of work in the Settlement Department, where the officers are very hard worked and move about a great deal from place to place, and among officers there is this security, that they have not had time to make arrangements to take bribes; they are moved too quickly from one place to another to make any arrangements or ascertain the persons who would bribe them.

19317. May I draw this general distinction, that while in the Imperial and Provincial Services, it might be well to retain an officer a considerably longer time in his post, it might be of considerable advantage not to do so in the case of the Subordinate Service?—I think the danger is greater with subordinate officers.

19318. How long should a Covenanted Officer be kept in his district?—From three to five years, except possibly in special cases. He might lose interest after five years, and a change might be good for him and for his work.

19319. (*Sir Frederic Lely.*) Are there great differences in the general administrative system of Eastern Bengal and Assam, or are they pretty much on the same lines?—They are on the same lines, but, of course, there are distinctions; they are governed by different executive rules; a different system has grown up to a certain extent and they differ greatly in that the Sub-Divisional Officer deals with revenue work to a much larger extent in Assam than he does in Eastern Bengal.

19320. That is to say what is called the system of territorial sub-divisions obtains more in Assam than it does in Eastern Bengal?—It is more complete. In Eastern Bengal the revenue work is more centered at headquarters, but the criminal work is distributed similarly in both provinces.

19321. Even in Assam, is the Sub-Divisional Officer entrusted with the whole general administration of his sub-division?—No, a good deal remains in the hands of the Deputy Commissioner.

19322. I was not speaking so much of powers as of cognizance; has the Sub-Divisional Officer in Assam cognizance generally of all the administrative work of his sub-division?—I could not answer that definitely.

19323. Is it understood when a young Assistant Commissioner is put in charge of a sub-division, he is responsible for its welfare and its good Government in the same way as the Deputy Commissioner is responsible for the whole district?—I should say so.

19324. For instance, is he given to understand that he is expected to take an interest in education, and that if education advances in his sub-division he will get the credit, or a portion of the credit for it?—I know he does a great deal of inspection of schools in his sub-division, but whether nowadays he is responsible for the advance of education it would be difficult to say. He can help, but his powers would be limited, as would those of the Deputy Commissioner, by the Education Department.

19325. He has not so much general responsibility in the Eastern Bengal districts, has he?—For instance, a Sub-Divisional Officer in the Eastern Bengal has nothing to do with income-tax?—He has a much more limited jurisdiction in general matters.

19326. Do you not think that the Assam system is much the better?—I think it is the better system.

19327. Do you not consider that a man in charge of a sub-division, going on tour among the people, is much more likely to be able to do, say income-tax work well, than a man staying at headquarters who never comes into contact with the people at all?—I think so.

19328. It has been said that income-tax work, as a matter of fact, is done worse by the Sub-Divisional Officer than by the headquarters officer—would you agree with that?—I should not have expected that to be the case.

19329. When the Sub-Divisional Officer tours in his sub-division, how does he go about?—I hope he rides. In some parts of Eastern Bengal he has to go about in boats, but he usually rides a great deal.

19330. Do you provide the Collector and his Assistant with boats where they are wanted?—I think the Collector is so provided, and I should like to provide every Collector in Eastern Bengal with a steam launch.

19331. A suggested remedy for over-work is the division of some of the districts which are too large; would it not equally answer the purpose to devolve more powers upon the Sub-Divisional Officers, so leaving the Collector or Deputy-Commissioner more leisure for the more important matters of his district?—I do not think that would meet the case with regard to several of our large districts which are very thickly populated. I do not think an officer would have time to get to know as intimately as he should the requirements of different parts of some districts.

19332. But if there is a sufficient staff of Assistants?—Still the distances would be too great, and he would not be able to spend sufficient time in each place.

19333. I can understand that that would be an obstacle to the Collector himself getting so much personal knowledge of the people as he would like, but if he exercised control through efficient Assistants, would not the same end be practically gained at less expense?—I think we should look to the Collector to gain more personal knowledge, and let the Commissioner gain it through the Collector; I should not like to substitute an Assistant for the Collector.

19334. Would your objection be based largely on the inefficiency of the Deputy Collectors?—I do not think they would be so efficient as the Collector or so valuable.

19335. But still you would not call them, as a rule, incompetent and unfit to be entrusted with larger powers?—No, but I think the District Officers should acquire a larger knowledge of the people in their districts, and it is practically impossible in some of our large districts, even though the Collector might be relieved of a great deal of work, for him to thoroughly know them.

19336. Short of such a redistribution of areas, would it not be an advance in the right direction to increase the number of sub-divisions and devolve more powers on the Sub-Divisional Officers?—Certainly.

19337. If this were done, would you give the same power to every Sub-Divisional Officer, or would you allow the Collector to discriminate?—The Collector should discriminate; he should be allowed to exercise his discretion as to the more important powers.

19338. Would that be a positive advance in the way of stimulating officers to more zeal and efficiency?—I think so.

19339. I understand that the function of the Commissioner is to approach questions with some personal knowledge and also from a broader point of view than the Collector. On the other hand, the Board of Revenue approaches cases from the same point of view as Government—it has not necessarily any personal knowledge of the matters or men it deals with at all?—It is supposed to be especially expert in revenue work.

19340. But it proceeds on paper statements and on precedents in dealing with each case, distinct from the Commissioner who deals with his work on the basis of personal knowledge?—Yes.

19341. Do not the Government and the Board of Revenue practically cover the same ground?—They take all matters in certain stages, the Board of Revenue, with its expert knowledge of revenue matters, relieves the Government of a great deal of revenue detail.

19342. But you would not say that the point of view was the same?—I do not see much difference.

19343. Then practically the Board of Revenue is a fifth wheel in the coach?—I have given reasons for suggesting that the position might be modified.

19344. When the members of the Board tour on inspection, is there not a danger of their clashing with the Commissioner?—I do not think so; the Board is distinctly above the Commissioner, everything it does is on a plane above the Commissioner.

19345. What is the use, if the Commissioner is a trustworthy man, of a superior body going round to do the same work?—The Board has a knowledge of the whole province, whereas a Commissioner is limited to his own division.

19346. Have you a selected officer as Registrar of Co-operative Credit Societies?—Yes.

19347. Could that officer also look after and stimulate the village communities, or organise them where they do not exist?—It would be admirable in theory but it is too large a business. He would have to work completely through Collectors and Sub-Divisional Officers who alone can really do such work. It would be too big a thing for him personally.

19348. If he went into a village to organise a Credit Society, might he not also introduce the other step of general communal organisation?—I quite agree with regard to the villages he is dealing with; but if the Registrar's work is in the next few years highly successful, he will be quite unable to cope with it to the extent of dealing with the villages in detail. Where he does his work in a village he is obviously the right man to encourage a village council as you suggest, but in time the officer in charge of Co-operative Societies will be quite unable to deal with the matter in detail in each village because the work will be beyond him. At the present moment, incidentally, in connection with his own work he might render valuable assistance.

19349. (*Mr. Dutt.*) While you think the members of the Board of Revenue might be better utilised as advisors of the Lieutenant-Governor, would you give them the same powers as are enjoyed by Members of Council in Madras and Bombay?—No, I would not. I would have them simply as advisors to the Lieutenant-Governor, and his assistants in regard to matters of inspection.

19350. Are there any strong objections to their sharing the work of administration with the Lieutenant-Governor?—I do not think it necessary or advisable for them to share in the final responsibility of the Lieutenant-Governor.

19351. Would there be any objection to certain departments being made over to each of them, and certain departments being kept by his Honour the Lieutenant-Governor himself?—I would propose that they should deal with certain departments, and that the work should be divided among them, but every reference to the Local Government should be disposed of under the control of the Lieutenant-Governor.

19352. But would not the members in that case finally dispose of most of the questions which come

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up, instead of referring them to the Lieutenant-Governor?—All matters which they disposed of as his representative should be brought to the notice of the Lieutenant-Governor in the same way that cases disposed of now are brought to his notice, and a table of cases dealt with should be prepared. They would be able to dispose of more cases than they now have power to do.

19353. Would you practically reduce them to a sort of Secretariat, disposing of various matters and bringing them to the notice of the Lieutenant-Governor for his approval?—I think the Lieutenant-Governor should know either by perusal of the proceedings, or by some kind of table, what work was being done, and that he should have a general knowledge of what was going on. But this would not apply to work dealt with by them within their own subordinate powers.

19354. According to your scheme you would take away some of the independent powers now enjoyed by the Board of Revenue, and give them powers not possessed by them now?—I would do so. Probably those powers would be exercised by them under the supervision of the Lieutenant-Governor. I would not give them independent powers except as to appeal.

19355. So that the result would be that the Lieutenant-Governor would have more power in his hands than he has now?—No; the Lieutenant-Governor has complete power of supervision over the work of the Board of Revenue and it would not enhance those powers.

19356. If the delegation of legal powers is to be made, is it desirable that it should be done by amending Acts?—A good many powers which have been given by the Legislature to the Local Government might very rightly and without any serious objection be delegated by a general Act to subordinate authorities, by a schedule; but there are other cases in which possibly the scheme of the Act ought to come under fresh consideration before such a power was granted. I should prefer to leave it to a legal authority to decide; some cases are more important than others.

19357. Would you think it advisable to delegate much of the revenue work which is now done at district headquarters to the headquarters of subdivisions to be done by Sub-Divisional Officers?—Yes. Probably it might be possible in that case to reduce the staff at headquarters sometimes, but on the whole it would probably require a strengthening of the sub-divisional staff.

19358. Would you create, as in Madras and Bombay, small circles within the sub-division with a Deputy Magistrate or a senior Sub-Deputy Magistrate in charge of each of them to dispose of judicial and revenue work, in subordination to the Sub-Divisional Officer?—Here and there such a delegation would be possible and useful. Each case would have to be considered on its merits. It would be a pity to weaken the power of the Sub-Divisional Officer in some cases, but in other cases it is desirable that the Magistrate should be brought nearer to some large centre.

19359. Where such a scheme was feasible, would you entrust those officers to organise or develop village institutions and supervise their work?—Undoubtedly; an officer of the stamp of a Deputy Magistrate would always be the officer we should wish to employ on such work; a good officer is sympathetic and understands the people and the closer he is brought to the people the more easily he is able to carry out the work.

19360. Do you think, possibly, he could do it better than the Registrar of the Co-operative Societies, who has to tour over the whole province?—I think so far as the Registrar of Co-operative Societies now visits villages he could help to stimulate matters, but the work must come under the Sub-Divisional Officer or the District Officer eventually.

19361. Would you entrust the Divisional Commissioner with the power of transferring Deputy and Assistant Magistrates within his division?—Yes.

19362. Would you allow him that power with regard to Joint Magistrates?—I think not. That is a matter for the convenience of the Appointment Department. Joint Magistrates at headquarters are very rare; they are constantly being called on to fill District Magistracies, and we must know where they are, as very often we appoint them for special purposes to a district perhaps to succeed a Collector who is going on leave; consequently we do not wish to give up the power.

19363. But are not Joint Magistrates also Sub-Divisional Officers?—Civilian Sub-Divisional Officers are in almost all cases men of the grade of Joint Magistrate.

19364. In their case would you allow the Commissioner to remove a Sub-Divisional Officer from one district to another?—No. With reference also to Deputy Magistrates in charge of sub-divisions, I should prefer to reserve sub-divisions for the Appointment Department to deal with subject to the recommendation of the Commissioner.

19365. As Chairman, did you find on the District Boards some members who took an interest in their work and other members who did not?—As a Commissioner I had a great deal to do with District Boards, and I found that to be very much the case.

19366. Do you think that the members would take more interest in the work if small sub-committees of the District Boards were formed over which the District Officer should keep a general supervision?—I am doubtful whether the work of a District Board could with advantage be subdivided much, because the volume of it is not great.

19367. For instance, could the preparation of the budget be conveniently entrusted to a Finance Sub-Committee and then be submitted to the Board for approval?—The work would be facilitated by its being prepared in the ordinary way and then being discussed either by the whole of the Board or portions of it, perhaps by separate committees. The initial preparation, in order to get something to work upon, had better be left to the office under the supervision of the Chairman, to see that it is in proper form and order.

19368. Would you entrust education to an Education Sub-Committee?—Education is limited, to a great extent, to subventions to schools and the schools are under the management of sub-inspectors, but if the work was of sufficient volume to make it advisable there is certainly no objection to its being considered by a sub-committee, in fact it is so considered in many large District Boards.

19369. Do you think consultation and deliberation with Indian gentlemen could be more effectually and regularly held if Advisory Boards were constituted in matters like indigenous industries, methods of agriculture, local trade, pasturage, cattle breeding, and the like?—Most of the subjects you mention could be dealt with by local committees, it may be, specially appointed *ad hoc*. It would be preferable to take each of those subjects when they arose, and get the advice of gentlemen who were specially competent to deal with them, or who were specially interested in them. I am not sure that a fixed Advisory Board would deal with them quite so well.

19370. But do such committees exist now?—No. They are only constituted by the Collector if he wishes to do so.

19371. Would it be an advantage to have one or more such bodies permanently formed, so that the Collector might periodically call them together and consult the members?—I think the line which has been followed in connection with the formation of Agricultural Associations is a very valuable and useful line, and should be followed up whenever the work gives sufficient employment, but the difficulty is that until we develop our Agricultural Department and our agricultural work the constitution of such a body is something of a farce, because we have no matters to lay before it. Where business arises and there is an Agricultural Association, then we could do such work with great success.

19372. Are there not matters constantly coming before the Collector relating to famine and plague relief?—Famine relief and plague relief, of course, are a speciality, and the methods for dealing with

plague have been dealt with by Ward Committees in large towns. The procedure is to call the people of a place into special consultation in such matters.

19373. With regard to the village panchayat, is it very often difficult to find a thoroughly impartial man in a village in matters where the villagers are concerned, or would that difficulty be reduced if you gave the power to five people instead of to one man?—The difficulty is that if you increased the powers of five people in a village, you would get nothing done. If one man is responsible, as the Head of a panchayat, he will get the work through, but if you have five men they will contrive to do nothing.

19374. Would you entrust the work of settling petty disputes and disposing of petty criminal cases to the village panchayat?—That is a great object to be attained, if possible.

19375. Would it be safer to invest power in one man or in a collection of four or five men?—We cannot find the one man at present; we may be able to develop village feeling and village communities sufficiently to get four or five good men as Heads of the village, but until that time comes it is very difficult to delegate any of these matters to villages. Here and there we can find the right man, but in a very large number of instances the man we do put in power, or the man who tries to get himself put in power, is a partizan of one zamindar or the other, or is dominated by one faction in the place, and it is very dangerous.

19376. Have zamindars much influence in villages apart from their own headquarters?—They have a very large influence.

19377. In matters relating to sanitation or village rates and village schools, have zamindars much influence?—I think they could exercise a large amount of influence.

19378. But as a matter of fact do they themselves exercise much influence?—I think not.

19379. (*Mr. Hichens.*) Do you not already have in case of need, a number of *ad hoc* bodies as councils; for instance, in cases of plague, is not a committee appointed?—Yes, it would be done in most cases, but it is not prescribed by law or rule.

19380. In practice, would a Famine Committee be appointed?—I believe it is customary to call in the assistance of people in that way. In the case of a famine the work is so urgent, and the organization is so difficult, that it very often has to remain in the hands of the head of the district.

19381. In the case of a famine would you be in favour of the Collector having instructions to call in a small advisory committee?—Yes, certainly; consultation in such a matter would be of great value.

19382. Would it be sufficient to issue a general instruction of that sort in lieu of appointing advisory bodies?—I would encourage any instructions which would suggest to officers that in all matters pertaining to the welfare of the people the advice of Indian gentlemen should be taken, and in all matters it should be taken in the fullest possible way.

19383. Are there a number of societies in different districts, such as Agricultural Societies and so on?—No, there are not many.

19384. So that there is no particular opportunity of getting at public opinion in that way?—These Agricultural Societies have hardly been formed in this province at all; they were appointed in the old province of Bengal, but there are very few here.

19385. Do you think that if you encouraged *ad hoc* bodies of that sort you would get at the real opinion of the people better than if you had an indiscriminate Advisory Council?—That is my view.

19386. Do you object to the budget being sent up to the Government of India for sanction?—Certainly not.

19387. Do you object to their making changes in the budget when they get it?—I think that the changes should be limited to, say, totals. I think that the details of the budget should not be interfered with.

19388. Would you allow them to make changes in the interests of accurate estimating?—Certainly; if they feel that they are in a position to estimate more accurately, which they sometimes are from their broader standpoint, they should be allowed to assist in that way.

19389. Would you add a proviso in that case that if you did not happen to agree with them, and if it turned out in the course of the year that you were right and they were wrong, you should have full power to expend any amount which they might have cut out?—Yes, if such an arrangement is found financially possible.

19390. Would you be satisfied if it could be arranged that any sum which was cut out you could have back at any time if necessary?—That would be welcomed.

19391. Apart from changes in the interests of correct estimating, should the provincial budget be accepted as it stands by the Government of India?—Generally speaking, yes. I do not wish to say that the criticism of the Government of India and its interference in some cases are not necessary.

19392. Should they, for example, write back and say, "We do not think you are spending enough on education and you are spending too much on roads"?—They should not interfere beyond making mere suggestions for consideration.

19393. In other words, they should not interfere in any way with your policy, but you should be allowed to follow your own financial policy and work it out without interference from them?—The financial policy in that case would be so bound up with the general policy and instructions received in educational matters that it would not be quite so broad as appears from your question. By the orders of the Government of India we should be bound to spend a certain amount on education and so on, and when it came to a further adjustment of the budget and the details of it under the Government of India, there is not much room left for interference.

19394. Obviously the budget must be in accordance with any rules and regulations that are laid down: given that, do you think that a province should be free to dispose of its own revenue as it likes?—Yes, granted that they are working under the rules and the orders issued by the Government of India.

19395. Generally what is you view with regard to the relations between the Government of India and the provincial Governments; is it that the Government of India has to deal with matters of principle and the Local Governments with all matters of detail?—Yes, I think that is the position.

19396. In regard to regulations and codes of the Government of India would you say that in cases where exceptions are to be made they should be made by the Local Government without first submitting the matter to the Government of India?—I do not think any amendment of a Regulation or Act or rule passed by the Government of India should be modified without the sanction of the Government of India, unless the Government of India had specially delegated power with reference to certain subjects.

19397. But if the Local Government is to deal with details, would you not say that any exceptions which may in practice be necessary, should be made by the Local Government as a matter of detail?—I think that the Government of India might delegate its powers with reference to details. Regulations and Acts in the old days very often dealt too much with matters of detail which would now be better dealt with by the Local Government.

19398. If the Local Government considered that any exceptions were desirable in the matter of travelling allowance, should it have full power to make them?—If the Government of India thought it safe to delegate such powers; I would leave it to the Government of India.

19399. Would not any exception to these rules be on questions of detail?—It might very often infringe the principles of the rule.

19400. But if only, as an exception, what would you say?—I would like to leave it by saying "if it did not infringe the principle."

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19401. Would you think it reasonable, if a principle was laid down, that the Local Government should have the power of interpreting the rule?—Subject always to the general supervision of the Government of India. They see the proceedings and they might object; the Local Government might be empowered to interpret a rule, but the Government of India might have the right to object.

19402. Do you think that the Local Government might reasonably have power to interpret the rule subject to periodical report to the Government of India, and that if the Government of India took exception to anything that had been done, they might say, "Do not do it again, the interpretation which should be laid down should be so and so"?—Yes; provided that the Government of India in some way of other, by report or otherwise, was made aware of the interpretation.

19403. Under your proposal the work of the Board of Revenue would be substantially increased?—Yes; if my proposal were fully carried out the Board would have a very considerable amount of work.

19404. At the same time under the proposals of the Government, if certain work were delegated to the Commissioners which is done by the Board of Revenue to-day, the work of the Board would be lightened to some extent?—Yes.

19405. Would the amount of work you would take off them be as great as the amount that you would put on?—I should say no; they would be very fully worked as Councillors in the position I propose; it depends, of course, to a certain extent on how far the Lieutenant-Governor would use them.

19406. Do you think they would be capable of dealing with all that work properly?—I think so. The amount of work sent up by the Commissioners could be dealt with quite fully, and it would be possible for the Secretariat to deal with it.

19407. Has the Board to-day not got enough to do?—There is a great deal of routine work which they ought not to have to do at all?—They are not so hard worked as many other officers of the Government, but if any member of the Board of Revenue inspects all the departments under him he can make his work as heavy as he pleases; it depends a great deal on himself.

19408. Do you think that two people would be capable of carrying in their heads, and dealing adequately with, all the multifarious matters appertaining to the different departments?—At present it has to be done by the Lieutenant-Governor alone.

19409. Under your proposals the Secretaries would not be such important officials as they are?—They probably would not be so senior as they generally are, although some Secretaries are comparatively junior still.

19410. Is it not the case to-day that the Lieutenant-Governor has the advice, not merely of the Board of Revenue, but of three or four senior Secretaries?—Yes.

19411. And you would be really substituting two Councillors for six?—I would not put it in that way; the work would still come through the Secretariat, and the Lieutenant-Governor would get the help of all the Heads of Departments just the same. Very often the help given by the Heads of Departments is more important than the help of the Secretary. But the Lieutenant-Governor would also have the assistance of these two senior officers, and I do not think the work would be impossible.

19412. The Secretaries to Government now have access to Lieutenant-Governors. Would you interfere with that if the Board of Revenue were strengthened as you desire?—Ordinary cases would go through the Councillors to the Lieutenant-Governor. Ordinarily the Secretaries would not use that right of access. I would stop it except in so far as the Lieutenant-Governor wished it to continue. The Secretary should send his work up to the Councillor, who would pass it on to the Lieutenant-Governor.

19413. Then really you would narrow the channel by which the Lieutenant-Governor gets his information; you would let him get it, so to speak, through the spectacles of two men instead of four?—He gets it at present through the four Secretaries, and it would be a case of two Councillors with four Secretaries under him, whose opinions would probably go to the Lieutenant-Governor also.

19414. Can the Board of Revenue go officially to the Lieutenant-Governor to-day?—They do not go officially direct to the Lieutenant-Governor; they correspond with the Government, and the Secretary to Government takes the matter up.

19415. In practice can any member of the Board of Revenue see the Lieutenant-Governor whenever he likes?—Of course; he is senior to the Secretary and is a man of higher position than the Secretary, and it is most frequently done. When it comes to detail probably the Public Works Department would be excluded, but I do not wish to commit myself as to what work would go through the two Councillors.

19416. With regard to the tendency for the number of returns to increase, can you suggest any means whereby that tendency could be checked?—Principally I would suggest that inspection should take the place of returns.

19417. Inspection on the part of the Government of India?—As regards information sent to the Government of India, I think they sometimes ask for more than is necessary, and that we should not have to send it to them, but I was thinking then more of the Local Government. Possibly the inspections by the Inspectors-General of Education, Agriculture, and so on might be held to absolve us of the necessity of submitting some of the reports and returns which are now sent up by the Local Government.

19418. Can any Secretary to the Government of India ask for returns from the provincial Government?—The Government of India can.

19419. In regard to the returns which are asked for by the Local Governments from authorities subordinate to them, can you suggest any rule of procedure which might have the effect of curtailing the returns?—Possibly, if we had travelling Councillors who could help the Lieutenant-Governor in certain matters which are reported, a large number of returns might be done away with.

19420. Do all demands for returns have to be approved of by the Lieutenant-Governor?—A new general return would not be called for by the Secretariat without the express orders of the Lieutenant-Governor.

19421. A witness told us for example that when certain queries were put to him he knew perfectly well that they did not apply at all with regard to his district, and that he could quite as well have sent a big "No" on a slip of paper and disposed of it; but that, as a matter of fact, he had to circulate them to everybody, get their negatives, and then send in the reply?—I think that is not very general.

19422. We have been told that there is a tendency to multiply unduly regulations and codes and to leave too little to the initiative of the local officers—what is your opinion?—I think that rules are occasionally too detailed, and more might be left to the discretion of the local officers on general principles.

19423. With regard to the representation of Local Governments with the Government of India, do you desire to have a provincial member on the Legislative Council or on the Executive Government?—No; it is contemplated that a larger number of officers of Government will be appointed to the Legislative Council, and will consequently be at the headquarters of the Government of India for some time; those officers might be utilised as representatives of the Local Government for consultation, the Local Government's papers being sent to them, and they having full information direct from their Governments. They might thus be utilised by the Government of India for the purposes of discussion and consultation.

19424. Would you keep them with the Government of India all the year round?—That would be difficult; they would be there during the cold weather, and if there was no session of the Legislative Council at Simla, or if none of these officers were present, we should have to fall back on the existing system of representation.

19425. Then practically, you want an agent at Court?—We want an agent at Court without adding to the number of officers of the Government of India.

19426. (*Mr. Meyer.*) You desire that, as far as possible, the Secretaries and members of the Government of India who are drawn from the Indian Civil Service should be representative of the various provinces?—With the best intentions, is that always feasible?—I think it is very difficult.

19427. Is not the position of a Secretary to the Government of India in a big department a very responsible one?—Very.

19428. Is it not essential that the Government of India should get the very best man they can?—I think so.

19429. Might it not happen that in a particular province which is not represented in the Secretariat there was no one who was particularly apt, say, at revenue, or finance?—Certainly they might not be represented on those subjects, but in the whole Government, or on the whole staff of the Local Government, there ought to be a man fitted for the position of a Deputy Secretary, or sufficiently good to appear in some of many posts.

19430. Do you want a certain number of officers, at least one from each province, in the higher administrative ranks of the Government of India, including the Deputy Secretaries?—Yes, as far as possible, and I suggested the point about the Legislative Council in order to meet cases in which that was not possible.

19431. If you have a Secretary from a province in one of the departments of the Government of India, should he represent the views of the Local Government?—No, in that case not. I should be content with his knowledge and experience of the Local Government in dealing with a case.

19432. You recognise that a man cannot serve two masters, and that if he is Secretary to the Government of India he must serve the Government of India?—Quite so.

19433. It might be his duty occasionally to point out, from his own knowledge of his own province, that he thought certain proposals of the Local Government were wrong?—Quite so, that would be perfectly possible.

19434. You do not intend that the Government of India should be resolved into a number of plenipotentiaries from the different Governments?—Not at all.

19435. As regards the alternative proposal for a number of advisers to the Legislative Council coming from particular provinces, do you mean that they should be able to talk with the Members and Secretaries of the Indian Government?—I would not call it an alternative proposal; it is a proposal to be taken with the other.

19436. Are not the Bengal Government and the Government of India both in Calcutta for several months in the year?—Is it not perfectly possible for the Lieutenant-Governor to go and talk to the Viceroy or to one of the Members of Council, or for the Financial Secretary of the Government of Bengal to talk with the Financial Secretary of the Government of India?—Quite possible.

19437. Is it not done?—To a certain extent, not much.

19438. Might not the Government of Bengal and their officers have done it if they wanted to?—That was not always admissible.

19439. At any rate a Government which has the same headquarters as the Government of India does not want a separate representative in addition to discuss matters of State?—No, probably not.

19440. With regard to your scheme for the readjustment of the Board of Revenue, you call the members Councillors, but apparently they are really to be Secretaries?—No, I would not call them so; they would have great powers of travelling about and inspecting independently of the Secretariat; they would not be tied down to Secretariat duty.

19441. Would their position be somewhat analogous to the Chief Engineer in the Public Works Department, who is an Executive Officer, but who is also Secretary to the Local Government?—To a certain extent that would be the case, but I would retain the Civil Secretary.

19442. Still it would mean that the present Secretaries would have to step down?—Probably they would by the intervention of senior officials.

19443. Are you opposed to going a step further, making the councillors colleagues of the Lieutenant-Governor?—Yes.

19444. Does it occasionally happen that a member of the Board of Revenue is senior to the Lieutenant-Governor in the Service?—Yes.

19445. And possibly he may have run him rather hard for the Lieutenant-Governorship, and may feel aggrieved that he had not got it himself?—That has been the case.

19446. Might not that induce a little more friction if you transfer such an officer from his semi-independent position to a position subordinate to his successful rival?—But he would not be a Secretary.

19447. It is the same thing, is it not? He has to send up notes and take orders and so forth?—Yes. But would pass a good many orders himself, though of course under the supervision of the Lieutenant-Governor.

19448. Might there not be a risk of some friction in such a case?—Can it be worse than the condition of things which existed between the Board of Revenue and Lieutenant-Governors in the past?

19449. Can you tell us whether sufficient care is taken, now that Eastern Bengal and Assam are joined under one administration not to legislate too generally for the whole province, but to discriminate between the two portions of it?—I think great care is being taken.

19450. You do not necessarily issue the same instructions for Assam as you would for Bengal apart from legislation?—Certainly not; we deal in each case with the existing orders.

19451. When you first came, did you find that the reports and returns were different in many cases?—Yes.

19452. How did you deal with them?—I think the Board of Revenue in some cases have a separate check for Assam and separate check for Eastern Bengal proceedings; in other cases they have dealt with them in different paragraphs, but, as far as possible, continuity has been preserved, pending a greater amalgamation.

19453. In Assam there is no District Board?—No, there is a Local Board for each sub-division.

19454. Therefore every Local Board is a little entity disposing of important work?—Yes.

19455. Whereas in Eastern Bengal the Local Board does very little, and all the power is centred in the District Board?—Yes.

19456. Are you going on working under that system in Assam, or are you going to make any alteration?—I cannot answer that question; I do not know what policy is going to be adopted.

19457. I understand that the Board's members are known, respectively, as First and Second Members, and that the First Member has charge of certain subjects and that the Second Member has charge of certain subjects; if the Second Member becomes First Member, does he at once change all his subjects?—That case has not arisen. In Bengal, I do not think they change immediately, and I doubt if they would here. It depends, of course, on the character of the change. If it were a permanent change it might be so, and the First

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Member might take over the land revenue, for instance, which is looked upon as the more important work.

19458. In Assam the Sub-Divisional Officer has actual powers and in Eastern Bengal he has much more limited powers. In Assam there is no such concentration of Deputy Collectors at headquarters as exists in Eastern Bengal?—They have much smaller districts and a much smaller staff; they generally have two or three Deputy Collectors at headquarters.

19459. For treasury work, for instance?—Of course there is treasury work. Outside that a certain amount of criminal work has to be dealt with.

19460. In Assam, does the same system prevail of having a Deputy Collector in charge of a subdivision?—Yes.

19461. Do you want to parcel out the whole district into sub-divisions and to have a Sub-Divisional Officer for each who would be a kind of miniature Collector, with a Collector above all?—I think so.

19462. Have you Sub-Deputy Collectors in Assam, or are they called tahsildars?—They are called Sub-Deputy Collectors.

19463. Is the Sub-Deputy Collector in Assam, as in Eastern Bengal, kept at the district headquarters, or has he a minor charge?—They have minor charges; they are in charge of circles, and they supervise a good deal; there are three or four circles in each district, with a Sub-Deputy Collector in charge of each.

19464. Then the Sub-Deputy Collector there has a real territorial charge?—Purely with regard to revenue matters. He is not a Magistrate, but he sometimes has minor magisterial powers.

19465. Do you see any objection to the same thing being done in Eastern Bengal, if you had sufficient Sub-Deputy Collectors?—I would not say quite the same thing, because the work in Assam is so different. I think something might be done in the way of vesting Circle Magistrates with some revenue powers.

19466. Are a good many of your First Class Magistrates occupied in doing second and third class work?—A great many of second and third class cases come to the First Class Magistrate.

19467. You mention the necessity for expanding the *cadre*, and having more superior officers; but might you not effect the same purpose, and at less expense, by increasing the number of Sub-Deputy Collectors and giving them larger magisterial, as well as revenue powers?—No, I think not. The main object in expanding the *cadre* is to get more men to do the really important work. To make smaller district charges and to apportion to Sub-Deputy Collectors would be a delegation of some important duties.

19468. Speaking generally, before largely increasing the Civilian *cadre* of your district, might not the experiment be tried of seeing what work the Civilian now can be relieved of?—I do not expect that that would relieve the Civilian sufficiently.

19469. Does not the Indian Civil Service scheme of recruitment already provide for liberal leave?—The margin is not sufficient.

19470. Do you give a definite opinion whether the interference of the Government of India in budget matters is excessive or otherwise?—I understand that changes have been made within the last two or three years in the method of dealing with the budgets, and that much less interference with detail is now the custom of the Government of India than used to be the case.

19471. You have said that the Government of India occasionally forces a particular scheme on a Local Government in preference to a scheme which they would prefer to adopt with the money at their disposal; can you give me an instance other than the land records scheme which you refer to?—There was the question of the pace at which we developed the Agricultural and Veterinary Departments, and some of the educational schemes which have been carried out. I do not think that we have been left quite sufficiently free to choose and to carry out those schemes which the Local Government would have wished.

19472. With regard to the Agricultural Department, has your position with the Government of India made you force the pace more than you would have done if you had been left to yourselves?—I am not prepared to say that.

19473. In what way do you consider that the Government of India interfere?—I think they interfered with the pay and appointments in the Veterinary Department and the methods by which we should work. It also interfered with the pay of our inspectors. Whether it is the Government of India or whether it is the Secretary of State I do not know, but I think our methods of developing our schemes might perhaps have been left to us.

19474. You do not mean that the Government of India make you spend money on a scheme of agriculture when you would prefer to spend it on education, but while you agree that expenditure on agriculture is necessary, you differ as to the precise details of the scheme?—I think there has been sometimes a difference as to the amount which should be spent in any particular year on a particular scheme. I do not wish to make it a great complaint, but there have been cases in which the Government of India have either wished us to spend more on a particular scheme or not to go on so fast with it.

19475. As regards agriculture, education and police, has not the province had special grants from the Government of India of late years?—Yes.

19476. Might not the Government of India then reasonably claim to have some supervision?—In the matter of the imperial grants we do not challenge that.

19477. Does not a lot of this interference with detail really hinge round the creation of appointments?—Some of it.

19478. And if you got considerably larger powers of making new appointments, and adding to the pay of existing appointments, than you at present possess, will not the opportunities for that interference be automatically diminished?—It may be that is the reason why schemes have to go several times before the Government of India, because they have to go before them again in the matter of appointments.

19479. You mentioned a particular instance as to the intervention of the Government of India with Tenancy Legislation; which Tenancy Bill do you refer to?—I refer to the Bengal Tenancy Act and its amendments, not the original Act of 1885, but the amendments on several subsequent occasions, and especially the amendment which took place in 1898.

19480. You speak of a scheme having to come up for sanction more than once, but if a scheme is thoroughly thrashed out, as a rule does it not only go once?—It has to go up again on the question of appointments. The original scheme may be a large scheme extending over several years. Take our settlement scheme for instance; we have been asked for a 25 years' programme; we have also been asked for a five years' programme and we have to make a programme for each year. We have to send up a budget for each year to carry out that programme, and we have to report each year the appointments we make, above a certain class, of officers to carry it out; and we have to ask for sanction to that programme for the continuance of the operations in detail.

19481. Is that the sort of thing you object to?—Yes, I know of no reason why all these programmes are called for in detail, and it should be quite possible to lessen them.

19482. You allude to an elementary maxim in the Finance Department that inclusion in the budget is not a sanction; there are two stages—there is the budget sanction first, but the budget sanction does not operate if administrative sanction is also required?—Quite so.

19483. Then may I take it that you think that in settlement matters the Government of India ties you up a good deal too tightly?—I think it should

be possible to modify the number of the stages we have to go through.

19484. In Assam you have periodical re-assessments?—Yes. The usual term is for 15 years.

19485. Do the Government of India interfere too much with those settlements, or do they give the Local Government a free hand subject to the general lines of policy which have been laid down for the provinces?—In the old province of Assam the Chief Commissioner was bound to send up a good deal of information, and rightly so, probably, with reference to assessment. Since the amalgamation and the appointment of the Lieutenant-Governor, the Government of India has freed us from the necessity of sending up those details, and the control exercised is not in any respect excessive. We carry out the general lines of policy laid down by the Government of India, and send the settlement reports up for sanction.

19486. Do you not have to get sanction for the appointment of members of the Board of Revenue? Do you consider that necessary?—I am quite satisfied, and see no reason why it should not be so.

19487. As regards Commissioners, it has been suggested that a Commissioner might be given larger financial powers, and that he might be given a portion of the provincial budget from which he might sanction the inception of minor Public Works projects, instead of their going up to the Local Government; would you be in favour of that?—Yes, and I think that has been done to a certain extent in Bengal of recent years.

19488. But to a very limited extent; a Commissioner has powers only up to Rs. 10,000; but it would be a matter of lakhs according to the scheme I am putting to you?—I did not understand that any very large scheme was proposed, but if the Commissioner has sufficient practical and technical advice at his disposal, he might be entrusted with a good deal of power in that respect.

19489. Would you give him any power with regard to small temporary or permanent appointments, subject, of course, to the existence of budget provision, say, Rs. 15 clerks and so forth?—I think so, but I should subject it to report to the Local Government.

19490. Do all new appointments now come before the Lieutenant-Governor?—Yes.

19491. But as a matter of fact are not a great many of these things sanctioned by the Secretary and never seen by the Lieutenant-Governor at all?—Yes, a very large number.

19492. With regard to the Land Acquisition Act, at present everything has to go up to Government. Would you allow the Commissioner to take up land for public purposes subject to some pecuniary limit?—Yes; a good deal of delegation could be made, and we have a scheme now before Government for some modification in the procedure so far as we are competent to deal with it.

19493. Would there be any harm in making the leave rules less rigid? It might, for instance, be to the convenience of the Local Government that an officer should go on leave two years and-a-half after his last return from furlough, whereas the rule says it must be three years. Similarly it may happen that a District Officer has to come back before you have a convenient district ready for him?—I think it is possible, if there is no danger of laxity. We cannot afford to make the leave rules more liberal than they are at present, and there is just a possibility, if the Local Government exercised its rights of letting a man go away earlier on leave and so on, it would create precedents against itself which it might be rather difficult to evade.

19494. Is not the principle that in the higher Services a man earns one month's full leave in a year and three months' half pay leave after a year's service; there might perhaps be a running account between a man and the Government as to leave; upon the one side would be the total amount of leave the man had earned, and on the other side the amount he had drawn, and if he desired to take his leave at any time and had it to his credit, and the Government considered that that was a fit opportunity, he should be allowed to take it. If, on the other hand, it was not to the interest of the Public Service that the man should take it, then it might be said, "You must wait." Would you approve of that idea?—The reason for the imposition of such restrictions has always been to prevent laxity, and that the Local Government should not be too liberal in the granting of leave. I am not sure that there would not be a danger in withdrawing some of these restrictions. Perhaps if it was very fully safeguarded, it might be advisable to do it; but while we cannot reduce the amount of leave without endangering our recruitment, we should in no wise increase the facilities for leave.

19495. I am not speaking of increasing the total amount, but of the frequency of taking leave. If there were a general rule that an officer should not take leave for three years after his posting to a district, would that not really be the remedy for the great frequency of transfers?—Yes.

19496. You say, generally speaking, that the Local Government should have power over details as apart from principles, but is it not very difficult to dissociate the two, especially as to financial matters such as are dealt with in the Civil Service Regulations?—Extremely so.

19497. If you make one exception, it is a precedent for making another, and so it goes on until you find that the number of exceptions have practically undermined your original rules?—Yes.

19498. Therefore, I take it, you would desire, if you gave Local Governments a freer hand in such matters as the grant of travelling allowances, house allowances, and other pecuniary concessions, that it should be still on the general lines of policy indicated by the Secretariat and the Government of India?—That is what I meant.

19499. Have you heard of the system of conferences of Commissioners, such as Sir Andrew Fraser has introduced into Bengal, and do you think it would be a good thing if they were instituted here?—Yes; and we hope to do so.

19500. Similarly, might you not let each Commissioner convene a divisional conference within his division once or more annually?—That is part of the scheme in Bengal, and I think we shall adopt it.

19501. To those divisional conferences might the Commissioner not summon any non-officials who he thought might help in any matters which were likely to be brought forward?—I am not sure that that would be of any real value. They would deal more with individual cases than with general principles in a conference of that sort, and in addition there would be a greater opportunity of seeing the officers.

19502. It has been suggested that the Collector should be dissociated from the Chairmanship of the District Board; do you regard that as advisable?—I think on the whole it is not advisable except in exceptional cases which might occur. As a rule it means substituting an amateur for a professional, and you do not get the work done properly. With regard to general things, the Collector knows more than any one else, but it is as Head of the Executive of the Board that he is really required as Chairman.

19503. (*Sir Steyning Edgerley.*) What exactly are the appellate or *quasi*-appellate functions of the Board of Revenue?—They hear all revenue appeals from the Commissioners, on matters connected with the Certificate Act, the Partition Act, and so on.

19504. Can pleaders appear?—Yes, pleaders do appear. They appear before the Commissioners on such appeals and also before the Board of Revenue.

19505. Is the Commissioner of Chittagong the actual Customs Officer of the port?—He is the officer under the Act. The actual work is done by an Assistant Collector of Customs.

19506. Are not certain schools affiliated to the Calcutta University. What does that mean exactly?—It means that the high schools are permitted to send up their students for the Entrance

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Examination at the Calcutta University for matriculation. Also incidentally it entails the control of the Calcutta University, since, of course, the Calcutta University will not agree to affiliation except under its own regulations.

19507. Then no one can go up for a matriculation examination except from an institution which is recognised by the University?—They allow private students to go up under certain regulations, but if a student goes up from a high school, that high school must be recognised by the University.

19508. If you had a general delegation Act properly safeguarded as regards notification, invitation of objections, and so on, would you say that there was no objection to having such power in your hands?—The safeguards should be very clearly determined. What one wants is to avoid the removal of the pledge, practically given by an Act, that certain matters should not be removed from the cognizance of the Local Government by anything in the nature of an executive order. The removal of that right should probably be the subject of detailed discussion.

19509. In that way would you distinguish it from such Acts as the Court of Wards Act, which includes in Bengal a general section of delegation?—Yes.

19510. Because you would say that that Act has been passed by the Legislature with their eyes open as to the existence of the power of delegation?—Quite so.

19511. Taking, for instance, the Land Acquisition Act, could you make the delegation which you suggest under a general Act?—I think it would require in the case of land acquisition either a special Act, or some safe safeguards, which would ensure discussion.

19512. Suppose you got a general delegation Act safeguarded according to the best ability of the Government of India for the time being, that Act would practically be passed by the same Legislative Council which had passed the previous Act?—Yes.

19513. The objection which we have heard from some of the witnesses who have taken the same point, namely, that an Act is very often the result of an animated debate and a compromise, would be equally applicable to every amending Act?—I think the Legislature with its eyes open might modify its previous decision; possibly a schedule to a general Act, if it included cases which were not of great importance, might give the Legislature sufficient intimation of what was being done to enable it to pass a general Act, but without a schedule—without some specific finger-post pointing to that particular Act as one the powers of which were going to be delegated—I think a general Act would be dangerous.

19514. You do not think that that would be secured by a public notification and the invitation of objections?—There are so many Acts and Regulations that I do not know how far a general notification would serve.

19515. Supposing you had had an animated debate and a compromise and settlement as to the exercise of powers, say, in 1890, we are now in 1908, and the case law under the Act is all settled, would you not practically feel that there is not the least reason why the power the exercise of which was very tightly confined in 1890 should not be used now by some authority nearer to the people; do you think you are precluded from making such a change after 17 years?—No, not in the least. What I mean is that you should not deal with the pledge or alter the compromise unless you specifically dealt with the compromise.

19516. But if the same Legislature which has passed the original Act has subsequently given you power to deal with such points, subject to the safeguards of notification and so on, where is there any breach of pledge?—I see no objection to an Act which specifically gives power of delegation which was not given before with reference to any previous Act, so long as when that Act delegating the power was passed the Legislature fully understood how far the Act would go and to what extent it would apply.

19517. Have you any provisions in this province by which a Collector can delegate to his Assistant any powers that he likes, subject to the retention of the power of revision or appeal?—No, I do not think there is any general power. We do delegate a great deal of routine work, but I do not know whether that is merely by executive practice or not.

19518. In the case of the Collector of a district ceasing to be Chairman of the District Board and the municipality, thus leaving these bodies in the hands of non-officials, would you see any difficulty in helping the people of such a district to a further step in local Government by putting the Government powers of control into the hands of a committee under the presidency of the Collector?—It is a large question, involving the merits of the particular non-official Chairman; at present I am not entirely in favour of the idea of delegating the powers of a Chairman to a non-official because in one particular locality you have the man who is fit for it; but I do not anticipate that the province is so advanced as a whole that all these local self-governing bodies are in that position.

19519. Do you think it would reduce the risk of transfers and provide better, perhaps, for special duty, if you distributed the reserve of Civilian Officers over the different grades?—Any relief would be of great assistance.

19520. Supposing you had three extra Deputy Commissioners, would that be a help to you in regulating transfers?—It would be more help to have three senior men than three junior men.

19521. Have you any experience of the difference between daily travelling allowance and permanent travelling allowance; have you any opinion as to which is the better system?—I do not think permanent travelling allowances are advisable except in so far as they are required occasionally as a horse allowance, or to enable a man to set up a camp establishment where he would not be able otherwise to do so.

19522. Does not a system of daily travelling allowance involve much more audit work than the permanent allowance system?—That is so, but I do not approve of the permanent travelling allowance system.

19523. I suppose under your system of Board of Revenue Councillors they would have nothing whatever to do with the Secretariat; the Secretary would still be the Head of the office?—Yes, they would have no other Secretariat. Cases would be sent from the Secretariat to the Councillors.

19524. Would they then record a minute and send it back either to the Secretary or to the Lieutenant-Governor?—They would deal with the case finally or send it on to the Lieutenant-Governor, probably direct.

19525. Supposing they sent it back to the Secretary, would he have the right to take it to the Lieutenant-Governor?—I do not propose that the Secretary should intervene between the Councillors and the Lieutenant-Governor.

19526. Supposing the member of the Board of Revenue for any reason had not sent a case to the Lieutenant-Governor, but straight back to the Secretary, would the Secretary have no right to take the case up to the Lieutenant-Governor and show it to him?—I think if any rule or custom had been infringed, he should send it back to the Councillor and inform him that under rule it ought to be shown to the Lieutenant-Governor. I do not think I would give the Secretary the right to take it to the Lieutenant-Governor direct.

19527. You are in charge of the Education Department? Have you had much to do with the Director-General?—Yes, I have met Mr. Orange.

19528. You have a very large number of education projects in hand, so much so, that you have put an officer on special duty to deal with them?—Yes.

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19529. Is that in any way caused by difficulty in getting your projects through?—No, I should think it was caused more by the difficulty in framing them and working out all the details.

19530. As a matter of fact, do you find that criticisms, when they are sent down, are very detailed?—We have had great difficulty with regard to educational matters, but they are not all due to the Government of India.

19531. As regards the special grants which you have had for police, education, and so forth, have you exactly the same general principles and the same audit control as you have with regard to any other expenditure?—I believe so.

19532. If that is so, why should the Government of India display special interest in that expenditure which they do not display in regard to the rest of your balances?—As far as the carrying out of the work in the Education Department is concerned, I have looked upon those grants as definitely marked for certain schemes of improvement.

19533. And so long as you carry out those schemes of improvement, is it not subject to the same control as any other part of your educational system?—I should say so, so long as we carry them out.

19534. As regards the regulation of allowances to members of the Civil Service, and so forth, do you lay any particular stress on the similarity of treatment of different officers in different provinces?—Yes.

19535. Do you think it right, for instance, that Deputy Commissioners in Assam and Collectors in Madras should be paid at such very different rates?—I was not aware that there was any great difference.

(*The witness withdrew.*)

The Hon. NAWAB KHWAJA SALIMULLA BAHADUR was called and examined.

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19536. (*Chairman.*) Have you had any actual or personal experience of Government in this country?—Yes, I was a Deputy Magistrate for some time. I have also been a member of the Viceroy's Legislative Council in Calcutta, and the Lieutenant-Governor of Eastern Bengal's Legislative Council.

The Local Governments should be vested with more financial powers than at present. During famine, the people suffer much from the delay in securing the sanction of the Government of India to the amount considered necessary for the relief of the sufferers. For famine works, sanitary improvements and telegraphic communications generally, and for railway connections and proper navigation in our province, the financial powers of the Local Governments should be extended.

More complete separation should be made of the provincial from the imperial revenues. The Local Governments should be given the control of the provincial revenues to apply to the improvements of the respective provinces. At present the amount budgetted for is not sufficient to meet the requirements of the province. The Local Governments are always afraid that the Supreme Government will not sanction the expenditure they suggest, and many small, but much-needed, items are knocked off consequently.

The Local Governments should have borrowing powers—by issue of debentures, etc., etc., in order to lay out minor railways and feeder lines, erect waterworks and facilitate river communications, and for the improvement of municipalities.

I do not think there is any necessity of further extending the administrative powers of the Local Governments, because the Government of India with the help of its experienced and wise counsellors always adopt policies in consultation with the provincial Governments.

In revenue settlements generally Government consider matters too much from a departmental point of view or from considerations of revenue.

The powers of the Board of Revenue, Commissioners of Divisions, or Collectors relating to the Court of Wards, should not be extended. More powers should be given to them with regard to contingencies and temporary establishment when necessary. A member of the Board of Revenue cannot even sanction a sweeper for a *khas mahal*, and a Commissioner cannot sanction even a pankha-puller. Heads of Departments or Commissioners of Divisions may be given certain powers now vested in the Local Government, as regards technical details in the matters of travelling allowances, leave allowances, annuities, pensions and such like matters.

Executive officers have ample opportunities of mixing with the people if they only wish to avail of them. They generally do not possess sufficient knowledge of the vernaculars.

An increase in the administrative staff (more especially of the ministerial officers) is highly desirable. No reduction in the area of the districts is necessary except in the case of Mymensingh and Backerganj.

Transfers of Commissioners, Collectors and District Superintendents of Police should not be made within three or four years after their taking over the charge of the divisions or the districts, except in cases of special emergency.

I think there should be Advisory or Administrative Councils to help the Commissioners and Magistrates. The Magistrate should have one man from the landed class, one from the bar, one from the trades, and one from the agricultural class; and each District Council should elect a member for the Divisional Council. Responsibilities could be given to such Councils, in respect of advising the Commissioners or Collectors, regarding allotments of the financial grants in different parts of the districts, in matters of communication, sanitary improvements and especially for explaining the policy of the Government to the people and representing the grievances of the people to the authorities.

As regards the suggestion that more power might be given to the village communities, the mass of the people are not educated enough to take up such great responsibilities.

19537. You instance as one of the harmful restrictions of the Government of India that in case of the occurrence of the famine, the provincial Government is not able to dispense relief as quickly as you think they might do; can you give us any actual example of that?—Yes. Last year we had an unexpected famine here, and for the time being there was no relief obtainable until investigation was made, and it was found that the people are suffering; but by the time help came there was no famine left; there was a stoppage of rice coming from Rangoon on account of the floods. The people were in great need of grain here, but as soon as the flood went down we were able to obtain it and there was no need of any help. If the Government here had had full power, they could easily have rendered that help at the moment it was wanted.

19538. Was that because the provincial Government here was not aware of the famine?—It was unexpected, because Eastern Bengal had never had any famine for some ten years before.

19539. The provincial Government was taken unawares?—Yes.

19540. If the Local Government in Eastern Bengal had power to borrow money on their own responsibility, would they be able to find local capitalists who would advance the money sooner than they would advance money to the Government of India?—Yes, I think they would have more trust in the Local Government than in the Government of India, because there they are in contact with the Local Government.

19541. Is there much money here which could be borrowed by the Local Government?—Yes, a great deal of money.

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19542. When there is a loan by the Government of India, do the people of Eastern Bengal subscribe largely to it?—Yes; when they cannot invest their money with greater advantage they have to fall back on Government loans.

19543. Supposing the Government of India, and the Local Government both issued a loan about the same time in Eastern Bengal, would there be enough money to subscribe to them both?—I think there would be less money for the Government of India, and more money for the Local Government.

19544. Do you think it desirable to extend the administrative powers of the Local Government?—No, because the Local Government has knowledge only of its own province, while the Indian Government has a general knowledge of all the provinces, and has a competent body of men to assist it. The policy which they adopt is adopted with experience which Local Governments have not got.

19545. Are the servants of Government in Eastern Bengal not experienced officials?—Compared with the Government of India, they are not so experienced.

19546. With regard to the Court of Wards, you think that the powers of Commissioners and Collectors ought to remain exactly as they are?—Has the Commissioner at present power to sanction an expenditure of Rs. 500 for repairs?—He does not want that power; there is no necessity for it; there is nothing very urgent in a case under the Court of Wards. Sometimes in the Court of Wards there have been cases where on account of the hobby of some Collector or Commissioner money has been spent without thinking much about the person who puts his estate under the Court of Wards.

19547. Have you known of any estate under the Court of Wards which, when released, was in a worse state than when it was placed under the Court?—It would not be worse, but it ought to be more valuable; there ought to have been more money collected and a larger surplus.

19548. The Commissioners of districts ought to have more power as regards travelling allowances?—Yes, it is quite unnecessary that people should have to go to higher authorities for small things—it is all very well to go for sanction for big things, but the small ones I think ought to be left to themselves.

19549. Do you think larger powers are required with regard to administration, but that only small powers ought to be granted to the Court of Wards?—Yes, because the Court of Wards concerns other parties, and it would be much better that they should be careful.

19550. Have you been brought much into contact with the District Boards or municipalities?—I am here every day, and in this town of Dacca the members who are appointed are appointed with my consent; if the people of the different wards have any grievances, they come to me and tell me about them, so that I know everything about the municipality.

19551. Is that a very satisfactory system of representation?—Yes.

19552. Would you give any extended powers to municipalities?—No, they have all the power they want.

19553. What would you say with regard to village councils?—I am afraid that they cannot do very much work, and if you give them more power I think there would be greater failure.

19554. (*Sir Steyning Edgerley.*) Have you had any experience of District Boards?—Yes, and it is just the same as with regard to municipalities; they take my advice with regard to the members.

19555. So that you practically more or less control the representation of the municipality and the District Board?—Yes.

19556. What proportion of members are elected in the Dacca municipality?—The proportion is five out of twelve.

19557. And on the District Board?—The proportion is about three to four.

19558. Are they elected by wards or by any other system of election?—No, by villages.

19559. Do you think the present system of election works very satisfactorily?—Yes, in Dacca at present it works satisfactorily, but I think, taking all Bengal, the new suggestion which has been made of an Advisory Council would work much more satisfactorily.

19560. (*Mr. Meyer.*) You say that the delay in famine relief was due to the necessity of getting the sanction of the Government of India; but is that so?—So far as I know, the Local Government had to get the sanction of the Government of India to spend the money.

19561. If I may say so, you do not know anything about the correspondence?—No, I do not. During the famine at Dacca I had to work myself. I was asked by the authorities to make arrangements for relieving the town, and I got people to send rice up from other districts.

19562. You speak of Advisory and Administrative Councils to help the Commissioner and Magistrate; are they only to advise?—Yes.

19563. If they give their advice and the Commissioner does not think their advice is right, is he to be allowed to do as he thinks fit?—Yes.

19564. (*Mr. Hichens.*) Do you think the District Boards are looked upon by the people as departments of the Government, or do you think they are regarded as independent?—The general public think they are departments of the Government, but the educated persons do not.

19565. Do the members of the Board think that they have a good deal of independence?—Yes, they do.

19566. Do you think that Local Boards should have further powers?—We have not able men on Local Boards, and there is such a scarcity of men that it would be difficult to get men for them.

19567. Do you think that it is better to leave the power as it is to-day in the hands of the District Boards?—I think so.

19568. You do not think you could get more interest taken in public affairs within smaller areas?—No, I do not.

19569. Do you find that in Dacca there is a general interest taken in the public affairs of the town by the inhabitants?—Yes, they do take an interest in Dacca, but the masses in the interior do not.

19570. Do you think that they are so far advanced that they could assume a little more responsibility?—No, not yet.

19571. Is it your experience that some members of the District Boards take an interest in their work, and that they help the District Officers in the performance of their duties?—Yes, they do very much.

19572. Do you think it would be possible to divide the work and delegate some of it to committees of the Board?—They generally do that. The Collector does not want to interfere with the powers of the members. The members are reluctant to do the work unless they are forced to, and when they find the Collector does not come forward they have to do it themselves.

19573. Do you think that by delegating the work to sub-committees it would be done to some extent by the members themselves?—But if they were left to do this sub-committee work themselves they would be very slow.

19574. So you think that a great deal of supervision and control is necessary?—Yes.

19575. How often do you think the Advisory Councils should meet?—Twice a month.

19576. (*Sir Frederic Lely.*) Do the people come to you when they are in trouble?—Yes.

19577. Do you see every one who comes to you?—Every one.

19578. Have you any fixed hours for seeing people?—Yes, I generally at this time of year see them from 9 till 12.

19579. Have you a special place where they know they can find you?—I have three places. Now I do not attend there regularly because I am not well, but the people find out where I am and come to me.

19580. Do they talk freely to you?—Yes, and they often come at 2 o'clock in the morning.

19581. You have a large estate, have you not?—Yes, about 6,000 or 8,000 villages.

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19582. How are the villagers supplied with water—is that under the management of the District Board?—Yes.

19583. Do the District Boards supply their wants?—Sometimes they request me to supply them, and we are doing a lot of work in that way.

19584. Do you do that work on your own responsibility?—Yes, we have to do it ourselves.

(*The witness withdrew.*)

Babu BHUBAN MOHAN MAITRA was called and examined.

19585. (*Chairman.*) You are Chairman of the Rampur Boalia municipality in the Rajshahi district?—Yes.

Provincial revenue, after reasonable allotment at a certain percentage to the imperial funds, should be at the absolute disposal of the provincial Government, otherwise the Local Government, even when convinced of the necessity of certain urgent works of public importance, cannot execute them with a free hand for want of funds. The province requires development and improvement in many respects such as the extension of railways, construction of public buildings, &c., and unless the Local Government has large power to spend money it will take many years to make it equal to other provinces. The Local Government should have power of borrowing money in the open market and issuing debentures.

I would not propose the curtailment of the right of appeal. It is not desirable to lay down any rule for not admitting an appeal unless accompanied by a certificate from the authority passing the order appealed against.

Executive Officers have not sufficient opportunity for personal contact with the people for various reasons, namely, the want of sufficient leisure; the want of sufficient knowledge of the vernacular and etiquette, manners and custom of people on the part of European officers, and the want of sufficient sympathy and sometimes dislike on their part. To remove these obstacles, it is necessary to allow Executive Officers to mix with people in social matters; to attend public meetings, not being political in order to interchange opinions and views; to reduce their over-work, and to give them opportunity to attain a sufficient knowledge of the vernacular and manners and customs of the people.

The transfers of officers are unnecessarily frequent. As a general rule, they should be allowed to remain in one place unless transfer is absolutely required, for three years at least.

I am in favour of creating Advisory, but not Administrative, Councils to help District Officers. One to three persons of intelligence and good status from each *thana* should be recruited to form the Councils; they should be *bonâ fide* representatives of the community, and should not be talking machines but should give their opinions in writing. In matters of importance, they should be required to assemble in one place for deliberation, the District Magistrate being their President. The opinion of the majority should prevail, and in case the District Officer differs with the opinion of the majority, the matter should be referred to the Government for final decision. All questions regarding the development and improvement of the district should be referred to them, such as indigenous industries, agriculture, local trade, roads, drainage, water-ways, pasturage, prevention of cattle disease, sanitation, water-supply, cattle-breeding, &c.

It would not be expedient to invest District Boards with powers of supervision and control over smaller municipalities within their respective districts. This is likely to create friction between the two bodies.

It is desirable to enlarge the powers of village communities in some of the important localities to dispose of local matters regarding revenue, &c.

19586. In practice are officers entrusted with the revenue administration too much dominated by considerations of revenue?—Yes.

19587. Do you know of any cases in which that has occurred?—I know that in cases of assessing stamp duty for probate or letters of administration there is a tendency on the part of the assessing officer or the Collector to increase the assessment. This was not more than three or four years ago.

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19588. Are you speaking now of particular cases of estates of persons deceased, or of the general administration of revenue?—Generally we see the tendency is to increase in cases of assessment for income-tax and stamp duty.

19589. Is that because the person whose income is being assessed has grown richer?—Not always. Of course that would be the right thing to do, but it is not so always.

19590. Is there no appeal from an assessment of income-tax?—Sometimes there is an appeal, and the hearing of the appeal is mostly based on the note furnished by the Deputy Collector.

19591. With regard to the Court of Wards, you would like to see Collectors entrusted with more power? The last witness stated that he thought Collectors or Commissioners might perhaps indulge their hobbies if they were given more power—do you agree with that view?—I do not think so.

19592. You think it would only be reasonable to give the manager of an estate more power?—Yes, and I know of certain instances in which there was a loss to an estate because he had not powers. A certain tenant of an estate wanted to excavate a tank upon certain property of which I am a shareholder and of which the Court of Wards is also a joint shareholder. The tenant asked power to take a certain portion of land and offered a bonus, but there was no one who could give him permission on behalf of the Court of Wards, and therefore the improvement could not be made.

19593. Is the want of knowledge of the vernacular on the part of Executive Officers very noticeable?—It is noticeable in young officers.

19594. Are they ignorant of the customs and social habits of the people?—Yes.

19595. Could you suggest any remedy for that?—I would allow them to mix with people in social gatherings and public meetings.

19596. Are there no means by which when they come out to this country, they could be taught the habits and etiquette of Indian society?—There is no text book.

19597. Would it be possible to compile some small book which would furnish them with some idea of the customs and habits of the people?—Of course that could be done.

19598. Is there any unwillingness on the part of native gentlemen to associate with European Officials?—The idea is that the natives do not receive proper treatment sometimes.

19599. Have you known of a case where a native gentleman has received improper treatment at the hands of a European Civilian?—Personally I do not remember having had any occasion to be offended.

19600. Have you ever known any of your friends complain?—Yes. They complained that they had to wait outside some time while no notice was taken of them.

19601. Do persons who desire access to a District Officer have to inform his servants and chaprasis

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outside?—Yes, you must inform the chaprasis and sometimes send in your card.

19602. Would it be possible sometimes for a chaprasi not to take the card in to the officer?—I do not think it would be possible for him to do that.

19603. Do you think, in the case of your friend's complaint, that there was a deliberate insult on the part of the District Officer?—That was the complaint—it was not one complaint, but several.

19604. Do Civil Servants who are also Indians sometimes show the same incivility?—I do not remember ever having heard of any such complaint, and personally I have had no experience of any.

19605. Do you think that larger powers might be given to municipalities and District Boards in the matter of their budgets?—Yes.

19606. And in regard to administrative power?—Yes, to a certain extent. It often happens that a man commits a nuisance by the roadside, then the constable has to be informed; the man is taken to the thana; bail has to be granted; the man goes to his house in the interior and has to appear on the day of hearing when there is a sort of trial with the result that he may be fined two annas. That is the ultimate punishment, but there is all the harassment connected with it. If the Chairman or Vice-Chairman of the municipality had some power to deal with cases like those, it would prevent all that trouble.

19607. Would the Chairman of a municipality be a safe person to entrust with punishment for offences against municipal bye-laws?—I do not see any objection.

19608. You would like to see Advisory Councils created?—Yes, for District Officers as well as for Commissioners. They should be very small, but at the same time representative.

19609. Would it be possible to find a sufficient number of persons of influence to fill the District Board, the Local Board, and an Advisory Council for the Commissioner, as well as an Advisory Council for the Dstrict Officer?—I think so. There is one class of people whose education and intelligence is not utilised afterwards, such as the young landholders who are brought up under the Court of Wards. They get a proper education, but after an estate is released they are left alone, while if their services were made use of, the public might be benefited, because they would make very good officers and members of an Advisory Council.

19610. You would also like to see greater effect given to the powers of village communities?—We have no legally constituted village communities in our province. Of course we have village communities on the old system, but if a legally constituted village community could be created, more would be done by them.

19611. (*Mr. Hichens.*) You say that there is a class of young land-owners who might be utilised as members of an Advisory Council; do these gentlemen, as a matter of fact, take any part in District Board work to-day?—No, not many.

19612. What is the reason?—Because they do not care to stand for election and they are not nominated.

19613. Could they be utilised in other ways also?—Yes; they might be made Honorary Magistrates or Honorary Munsiffs.

19614. Is that ever done?—No. If possible they might gradually be made Honorary Sub-Judges.

19615. Have you ever found that the Government control over municipalities hampered you in any way?—In the matter of budgets we sometimes found difficulties. Sometimes certain items are struck out by the Commissioners. That is not frequently the case.

19616. If the Commissioner strikes out one item and puts in another, what happens if you object; is his decision final?—Under the law it would be final, but sometimes, if we write again and explain the thing, he changes his views, although sometimes he does not.

19617. Are there any other ways in which you find that the interference of the Commissioner hampers you?—Sometimes. There was one matter with regard to the pay of a municipal servant. Under the rules certain servants are entitled to increased pay and the Committee allowed it, but the Divisional Commissioner would not sanction it.

19618. Should the municipality in most cases at any rate, have the power of appointment and of paying its own servants according to its own scale?—Yes; also to treat them as they like.

19619. Would you restrict the power of appeal of municipal officers to the Government?—No.

19620. (*Mr. Dutt.*) You suggest that the Local Government should have the power of borrowing money in the open market? Do you think they could get money there on cheaper terms than they could from the Indian Government?—I cannot say whether they would get it on cheaper terms, but I expect they would be able to get it on the same terms. My idea is that it will improve the work of the province. Sometimes the Lieutenant-Governor is convinced of the utility of certain work which might not ultimately be sanctioned by the Supreme Government.

19621. Might it not lead to a multiplicity of loans if every provincial Government was allowed to borrow on its own account?—Of course it would increase the number of loans, but at the same time it is allowed at Lucknow, where the Government issue separate currency notes, and at Calcutta, where the municipality issues debentures.

19622. But these municipalities have incomes of their own. Has the Local Government any income beyond what is assigned to it by the Imperial Government?—I take the other view—the Local Government assigns to the Imperial Government, or ought to.

19623. You say that the powers of temporary remission in a year of drought should be given to the Divisional Commissioner—do you make that remark with regard to permanently, or temporarily settled estates?—I speak regarding permanently settled estates.

19624. In the case of permanently-settled estates zamindars are not entitled to any remission at all, even in years of drought?—That I know, but the policy should be changed to a certain extent.

19625. How long have you been Chairman of the Rampur Boalia municipality?—This is my ninth year.

19626. Were you a member of the municipality before that?—I was a member for some time at the beginning, and afterwards I was elected Chairman.

19627. Has the election been sanctioned by the Government?—Yes.

19628. Is the Vice-Chairman also elected?—No. He is nominated by the Chairman.

19629. Is the work of the municipality dealt with by different sub-committees?—Certain works such as, for instance, appeals are dealt with by an appeal committee. Then with regard to Public Works certain members supervise the work of the overseer, and certain Commissioners are empowered by me to check the bills and other things. The system has answered well up to the present.

19630. Is your municipality inspected by the District Magistrate or by the Divisional Commissioner?—Yes.

19631. Have any serious faults been found with your administration during the time you have been Chairman?—No.

19632. Are there any schools under the supervision of the municipality?—There are primary schools which are maintained by the municipality. The sub-inspectors of schools, who are Government officers, inspect them, the municipality merely pays the cost. We have no power of supervision or control in regard to their management; we have to do that through the sub-inspector and inspector. Some of the Commissioners sometimes inspect the

schools, but that function rests primarily with the sub-inspectors.

19633. Supposing a Commissioner finds fault with a school, have you any power to withdraw the grant or to close the school?—No.

19634. Are any dispensaries maintained by the municipality?—Yes, they are managed by the Dispensary Committee, of which I am a member. I used to inspect the dispensary, but at present I do not. The Vice-Chairman sometimes inspects it.

19635. Are there any members of the Dispensary Committee who are not Commissioners of the municipality?—Yes.

19636. Are your municipal accounts audited?—Yes, by the Government auditor of the Accounts Department. A copy of his remarks is sent to us and we have to rectify the defects.

19637. Is not the organisation of village communities very feeble in Bengal?—Yes.

19638. Would some legal recognition of them strengthen their organisation?—Yes. *Babu Bhuban Mohan Maitra.*

19639. Would you entrust the powers of a village community to a single man or to a number of men in the village?—I should prefer a number of panchayats. 6 *Jan.*, 1908.

19640. If you had such a body would you entrust to them some powers in the way of settling disputes and also disposing of petty criminal cases?—Yes.

19641. Would you also allow them some powers with regard to settling civil disputes?—Yes, and also with regard to sanitation. You often see cases of carcasses being thrown into the river, and there is no one to prevent it. The chaukidar sometimes goes to the thana, and the thana sub-inspector, if it pleases him, reports to the Sub-Divisional Officer; notice may be taken in time of such a matter, but meanwhile the body is rotting in the water.

(*The witness withdrew.*)

Mr. H. LUSON was called and examined.

19642. (*Chairman.*) You are Commissioner of the Chittagong Division?—Yes. I have also been Deputy Secretary to the Government of India in the Home Department for three years and before that Under-Secretary for three years. *Mr. H. Luson.*

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Now that the nature of the provincial settlements has been made nominally permanent instead of periodic, larger financial powers should be given to Local Governments. But their financial administration should remain subject to the general supervision of the Supreme Government, and various conditions and restrictions. What appears to be required is to increase the limits in the conditions prescribed, *e.g.*, those as regards both temporary and permanent appointments, pay of grades, new services, pensions, cost of houses for officers' residences, &c. If the retention by the Local Government of the prescribed minimum balance is rigorously insisted upon, the conditions can be very considerably less restricted than at present.

I do not advocate further separation between imperial and provincial finances.

I would not give borrowing powers to Local Governments. One reason against the proposal is that they would probably have to pay more for the money. Another is that it would tend to make them less subject to the general financial control of the Supreme Government, which seems essential.

The smaller cases as regards appointments, allowances, pensions, &c., take up an inordinate amount of time and attention in the Secretariats. I would leave as many of these as possible to the Local Government, allowing the Government of India to interfere by veto on seeing the cases recorded in the proceedings, or the individuals affected to appeal if necessary. The Civil Service Regulations and Civil Account Code should be exhaustively examined with a view to the exclusion of petty cases from being of necessity referred to the Government of India. These Codes are behind the times in such respects. The powers of the Government of India would require some enlargement also.

If the proceedings of the Government of India are examined it will be found that there are very many references in petty cases which might well be left to Local Governments. "The previous sanction of the Governor-General in Council" has been insisted upon too much in the legislation of late years. An instance is seen in the provision in the Chittagong Port Commissioners Act that such sanction is required to the list of local firms for the electorate to choose the three elected Port Commissioners every two years. The Commissioner of the division might very well be entrusted with the power of altering that list, subject to his being liable to be overruled on objection by the Local Government.

But whilst giving larger administrative powers to Local Governments in such petty matters, I would not add much to their powers in important matters. The Local Governments in India are very powerful institutions. As at present constituted, they have not always complete knowledge of local conditions, and they are not on every occasion right. They should be required to justify to the Supreme Government any departure, on the ground of different local conditions, from the general lines of policy laid down by that Government or the Home Government.

The restrictions as to details imposed on Local Governments by law or rules having the force of law might be relaxed by a general Act of delegation scheduling the restrictions which are to be relaxed and allowing the Governor-General in Council to delegate them. In some cases, *e.g.*, Madras, complete delegation of the items in the schedule might be expected; in others, *e.g.*, the Central Provinces, only partial delegation.

The departments of the Government of India with which I am acquainted appear to me to suffer mainly from want of direct knowledge with the conditions of the provinces. There are too many notes and memoranda put up by clerks and inexperienced Secretariat officers. No officer should act as a Secretary to the Government of India until he has completed three years' service as a District Officer (as Accountant-General, &c., for the Financial Department, as a Resident for the Foreign Department, &c.). No officer of the Civil Service is allowed to act in a High Court until he has served three years as a District Judge. A corresponding rule in the Executive branch of the Service would be of great value. The Administrative Departments of the Government of India are too rigid, narrow, and unsympathetic. Their officers should be in closer touch with actual conditions. The Secretariats are often very ponderous and slow. More expedition is required in the despatch in them of really important business. There are too many inter-departmental references in ordinary cases. The Secretariat tends to grind alike for both great and small; and there is not enough light and shade in their productions. I would remedy this by pruning away much of the less important work, and by taking a succession of officers from active employment in different parts of the country.

The Government of India is not too much dominated by considerations of revenue, as a rule. But it is too impersonal, and too much removed from first-hand knowledge of most of the provinces. In an outlying province such as that of Eastern Bengal and Assam there is a great feeling of want of direct touch with the Government of India. The general conduct of the administration would run much more easily if such touch existed.

Directors and Inspectors-General under the Government of India should be inspecting and advising officers, and not administrative officers, when dealing with departments which are primarily under the Local Governments. They should tour somewhat more than they do.

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Initiative largely depends on the individual. The majority of the administrative changes effected in recent years with which I am acquainted are those brought about by Lord Curzon as Governor-General, and by Sir George Campbell as Lieutenant-Governor of Bengal. I do not consider that it would be desirable to allow provincial Governments to develop their administration on their own lines, adopting or not at their discretion suggestions of reform brought to their notice from other provinces.

I would not interfere in any way with the law, rules, or practice of appeals. To do so would be most unpopular, and it might also be dangerous. Appeals often bring considerable information to the knowledge of the appellate authority, and the work done in connection is not excessive or wasted. A hopeless appeal is quickly disposed of.

Too much reliance is placed by the Government of India upon returns and reports from the Local Governments. Such very often do not, and cannot, convey full knowledge of the conditions. What is required is more personal acquaintance with the people and the officers of the provinces. I have no suggestions to make as to the reductions of returns and reports demanded from the Local Governments. The more information the Government of India obtains from them the better.

In this province, as well as in Bengal, the Board of Revenue should be formed into an Executive Council with the Lieutenant-Governor. I would make the members of the Board of Revenue Ministers in charge of departments in the Executive Council, and abolish the Board's separate Secretariat. I would give power regarding the general administration as well as revenue matters, to the members. The Lieutenant-Governor and his Councillors should settle how the work should be divided from time to time, subject to the approval of the Governor-General in Council. Many of the present functions of the Board of Revenue might be devolved upon the Commissioners of Divisions.

As regards the Court of Wards, there is at present too great an attempt at controlling details from the Board of Revenue downwards.

Of late years Commissioners here have been allowed some grants for (*a*) minor works and (*b*) small sanitary improvements. Such grants might be also given to District Officers and Commissioners should have the allotment of them to districts (from a total sum for the division) as in the case with the extra grants from the Public Works Cess to add to the resources of the District Boards.

The remarks I have made above regarding the Imperial Government and Secretariat apply *mutatis mutandis* to the Local Government and its Secretariat. In this province the Secretariat is particularly out of touch with local conditions as it is mostly located for practically the whole year at the station of Shillong which is difficult of access. These remarks do not apply to the Chief Secretary who tours with His Honour the Lieutenant-Governor throughout the province.

The position of the Commissioner in these provinces is not at present satisfactory, as the laws and rules and orders do not give him sufficient authority in revenue or in administrative matters. By his standing in the Service, and as administrative Head of a division comprising several districts, he usually commands very considerable influence in all local affairs, but it is possible for him to act largely as a mere channel of communication between the District Officers and the higher authorities. Adequate weight is given to my own views, but I regret that I have no more opportunities than I have for personal communication with the Government.

Executive Officers have not sufficient opportunities for contact with the people outside their offices. The District Officers have far too much work to do. In the heavier districts, I would have two District Officers and divide the work between them.

Executive Officers often do not possess sufficient knowledge of the vernaculars. The regulations for passed candidates in England require amendment, and some time should be spent at home in obtaining a grounding in Sanskrit and Bengali by selected candidates for this province.

We have great difficulty in obtaining the sanctioned normal administrative staff. The last Civil List for this province shows a deficiency of 16 below the sanctioned number of members of the Indian Civil Service. Two of the most difficult and important sub-divisions in this division have been held by unpassed Assistants for considerable periods during the last two years. The Provincial Service of Deputy Magistrate-Collectors is also deficient. The Government of India should have insisted upon this province being better equipped with administrative officers from the start.

I doubt if larger powers will in practice make much difference as regards the selection of officers. I think it should do so.

Transfers are unnecessarily frequent, because we have not the full complement of officers. The best method of avoiding transfers is to have a sufficiency of officers.

Local Boards in Bengal have never had sufficient powers and means given to them, and unions under the Bengal Local Self-Government Act should be encouraged. I would have elections to such unions, and would create and finance many more of them.

I doubt the feasibility of Advisory or Administrative Councils for Divisional or District Officers unless they are established by law; and if they were so established, I should hesitate to predict how they would work. The District Officer already has a Council in the District Board of which he is Chairman. The functions of the District Board might be somewhat enlarged. That I think should be sufficient for the present. As to a Divisional Council there would be great difficulty in getting the members of the outlying districts to come in. At present when I visit a district I see most people there of importance, and freely consult them.

I do not think it would be expedient to invest District Boards with powers of supervision over small municipalities. Any such scheme would be very unpopular in Bengal.

There are no village communities in these districts. I would extend the unions under the Bengal Local Self-Government Act, making them largely elective and increasing their functions and powers. I should like to amalgamate with them the chaukdari unions in certain tracts as an experiment. I doubt if any village organisation should be entrusted with the disposal of criminal or civil cases.

19643. You are not in favour of a complete separation of imperial and provincial finance? Will you state briefly why?—The general features of the system of provincial settlements which date from the time of Lord Mayo's Government should be continued, and the budgets should be framed on the principle of unity of finance, so that all parts of India may share in any growing revenue according to their needs.

19644. Do you think that unity and share in any possible expansion of revenue could not follow upon a system which separated the finances of the respective Government?—That is so. I would not allow some province to progress while others remained stationary, by dividing them up as it were into water-tight compartments.

19645. That might follow upon a separation of the finances?—One province might want a little extra assistance at some time and not be able to get it if the provinces were divided up financially into separate bodies.

19646. You say that the Civil Service Regulations and Civil Account Code ought to be examined with a view to the exclusion of petty cases, which have to be referred to the Government of India. When you were in the Government of India Secretariat did they in any way take in hand these regulations or codes from that point of view?—I cannot say that any general examination was made from that point of view, but there were continual amendments made sometimes with that object.

19647. Sometimes perhaps with the object of tightening up control?—Perhaps, on some occasions.

19648. When you were in the Secretariat of the Government of India, were a great number of cases disposed of by the Under-Secretaries and Deputy Secretaries?—A very great number were disposed of by them on their own responsibility, subject of course to their being noted in proceedings and those proceedings being examined by the officers superior to them, that is, by the Secretary in the case of an Under or Deputy Secretary or by a member of the Government in the case of the Secretary. There was a weekly tabulated list prepared.

19649. Do you think that many of such cases might very well have been left to the disposal and discretion of the provincial Government?—I think so. I should say a majority.

19650. So far, that is to say, as the rules compelled the reference, but not so far as the importance of the matters referred was concerned?—Just so; the rules compel the references.

19651. What proportion of your time was occupied in dealing with those cases which might have been disposed of by the Local Governments?—I used to devote most of the office working hours to the disposal of small cases, and urgent cases, and the larger and important cases I used to work upon at home, so that I should say it would be about half and half.

19652. Then might one-half of your work have been perfectly well done, so far as its importance was concerned, by the Local Governments, and need never have come up to you at all?—Roughly I should think so, but it is some years since I left the Secretariat.

19653. Have you ever been in the Secretariat of the provincial Government?—Yes. I was Under-Secretary there for a year and a half in 1890-91.

19654. Did you find that a great deal of your time as an Under-Secretary in the provincial Government was occupied in the same way in deciding these petty questions?—I think more so.

19655. So that quite one-half of your time in the Secretariat of the provincial Government was taken up with cases which might perfectly well have been delegated to subordinate officers of that Government?—Quite so.

19656. You give an instance with regard to the Chittagong Port Trust in which the Government of India interfere unduly with the conduct of local affairs: is that possibly because you are working under obsolete conditions which no one has ever taken the trouble to get amended?—I think that is an example of a good many cases, and there are numerous similar ones.

19657. During your three years' term of office as Commissioner of Chittagong, have you ever made any proposals to the Local Government to amend the Chittagong Port Trust Act?—Yes, I drafted a Bill for that purpose. It is about to be taken into consideration.

19658. How long, after a Bill of that sort has been taken into consideration, is it made operative?—About a year. It is probable in this case that the Bill will be passed shortly, because the Lieutenant-Governor has decided to take the matter up, and it only remains now to introduce the Bill and carry it through.

19659. You say that there are a great number of memoranda and notes sent up by clerks and inexperienced officers: were you required by office procedure, as a comparatively subordinate officer with hardly seven years' service, to make a number of notes on these memoranda and pass judgment and criticisms on the proceedings of officers with much longer experience than your own?—Yes, that is so. I do not think it is a good system.

19660. Did your notes and your memoranda include a sort of collation of previous cases, drawing attention to precedents and that kind of thing, or did you criticise the proposals from the larger and wider point of view of policy?—Both. The examination of precedents is very necessary.

19661. Were you entitled in your position to do both—were you not only to point to precedents but to dilate upon expediency?—Yes; and suggest action.

19662. What would you suggest to prevent that state of things?—As a rule, no officer should act as Secretary to the Government of India, that is to say, in charge of a department which deals mainly with district work such as the Home Department—until he has completed three years' service as a District Officer. As regards other departments, the Financial Department for instance, there would be other offices he should hold instead, say Financial Secretary to a Local Government, or an Accountant-Generalship, and as regards the Foreign Department one of the political appointments in the interior of the country. The rule they have as regards the High Court is a very good one, namely, that no officer of the Civil Service can act as a Judge of the High Court until he has been three years a District Judge, and that rule is followed without exception.

19663. You say that the Secretariat rather treats all matters alike both great and small and there is very little light and shade in their proceedings?—The really important business does not perhaps get the extra attention devoted to it which it should have. There are a large number of important questions which should have special attention, but because there are so many cases to deal with they are more or less all treated alike. There is such a volume of work to be got through that the tendency is to treat the cases, as they come, more or less alike, instead of devoting special and extra attention to the more difficult ones.

19664. You think the Executive Council ought to include a Member from each of the larger provinces?—I do. It could not be worked as a hard-and-fast rule. It is merely a suggestion, to be carried out as far as is reasonably possible?

19665. You say there is too much reliance placed by the Government of India on the returns and reports of Local Governments—has that always been the case?—I cannot say that I know of any increase lately.

19666. But when it comes to the case of reports and returns demanded from the Local Governments, you think the more information the Government of India obtains from them the better?—Yes, but I would have the Government of India have all the information at hand to enable them to deal with any point, that is to say, the members of the Government of India should be more in personal touch with the people and the officers of the different provinces, but should also have the information on record.

19667. But you say that in one case the Government of India places too much reliance upon these reports, and then you say they ought to get more information from them than they do; what do you exactly mean?—They ought to make better use of the reports which they receive.

19668. You think Commissioners have not got as much power as they ought to have?—That is so. Quite a number of powers which are now exercised by the Board of Revenue might be delegated to Commissioners. For instance, take the administration of the revenue law in connection with the permanent settlement. When a case of injustice or hardship occurs in connection with a sale of even the smallest estate and it is brought to the notice of the Commissioner on appeal, the Commissioner has no power to interfere, but has to report it to the Board of Revenue, and the Board of Revenue has to make a recommendation to the Local Government before an estate which has been sold can be restored to the owner, although it is a clear case of hardship and injustice. Cases of that kind which are regulated by Act XI. of 1859, might be left to the Commissioner himself. I do not think the Commissioner is likely to endanger the Government revenue.

19669. With regard to the Court of Wards, you would like a freer hand?—That is so. I cannot sanction more than Rs. 200 for any work in a large estate. When an estate is taken under the Court of Wards, a scheme is drawn up which is approved for the general working of it during the time it is

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to be under the Court, and if any departure from that scheme, in the case of a large estate, involves an expenditure of over Rs. 200, the matter must go to the Board of Revenue. The limit should be very considerably extended: I would suggest a percentage on the gross revenue of the estate.

19670. Would you increase the powers of the Collector in the same way?—The Collector has powers up to Rs. 100, and I would similarly increase his powers.

19671. You are perhaps aware that in the province of Bengal the Commissioners have an allotment made to them of Rs. 10,000 to spend more or less as they like?—Yes, I have a similar allotment.

19672. Do you yourself spend the money, or do you hand it over practically to the Collectors to spend?—I practically see to the spending of it myself. The Collectors tell me what they think would be the best way in which the money should be spent; I usually see the places where it is going to be spent and the results, and take a personal interest in the spending of the money; the amount might be considerably increased.

19673. Supposing you kept the amount which you now have to spend, but a sum was given to the Collectors which they could spend at their own discretion, would that remove any necessity for an increase in your allotment?—I should like to have the allotment made to the division and allow the Commissioner to divide it up among the districts, not necessarily in accordance with the area or population, but as some urgent necessity might arise. In one year one district would get more than another, and in another less; I would not tie the hands of the Divisional Officer, I would allow him to have the money to dispose of to the best of his knowledge.

19674. Should a Commissioner have a separate budget for his division?—Practically I think it is scarcely necessary. We get along pretty well as we are. Of course there are already budgets for different departments.

19675. Have you any power over the transfer of Covenanted Officers or the Provincial Service?—No, only in the Subordinate Service—only as to Sub-Deputy Collectors. I doubt whether it would work, because the number of officers in a division is too small to allow of any reserve. I think the present system should not be changed with regard to the powers of transfers, but there are a great deal too many transfers.

19676. Can you suggest any means by which that could be checked?—The number of officers is insufficient to go round. That is the chief cause.

19677. It has been suggested that a District Officer should no longer be permitted to be the Chairman of the District Board?—The Local Government has the power now, under the Bengal Local Self-Government Act, of appointing another person. In Eastern Bengal, it would not be a wise thing generally, but the experiment might be tried in one or two districts. It would, no doubt, remove the Collectors from direct touch with many very important matters in connection with the district, and it would require an exceptionally good man, not the District Officer, to fill the post. He would probably have to be paid. I would not recommend it as a system at the present time.

19678. But you would not mind it being tried here and there?—Not, if some exceptionally good man could be obtained, but merely as an experiment.

19679. Should power be given to the Commissioner to appoint a person other than the Collector to the Chairmanship of the District Board?—No, I think the Local Government only should have that power. It is so important a matter.

19680. Do you think that occasionally a person might be found who not only would be fit to exercise the functions of Chairman, but who would have the necessary leisure and knowledge of the district?—He might, but there is no such person in my own division, I have met with one or two, perhaps, in the course of my experience.

19681. It has been suggested that the Commissioner instead of getting from his District and Sub-Divisional Officers a report on every sort of subject, should get from them one annual administration report; would that be a good system?—It is very necessary in many matters to call for immediate reports from District Officers. There would be considerable difficulties in preparing one report. It would have to be prepared in sections which would be tacked together, so it would come to much the same thing as now.

19682. Would it not save the District Officer time and trouble and save you time and trouble?—I do not think it would have much practical effect.

19683. You think some small additional powers might be given both to municipalities and District Boards?—I think that they might be entrusted with them.

19684. What do you mean by saying that Deputy Collectors should be allowed to conduct their own correspondence?—In a district the work is divided up into different departments, each presided over by a Deputy Collector. Take for instance the Partition Department which deals with the partition of estates; a Deputy Collector is in charge, and although he writes all the letters, the Collector signs them and the files go to the Collector on routine matters; routine reports have to go to the Commissioner and the Board, and I think the Deputy Collector might send them direct, without beforehand going to the Collector or sending the case to him and getting his approval of the draft and his signature to the letter.

19685. Is the Deputy Collector a man not only of considerable experience but of considerable capacity, having regard to the work he has to do?—Of course they vary, but there are many Deputy Collectors who have very considerable capacity.

19686. Has their general tone considerably improved of late years?—I have heard of very few cases of dishonesty indeed amongst Deputy Collectors. I think that their standard of honesty in this province is very high, and that their standard of work, generally, has improved.

19687. (*Mr. Meyer.*) You speak of provincial settlements having been made permanent, and again you say that they require revision; what sort of revision do you think these *quasi*-permanent provincial settlements should receive?—If the revenue in one province became more or less stereotyped, whilst the revenue in another province developed very largely, it seems to me that some re-adjustment should be made.

19688. That is to say that the stationary province should receive part of the increase of revenue of the progressive province?—That is what I mean.

19689. Although the progressive province might have built up its revenue by careful administration, and the stationary province might have been stationary through its own inertia?—The stationary province might have remained stationary on account of its history. I was thinking amongst other things of the permanent settlement of Bengal. I do not advocate a periodical revision. I also had in mind the United Provinces, where I believe it is found that the financial arrangements are such that there is a deficit, and I suggest in making this arrangement that it should not be held that that province was cut off from any adjustment later on.

19690. An adjustment in favour of one province might imply also an adjustment against it?—Yes, I meant that.

19691. Therefore, you would sacrifice the whole permanency of the settlement?—You are aware of the previous system of quinquennial settlements and that they were done away with because they led to constant bickering as to the terms to be given by the Government of India and obtained by the provinces for the next settlement.—Yes.

19692. Are you prepared with a light heart to revive that system?—No, certainly not with a light heart. I anticipate that readjustments of these *quasi*-permanent settlements will be really forced upon the Government.

19693. As regards new appointments, you propose to give Local Governments power up to Rs. 1,000. You are aware that the Government of India have no such power?—Yes. I have suggested that the powers of the Government of India should also be somewhat enlarged.

19694. You say that with regard to personal cases, you would prefer to let the Local Government exercise its discretion, leaving the Government of India to interfere on seeing the cases recorded in the proceedings, and you refer specially to pensions and allowances. Do you think it would be satisfactory to a man to whom the Local Government had given a pension of, say, Rs. 200 a month, to have the Government of India come down upon him some months afterwards and say, "We must deprive you of a portion of your pension, you ought only to get Rs. 150"?—I would risk that. I do not think it should necessarily lead to that result. At present under articles 925, &c., of the Civil Service Regulations pensions are provisionally paid pending final orders.

19695. As regards the Chittagong Port Trust, you stated that you had drafted a Bill; in that Bill have you cut out the clauses as regards the intervention of the Government of India which you have mentioned as unnecessary?—As a matter of fact, I have not cut out those clauses; I have put in a limit, and if the sanction of the Government of India is still considered necessary to a very large work, it is provided that the limit in the case of Chittagong, might be raised from Rs. 10,000 to one lakh.

19696. In the same way you have got rid in your draft Bill of the restriction as to the election of Commissioners by such bodies, &c., as the Local Government may "with the previous sanction of the Governor-General in Council direct." You have omitted the words "with the previous sanction of the Governor-General"?—Yes.

19697. Has that Bill been accepted by the Local Government?—It has not been thoroughly considered in detail yet.

19698. You say that a Secretary to the Government of India, outside the Foreign or Finance Department, should not become a Secretary until he has completed three years' service as a District Officer. By District Officer, do you mean Collector or Deputy Commissioner?—Yes.

19699. Have not most of the Secretaries of the Government of India in the Home and Revenue Departments had three years' experience as Collectors and Deputy Commissioners?—I am not sure about most of them; some have.

19700. With regard to your suggestion as to the Finance Department of the Government of India, is not that department an administrative department dealing with administrative departments?—It is largely an administrative department, of course. It has to deal with cases referred to it (besides its own administrative cases) by the other departments of the Government of India.

19701. Therefore, is it not possible that the more outside experience a Financial Officer of the Government of India had the better; instead of requiring him to have special audit experience, would it not be better to require that part of his experience should have been in some other line?—I meant to include those which I mentioned just now: a Financial Secretary to one of the Local Governments would be one source of recruitment, and the Secretariats to Local Governments should have three years' district experience. I want to secure more direct or personal knowledge by the Secretariat of the people of the country.

19702. Can you give some specific instance of the rigidity and want of sympathy which you specify as having marked the administrative departments of the Government of India in your time?—Yes, I think the Chittagong port after Lord Curzon's visit there in 1904, has been treated with a want of sympathy

19703. During the time you were in the Secretariat, can you remember any specific instance which you can speak to?—Yes, I should say the action taken in connection with the Bengal jury notification. Action was taken in regard to trial by jury in Bengal, with the sanction of the Government of India, by a notification very considerably altering the previous arrangements. That action was extremely ill-received, and it was afterwards practically admitted by the Lieutenant-Governor himself that it was mistaken. It was very much modified in consequence of the Commission which was appointed under the presidency of one of the Judges of the High Court in Calcutta. If there had been more knowledge on the part of the Government of India at that time of the feeling in Bengal and the conditions of the Bengal districts, the notification which was issued by the Lieutenant-Governor would not probably have been sanctioned by the Government of India.

19704. That is to say, the Government of India showed their rigidity and want of sympathy by approving the action of the Lieutenant-Governor instead of vetoing it?—I think so.

19705. Then you say that you would remedy the constitution of the Secretariat by taking a succession of officers from active employment in different parts of the country; but is not that precisely what is done now?—I was specially referring to the necessity of officers in the Government of India having local as well as Secretariat experience.

19706. You say that the officers of Government have too much to do and consequently do not perform their important work well enough. At the same time, you propose not to curtail appeals on matters of great importance; but do not relatively petty appeals go up to the Government of India now?—Yes, but they do not give a very great amount of trouble.

19707. Have you not known of cases in which you have had to wade through a great mass of documents concerning a clerk in receipt of small pay simply in order to arrive at a conclusion as to whether the decision of the Local Government was right or not?—Yes, but in a case of that kind one can very soon take stock of the facts, and it need not take up a very inordinate amount of time.

19708. But if you have a great number of these appeals coming up collectively, they take up a good deal of time, and if, as you tell us, the Secretariat is overworked, is it not desirable to relieve them of some of the work?—I would not relieve them of the work of appeals.

19709. Do I gather you are of opinion that when a case can be dealt with by anybody under the rank of a Member of Council in the Government of India, it shows that that case need not have been sent up and that the restrictions on the Local Government may be relaxed?—No, that is not what I meant to convey. I meant that the cases which are decided by the Secretaries and do not go to the Members of Council should be examined with a view to ascertaining how many of them might be struck out without the necessity of having to be referred specially to the Government of India.

19710. Is it not difficult to deduce general principles from these things? You might have perhaps three or four cases coming up from a Local Government which seemed so absolutely clear that the Secretary, or even the Under-Secretary or Deputy Secretary, might pass them on his own authority. Then you might have another case which seemed so absolutely contrary to the intention of the original rule that it might go up to the Viceroy and the Local Government be overruled—has that not been very frequent?—Yes, but I rely upon the examination of the proceedings of the Local Government in such cases as you refer to, and would let the Secretaries suggest the calling for cases which they thought wrong.

19711. Would that not cause friction?—I think not; they would soon get used to that kind of procedure, and it is common in other departments.

19712. Are you in favour of converting the Board of Revenue into a Council on the model of the Councils at Madras and Bombay?—No not exactly. I would not agree to a condition of things under which two members of council, of in ferior status

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should be able constantly to overrule the Lieutenant-Governor. I would give the Lieutenant-Governor very large powers as regards setting aside the opinions of his colleagues, but what I wish to ensure is that he has colleagues whose opinions he should be bound to take, and whose opinions should be put on record.

19713. Do you mean then that in the case of Local Governments having to make a reference to the Government of India for sanction, it should be put on record that one of the colleagues of the Lieutenant-Governor, or it might be both of them, disagreed with the Lieutenant-Governor?—I think so, if a colleague desired that to be done.

19714. Taking a case where a Lieutenant-Governor could act by himself, and supposing, according to your ideas, his powers have been very considerably increased, what is to happen then?—Nothing, if he acts within the limits allowed.

19715. Is he to be under any obligation to go up to the Government of India; if his colleagues disagree with him?—I would allow it to be open to those two colleagues to refer the matter to the Government of India, but not to stop the action of the Lieutenant-Governor.

19716. And if the Government of India agreed with his two colleagues, what then?—Then the Lieutenant-Governor would be overruled.

19717. Do you not thus open up a source of fresh appeal to the Government of India in the event of the Lieutenant-Governor disagreeing with his colleagues?—I think some such arrangement is very necessary, as has been manifest in this new province.

19718. Would not that system be very much akin to a regular Governor-in-Council system, save that you drag in the Government of India a good deal?—I think the Government of India should come in a good deal, in their responsible position as regards the administration of the provinces.

19719. Under your proposal it comes in, not because the matter is, *primâ facie*, of such importance that it should come in, but because there is a difference of opinion between the Lieutenant-Governor and his two colleagues?—That would presumably show that it was of importance.

19720. Are you in favour of giving the Commissioner the power to appoint Sub-Deputy Collectors?—No, because in some divisions like mine, which are rather backward, it might be difficult to get the material or the class required.

19721. Suppose it were possible to break up the provincial budget for Public Works a good deal, and to give the Commissioner large allotments out of which he could sanction administratively the Public Works that were not of first class importance, instead of the matter having to go up to the Local Government; would you be in favour of that?—I think if you did anything on the large scale you mentioned, it would be necessary. I had in my mind only small works, on the scale on which they are done now, but on a large scale I presume it would be necessary to have a budget. I am not prepared to give an opinion.

19722. Would you practically allow delegation of the powers now vested in the Court of Wards to the Commissioners?—Not all of them. I would not allow delegation to the Commissioner of the power of saying whether an estate should be taken or not taken, however petty the estate might be. We suffer in one or two districts in my division in consequence of a large number of petty encumbered estates, which have been taken under the Court of Wards.

19723. Would a reference to the Court of Wards be a protection against that?—Certainly; in several cases the Local Government has refused to accept them, although the Board of Revenue has recommended it.

19724. What is the exact position as to sanction for taking over an estate under the Court of Wards Act; does the Court of Wards do it itself, or has it to go up to the Lieutenant-Governor?—It goes to the Lieutenant-Governor. I would keep that power.

19725. Do you think the time has come for giving to Commissioners some power under the Land Acquisition Act, subject to some pecuniary limit?—Yes.

19726. Might they have power, subject to such conditions as the Local Government may prescribe, to invest officers with magisterial powers?—There is a difficulty about that. The Secretariat keeps a confidential list showing officers' records from the commencement of their service; the Commissioner has not access to that list, because he very often gets an officer from another division, and if your suggestion were adopted, he would have to refer to the Secretariat to find out what there was on record as to any officer in question; it is convenient, therefore, that the power should remain with the Secretariat.

19727. Is there any objection to informing a Commissioner what is known about an officer who is sent to his division?—No, that might be done.

19728. As regards local and municipal work, you have fairly large powers already as a Commissioner; you pass the budgets of Local and District Boards and municipalities; you review their reports and you exercise the controlling powers which are necessary from outside; speaking generally are you satisfied with these powers?—Yes, I am satisfied with them.

19729. As regards your district organisation, was not the distribution of the old Bengal *cadre* settled between the two Lieutenant-Governors concerned?—I am not aware of that, but the provinces are unequal with reference to the completion of the sanctioned strength of the Indian Civil Service. The Government of India should have power to insist that there should be practical equality in the division of the men between the two provinces.

19730. To overrule Bengal for the sake of Eastern Bengal?—Just so.

19731. Are you in favour of having Sub-Divisional Officers in charge of Sadar sub-divisions?—Yes.

19732. Are you in favour of having territorial charges instead of subject charge?—I think that with a system of subject charges the work is more efficiently conducted because some of the work is special.

19733. That may be the case with regard to treasury and excise work?—And other things—land acquisition, partition, and various matters.

19734. Surely the man who ought best to be able to deal with such subjects is the man who knows the country, the estates, or the person he is assessing, and so on?—The Sub-Divisional Officer has to deal with such a multiplicity of subjects that he does not deal with them so well as a Deputy Collector, who has been engaged for a number of years in dealing with one particular branch.

19735. When a Sub-Divisional Officer becomes a Collector, is he quite unfamiliar with a considerable amount of a Collector's work?—No, because a Sub-Divisional Officer before becoming a Collector is usually a Joint-Magistrate. As a Joint-Magistrate when the Collector is away, he is in complete control temporarily; even when the Collector is there he usually has a number of departments to attend to himself.

19736. We have been told on all hands that there are hardly any Joint-Magistrates now?—That is because there is a deficiency of men.

19737. Do you think your present system, if you had more men, is better than the Madras system, under which a Sub-Divisional Officer performs all the local duties, with the Collector above him?—I do. Under the Madras system the Sub-Divisional Officer seems to be a petty Collector. I want him to be free of duties which prevent his being frequently on tour.

19738. You contemplate two Collectors in a single district?—Two District officers in some districts.

19739. Would they be equal and co-ordinate?—That would depend upon the work to be arranged amongst them. I have asked for two for one of my districts, and I would make one of them the District Magistrate and give him in addition some of the Collectorate work. I would divide the functions according to the needs and the total amount of work of the district.

19740. Do you not think that might end in a case of two kings of Brentford?—No; I have had some experience of it. In this particular district we have had two District Officers during a time of stress, and nothing of the kind occurred.

19741. You are in favour of having direct appeals to yourself, as Commissioner from the Deputy Collectors employed in the district; for instance, you want an income-tax appeal to come from a Deputy Collector to yourself, skipping the Collector, your argument being that in all these matters, the powers of the Collector having been delegated to the Deputy Collector, he is acting as Collector?—Yes.

19742. If the Collector can delegate his powers to his Deputy in the matter of original work, why should you not delegate your powers as Commissioner to the Collector in matters of appeal?—I was thinking of the system in judicial work by which a good many Sub-Judges decide cases, appeals from which go to the High Court, and do not go to the District Judge; that is found to work well.

19743. But is the analogy a good one; do you not think you will very much weaken the authority of the Collector in his own district if you allow appeals from subordinate officers direct to the Commissioner?—No Collector has complained to me in regard to the cases which do occur now, *e.g.*, income-tax cases. What I want to do is to relieve the District Officer as much as possible of the enormous burden of work that at present falls on him.

19744. Could he not be relieved just as effectually, perhaps, by allowing him to delegate the power that he has now to exercise to his subordinates, and in return being allowed powers which the Commissioner now exercises and which he has to report about. You want larger powers from the Local Government and from the Board of Revenue *quâ* Commissioner; why should not the Collector receive larger powers from the Commissioner in turn?—I think he should in some matters.

19745. (*Sir Steyning Edgerley.*) I suppose one method of levelling up provinces with stationary revenues, would be by the distribution to them of a portion of the Government of India surplus?—That would be a temporary arrangement only.

19746. Do you not think it could be done permanently without affecting the betterment of the other provinces?—But it takes the form of doles.

19747. On the other hand in criticism of your proposal it might be said that you should attain your object, if possible, without affecting the financial settlement of another province?—Yes, possibly.

19748. You say that there is too much "previous sanction" required by legislation, but is not that historically rather a somewhat recent development of legislation?—My recollection during my time in the Home Office is that there was too great a tendency to bring in the sanction of the Governor-General in Council in minor matters when any new legislation was being considered.

19749. I think if you compare notes previous to 1870 and subsequent to 1870 the distinction becomes more marked; up to 1870 the tendency was not marked; do you happen to have looked it up?—I cannot say straight off, but my impression is that of late years there has been a tendency to bring in the Governor-General in Council more.

19750. Was not the former progress of promotion that while a Secretary to the Government of India sometimes became an Honourable Member possibly, on the other hand, except in occasional instances, Lieutenant-Governors were, as a rule, promoted from Honourable Members?—At first it was so, then there was a break, and again it became the rule.

19751. Then at any rate one may take it that the Lieutenant-Governor is a person of equal trustworthiness and experience as a Member of Council?—It is not a question of trustworthiness, but of experience.

17952. Would you not rank a Lieutenant-Governor as at least equally in the confidence of the Government as a Member of the Government itself?—More so, I should think, if a comparison is to be made.

19753. In that case it becomes rather more marked, does it not, if an officer, as for instance the Lieutenant-Governor of the United Provinces, leaves a Membership of Council, where he delegates the power to dispose of routine work to a Secretary, and then in his higher sphere proceeds to submit work of exactly the same character to the Secretary to the Government of India to be disposed of by him?—Yes.

19754. Would you increase the Council of the Government of India so as to have one representative from each province?—I would; I would not say as a rigid rule that there should be one member from each province.

19755. But, *cæteris paribus*, do you think there should be?—There should be, as far as circumstances would permit.

19756. As regards the Act of delegation, I understand you to say that you would schedule the restrictions which are to be relaxed. Do you mean that you are in favour of a general Act of delegation, or do you mean that you would have a specific Act?—What I meant was that there should be a general Act applying to the whole of India.

19757. Supposing your province said "We want an Act relaxing such and such restrictions"; would you consider that in Council and pass an Act not only for Eastern Bengal, but for all India, and say that any other province which liked might also relax those restrictions?—I mean a general Act applying to the whole of India with schedules which might apply to the different provinces.

19758. But still that is a specific Act once and for all. You would have that Act passed, say, this year, and if you wanted a delegation two years hence you would have to pass another one; is that your meaning?—Yes.

19759. Then you do not mean a general Act, but a specific Act of delegation on each occasion?—What I meant was an Act for the present times—up to now—dealing with all the powers which you might think should be delegated from the Government of India.

19760. Do you mean that you would collect all your material up to now and pass your Act with schedules for each province, but if any province wanted anything more done next year, they would have to get a fresh Act?—Yes.

19761. Is that the best way of proceeding?—It is really more a matter for an expert of the Legislative Department.

19762. Do you not think when you are dealing with nine or ten provinces, and so on that they would be continually coming for this, that and the other Act, to relax something so that you would have to have an Act practically every year?—Perhaps it would be better if each Local Council did it on their own account. I do not consider myself an expert in the matter, and it is rather for the Legislative Department to advise upon.

19763. Are you prepared to see non-official Chairmen of Local bodies where you can find fit men?—Yes, experimentally if you can find suitable men.

19764. In districts where you can do that, would you be prepared to try the further experiment of putting the powers of outside control in the hands of a committee under the Collector?—No, I would not have any such committee; certainly not at present.

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19765. You say you think considerably more powers might be given to a Sanitary Board; what have you in your mind?—The Sanitary Board seems to me to do very little or to effect very little. They might deal with most of the medical matters, such as the dispensaries in a district.

19766. Do you mean that you would relieve the Inspector-General of Civil Hospitals of control?—No, he would be a member of the Sanitary Board. The work the Sanitary Board does is very much allied to the work of medical relief, and medical relief, in the way of dispensaries and sanitation, should go together and be under one Head as it were—that Head should be the Sanitary Board, of which the Inspector-General of Civil Hospitals should be a member, if not the President.

19767. That would be practically replacing the independent control of the Inspector-General?—No, I intended to bring the two together; and the Inspector-General might very well be the President of the Sanitary Board.

19768. With regard to village unions, do you say you would have election to such unions?—That is permissible already under the present law. It has not, I believe, been acted upon.

19769. What would be your principle of election, territorial wards, or classes, or what?—At present I should say that the electors should be those people who pay the chaukidari tax.

19770. (*Sir Frederic Lely.*) Referring to the authority of the Commissioner as to the Court of Wards and what you said about it, does it not often happen that an estate may be much embarrassed, and yet that the family may have sufficient social or political importance to make it worth while to make an effort to preserve it?—Yes, and that is done.

19771. In considering whether an estate is worth keeping under the Court, there are two considerations—one the financial position of the estate, and the other the claims of the family to help?—I think those should be the considerations.

19772. Is not the Commissioner from his local knowledge just as fit, or even more fitted, to decide on those points than the Board of Revenue?—Different men have different views on this subject; some say that we should take as few estates as possible, and others say we should take as many as possible. I would bring the Government in to ensure uniformity of policy.

19773. Is not the Court of Wards a link between the Collector and the Commissioner and the landed classes?—Would you associate the Collector and the Commissioner as much as possible with its action?—Yes.

19774. Has the Commissioner any influence at all in matters of excise?—Matters of excise are sent to him for criticism if he sees fit to offer it. I think the present arrangement is sufficient.

19775. As to Public Works, has the Commissioner any influence at all?—He has; the lists of certain Public Works are sent to him for his opinion, especially as regards the order of their urgency.

19776. Do you think that is enough, or would you give him more power?—I would increase considerably the grant now made to the Commissioner for minor Public Works; as regards major Public Works the present arrangement is suitable.

19777. Have you any forests in your province?—Yes, we have very large forests.

19778. Has the Commissioner any word with regard to them?—Yes, a great deal; I think quite sufficient in practice; nothing is done without consultation with the Commissioner.

19779. Has the Commissioner any influential word in the matter of education?—A very great deal indeed; practically nothing is done as regards education without consultation with him.

19780. With regard to police, do you require any extension of authority?—I do not think so.

19781. Lastly, what do you say as to agriculture; do you require any more voice in regard to that than you have?—At present the arrangements in connection with agriculture are new, but they are developing, and I should not like to say anything which would interfere with the development; as far as I can see it is promising.

19782. Then, on the whole, you scarcely bear out in your evidence the statement that you have made that "The position of the Commissioner in these provinces is not satisfactory"?—It is not, because the law and the rules do not bring him in sufficiently; it is only the practice and his personal influence that bring him in in many matters. I would like to have it on a more solid basis.

19783. Do you consider that the Collector has any authority at all in excise matters?—My experience is that he has sufficient authority.

19784. Has he any authority as distinct from the non-official influence which you speak of?—The rules have been rather changed of late in regard to the Excise Commissioner; he works subject to the control of the Excise Commissioner.

19785. Are the excise subordinates in his district, subordinate to him?—Yes. He can give them orders, and the policy of the Excise Department is to bring the District Officer into the excise administration as much as possible.

19786. Is that policy recognised by the Government?—Not so formally as it might be, perhaps.

19787. Ought the position of the Head of the district to be strengthened in the matter of excise?—In my division there is not much excise work, but at present I have nothing to suggest.

19788. Should the Head of the district be associated more closely with the administration of Public Works?—The Head of the district is consulted as regards Public Works by the Executive Engineer, but what I should like to see is certain minor works carried out by the District Officer himself, without the intervention of the Public Works Department.

19789. As to works which are actually undertaken by the Public Works Department, does the Head of the district incur any responsibility at all for them?—Estimates are sent to him for his signature.

19790. Supposing a reckless contract was given at extravagant rates, would Government expect him to take any official notice of that?—Any extravagance in dealing with Government money should be brought to notice by the District Officer.

19791. But as things are at present would he be thought interfering if he did bring it to notice?—I do not think so.

19792. Have you ever known of a case of a District Officer interfering on behalf of the Government with regard to anything like that?—I have known the Head of a district bring to my notice as Commissioner that too high rates were paid by the Public Works Department.

19793. Does the Head of a district generally understand that he has any responsibility in such matters?—Yes, he does understand that he has such responsibility, I believe.

19794. Does he understand that he has any responsibility in the matter of schools?—Yes.

19795. And in the conduct of schools, referring not merely to primary schools, but to such schools as normal training schools?—Yes, as regards training schools, but only as a visitor.

19796. But if there has been any laxity, would the Collector be held to blame for not having brought it to light?—I think so, if he knew of it.

19797. But would the Government hold him responsible for being cognisant of such things in his district?—In regard to a training school I do not think so, but certainly he would be held responsible in regard to primary schools.

19798. Do you draw a distinction between training schools and other schools?—I was thinking with reference to the actual practice. As a matter of fact, the training school is looked upon more as a departmental institution than the ordinary school.

19799. As a matter of fact, would a Collector trouble to visit a training school at all—would he

consider it within his day's work?—He would consider it within his year's work. There was an order passed that the District Officer should visit every primary school once a year; but that is impossible.

19800. With regard to the sub-divisional system and the Sub-Divisional Officer being treated as a general administrator, in preference to an official at headquarters entrusted with special subjects, is not your view rather in the direction of technical efficiency than of knowledge and sympathy?—The great object in my idea is to enable the Sub-Divisional Officer to be clear of a good deal of extraneous work so that he may move about amongst the people.

19801. (*Mr. Dutt.*) Does the disposal of appeals add appreciably to the work of the Secretariat?—There is an appreciable amount of work, but it is not comparatively very heavy. Some individual cases give a good deal of trouble.

19802. But taking the whole year, would the work be very much diminished if the right of appeal was curtailed?—Not very greatly.

19803. Do you think that the right of appeal gives a sense of security to Government officers?—Certainly.

19804. And that it is desirable to maintain that sense of security in Government officers, even if it gives some little additional work to the Secretariat?—I think it is worth a large amount.

19805. You spoke of the want of touch between the administration and the people, from various causes—do you think one of the reasons is that we have not in Bengal, as they have in Madras and Bombay, Executive Officers in charge of smaller areas than a sub-divsiion?—Ordinarily we have not. I am not personally acquainted with the Madras system, and I understand that the officers you refer to are men of the sub-tahsildar class, who would be something between our kanungo and Sub-Deputy Collector. As a Sub-Divisional Officer myself I came very closely into touch with the people.

19806. Would it improve our administration if we had a class of officers in charge of one or two thanas with revenue and judicial powers over the area in their charge?—I should be rather chary of giving judicial powers to low-paid officers.

19807. I was speaking of Deputy Magistrates, or the senior Sub-Deputy Magistrates?—Perhaps judicial powers might be given to officers of the class of the Sub-Deputies, but not below that.

19808. If you placed such areas in charge of Sub-Deputies, do you think it would be an improvement on our present administration?—I cannot quite see in some places what work they would have to do; I suppose they would be a kind of Sub-Divisional Officer, but it might be tried as an experiment; it is worth a trial as an experiment, but I should not like to adopt it straight off throughout the whole province without some experience of its working.

19809. If it was tried as an experiment, would you expect such officers to pay attention to the creation and fostering of village communities in advanced villages?—I am afraid in most of these districts, scarcely any trace of village communities exists; it is hardly possible to trace village communities, so that I would rather look to another means of getting down to the people, that is, through the unions under our Local Self-Government Act.

19810. You say that the Commissioners of divisions have sufficient control over forest administration; is that so?—I was speaking with reference to my own division, where there are large forests. The position of a Commissioner depends a great deal upon the practice rather than upon the direct provisions of the law or rules; but if I found anything in my division was being done with regard to the forests, which I considered wrong, I should immediately write to the Government and object that I had not been consulted, and then Government would consult me. My point is that the work of the Commissioner depends too much on his personality in this respect and that his position is not satisfactorily laid down by law and in the orders.

19811. Should a Commissioner have more powers formally bestowed upon him under the Forest Act or Rules?—In a number of matters under the Forest Act Rules provision should be made for the Commissioner's opinions being obtained and considered.

19182. Do the forests in your division include any grazing or pasture land?—In my division the forests are mainly in the hills away from the great body of the people, but they do include some grazing lands, and in parts of the district there is a large amount of grazing land which is not forest—it is still Government waste.

19813. So that you do not hear many complaints from the people as to difficulty in grazing their cattle?—Not in my own division.

19814. We have had evidence that in order to dis-forest any area, however small it may be, the sanction of the Indian Government is necessary under the law. Do you think it is desirable when the area is small, say within a 100 acres or so, to empower the Local Government to dis-forest that area?—Yes, the Local Government might have that power with certain limits, but taken as a whole, in this country the amount of land under forest is comparatively small, so that it is a very important matter to protect forest reserves, and in giving powers to the Local Government I would contemplate that the Government of India should watch their proceedings and call them to book if they dis-forested anything which the Government of India thought should not be dis-forested.

19815. Do you say that you are not in favour of Advisory or Administrative Councils at present but that the functions of District Boards might be somewhat enlarged so that the members might be consulted in matters other than those contemplated by the Local Self-Government Act?—Yes, I think so.

19816. Would it be necessary to enlarge their functions by modification of the existing law?—Yes.

19817. (*Mr. Hichens.*) You propose that the Board of Revenue should delegate power downwards, and that they should in their new capacity take over a good deal of additional work. Do you think that the amount of additional work, which you propose they should take over, would be greater or less than the work which you propose should be delegated?—I think they would have about as much work to do as they have now.

19818. Are you prepared to allow the Secretaries to Government to have access to the Lieutenant-Governor just as much of right under the new scheme as they have to-day?—Yes; that is an arrangement which I think is a valuable one, and which I have seen work without objection.

19819. Why do you think the Board of Revenue do not perform a useful function to-day, and that their functions should be materially enlarged?—I did not mean to say that they do not fulfil a useful function, but that the functions they fulfil might be fulfilled by other officers, namely, Commissioners, and that their experience and standing might be made better use of by associating them with the Lieutenant-Governor in the general Government of the province.

19820. Have District Boards adequate revenues at present?—Their revenues have been enhanced of late years by special grants, but they require still further grants.

19821. Their main income is the Road Cess of half an anna in the rupee. Is that adequate, or do you think they ought to have the Public Works Cess given them in addition?—They at present get a share of the Public Works Cess, but they should get a considerably larger share.

19822. Should they not get the whole of it?—I think they require a considerably larger grant than they receive, but municipalities also require financial assistance. The District Boards have been assisted of late years by the Government and

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the municipalities have not been assisted so much, and many of them suffer in consequence.

19823. Do municipalities impose the maximum rate of taxation allowed by law?—Not in all cases, but they do in some cases.

19824. Should they have an annual contribution from the provincial Government?—The District Boards have been assisted, and the municipalities also require assistance on the same basis.

19825. With regard to Local Boards, would you suggest that they should have a definite portion of the District Fund allotted to them?—I should be inclined to do so, because the members of the District Boards are not disposed to part with powers and funds to the Local Boards to any extent.

19826. Is the Local Board an institution that might be developed?—I think so.

19827. You do not think that all the work can be better done by a District Board?—No, I do not.

19828. Do you think that the Local Board has a greater interest in local affairs?—Yes, and they would have more knowledge of the conditions of the localities they represent.

19829. Would you give them a separate staff?—I would give them some separate staff, for instance, for certain classes of roads.

19830. Would it not be rather expensive to have a separate staff for each Local Board, and also a staff for the District Board?—With certain classes of road made over to the Local Boards, I would make over a staff which would be subordinate to the staff of the District Board; that is to say, I would give them sub-overseers who would work under the overseer of the District Board. I am not sure whether that might lead to friction. Something of the kind exists in some districts at present.

19831. In practice is there a road-gang working in the area controlled by each Local Board to-day?—As a rule they do not employ men permanently in gangs, but when they get a grant for a road, they do the work on that road by employing a temporary gang. They do not, as a rule, employ permanent gangs, but employ local people and make the best use of the labour, because they use it at a time when it can be obtained cheapest, that is, when it is not required for agricultural or other purposes.

19832. Would you give the Local Boards any power in connection with education?—Yes, I would. They have some powers now. I would increase them. I would not give them full powers, but I would give them the power of allotment to the different schools within their areas of the Government grant for primary education subject to the rules made by the Department.

(*The witness withdrew.*)

Adjourned.

TWENTY-EIGHTH DAY.

DACCA, *Tuesday, 7th January*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under Secretary of State for India, *Chairman.*

SIR FREDERIC LELY, K.C.I.E., C.S.I.
SIR STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. R. HUGHES-BULLER was called and examined.

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19833. (*Chairman.*) You are Magistrate and Collector of Backergunge?—Yes.

19834. From the record of your service you do not appear to have had very much administrative experience?—No, not a very large amount; we did a good deal of administrative work on the frontier when I was Secretary to Sir Hugh Barnes, and we came a good deal into contact with the people in that way.

A Collector should have power to deal with matters which depend on his local knowledge, such powers, of course, to be subject to necessary financial control. With regard to Sub-Divisional Officers, I am in favour of giving them more extended powers. I would place them in charge of revenue matters, such as *khas mahal* work, with which they do not deal now. There are other matters, such as excise, in which they are not now consulted, and in which they ought to be consulted and utilized. Power may be given to the Commissioner to deal with certain personal matters in the working of the Municipal and Local Self-Government Act. I refer to such matters as the approval of election of Chairman of a municipality and the appointment of members of District and Local Boards, &c. In chaukidari and *panchayeti* matters, I would give the Magistrate absolute powers.

At present a District Officer only has power to re-appropriate contingencies within the same major head. His powers should be extended by allowing him larger powers of re-appropriation under major heads. Subject to budget allotment, he should be allowed a freer hand for what may be termed "job and contract" work. A Collector could often get a piece of work done more quickly and economically if he was in a position to choose his own time for it. For instance, petty settlements (really colonization work) in this district commence in October, for at that time the sea is calm and men can get to the *chars* without danger. *Amins* should be sent out for work immediately the calm weather begins. But the sanction, which I have to get from the Board for petty settlements, did not reach my office until the end of last March, by which time the season was over. Hence, loss of Government revenue for a year. I would give a District Officer "reserves" under appropriate heads for such purposes. A District Officer should also have power to sanction estimates and execution of works up to Rs. 1,000 in *khas mahals.* The system of doles from the Board of Revenue for *khas mahals* improvement works should be abolished. I did not know what money I should have for expenditure on *khas mahals* improvements until November this year. Damage is caused to buildings and works in the rains which need immediate repair, but no

money is available for the work. A school building was blown down in June last, but I am only now in a position to replace it.

Grants are at present given to Commissioners for miscellaneous public improvements and sanitation, and are doled out to District Officers. The grants should be made direct, so that a District Officer may be able to put an improvement in hand without writing and correspondence.

I am strongly in favour of one appeal, and no more, on the facts. Revision on a point of interpretation should be admissible. At present the right of appeal of a ministerial officer practically extends up to the Local Government. I would confine the right to a single appeal on the facts, an appeal on a point of interpretation being allowed to another authority. I have heard officers say that they would not dismiss a man on account of the time that would have to be spent in answering the grounds of appeal to the various higher authorities.

Executive Officers have not sufficient time to mix with the people. A Commissioner in Bengal when he visits a district spends his time largely in inspection work. He ought to have more time to look into wide schemes for improving administration, and he ought also to be able to get into closer contact with the people. The District Officer is over-burdened with correspondence, in addition to the other multifarious duties which he has to perform. The cause of this is to be found in the attempt to perfect the administration by the multiplication of laws, rules, &c. Again, there is a tendency to concentrate officers in sub-divisions. I should like to see more officers posted in the *mufassal*. Such officers could be supervised by the Sub-Divisional Officer. In my district, I have three officers in each of two of my sub-divisions and two in the other. I should prefer to have two officers at each sub-division and other officers posted at suitable places in the *mufassal*.

European officers do not as a rule possess sufficient knowledge of the vernaculars, and this might be remedied by placing them on settlement work for the first year of their official career.

A general increase in administrative staff, or a reduction of the size of the districts is certainly required in Eastern Bengal. The population of my district is 2¼ millions, which is far more than the average population even of Madras districts. There were 37 districts in Bengal at the time of the last census, having a population of more than a million. If a comparison is made with the staff of officers above the rank of naib tahsildar in districts in other parts of India it will be found that the staff of a Bengal district is very much smaller than elsewhere. I know the Quetta-Pishín district of Baluchistan; there 11 officers above the rank of a tahsildar held charge of a population of less than 150,000.

Where possible, a general increase of staff is preferable to the reduction of the size of the district. It is more economical and in a way leads to more continuity of policy and obviates to some extent the harm done by frequent transfers of officers. If there are a Magistrate and an Additional Magistrate at a district headquarters, when the Magistrate goes on leave, the Additional Magistrate will succeed him. I would strengthen the district staff, reducing the lowest unit of administration (the Bengal sub-division is too large) by posting Deputy Collectors or Sub-Deputy Collectors to the charge of a thana or a group of thanas, somewhat as the tahsildars are placed under Sub-Divisional Officers in other parts of India.

Great care should be taken in the selection of Executive Officers, less regard being had to seniority. No business firm would conduct its Appointment Department on the lines on which that department is conducted in the Government of India.

The powers of the District Board and municipalities need little extension. The District Boards should be authorised to deal with matters which immediately concern them, such as the opening and closing of dispensaries.

The only village organization in Bengal is that represented by the *tahsil* and assistant *panchayets*. I believe that much might be done to improve the status of these men. The Chaukidari Act under which they work is not sufficiently elastic. It limits the pay of the chaukidars to Rs. 6 and the percentage allowance to *tahsil panchayats* as commission to 10 per cent. These are matters with which the Local Government should have power to deal according to the peculiarities of each district. Rs. 6 in a rich district like Backarganj is not a high pay for a chaukidar, and the *tahsil panchayat* should get commission at a rate which will give him not less than Rs. 15 a month. I would extend the *panchayat* system on the lines on which the *jirga* system is worked and regularised through the Punjab Frontier Regulation. Under that system the District or Sub-Divisional Officer may refer specific issues to a *jirga* for an opinion. The *jirga*, after recording evidence, if necessary, comes to a finding on those facts. It is against the custom and rules of oriental polity to put large executive power in the hands of such men, but we may well go to them for information and facts. Some small powers might be given to them by special legislation, as has been done in the case of village headmen in Burma. I have seen the Burma system worked in the district of Akyab among a population consisting of Chittagong Muhammadans, and am informed that it works well.

I doubt if there is sufficient work for a District Advisory Council, but I would give the Magistrate-Collector power to invite selected gentlemen to meet him to discuss any particular subject, and would authorise him to pay such men a daily allowance if necessary. Similarly, the Sub-Divisional Officer should be authorised to call together selected advisers. This would create a body of public opinion working with Government.

The smaller municipalities might very well be supervised and controlled by the District Board. At present there are small bazars in which sanitary arrangements are required, but which do not contain sufficient population to enable them to be made into municipalities without taking in a large tract of agricultural country. Moreover, the smaller municipalities are unable to maintain an adequate staff for repairs or even for executing public works, but this could be supplied if these municipalities were under the District Board.

I would encourage the village headmen at the expense of the chaukidars. The latter are too numerous and are ill-paid. I should be very glad to see a system of justice introduced, by which cases of a petty civil nature could be disposed of at or near the spot. Civil justice in Bengal is far too centralised, and cases which could be disposed of in a few minutes by a visit to the spot take months owing to the examination of witnesses being taken at headquarters.

My experience in Backarganj is that the Educational Department is too centralised. The district possesses 17 high schools, 78 middle schools, and 2,576 primary schools, all of which are under the control of one inspector at Dacca. His influence is too remote in so important a matter as education. I have as my educational adviser a sadar deputy inspector of schools. This district should be given the services of an officer of the Provincial Service.

Having myself had a considerable amount of experience of different parts of India, I can testify to the advantages to the administration if some system could be devised by which Civilians and Deputy Collectors could see something of the working of provinces other than their own. I doubt if the language obstacle is as great as some people believe. English and Hindustani are now so widespread as to minimise the difficulty. I am certain that both Civilians and Deputy Collectors would get many new ideas if they saw the working of other provinces.

I should like to see Commissioners and Collectors authorised to grant rewards, either in money or gifts, freely to deserving persons in return for services rendered. This system exists in the Punjab and is very successful. At present it is not in vogue in this part of the country.

19835. As a Collector, you wish to be in possession of considerably larger powers?—We ought to have a somewhat freer hand, more particularly with regard to the Agricultural Loans Act, about which the Collector has special knowledge. At

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present I have to send up a list of suspensions if I make any under the rule, and if I want to suspend the payment of an instalment of a loan. That is a thing in which my local knowledge is essential, and it would be very hard for a Commissioner or the Board of Revenue to say no to me. In practice they do not do so.

19836. You want a free hand up to any particular limit, or do you want unlimited discretion?—I should be quite content with a fair limit, say, Rs. 100 or Rs. 200, or something of that kind, in each case.

19837. Could you get the actual cash quickly enough to the person who applied for it?—I introduced somewhat of a special system this year; I left a large discretion to my Deputy Collector; I gave each man a circle, and sent him out to make personal enquiries among the people with the help of the *panchayets* and leading men of the locality, and after making those enquiries, I allowed him to make advances generally to groups of people. There was no difficulty in that way in getting the money to the people quickly. That mode of procedure is not entirely in accordance with the rules under the rules, the man is expected to come into headquarters and get his money there and go back again; I took the money to the spot and I found the system worked very well; the same may be said of recovery work, which I am doing in something of the same fashion as we recover settlement costs. At the end of a settlement, costs have to be recovered from the parties concerned, and in Bihar we send out a camp with receipts for the amounts payable in charge of a Deputy Collector. He gives a man his paper, and takes the money on the spot. In the same way I have introduced a system now of recovery of loans on the spot. Of course it means a certain amount of detriment to the other work, but the advantages are great in getting near the people and in saving them from coming to headquarters. The advantages are far above any detriment to criminal work which might take place.

19838. Did you draw the attention of the Local Government to what you have done?—I made a report to the Commissioner about three months ago on the whole system. I expect it has gone on to Government.

19839. Would such a system be applicable to the whole province?—Yes, as far as I have experience of it; I know the Chittagong district and it might be worked there.

19840. What you have done rather points to the fact that somewhat greater power than is usually given should be given to your Sub-Divisional Officers?—Yes, I am all for trusting the Sub-Divisional Officer under supervision.

19841. Do you think that the class of Sub-Divisional Officer, the Deputy Collector more particularly, has improved of late years?—Yes, I should say it had. I noticed on coming back here that the stamp of man has improved, and I have got three Sub-Divisional Officers now, two of whom are very good men indeed in every way.

19842. Is the pay any higher than it used to be?—I do not think so, but the training generally is of a higher standard amongst them.

19843. Can they be trusted, in consequence of this better training, with a good deal more responsibility than they had in the past?—I do not see why they should not have a certain amount more responsibility.

19844. Would it relieve you of a portion of your work if you could trust them?—Yes.

19845. Should the Collector no longer be associated as Chairman of the District Board though retaining his powers of supervision?—No, I am against that; it would be very difficult to work; in the first place, you would probably have difficulties with the District Engineer. The District Engineer is directly subordinate to the Chairman, and I foresee trouble to a certain extent between him and a non-official Chairman. Then the Chairman sees a great deal of the district, far more than a non-official Chairman would see, and is able to put more life into the District Board than a non-official Chairman would as a rule be able to. After all, the leisured class from whom the non-official Chairman could be drawn is very small, so far as my district is concerned.

19846. Are the men on District Boards of whom you have knowledge men of pretty good standing and capacity?—At the present moment my District Board is of very fair capacity.

19847. Supposing you split up your District Board into committees and divided the work amongst them, would you find men on the Board capable of taking the post of Chairmen of such committees?—We do our work very largely by committees, and I very seldom sit on them. I leave them very largely to run by themselves. For instance, in a year, I do not suppose I have attended more than two or three committees.

19848. Who works them?—The members; we elect various members of the Board to the Educational Committee, the Public Works Committee and the Medical Committee, which are the principal Committees. They stand in much the same relation to the District Board in those matters as Local Boards do; the Local Boards send their proceedings to us for sanction, and in the same way the committees send their proceedings to us for sanction, and those proceedings are very largely accepted.

19849. Is that system generally followed in other districts?—I cannot tell you.

19850. Do you find it work well in your own district?—Yes.

19851. Do you give a considerable amount of real freedom to the Chairmen of these committees?—Yes, everything goes through their hands and we accept their recommendations, or not, as the case may be. Where a work has to be taken in hand, it is gone into by the Public Works Committee, and their recommendation is sent up to the District Board.

19852. Suppose the District Board accept the recommendation on a proposition for a tank, for instance, do you let the Chairman of the Public Works Committee take any part in choosing the site and seeing that the work is being done properly?—He can go to the spot if he likes, but the construction of the tank, of course, would be in the hands of the District Engineer. Then take, for instance, the technical school—the Educational Committee have just rented a house for a boarding-house and the Chairman of the committee, or one of the members, has gone and seen to that and supervises it more or less.

19853. And he does the work very well?—I think so, as far as I have seen.

19854. Would you give municipalities any freer hand than they have at present?—As a matter of fact in the Barisal municipality, which is the principal one, we have a non-official Chairman and a Vice-Chairman, and a certain number of nominated members, and it gets along fairly well.

19855. Their budget goes to the Commissioner?—Yes.

19856. Have they a right to impose a rate or a tax?—Subject to the Commissioner's sanction.

19857. Would you give the Municipality a right to impose a rate without reference to the Commissioner?—Perhaps his control is, on the whole, a good thing.

19858. Are taxes any more popular in this country than they are elsewhere?—Rather less I think.

19859. Would there be any danger in giving a municipality a right to tax itself?—No. It is really a moot point. On the whole, the control by the Commissioner is not a bad thing.

19860. You wish the Collector to have the right to sanction settlements, and the reduction of rents on raiyats' holdings. To whom do those questions now go?—At present they go to the Commissioner for sanction, but the Collector is the man who knows most about these things. We have certain powers of sanction now, but a settlement of over Rs. 200 has to go to the Commissioner. The Collector's power might be extended up to a limit of, say, Rs. 500.

19861. Even in the case of a settlement up to Rs. 1,000, the Commissioner acts on the Collector's opinion?—Yes.

19862. And he hardly ever, if ever, acts on his own knowledge?—No, he only looks into the papers which we send him.

19863. With regard to your annual district budget, you want larger powers of reappropriation under major heads?—Yes.

19864. Up to what amount can you reappropriate expenditure?—I can reappropriate under my contingent grant; I have a certain amount for one thing and a certain amount for another, and I can reappropriate under those heads, but we might have larger powers to reappropriate, and if we save money on one major head, we should be allowed to spend it under another head.

19865. You mention a case when you made an attempt to get from the Board of Revenue sanction to some little settlement in October, and you did not get it till March?—The budget went up some time in August, and I sent up my application in June, or it may have been earlier, but I did not get my money quickly enough.

19866. Is there not a system of provisional sanc- to such things?—I do not know.

19867. Would that not help you out of your difficulty?—Yes. As long as we get the money at the time we wanted it—that is the great thing. Last year I was not there, but I am told by my office that the money was sanctioned in March. That, of course, is within the financial year, but the whole necessity for using it had gone. We want to use the money at the proper time, which is October. My district is rather a difficult district; one can only travel in boats and when the sea is calm; it is rough, say, from April till October. When I was an Assistant Settlement Officer I had very large powers under what I call "job and contract" of appointing men for a particular piece of work and as soon as that work was done, of taking them off again.

19868. You were not as senior as an Assistant Settlement Officer as you are now, but yet you had more power than you have now?—Yes, at all events as far as discretion goes.

19869. Do you think you are more fit to exercise that financial discretion now than you were, having had so many more years' experience?—I hope so.

19870. With regard to appeals, you would like to confine the right of appeal upon facts to a single reference; but upon questions of law how many references would you allow?—One more.

19871. Would that cause discontent?—It would not be popular.

19872. Would it be so unpopular that it would be impolitic to make such an order?—No, because it would be a very desirable reform. The class of persons affected is not sufficiently large to be considered to that extent.

19873. Your general view is that the administration tries to be too efficient?—I am a strong believer in efficiency, but in the search for efficiency we put a tremendous strain on the officers; that is to say, our efficiency has grown faster than the number of our officers.

19874. Do you mean that the real trouble, as far as you are concerned in this province is that you are short-handed?—We are short-handed. If you double your officers you can do the work; if you have two Collectors in a district, as I have now, because I have an Additional Magistrate and Collector, of course, it halves my work to a large extent. The work is too much for one pair of shoulders, certainly in my district.

19875. Would the search after efficiency very soon overtake an increase in the staff?—Not necessarily. It depends on the efforts after efficiency.

19876. Do you suggest that there ought to be some officers below the present Sub-Deputy Collector?—Below the Sub-Deputy Collector there is the kanungo, who is a revenue officer, or more or less of a surveyor; he comes after a Sub-Deputy Collector in the ordinary order of precedence in revenue work.

19877. Is he the official who is most closely in contact with the ordinary raiyat?—In my case we have a poorly paid officer called a tahsildar; he is not the tahsildar you find up-country. He is a very poorly paid official at about Rs. 30 or Rs. 40 a month, and he is the person who collects the revenue from the raiyats.

19878. Is he below the kanungo?—The kanungo comes betwixt and between, and makes miscellaneous inquiries, helps in survey work, settlements and so on—he has no definite duties.

19879. Are the tahsildar and the kanungo pretty reliable officers?—The tahsildar is not reliable. The kanungo is fairly reliable.

19880. In what rank should an increase of staff take place?—To work my district properly under the present system, I require the Additional Magistrate whom I have at the present moment.

19881. Supposing the Commissioner could give you much greater responsibility, and therefore much less necessity of reference to him, and supposing you in your turn could hand on a certain amount of your duties to your subordinate officers, would not that relieve both of you of a considerable amount of work?—Yes.

19882. Supposing you could hand on those powers, which you think you ought to be able to do, and take over from the Commissioner those responsibilities which it would be appropriate for you to take, can you say whether or not it would relieve you of a very considerable amount of your work?—Speaking entirely for my district I doubt whether any decentralization would be sufficient to enable me to do without an Additional Magistrate. I have done without an Additional Magistrate, because I have only had one within the last two months; but if I am to work really efficiently and well, I doubt, considering the size and the enormous population of my district, whether I could get on without him.

19883. What is the size and population of your district?—Three thousand and six hundred square miles, with a population of two and a quarter millions.

19884. So that, no matter what decentralization might effect for you, you require an additional European staff?—Yes, permanently. I have an additional European staff which have been put on for special purposes, but it is wanted permanently.

19885. A delegation of these duties both by yourself and to yourself would relieve you, but would not do more than that?—No.

19886. It would enable you to do your duties with more ease and more efficiency?—And it would leave time for thinking, which I have not got at present.

19887. You think that something might be done with regard to village communities?—I am very strongly of opinion that we should try and do something. I should like to be able to go to them for facts. The system has been tried of making the *panchayet* into a little Executive Officer, or Honorary Magistrate, but if you do that his power should be very small indeed. I should like to see them referred to, under proper supervision, for facts as to criminal cases, because they are the people who know the facts.

19888. Could they be trusted generally to deal fairly?—With proper supervision; of course, there is bound to be partiality unless the system is worked with the greatest care. That is where my Sub-Deputy Collector in charge of a thana would come in. I should make him responsible for holding inquiries of that kind, and in fact we are trying it to a certain extent now with our own men, and my Additional Magistrate, who is working the system, tells me that it is doing fairly well. We have been trying it for a month, and so far as we have been able to judge we like the result, but it requires constant supervision.

19889. Does it promise to take a good deal of work off the Magistrate's shoulders?—Yes, because

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in many cases, if taken on the spot, a compromise is effected, and it would really be a relief.

19890. In the generality of villages, though you would not like to make the system universal, could you get two or three responsible people to work the system?—Yes.

19891. You suggest that education in a district is over-centralized?—It is over-centralized in the way that the supervision is at present centralized at Dacca. My headquarters are 100 miles away from Dacca, and I have the best part of 2,700 schools in my district, but I have not sufficient supervision over them.

19892. Are you supposed to supervise them?—We do not give technical supervision, we give general supervision as Magistrates; we just look in, and questions of general importance and principle or of buildings are referred to us. What I want is someone close by me who can advise me and who would personally supervise the schools, because I look upon education as so very important that the closer supervision it has, the better.

19893. Are you satisfied that the system of education now being given in the primary schools is satisfactory?—I have no fault to find with it.

19894. Would you say the same with regard to the middle schools?—Yes, but there is too much teaching of English to my mind. You very often go into a school, certainly the larger schools, and find a small boy of four or five years being brought up to read English, while he does not know his own language.

19895. You would like to see somebody sent into your district who could, more or less, control the education going on there?—Yes, I want an additional adviser located in my district. At present I have not got a responsible educational officer; the whole of the education is under an inspector of schools who lives in Dacca, and of course he has many other districts to look after. The result is that although I have been in my district nine months I have never seen the inspector.

19896. Has he ever been in the district?—I think so before I came.

19897. (*Sir Frederic Lely.*) Is your actual experience of existing facts in this province confined practically to the time you have been in charge of the Backarganj district?—Yes, I was in Bengal before then.

19898. Do you not think the limitation of the right of appeal would be impolitic in that it would diminish the popularity of Government Service?—I can get fifty applicants for one appointment at the present moment, and I do not fear it for that reason. Government Service is so popular now that I doubt if the limiting of the right to one appeal would affect the popularity of it in any way.

19899. You do not think that the right of appeal is a very important factor in the present popularity of the Government Service?—No.

19900. You say that the District Officers are overburdened with correspondence—what would you say to the proposal to give a Collector, at any rate of a very large district, an assistant who could deal with the correspondence?—I am all in favour of that; I counted my correspondence the other day, and I think there were 200 letters of different kinds to deal with in one day.

19901. What proportion of them would be papers which you would practically only sign without even reading?—About fifty per cent.

19902. Is it not the fact that every day you have to initial a certain number of papers simply meaning that they are to be put in the record, the case having been disposed of?—Yes.

19903. Is five or ten minutes of the day employed in work of that sort which is purely and absolutely mechanical?—Quite that.

19904. You suggest posting Sub-Deputy Collectors to the charge of subordinate charges in sub-divisions; would there not be a further great advantage, namely, that it would remove the agency in general administrative matters from the police?—That is one of its chief advantages; in fact, it is very largely the up-country system of the tahsildar who has subordinate groups of villages under the Sub-Divisional Officer.

19905. Do you consider the change of agency would be extremely beneficial?—Extremely, and a counterpoise to the police; it would counteract the police and also lead to more interest being taken by the police in administration. Even now, where we have a Sub-Registrar living beside the thana, I look upon it as a certain amount of check.

19906. Would you also entrust the proposed Sub-Deputy Collector with the general work of developing village responsibility?—Yes, that is what I am anxious he should do principally, and of course he would have a large number of enquiries to make in connection with criminal cases.

19907. Have the municipalities in Bengal at present nothing to do with the management of schools?—They aid them, but beyond that they do nothing.

19908. Are you of opinion that the municipalities might take over the management of the schools with advantage, or would you still retain their management, more or less in the hands of the expert department?—I should feel inclined to keep it under the expert department. Municipalities very often have a School Committee who manage petty details, such as giving holidays, and so on.

19909. And the hours of attendance?—I think the hours of attendance is a matter which is dealt with by the department.

19910. That is a matter which concerns the convenience of the parents more than what one might call the art of education?—Yes.

19911. You say you doubt if there is sufficient work for a District Advisory Council; is that your only objection to it?—I am always very glad to be advised, but to have a standing Council seems to be superfluous at the present moment.

19912. Would it have an injurious effect on the relations between the Collector and the people?—No.

19913. You do not think it might tend to make their relations more rigid and formal?—I do not see that it should. I am all for consulting the people about what concerns them, but to have a standing Council, so to speak, would be useless; one would not have time to consult it, and there would not be enough work for it to do.

19914. Do you suggest that when a Collector calls in any gentleman of standing to consult him from any part of the district, that he should be able to pay him his expenses?—I think so.

19915. That is to say, you would do it in an informal manner; you would ask him to give you a note of his expenses, and hand it to his servant?—Yes; you would have to be very careful, because a native gentleman would not like to be offered money direct. In Baluchistan we did work that system to a certain extent, and if you asked a man to come and see you from a long distance you paid him a certain amount from what we called "entertainment allowance." I think the Collector should have a certain amount to use in that way, the same as he does with regard to what are called Secret Service grants.

19916. (*Mr. Dutt.*) Are you in favour of giving more extended powers to Sub-Divisional Officers placing them in charge of more revenue work?—Yes, I should like that.

19917. The income tax assessment is now done from the headquarters in every district? Do you suggest that within his own area the Sub-Divisional Officer, with such assistance as may be necessary, should be entrusted with the assessment of the income tax?—I do not see why he should not; he is the man on the spot, and he knows more about his assessees than the Income Tax Deputy Collector probably does.

19918. You do not see any objection to entrusting him with the work of the assessment of the income

tax?—No; of course, we have an assessor as well as the Income Tax Deputy Collector, and you would have to give the Sub-Divisional Officer the services of the assessor for a month or two when his turn came round for assessment.

19919. You have said that in the matter of appeals you would only allow one reference, but in the case of the dismissal of a clerk would you make any exception to that rule?—I think we should adhere to it—that is to say, that the charges would be brought up by the Collector; there is a regular set form in which the evidence has to be recorded, the charge drawn, the answer taken, the evidence discussed, and an order passed; that record should go to the Commissioner, and an appeal should be allowed on the facts to the Commissioner; after that, if there is a point of law, it may go to a higher authority.

19920. Have you the right of appointing your own head clerk in your district?—I think it has to receive the sanction of the Commissioner.

19921. And your *sharistadar*?—That also has to go to the Commissioner.

19922. You have the power of dismissing your *sharistadar*?—I think I have.

19923. Supposing you dismiss your *sharistadar*, a man receiving Rs. 200, would you allow him an appeal on facts beyond the Commissioner?—No.

19924. Are sub-Deputy Collectors now generally employed at the headquarters of districts or sub-divisions?—Yes.

19925. Is not the kanungo employed very often on survey work?—Yes.

19926. Have kanungos any territorial charge?—I have one kanungo posted to my sub-division at Bhola. I have a large number of Government estates there. His duties are to hold enquiries into settlement cases, to survey newly formed *churs*, and duties of that kind.

19927. Are tahsildars only employed on Government estates, and not on permanently-settled estates?—That is so.

19928. So that at present there is no officer between the Sub-Divisional Officer and the people holding charge of a circle and performing duties within that circle?—No responsible officer, and it is very desirable that we should have one.

19929. As District Magistrate you are Head of the police. Have you found that your control of the police has been modified in any way by the recent rules?—Yes, to a certain extent our control over sub-inspectors is not as large as it was, but on the whole I have sufficient control; it depends on one's relations with the Superintendent of Police to a certain extent.

19930. That is as regards your social relations, but so far as your powers are concerned, are they the same as they were before the new rules were framed?—No, they have been weakened to a certain extent.

19931. Is that a good thing?—I have not had to find fault with it so far.

19932. Generally speaking, has police work been a little more centralised by the new rules under the Departmental Head?—Yes; things go to the Inspector-General now that used to come to the District Magistrate; matters in regard to inspectors I think now go direct to the Inspector-General, whereas formerly we used to have a say in them.

19933. Is the District Engineer under the District Board a well-paid man?—Yes; he gets Rs. 600 to Rs. 800.

19934. Has he charge of the construction of most of the roads and bridges in your district?—Yes.

19925. When you have a big estimate, have you to send it up to some higher authority for sanction?—Yes; if it is over Rs. 2,500, it goes to the Inspector of Works at Dacca.

19936. Does that cause any inconvenience or delay to your work?—It delays our work.

19937. Would you like to remove that restriction?—The limit might be raised certainly to, shall I say, Rs. 10,000. The District Board could very well look after itself up to Rs. 10,000. Anything over Rs. 10,000 would probably be a pretty big scheme.

19938. Your district is full of natural creeks. Is a large part of the District Board's money spent in deepening those creeks and keeping them open for navigation?—It ought to be, but it has not been hitherto. The District Board intend discussing the question.

19939. For deepening these creeks and keeping them open for navigation have you to get sanction from the Inspector of Works at Dacca?—I think if we determine to carry out a work and prepare the estimates, beyond the actual technical estimate, the Inspector of Works does not interfere; his business is not to tell the District Board that they should take up such and such a work, but to advise on the technical part of it. We send our estimates to him with the report.

19940. You have three sub-divisions besides the headquarters sub-division?—We have a *sadar* Sub-Division, but we have not a *sadar* Sub-Divisional Officer.

19941. Do you suggest the appointment of a *sadar* Sub-Divisional Officer?—Certainly, it would be most important; at present the *sadar* sub-division is nobody's child; in the old days when the Collector was not overworked it used to be his child, but it has drifted away into the world and lost itself.

19941. In that case, would you require an additional officer, or do you think your Assistant Magistrates might be placed in charge of the *sadar* sub-division?—I would rather have a separate Sub-Divisional Officer; I think his establishment and his office and everything else should be quite separate, and he should be treated in exactly the same way as other Sub-Divisional Officers.

19943. You say that the small municipalities might be very well supervised and controlled by District Boards, but of course you are aware that the duties of municipalities are different from the duties of District Boards?—Yes.

19944. How would you like the idea of the work of the small municipalities being controlled by a body of non-official men at headquarters presided over by the Collector himself—I think that would lead to a multiplication of bodies, and the advice of the District Board would be quite sufficient for any control of that kind. I only wish to have the small municipalities under the District Boards. There are certain places which spring up in what I may call an artificial way; you put a little sub-division down, you appoint a Sub-Divisional Officer and a certain number of zamindars' agents and pleaders and people of different kinds are attracted to the spot; then you require to make some kind of sanitary arrangements, and it is in these small towns that I should like to see the control of the District Boards; it would lead to co-ordination. At present I have in my district one or two of these small municipalities, and they have difficulties with regard to supervising their works; they want their latrines repaired, and all that kind of thing has to go to Calcutta, whereas those little things could be done in a central workshop, and they could be helped by the expert advice of my District Engineer.

19945. Might there not be some difficulty under the Local Self-Government Act in a District Board controlling the actions of these smaller municipalities?—No; I should put them on a separate footing altogether.

19946. Would a District Board be justified at present in passing any sort of order in regard to a municipality?—No, there would probably have to be special legislation. I should not call them necessarily municipalities; I would call them Local Funds under the District Boards.

19947. But are there not municipalities of that nature now?—We have small municipalities which are really not self-supporting.

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19948. Are the primary schools managed and aided by the District Board?—A good number of them; a good many of them are cold-weather schools. Thus *maulvis* start a small school during the cold weather and then it is abolished again, and we give them aid in certain cases. We give them a monthly stipend, and then if they pass certain examinations, we add to it, or we give them a lump sum down.

19949. Who inspects those primary schools — The sub-inspectors and the assistant sub-inspectors. The sub-inspectors belong to the Educational Department; the asistant sub-inspectors are servants of the District Board. The sub-inspectors are more or less under the District Board now, but their appointments are certainly not sanctioned by the District Board.

19950. Are they paid by the Government or by the District Board?—All the education now practically comes out of the Government grant.

19951. Have you not sufficient supervision over these primary schools through the agency of the sub-inspectors and assistant sub-inspectors?—Yes, but I want supervision over the sub-inspectors and assistant sub-inspectors themselves.

19952. Supposing you found a sub-inspector neglecting his duty, as Chairman of the District Board have you any power to punish him?—I should report him to the inspector.

19953. Do you think a little more local control is desirable for the efficient inspection of schools in your district?—Yes.

19954. (*Mr. Hichens.*) Do you want a personal assistant belonging to the Imperial Service?—No, I am quite content with an officer belonging to the Provincial Civil Service, in the same way as the Commissioner has a personal assistant.

19955. Would he replace you if you went away?—No.

19956. Is it necessary to have a Joint-Magistrate in each district?—Yes. At present I have in my district an Additional Magistrate and a Joint-Magistrate, and in practice in all districts there should certainly be, if possible, a Joint-Magistrate, and where necessary an Additional Magistrate, too.

19957. Do you have much work personally in connection with returns?—They are made up in the office and I supervise them.

19958. Do you go through them in detail, or do you simply pass them as they stand?—It depends a good deal on what the return is; a return with regard to excise shops would probably not receive so much attention as a return with regard to criminal cases.

19959. Do you think that most of that class of work could be profitably delegated to somebody else?—Certainly.

19960. Have you a shorthand-writer to assist you in your correspondence?—I have at the present moment as a special case; owing to the conditions under which my district has been for the past year, which are somewhat special, I was given a shorthand-writer a couple of months ago, but it is an assistance which I believe in tremendously, and I think the work would be very much facilitated by having shorthand-writers, and by our office procedure being modernised to a certain extent; I refer to matters like carbon copies and that sort of thing.

19961. You have a correspondence clerk?—Yes, I have a large number; I think the clerical establishment under the Magistrate and Collector numbers 145.

19962. With regard to the 200 letters which you alluded to, could not your correspondence clerks deal with them and draft the answers for you without your having to instruct them as to what the replies should be?—Yes, as to a great many of them, and they do so now. You receive your post in the morning, you look through your letters, and with regard to letters on which you can pass orders at once you very likely do so; the rest go into the office and are distributed among the various departments, the routine drafts are made up, and the letters are answered, or enquiries are made and action taken as may be required.

19963. You have all the clerical assistance that you want, but is it as efficient as you could desire?—I have as much clerical assistance as I want, but I cannot say that it is as efficient as I could wish.

19964. You said that you thought the Collector should remain Chairman of the District Board because you thought there might be difficulty with regard to the execution of Public Works. Do you think it would be desirable that a District Board should have its own engineering staff?—It has. I have a District Engineer who is under the Chairman and who takes his orders direct from the Chairman; he belongs to the Public Works Department, or many of them do. Another difficulty might be that if you had a European engineer there might be friction between him and an unofficial Chairman.

19965. Have not municipalities unofficial Chairmen?—Yes, but they have overseers; they do not have engineers of the standing that a District Board has. Their overseers are paid perhaps Rs. 100 a month, whereas a District Engineer is a man who is probably a member of the College of Engineers and draws a pay, as my man does, of Rs. 600 a month.

19966. Is there no way out of that difficulty?—I think it would lead to difficulties, but I do not say that they are insurmountable.

19967. You would agree, broadly speaking, that it is desirable to develop a sense of responsibility as regards local affairs?—In consonance with the interests of the district, but I do not think we have a sufficiently large leisured class to undertake that kind of duty at present. My Vice-Chairman, who I presume would be Chairman in my absence, is a pleader, and the best men on my District Board are pleaders; and if you made one of them Chairman he has his own business to attend to, so that he could not get away and travel about the district as I can. It is part of my business to be in my district for 120 days in the year, and Public Works must receive the Chairman's special attention, so that my Vice-Chairman would not have the same opportunities of developing the district or providing for what is required.

19968. Have District Boards enough money to carry out their work properly?—My District Board happens to be very well off; it has an income of about four lakhs of rupees a year.

19969. With regard to Local Boards, could any further powers be given to them in sub-divisions?—I am inclined to think so, but that is a matter which a District Board can do of itself; under the present rules it can delegate any powers it likes to a Local Board. I raised the question only the other day in regard to giving a Local Board larger power to sanction works. At present it has only power to sanction works under Rs. 200, and I think they might at any rate be given powers up to Rs. 500.

19970. Are Local Boards institutions which are worth developing more?—Yes.

19971. With regard to municipalities you say that you think the control of the Commissioner is, on the whole, a good thing; do you mean from the point of view of efficiency?—Yes; inspection and supervision certainly are required in this country.

19972. As regards transfers, your view is that they are undesirably frequent at present. Do you suggest that the main remedy for that is to have a larger staff?—No, I do not say that is the main solution. I believe many heads have been searching for a solution for years and have not found it yet, but I say that it will at any rate be a palliative, if you have in selected districts a Magistrate and an Additional Magistrate, or a Magistrate and a Joint-Magistrate. It is quite possible to arrange that the one shall succeed the other which will lead *pro tanto* to a continuity of policy.

19973. Is it desirable to lay down a general rule that a Collector, on appointment, should remain a certain definite time in his district, say, three years or five years or some period of that sort?—But supposing he becomes entitled to promotion what are you to do; that is the difficulty.

19974. But would it be generally desirable?—Certainly it is desirable that a Collector should be ordered to remain in his district for at least three years, subject, of course, to the necessities caused by vacancies above him.

19975. Is it your view that three years would be a reasonable time for a man to remain in his district, and it is desirable to lay down as a standard that a Collector should remain for that time or longer?—Yes, three to five years.

19976. Assuming that the post of a Collector in a certain district falls vacant, and that the man who in the normal course of events ought to get the post is going on leave in six months, would you say to that man, "You are going on leave, you cannot be appointed to that post, and we are going to give it to B who is below you on the list," would that be unfair?—The difficulty would be that you would run the danger of disgusting your officers; you must always take the personal equation into consideration in laying down rules of that kind; if you disgust your officers, they will say "Why should I do more than I am paid for."

19977. Would you say to such a person: "You must either forego your leave or forego your appointment"?—You could say it, but you would certainly cause discontent.

19978. Then you do not think it desirable?—I do not.

19979. It might quite well be that the principle, if it were adopted, would act both ways, that is to say, at one time a man might get an unexpected lift, but at another time he might have an unexpected wait, and one thing might balance the other?—Possibly it might work that way.

19980. Have you any further suggestions to make whereby the frequency of transfers could be limited?—It is a very thorny question, and I confess it has baffled me.

19981. You say that you think the system of village headmen might be developed?—Yes, I should like to see that.

19982. But first of all, at any rate, you would rather use the village headman to investigate facts than give him any authority?—Yes, I think that would be more in consonance with Oriental politics, and that the actual executive order should be passed by the paramount power.

19983. But would it be possible to give him authority under very close supervision?—I understand the experiment has been made in this district, and, speaking subject to correction, it was not very successful.

19984. Do you think that there are prominent men who could be got to act as headmen in your district?—Yes, if you take the trouble to find them. We have what we call the *tahsil panchayats* now, who ought at any rate to be the principal men of the unions in which they work. Very great care has to be taken in selecting them, which I do not think we take.

19985. Speaking broadly, are they possibly under the thumb of the zamindars?—There is the difficulty; of course, they are to a certain extent under the thumb of the zamindars, but if you raise their status, they would act as a counterpoise to a certain extent to the influence of the zamindar.

19986. It has been suggested by some witnesses that there is strength in numbers, and that if a number of villages were grouped together various influences might be brought into play which would counterbalance each other, and produce a more independent Board—what is your opinion with regard to that?—We do group villages into unions at present, and I should continue that process. We have very often three or four villages in a union, I think the number of revenue survey villages in my district is 3,600 and the number of unions is 514, which gives nearly seven villages to a union on the average.

19987. Is the union a real community that appeals to the people, or is it a mere geographical expression?—It is a mere geographical expression. Each community or union has its name, and they know that their village is included in that particular union, but the union to the ordinary villager does not convey anything beyond the knowledge of the man who collects in it.

19988. Could you infuse more vitality into a small local community by reducing it to a single village or to smaller dimensions?—I do not think that is necessary at present. Some of the present unions are a little too big, and I should divide them up where necessary, but on the whole they work fairly well.

19989. Would you have a headman assisted by a Council?—There are what we call assistant *panchayats*—there are five of them; there is one *tahsil panchayat* and four assistant *panchayats* to each union, and it is those men on whom I wish to work.

19990. (*Mr. Meyer.*) You have served a good deal in Baluchistan?—Has the Baluchistan officer much work to do as compared with the Eastern Bengal Officer?—No, he has very much less work.

19991. Is that due to the fact that the country is a primitive one or to a better arrangement of the duties?—I should say it is because the country is more primitive. There are not the same number of departments; he has not a large Excise Department to attend to; his educational work is very small; his District Board, on what corresponds to it, is not large, and in many other ways he has much less work.

19992. When you speak of the Bengal or Eastern Bengal Officer being overworked, might you not be influenced by a comparison between him and the officer in Baluchistan?—I do not think so; it is a matter of common knowledge that the Eastern Bengal Officer is overworked.

19993. Apart from any comparison with Baluchistan, do you think that at Backarganj you are overworked?—I do.

19994. You spoke of having to tour for 120 days in the year, and in Bengal we were told that the Collectors toured as a rule three months—is there any difference here?—The rule in my district is 120 days; that is the minimum for a Collector.

19995. Are you in favour generally of territorial charge as against, what I might call, subject charge?—Yes.

19996. At present in your sub-division, the Sub-Divisional Officer, outside magisterial work, apparently does not do very much?—He does not.

19997. The revenue work is largely done by subordinates at headquarters. You have a Deputy Collector for income-tax, and another for stamps, and another for *khas mahals*?—Yes.

19998. Are you in favour of doing away, as far as possible, with those Deputy Collectors, and in place of them having more sub-divisions, giving each sub-division a Deputy Collector exercising all the functions of a Collector within his own charge?—Yes.

19999. Under the present system has an officer appointed to act as Collector of a district for the first time had sufficient training in the whole of the work of a Collector?—No, I doubt if he has; of course, it depends on the man he has been under a good deal, but our assistants at the present moment go to a sub-division when they have 18 months' service. They try nothing but criminal cases, and then they come back as Collectors, so that I think they are not sufficiently trained.

20000. Whereas under the other system we were speaking of, they would be much better trained?—They would.

20001. Do you consider that population is the sole criterion of the heaviness of a district charge?—No; there are a number of factors; what adds more to my work now than anything else in Backarganj is the fact that I have to deal with temporarily-settled and Court of Wards' estates.

20002. Speaking generally with regard to the Bengal and Eastern Bengal districts as compared

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with the districts of other provinces, in considering a demand for increased establishment on the part of Bengal, one would have to take into consideration, besides population, the revenue system and the existence of a permanent settlement?—Certainly, because the permanent settlement works automatically, so to speak.

20003. You desire to have powers to allocate functions to your subordinates on your own responsibility. Have you not such power now?—Not in every case; I have to get the Commissioner's sanction to appoint a Deputy Collector for land acquisition work; I have to get the Government sanction to authorise a Deputy Collector to do any income-tax work. I have to select one out of my staff and send his name up to Government for sanction to put the work in his charge.

20004. Do you mean you cannot transfer work which a Deputy Collector is supposed to do under present circumstances from A to B or C without having to go to Government?—Not in all cases; I can in most cases, but I am speaking of special cases such as income-tax cases; possibly it was because the Income-Tax Act required special manipulation, because it was not very popular, that rule was passed in Bengal.

20005. Suppose you had an important report to write to the Board of Revenue, and you knew you could trust a Deputy Collector who knew your opinion upon the matter, could you say to him, "My views are so and so; write a letter to the Board of Revenue and sign it for the Collector"?—I can do it, but I do not think I would. I have that discretion, but it is only in certain cases that I wish to have powers to delegate work to officers.

20006. Is it your experience that the high officials in your districts are doing work that a lower agency might perform?—A lot of detailed inspection work is done by the Bengal Officer that might be done by a lower paid man, somewhat on the lines on which the Registration Department is worked. Under our system in Bengal the Sub-Registrar's offices are inspected in detail by the special Sub-Registrar at headquarters, and also by inspectors deputed from the Inspector-General's office, and I am inclined to think that something of that kind might be introduced into divisions also. A large amount of my time, and the Commissioner's time, is occupied in the detailed inspection of offices. I go to a sub-divisional office and I inspect the criminal side, the revenue side, such as it is, and the Excise Department, so far as it is run by the Sub-Divisional Officer; that work I think might be done by a paid inspecting staff.

20007. But surely it is the elementary duty of a Collector to inspect the work of his subordinates when he goes on tour?—Quite so, but the detailed examination of registers is superfluous.

20008. Do you have to send detailed reports as to the registers to any higher authority?—Yes.

20009. Do you mean as to the state of the records and the number that can be destroyed, and that sort of thing?—As to the destruction of records there are certain rules, and those are more or less automatic, but I think the Collector is personally responsible for destroying a number of papers.

20010. Taking magisterial work, do not your Sub-Divisional Officers, and your Deputy Magistrates generally, have a good many second class cases to deal with?—I have Second and Third Class Magistrates—Deputy Collectors or Sub-Deputy Collectors.

20011. Is the Deputy Collector made a First Class Magistrate as soon as possible?—Yes, but Sub-Deputy Magistrates are not.

20012. Do the Sub-Divisional Officers hear appeals in their sub-divisions?—No, but I do not see why they should not. All appeals go now to the district headquarters.

20013. Would you like a Sub-Divisional Officer, as a Magistrate, to be the appellate authority for his sub-division?—Yes, as a rule; if you could trust a man to run a sub-division I do not see why he should not be trusted to hear appeals.

20014. You have expressed a desire to have power to sanction works up to a limit of Rs. 1,000—what sort of works do you refer to?—Tanks and the fencing of tanks are the principal works, building little ghâts and making village roads inside the Government estates.

20015. Do you mean works which are paid for from local funds or works which are paid for from provincial funds?—They are works which are paid for from provincial funds given us for the *khas mahals*; we get a grant. This year I got Rs. 20,000 to spend on my *khas mahals* for general improvements.

20016. But you cannot sanction an individual work beyond some limit?—I think it is Rs. 200.

20017. Besides the Rs. 20,000, is there other expenditure for which you have to get a further grant from your Commissioner, or would your Rs. 20,000 do for you?—It does not do for me, but it is all I could get. There is another sum of one and-a-half per cent. paid from the *khas mahal* collections to the District Board fund, and that is supposed to be spent on communications in *khas mahals*; as a matter of fact, I do not think it ever has been spent on *khas mahals* hitherto, but I got it this year.

20018. Is there any ear-marking of the *khas mahal* expenditure or is it a part of the regular budget allotment under Public Works?—The Board of Revenue has a sum alloted to it for *khas mahal* improvements, and they dole it out to the different districts—to the divisions in the first instance, and then it is allotted to the districts.

20019. Have you got power to grant loans under the Agricultural Loans Act at present?—We have powers to grant loans.

20020. Is there much demand for loans in your district?—There has been recently. Last year there was a certain amount of scarcity and the people took loans very freely; we have outstanding over a lakh of rupees if not a lakh and-a-half.

20021. You spoke of having introduced a new system of giving loans on the spot—will you explain that a little more fully?—I do not claim any particular originality with regard to it.

20022. Was that not recommended by the Government of India to the provinces generally two or three years ago?—Possibly.

20023. Have you any power of remission of agricultural loans?—No, I have to go to the Commissioner. I see no reason why we should not be allowed to remit in cases of small sums.

20024. Would there not be a danger if a Collector had power to remit largely?—I hardly think so—we must have some sense of responsibility.

20025. Might not some idle officer relieve himself of trouble in collecting his outstanding loans if he made too liberal remissions?—I hope the sense of responsibility in officers is sufficiently developed to guard against that.

20026. Are the *khas mahals* all under temporary settlement?—Yes.

20027. With regard to re-appropriation under different heads of your budget, do you refer to the major heads of the provincial budget, such as land revenue and education and so on, or do you refer merely to sub-heads?—To sub-heads.

20028. You would not propose that you should have power to appropriate a sum from land revenue to education, or *vice versâ*, for instance?—No.

20029. With regard to petty settlements, you say you wanted to commence a work in October 1906 and that you did not get sanction till March 1907?—For the money—we want to get sanction for certain monies.

20030. Are not the figures in your budget allotment?—No, I do not think so; it is not in the regular budget allotment list.

20031. Is it not under contingencies, or anything else?—No.

20032. It is not the fact, then, that your district budget of 1906-07 was not sanctioned till March

1907?—No, not the district budget; this comes, as far as I know, under the Board of Revenue, and they have a special grant for petty settlement which they distribute.

20033. It has been suggested that Collectors might have small grants from which to engage special clerical assistance when work was specially heavy. Would you approve of that?—Yes; it is what I call "job and contract." I have to get some maps prepared which are wanted urgently and have not got any money for it, and I cannot appoint the establishment without going up for sanction; that "job and contract" work is a thing for which we might have a small amount of money.

20034. Including the taking of an extra clerk or two into your office for a short period?—That, of course, would be a danger sometimes, because it might be overdone; the *sharistadar* might want to engage help which he really did not require and come to the Collector for some temporary establishment, but on the whole the advantages would outweigh the disadvantages.

20035. As regards District Boards and education, is primary education generally in the hands of the District Board?—Yes.

20036. That is to say, as far as the privilege of paying for it is concerned?—Practically all our primary grants come from Government. Government gives the money, and we distribute it.

20037. We have been told that in Bengal an educational officer went round and picked out various *gurus* and said "This *guru* is deserving of assistance, but this one is not," and the Board had to grant aid to schools or refuse it according to the inspector's discretion—is that your experience?—Yes.

20038. Secondary schools are entirely in the hands of Government, as far as they are aided or maintained?—Yes.

20039. Does your District Board do a good deal of medical and sanitary work?—Yes.

20040. Do you find any interference from headquarters with regard to it; does the Sanitary Commissioner come and say "You are not spending enough money on sanitation, you ought to spend more," or are you allowed your own way?—We get advice from the Sanitary Commissioner at times, but I have not found any undue interference.

20041. And in the same way with medical matters, do you get advice from the Inspector-General of Hospitals?—Yes. There is a question now about the number of hospitals. We have too many hospitals we think, and they are not well enough equipped; that matter will have to go before the Inspector-General, and his expert advice will probably be useful to us.

20042. Does not the Commissioner pass your budget?—Yes.

20043. Supposing the Inspector-General of Hospitals wished to make some representation with reference to your alleged inadequate expenditure on medical relief, would he report to the Commissioner?—Yes, he could.

20044. Would the Commissioner decide off-hand on the point, or would it have to go to Government?—I cannot tell you.

20045. Have you a right to punish any member of the District Board staff?—Yes, as Chairman.

20046. To whom does an appeal lie in that case?—To the Commissioner of the division.

20047. Is there no appeal from you as Chairman to the collective Board?—No.

20048. Might that system be adopted, and the system of appeals to an outside authority, such as the Commissioner, restricted?—It would lead to a great waste of time if, in every case in which I punished a subordinate, he went to the District Board; there would be a tremendous discussion about it.

20049. But conceivably every case can go to the Commissioner?—Practically every case can go to the Commissioner.

20050. Would appellants go more freely to the District Board?—I think so, certainly.

20051. On the other hand, might you not talk over the question at the Board and not have to send in voluminous reports to the Commissioner?—In any case that came before me I should prefer to consult the District Board in the first place, rather than have an appeal to the District Board.

20052. Does it conduce to the responsibility of Local Self-Government if an appeal of a Rs. 10 or Rs. 15 man who has been punished by you, as representing the District Board, can go to the Commissioner of the division?—Perhaps not.

20053. As regards a high officer such as a District Board's Engineer, have you any power of punishment—could you dismiss him, for instance?—The District Board would act in a case like that; I should certainly take it before the District Board.

20054. Would that be a matter of personal discretion, or is there any rule laid down?—It is a question of personal discretion.

20055. Then, as regards the higher appointments, the District Board must act collectively and in the smaller appointments the Chairman can act individually?—As a matter of practice, he does.

20056. You said that the District Board Engineer might be dismissed by the collective Board. Could he then appeal?—My impression is that he could go to the Commissioner then certainly, and to Government probably as a member of the Public Works Department.

20057. You might have a man from outside not connected with Government Service at all. In that case if you dismissed him, would an appeal lie?—I think so, certainly.

20058. You have spoken of the *tahsil panchayat*—does that mean the headman or the chairman of the *panchayat*?—It means the principal *panchayat*.

20059. Have you any Local Fund unions?—No.

20060. You say that the right of appeal with regard to a ministerial officer extends right up to the Local Government, but has there been no limitation, that the Local Government will receive no second appeal from a man who is in receipt of less than Rs. 50?—No, the Board's rules practically allow an appeal right through.

20061. You suggest that there would be some advantages to the administration by Civilians and Deputy Collectors seeing the working of other provinces—would you make it a regular thing to depute an Eastern Bengal Civilian to work in other provinces during the course of his service?—I think it would be an excellent thing if something of the kind could be done. For instance, I am entirely in the dark with regard to the Madras system of administration. I happen to know something about the Punjab system of administration, because I have been in Baluchistan, and there we worked on the Punjab principles, but it would be of great advantage to an officer to see other parts of India, especially now that the means of communication have increased so enormously.

20062. That is to say, instead of leaving it to the chance of an officer being selected by the Government of India, you would make it an understood thing that each officer should have some work in other provinces?—I do not know whether it could be managed in every case, but my idea would be that there should be an exchange of Civilians and possibly of Deputy Collectors, to the extent of half a dozen or so, between the different provinces, and I do not think the difficulty as to language, which is the principal difficulty, would be felt in these days.

20063. How long would you depute your Eastern Bengal Civilian for service in another province?—I should think six months or a year.

20064. Do you mean that he should go for six months or a year to some other province?—Yes, that is to say, I would send my Joint-Magistrate, now a man with about three years' service, to another province, and it would be an excellent thing if he saw something of the working of another province for a year.

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20065. Would that conduce to the general efficiency of the administration of a province?—It would give us new ideas.

20066. But you might have rather a conflict of experience, and differences of opinion between the men who had gone to the Punjab, and the men who had gone to Madras; would there not be some danger of that?—I think the experience would be distinctly beneficial.

20067. In this province until lately there was rather a complicated system of appeals in police cases; and if a head-constable were punished by the District Superintendent of Police he might appeal direct to the Deputy Inspector-General, or he might appeal to you? Has that system been put an end to, and is there only one appeal straight to the Departmental Head?—Yes.

20068. Do you regret that?—I should be glad to have some say in the matter.

20069. Are you not grateful for being relieved of a part of your extra work?—I think the men would like it, too; some of them have spoken to me about it.

20070. Is it not an extremely chaotic arrangement by which a man may take two roads by way of appeal?—I only ask for some say in the matter, and at present I have none; I do not necessarily refer to head-constables, but to sub-inspectors.

20071. Do you desire that every case with regard to a sub-inspector should come to you?—We are consulted now in certain cases; we are consulted about the transfers of sub-inspectors, not punishments.

20072. Supposing a sub-inspector is thought by the District Superintendent to be quite an upright man, but to be very slack in matters of discipline, would that be a case in which the District Magistrate ought to be consulted?—The District Superintendent knows best, naturally, in a matter of that kind.

20073. Would you discriminate between matters which affected the welfare of the people, and law and order generally, and matters which might be called pure police administration?—Yes, perhaps so.

20074. And as regards the first, the District Magistrate should be consulted, but not necessarily with regard to the second?—Yes

20075. The general power with regard to the municipal budget, and so forth, rests with the Commissioner?—Yes, general supervision is all we exercise; I inspect the office; I look into questions of sanitation and other matters and record a note, and they accept it or not, as they like.

20076. In a matter which the municipality have to refer to the Commissioner, such as the sanction of the municipal budget, or the sanction to a proposed tax, would it come through you to the Commissioner, or would the Chairman address the Commissioner direct?—It would come through the Magistrate.

20077. And if you have any special opinion to record are you supposed to record it?—Yes.

20078. Would it be possible to give the control more to the Collector than to the Commissioner?—Yes, I do not see why it should not be so.

20079. If a municipality wanted to impose a tax which it can impose by law, ought they to go to the Commissioner first?—Yes.

20080. Is one of your reasons that it is possible a municipality might not have taken into account, or might not sufficiently represent, some class on which the tax might fall?—Yes, some class might be in the minority.

20081. Is the Inspector of Works the same person as the Superintending Engineer?—As a matter of fact, he is the Executive Engineer.

20082. Is there no Executive Engineer at Backarganj?—No; we have only one Executive Engineer for the whole division.

20083. Then who does your buildings and such provincial work as you have to do in the district; do you employ the District Board agency at all?—It was employed until two years ago, when I think Sir Bampfylde Fuller initiated the system of putting all works under the Executive Engineer.

20084. Was the change a matter of necessity?—Yes, things had not been going on so well as they might have been, but personally I would like to see the District Engineer again employed.

20085. Do Government pay some commission?—Yes.

20086. Could not transfers be reduced by making acting promotions locally more than is now done?—For instance, when the Collector takes three months' privilege leave only, and there is a Civilian in the district fit to take charge during the time, he is put in though he might not be the senior man?—Yes, there are orders to that effect.

20087. Could that not be extended to periods of six months at any rate?—Yes, possibly so.

20088. Is it not an understood principle that a man has no right to accumulate leave?—Of course, it is, but at the same time you might cause discontent although it may not be a principle.

20089. Is it not also an understood principle that no man has a right to a mere acting appointment?—Yes.

20090. Therefore if Government said, "We are dealing with two things to which you have no positive right; we will give you one or the other, but not both," would that be unreasonable?—No.

20091. (*Sir Steyning Edgerley.*) Are the committees of Local Boards efficient?—They are fairly efficient, I think.

20092. Are any of the Chairmen promising men?—They take somewhat more interest than other members in their work. It is sometimes rather difficult to get a quorum of members.

20093. We have heard from a witness that he had been Vice-Chairman of a District Board and that for two years the Collector had delegated the whole of his powers as Chairman to him, though he had informally kept watch over the proceedings; have you any one in your district whom you would be prepared to trust in the same way?—My present Vice-Chairman is a most worthy man, and I have delegated fairly large powers to him, but important questions come to me; he takes a good deal of the work off my shoulders.

20094. Do you find that there is more interest being shown in regard to public affairs and the people are becoming more and more acquainted with them?—I can hardly say that there is more interest being shown.

20095. Then you do not think Local Self-Government is growing in the country?—All I can say is that three of the elections for my District Boards failed last year. There were candidates, but the electors failed to turn up; there was no interest taken in the election.

20096. Was that because there was no contest?—The elections do not create any interest at present.

20097. You said you would have only one appeal in certain cases, but supposing the original authority and the appellate authority differed, would you accept the appellate authorities' decision without anything further?—I think so.

20098. Do you not think you ought to get two concurrent decisions?—But you must have finality somewhere.

20099. What is the calibre of your chief educational officer?—The deputy inspector of schools is a B.A. His salary would be about Rs. 200 a month. It is a graded post rising to about Rs. 250.

20100. Have the results of the inquiry of the Police Commission been applied to your district yet? Have you got your new establishment?—Yes, we have a certain amount of new establishment.

20101. Is your Superintendent of Police satisfied with the establishment he has been allowed?—At present I have had no complaint; we were pretty

fully policed as a very criminal district before the Commission.

20102. We were told at Mandalay and elsewhere that occasionally sanction had been refused to the creation of a certain number of head-constables, and that an inspector had been cut out where he was very much wanted; in your district have the local needs been sufficiently met or have you been rather driven by formula?—The number of thanas is 27; the number of police inspectors 10; the number of sub-inspectors 68; the number of constables 588, including 50 head-constables, so that I do not think we are badly off.

20103. And you have a number of chaukidars besides?—We have 5,466 chaukidars.

20104. What do those chaukidars get?—Rs. 5 a month.

20105. You say that special legislation would be required to give small powers to the village headman? In Burma they have a special Act as to that, have they not?—Yes, the Village Administration Act.

20106. Would you prefer to build up a system under an Act like that, or would you have a few general clauses allowing you to make any necessary rules?—We have a Chaukidari Act now under which we work, which constitutes the basis of our system, and probably an extension of that Act would be sufficient.

20107. Is that all laid down section by section, or is there a power given to make rules?—It is laid down section by section; in fact, it is not sufficiently elastic in many ways. It lays down, for instance, the maximum pay of a chaukidar as Rs. 6, which is not sufficient in my district.

20108. In trying any development would you prefer an Act giving rule-making power, or would you proceed by a detailed Act?—Certainly I should prefer rule-making powers.

20109. We were told in Burma that it would help the heads of districts considerably if the technical examination of treasury and records was taken off the shoulders of the District Officers; would you be in favour of anything of that kind?—I have thought about it, and it seems to me that the amount of treasury work on the shoulders of a Collector is very small now-a-days. With regard to the examination of record-rooms, I myself suggested that it would be part of the work which I should like to put on to a special staff.

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20110. Since you have been in Backarganj have you been visited by any members of the Board of Revenue?—A member was in my district for the Christmas holidays.

20111. Did he come on duty?—Yes, he wanted to see something in connection with the Sundarbands.

20112. Does a Commissioner come on regular inspection work and a member of the Board of Revenue too?—Yes.

20113. Does that lead to over-inspection?—The member of the Board does not go into great detail as a rule.

20114. He practically does not inspect, but he comes to inform himself?—Yes; that is more what he does.

20115. Do you work on daily travelling allowances or on a permanent travelling allowance?—A limit of Rs. 45 a month has been fixed as the maximum monthly allowance for my excise sub-inspectors, and I find they have been drawing that amount. We all travel in boats in my district, and where you have to hire a boat I am not quite sure that for a peripatetic officer a fixed travelling allowance is not most suitable; we give fixed travelling allowances for the sub-inspectors of schools.

20116. What system do you think causes most work to control?—The most work is caused by the ordinary daily allowance rules. A good deal more has to be done especially in checking, and the distances are very difficult to check sometimes.

20117. Would it be an entirely inaccurate statement to say that the daily travelling allowance system does not give more work than the permanent allowance system?—I should certainly say that the daily travelling allowance system gives more work.

(*The witness withdrew.*)

Babu JATRA MOHAN SEN was called and examined.

20118. (*Chairman.*) What is your profession?—I am a High Court pleader and land-owner at Chittagong. I have been a municipal Commissioner at Chittagong where I was Vice-Chairman for about a year.

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I am in favour of giving larger powers to provincial Governments as to details of expenditure leaving the principles to be dictated and controlled by the Imperial Government. There should be some definite rules laid down for contribution by Local Governments of fixed amounts to imperial funds, leaving ample funds to provincial Governments, but so far as the new province of Eastern Bengal and Assam is concerned, the Government of India should assist the Local Government with sufficient funds to effect necessary improvements as rapidly as they can be made till the land revenue of Assam proper is developed and placed on a firm basis.

Provincial Government may be vested with authority to borrow within certain limits, say, two lakhs of rupees.

I am not in favour of the curtailment of the right of appeal to the Government of India and Local Governments, and would not require any certificate from the authority passing the order appealed against that reasonable grounds of appeal exist.

The Secretariats both of Imperial and provincial Governments are dominated too much by considerations of revenue, and they regard matters too much from a purely departmental standpoint. The Board of Revenue is not of much use.

District Officers are not in touch with the people. Advisory Councils may be usefully employed, but the members must be elected by the people. Nomination by Government has a demoralizing effect. Such nomination generally would lead the nominated members to court the favour of District Officers with a view to future re-election. District Boards, as at present constituted, are not representative bodies. The District Officers generally see that their own whims and caprices are carried out. Selection of members is generally made on wrong principles and personal considerations. If the present system is allowed to continue, I am not for extension of their powers. Indeed, the District Officers should rather be placed exclusively in charge of the affairs, so that they may be held responsible both to the Government and the people. The present system has the effect of dividing responsibility and exonerating the District Officers of sole responsibility, although the whole affairs are practically conducted by them.

The District Boards should be elected bodies, and the Chairman should be elected from the elected members. The Chairman, to secure effective work from him, may be paid a sufficient salary. The District Officers and the Advisory Council should have the power of criticising and reporting to Government to suspend resolutions of the Board which may be unreasonable and objectionable. They may also temporarily suspend action. The same observations apply to municipalities, and District Boards and municipalities should be independent of each other.

Three years should be the general rule for an officer to remain in one district. The people may be given the right to present to Government for retention of popular officers for another three years, and not longer. They may also move Government for transfer of officers who are not popular.

Panchayats are practically useless bodies now. Respectable people avoid being members of *panchayats*. They are generally oppressed by the police, being more their servants than anything

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else. They are generally made to serve as touts to secure bribes to the police officers. People, in whose houses thefts are committed or whose houses are burnt down by incendiaries, do not as a rule give information to the police, for fear of police oppression. The chaukidars, daffadars and *panchayats* are generally warned by the police officers against reporting such cases, leaving the parties to personally report them, in which case they are subjected to oppression and harassment. If *panchayats* are elected by the people and made independent of the police, really substantial and independent men can be obtained and powers may safely be vested to them to try small civil and criminal cases. Indeed, it will be a great boon to the village communities to do so. Arbitration and decision of cases on the spot by men of the locality are very much appreciated by the parties. Real and substantial justice is done in such cases.

20119. Are you in favour of any curtailment of the right of appeal?—I am rather in favour of an extension. I think a ministerial officer ought to have a right of appeal to the Government of India. A limit might be made as to certain classes. I would suggest, after Rs. 25.

20120. You think Advisory Councils might be usefully created?—Yes, I would have small Councils of not more than five members.

20121. Should they be constituted in addition to the existing Local Boards, or in substitution for them?—If the District Board and the municipality are not entirely elected bodies, then they should be in addition to them, but otherwise in substitution for them.

20122. You think that District Boards are at present rather negative bodies, because the Chairman is always a Government official?—Yes, and the members are all nominated.

20123. Have you been a member of a District Board?—No; I was suggested several times.

20124. How do you get your experience with regard to District Boards?—I live in a district where there is one, and I see the working of the Board.

20125. But still how do you get your experience that the Board are unwilling or afraid to contest the autocracy of the Chairman?—I know of one recent special instance as to granting certain subsidies to a small company in which the whole thing was settled between the Collector and the company, and all the members had to yield. Moreover, at Chittagong, the selections are made entirely from personal considerations, and most of the members who are no doubt intelligent people are tea-planters, paying very little in the way of cesses to the District Board, and having no sympathy with the institutions of the people.

20126. Therefore you think that members are afraid to contest the authority of the Chairman?—In the case I mention several did contest it.

20127. But the majority of the members might have agreed with the Chairman?—I think they did not. I discussed the matter with two of the members, and they said that they could not go against the Chairman, as he said he had already made an arrangement.

20128. How many members of the Board are there altogether?—Eighteen.

20129. Have municipalities as much freedom as you think they ought to have at the present time?—No, the entire body should be elected. I would extend their powers in the direction of controlling the finances.

20130. They send their budget at present to the Commissioner; is the control of the Commissioner at present undesirable?—No.

20131. Then in what direction would you give them greater financial freedom?—Up to a certain extent, say, Rs. 1,000, they might be left to deal with the expenditure, without the sanction of the Commissioner, subject to the total budget not being exceeded, but it is difficult to fix a limit.

20132. What is their power of sanction now?—They have no power whatever at present.

20133. If they say they do not want to spend a certain amount of money and the Commissioner says he wants them to do so, they have to spend it?—Generally that is the case.

20134. Do you wish first that municipalities should be free to spend up to Rs. 1,000 within the limit of the budget, and, in the next place, if they do not want to spend any money that the Commissioner should not have the power to make them do so?—If the Commissioner thinks that the Municipal Commissioners have not been doing their duty, he may report to Government, if they are unreasonable or objectionable; but generally I do not believe that they would be unreasonable.

20135. You think that the *panchayats* of a village are at present useless? Should something be done to create a communal spirit in the villages, or has the day passed for doing that?—If the *panchayats* are in any way dependent upon the police, it is impossible to effect any improvement.

20136. If there was a complete separation from the police, what do you think?—Then they would be very useful.

20137. Should a District Officer be retained in his post if possible for three years?—Yes, and up to six years, supposing he is beginning some very useful work. He ought to be continued then, especially if the people desire it. Government might not accede always to their request, but they ought to be given an opportunity of making a representation to Government that an officer should be retained longer; but perhaps he ought not to be in a district generally more than three years.

20138. (*Sir Steyning Edgerley.*) You think that *panchayets* should be entirely elected?—Yes.

20139. Is there any other agency to co-ordinate work in districts except the police?—*Panchayats* might be under the supervision of the Magistrate—the District Magistrate in the case of districts and the Sub-Divisional Magistrate in the case of sub-divisions.

20140. With anyone else between them?—No.

20141. Could the Sub-Divisional Magistrate give enough supervision? Could you utilise Sub-Deputy Collectors for that work?—Sub-Deputy Collectors are not independent enough.

20142. You seem to hold the opinion that the connection of Government with these local bodies is demoralising; is that a general opinion amongst the people in your part?—That is so.

20143. Do they regard a gentleman who is nominated to a local body by Government as losing caste?—Not exactly losing caste, but he is looked upon with a little distrust in regard to matters of public interest.

20144. (*Mr. Meyer.*) Is a Munsiff or a Subordinate Judge, or a High Court Judge, looked upon with distrust because he is appointed by Government?—No.

20145. It is only when men become members of Boards?—Yes, and the reason is that they can try cases independently between the Government and parties, while the people look with distrust if the Government has direct control over them. For instance, nowadays the District Judge is made subject to the Commissioner.

20146. How is he subject to the Commissioner?—So far as his morals are concerned, as the wording goes.

20147. Are you speaking of what is known as the Carlyle circular?—Yes.

20148. Does that apply to this province?—Yes, and the people generally have a distrust of the decisions even of District Judges, not because as a matter of fact they decide wrongly, but because there is a feeling amongst the people of distrust, especially in judicial matters in which Government is interested.

20149. Are you acquainted with the principles of the present financial settlement between the Government of India and provincial Governments?—I have very little experience.

20150. Are you aware that the present settlements differ from previous ones, and that they are not subject to revision at the end of five years?—I was not aware of that.

20151. Have you considered how the provincial Government is going to borrow two lakhs of rupees?—I have simply fixed that as an arbitrary sum.

20152. (*Mr. Hichens.*) You think the Board of Revenue is not of much use?—Yes. I think a Commissioner who is locally on the spot knows more about things and is better able to dispose of all matters of finance; if he were given larger powers, his decisions would be more satisfactory.

20153. Would you allow appeals to be settled finally by him?—Yes.

20154. But personal appeals, that is appeals of individuals with regard to dismissal and so forth, you would extend?—I would extend them right up to Government.

20155. But why would you make any distinction?—It is just to give the people consolation. We have known of instances in which the Government of India have restored an officer whose appeal had been dismissed by the intermediate authorities.

20156. Your point of view is, not so much that the Commissioner is likely to make a mistake in regard to appeals, as that it would satisfy the *amour propre* of the man dismissed?—As a matter of fact, everyone is liable to err sometimes; we have known the highest Courts of Appeal make mistakes. In the High Court, where it is only the Judicial Officers who have a right to grant the certificate, we have known instances where the Privy Council have admitted appeals where the High Court has refused.

20157. At any rate, you think that, as far as the Board of Revenue is concerned, the appeals they deal with might equally well be settled by the Commissioner?—Yes; the Commissioners cannot now do much in the matter because of technicalities.

20158. You say that the chaukidari *panchayats* ought to be made independent of the police; but do you think they can be made independent?—They should be entirely under the District Magistrate independent of the police. Nowadays, where a police officer goes to a village, these *panchayats* have to work as his servants.

20159. Do you want to abolish chaukidars?—The chaukidars may be under the influence of the Magistrate—daffadars and chaukidars are at present useless. Recently there have been a great many attacks in my own village, and not a single case was reported to the police so that the police might come and personally investigate: in many cases it was I who stopped all these things by threatening the people.

20160. (*Mr. Dutt.*) Were you a member of the Bengal Legislative Council for some time?—Yes, for two years. I am not now a member.

20161. You suggested that the provincial Government should have authority to borrow up to two lakhs of rupees; do you think that that would lead to any good result?—It would avoid delay.

20162. Is there ever any necessity for the Government of Bengal or of Eastern Bengal to borrow that amount?—I have merely put it down as an arbitrary figure.

20163. Might it not lead to a multiplicity of loans all over the country if all the provincial Governments were allowed to borrow on their own account?—If the Government in Council were the Local Government I think it would not, because it would be responsible for its own province.

20164. Is it a fact now that the existing right of appeal is practically unlimited?—I do not know, but appeals do go up to the India Government subject to some restrictions, if the Local Governments choose to send them.

20165. Are they appeals which go up to the Government of India, or are they memorials?—Whatever name is given to it; I call them appeals.

20166. I am speaking now of the right of appeal only; are you aware of the limits which exist as to the right of appeal?—No.

20167. Without such knowledge, are you in a position to recommend either a curtailment or an extension of those rights?—Whether there is any right of appeal or not, I would be for giving a right of appeal to the highest authority.

20168. Would not a memorial to the highest authority answer the same purpose?—It is difficult to say.

20169. Are the members of the Chittagong municipality elected?—They are not all nominated. Two-thirds are elected, and the rest are nominated. I ceased to stand as a candidate for the municipality because I thought it was useless under present circumstances.

20170. Should the Chairman of a District Board be elected by the members of the Board?—Yes.

20171. Would it be possible to find in all districts men who are fit to be Chairmen?—I think they would always be easy to find, provided they are paid.

20172. Should they be paid salaries, or a liberal travelling allowance?—They should be paid liberal salaries.

20173. Should they also be paid travelling allowance?—That would be very small, but they ought to be paid.

20174. Was the District Magistrate the Chairman of the Chittagong municipality?—No; the Chairman was a non-official, one of the elected members, during my time.

20175. Was the work of the municipality distributed among different committees, one dealing with schools, another with assessments, and so on?—Not in my time.

20176. Was the work all practically done by the Chairman and Vice-Chairman?—Yes, and the Ward Committees.

20177. Did they give you substantial help in the work of administration?—Yes.

20178. Were there any dispensaries in the town?—Yes, there is a very big dispensary there.

20179. Did you contribute towards its maintenance?—Yes.

20180. Did you have any sort of supervision or control over it?—The municipality had control, but now it is chiefly made over to the District Board, because it also contributes.

20181. Is there a Dispensary Committee consisting of some members of the District Board?—Yes.

20182. Have you any primary schools in the municipality?—There are; the municipality contributes something to the girls' school.

20183. Were assessments made with the help of the Ward Commissioners?—Formerly.

20184. Who disposed of the appeals?—A subcommittee was appointed.

20185. Did that system give satisfaction to the people generally?—In my time it did.

20186. If the police had no power over *panchayats*, do you say that arbitration and the decision of cases on the spot by them would be satisfactory?—Yes, in fact we have been doing that.

20187. Would you in that case entrust the *panchayats* with small civil and criminal powers?—Yes, and not only that, but also power to see that no rioting takes place, and they could very well deal with it by interfering.

20188. Would you entrust them with more power over the village chaukidars?—I think so; now they have practically no control.

20189. At present is there any sort of link between the villages themselves and the Sub-Divisional Officer, outside the agency of the police? Supposing a Sub-Divisional Officer wants to deal with the people generally in the way of sending relief in times of distress, or distributing pills in times of cholera, through what agency does he

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reach the people?—So far as the distribution of medicine is concerned, they do it through the doctors.

20190. But how does the Sub-Divisional Officer generally reach the people?—Through his own agency when he personally goes and inspects, and through some of his subordinates.

20191. Would you suggest the creation of smaller circles within a sub-division: supposing each circle were in charge of a junior Deputy Magistrate or a senior Sub-Deputy Magistrate, so as to form a sort of connecting link between the people and the Sub-Divisional Officer, would that meet with your approval?—It would be desirable, but very expensive, I think.

20192. If they were created, would it improve the administration to some extent?—Certainly.

20193. (*Sir Frederic Lely.*) You say that a member of Local Board, if nominated, is distrusted by the people, while a Subordinate Judge is not distrusted although they are both appointed by Government. Is the essential difference between the two that a member of the Board comes up for reappointment at certain periods, whereas the Judge is appointed during good behaviour?—Yes, that is the essential difference between the two; civil administration is rather on a sounder basis, whereas these honorary posts depend on the pleasure of the officials.

20194. You said you would abolish the Board of Revenue because the Commissioner is more reliable as knowing more of local matters; but you would abolish the Commissioner also—you would abolish all control over the District Officer?—I think if the District Officer is given more time and assistance he would be more useful.

20195. Should be subject to no control at all?—None except the Secretariat.

(*The witness withdrew.*)

Mr. R H. HENDERSON was called and examined.

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20196. (*Chairman.*) You are a member of the Legislative Council of Eastern Bengal?—Yes. I am a tea-planter.

The Local Government should be given borrowing powers. Such powers are elsewhere entrusted to bodies whose status and resources are comparatively insignificant. Provincial loans might be issued for well approved local schemes and a freer use of guarantees of interest would attract local capital and would materially assist in development of the province. The absence of such guarantees, which have been customary, prejudices investors who look upon any scheme, from which these are withheld, with suspicion.

There is a natural tendency on the part of provincial Secretariats, which are not necessarily in touch with the public, to regard business matters too much from the point of view of the routine of their department, and transaction of business would be facilitated and expedited by the more direct personal control of the Divisional Commissioner.

Some increase is required in the administrative staff: for instance, a very extensive and populous district such as Sylhet with four sub-divisions should have at least a Collector and a Joint-Magistrate, or, preferably, the district should be subdivided into two districts giving each portion the benefit of the supervision, of at least one experienced officer, if not of two. The natural development of cultivation of trade and of the resources of the district has increased the volume of work of District Officers, and has made it more complex, and the demands on them for information and returns have increased, while the staff remains the same, or has been reduced. My remarks as to the unwieldy district in charge of the Deputy Commissioner of Sylhet, apply equally to the duties of Civil Surgeon. The thorough supervision which is required cannot possibly be given by either. The Executive Engineer of Sylhet combines with his almost impossible duties in Sylhet those of Cachar, where his headquarters are situated. Efficient supervision of such an area is impossible.

Transfers of officers are too frequent in the Surma Valley, which is not a popular one, and from which officers seem anxious to escape. This applies to every Department of Government Service-Administration, Public Works, Police, and Medical. The objections to such frequent changes are too obvious.

Local Boards should be empowered to borrow money for the carrying out of urgent public works. The necessity for this is now becoming more acute. The expenditure on education by the Boards has trebled, that on medical has increased sevenfold in the last 20 years. The available resources have been practically stationary. In consequence many urgent requirements, in the shape of (1) new roads in newly opened out parts of the district, (2) metalling rendered necessary by increased traffic, (3) the substitution of bridges for ferries, are necessarily neglected or indefinitely postponed. Even assuming that these startling increases in the claims of these two departments are arrested, as to which there is no assurance forthcoming, and the amount available for original works is not further curtailed by fresh inroads, it is estimated that the programme of absolutely urgent works of the Cachar Local Board cannot, with the income available for the purpose, be completed in less than 20 years, leaving out of consideration fresh projects which the development of the district will certainly bring forth. I am not in favour of larger powers being conferred on Local Boards beyond that of borrowing, nor of any extension of their functions.

The supervision and control of municipalities might be beneficial in so far that sanitation, water-supply, &c., might be run on more up-to-date lines; but, on the other hand, the sources of revenue of Local and Municipal Boards are entirely distinct. In cases where Local Board members are drawn from widely scattered communities, and where even the performance of their present duties (attendance in many cases involving long journeys) is a heavy tax on their time, to further increase their duties would be inadvisable.

I do not consider that it would be desirable to give village communities in the Surma Valley increased powers in the direction indicated. They are not, in my opinion, qualified to exercise such. I am strongly against the establishment of Advisory or Administrative Councils. These would weaken the authority of District Officers. They would possibly hamper them in emergencies where entire freedom of action, in circumstances demanding prompt and decisive measures, was required. Apart from these defects the knowledge that there had been any dissension in such a Council would have the effect of encouraging those in conflict with authority.

20197. Have you any experience of Local Government?—No, except as a member of the Local Board for 20 or 25 years.

20198. You say that Local Governments should be given borrowing powers; is there any local market in which they could borrow money, apart from the market which is open to the Government of India?—I do not think there is.

20199. Then the borrowings of the two would probably have to overlap?—Yes, and perhaps the security would be better, though I suppose the Government of India would be responsible for provincial loans.

20200. How long do you think a Collector ought to stay in a district?—Four or five years at least.

20201. Would you keep him any longer?—Not necessarily, although I see no objection to his being kept a longer time in special cases.

20202. How long do you think it would take a Collector of ordinary industry and activity to get to know his district thoroughly?—In some cases—for instance, in the Sylhet district—it would be impossible for him to know it, but in smaller districts from one to two years would be necessary.

20203. Is the work of a Collector pretty heavy?—It is almost too heavy now. I am judging by previous standards; I think the work is much too severe now; it is more complicated and necessarily so, because everything was much simpler before, and there have been great developments of late in every direction; then the European staff has been reduced in this province, and I should look mainly to that staff; for instance, there was always an Assistant Commissioner up to 1903, but there has been none since.

20204. Is the work of the present District Officer too largely clerical?—He has barely sufficient time for his district work, and there are greater calls upon him from headquarters than there used to be.

20205. Speaking generally, do you see as much as you used to do of the Collector?—Yes, and probably more, because my circumstances are exceptional, but generally they have not so much leisure for going about as they used.

20206. We are told that there is a rule that a Collector has to tour 120 days in his district; does he get out for that number of days?—Yes, but it is a wide district. I am not sure whether the present Magistrate does or not; he does a fair amount of touring, but whether it amounts to as much as that I doubt.

20207. Have officers, as a rule, a pretty good knowledge of the vernacular?—Yes, I think so.

20208. Is the work of the Local Board done on the whole pretty efficiently?—The work is done very efficiently, so far as it goes; of course, there is the difficulty of want of funds.

20209. Who is Chairman of the Local Board?—The District Officer in the *sadar* sub-division; the Sub-Divisional Officer is Chairman in his own sub-division.

20210. Is that a good plan?—Yes, I see no possible objection to it; the District Officer knows the district better than anybody else, except when newly appointed. His tours give him knowledge not available to others.

20211. Taking the district in which you are, and in which there are a good many other Europeans, would it be advisable to get one of them as a non-official to take the Chair?—I do not think so, because you could not rely upon a non-official always being able to be present at the meetings.

20212. Would the same thing apply to a district in which there were Indians only?—I should think it would still more apply.

20213. You think too much provincial expenditure has taken place upon things like education, medical requirements, and so forth, in proportion to the available resources?—No, my argument rather is that we began with certain revenues and the developments in education and sanitation have been threefold, while our income has been stationary, and the amount available for communications has been greatly reduced.

20214. Unfortunately reduced would you say?—I mean it is absolutely preventing any original works being gone on with in the way in which they ought to be.

20215. Has that done anything towards diminishing or injuring the trade of the district?—It is seriously preventing development.

20216. Is that peculiar to your district, or would it be general throughout the province?—I am only acquainted with the tea districts.

20217. (*Mr. Hichens.*) What remedy would you suggest for that shortness of funds?—I would suggest that education should be taken out of their hands. One reason is that the members of the Local Board itself do not take any active part in the administration of the Education Department. We get very little information as to the working of it; we only supply the funds, and the drain is increasing, and we do not know when it will be arrested.

20218. Practically speaking, you give grants-in-aid, which are administered by the inspectors under the Government?—Yes.

20219. And the Board, as a whole, consequently takes little interest in education?—We are not allowed to practically, but in any case it would be a hardship for the Board to have to take any interest; I refer to my own district, where nearly all the members reside some 15 or 20 miles distant from the centre, and it is quite as much as we can do to come in and attend eight or nine meetings a year, so that it would be too much to ask us to attend more.

20220. Is there no Board corresponding to a District Board in the Assam districts?—No. I should prefer a District Board on account of its greater financial powers.

20221. Would it not have to administer too big an area?—No, I do not think it would.

20222. Would you be in favour of having a District Board with Local Boards under it, or would you merely have a District Board?—I think I should prefer a District Board with Local Boards under it.

20223. Dealing practically only with roads?—Yes

20224. You say that Local Boards should be empowered to borrow money? Cannot they borrow money from the Government to-day?—No, they have no borrowing powers.

20225. (*Mr. Dutt.*) What is the source of income of the Local Boards?—Local rates principally, and provincial grants, ferries and pounds, and rents.

20226. Are the local rates in the shape of road cess drawn from the cultivators?—Yes; they are partly paid by the zamindars also.

20227. There is no permanent settlement?—No, or *practically* none.

20228. Are the contributions made by the Local Government for the purpose of education or for any other special purpose?—To some extent they are for education, but they do not cover the increased expenditure.

20229. You said that education might be entirely withdrawn from the control of the Local Boards. In that case should the grant for education also be withdrawn?—It would greatly solve the financial difficulty if it were not withdrawn, and at the same time it would be better that we should not incur any loss.

20230. You want that grant as a contribution from the Government for the improvement of your roads?—Yes; of course the present grant is not made purely for educational works.

20231. Would you recommend the appointment of an Assistant Commissioner in charge of the *sadar* sub-division?—Yes.

20232. Who supervises the construction of the District Board roads in Cachar?—The Executive Engineer. The Local Board has no officer of its own.

20233. Does the Local Board make any contribution towards the pay of the Executive Engineer, or to the Government for his services?—No, I do not think so.

20234. If your income is adequate, would you suggest the appointment of a special District Engineer under the District Board, or under the Local Boards?—Unless the funds at our disposal were very largely increased, I do not think so.

20235. So that at present the Executive Engineer has to do the work with reference to Government buildings, and also to supervise the roads constructed by the Local Boards?—Yes, and that is why over provincial roads supervision is impossible; you have only to look at the map to see what an enormous district Cachar and Sylhet is.

20236. If you had any such arrangement as there is in the Dacca Division, namely, an Executive Engineer for Government works only, and a District Engineer for the works done by Local Boards, would that relieve the Executive Engineer of much of his work?—Yes, that would be all right; I do not think the Local Board for the *sadar* sub-division of Cachar alone could support a District Engineer, but the combined districts of Cachar and Sylhet might do so.

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20237. What is the income of the Local Boards in the district of Cachar—I think about Rs. 85,000 for the *sadar* sub-division. Of the outlying sub-division it is about Rs. 40,000.

20238. (*Sir Frederic Lely.*) Does not the question of whether a Collector should stop more than five years in a district really depend on the personality of the man?—To a certain extent, yes.

20239. If a man has a good grip of a district, it is not well to remove it?—I do not think so.

20240. (*Sir Steyning Edgerley.*) You say that with the income available for the purpose, the programme of urgent works could not be completed in less than 20 years. How then would you provide for the re-payment of your Local Board loans?—Quite so; there is no margin; we want an increased revenue.

20241. The result therefore would be just the same if Government left the duty of education with you, and gave you an increased contribution?—Yes, except that the Local Board is not a satisfactory body to administer education, because the tea-planting community which forms a large proportion of the Board have not the leisure to attend to it.

20242. (*Mr. Meyer.*) Your Local Boards in Assam are not statutory bodies?—No.

20243. That would be one fundamental objection to their borrowing?—Yes.

20244. Assuming that they had funds on which they could contract a loan, it would also be necessary to give them security by law for the perpetual enjoyment of those funds?—Possibly.

20245. Are you aware of any proposals for legislation with respect to Local Boards in Assam?—No; there were proposals at one time—in Sir Henry Cotton's time—that we should have District Boards in which case we should have had the necessary powers. The question has been shelved, like a good many others.

20246. As regards the Board which you have experience of, the *sadar* Sub-Divisional Board directly presided over by the Deputy Commissioner, is there much interference by Government or by the Commissioner?—No; of course we have only had a Commissioner since the provinces have been amalgamated.

20247. Before that could you pass your own budget?—No; that had to be sent up, and it was altered occasionally with regard to details, but our principal grievance was that our hands were absolutely tied with regard to funds.

20248. Apart from that, would you be prepared to advocate a freer hand in the district in the administration of such revenue as they have?—It would be better if the control was in the Commissioner of the division, rather than in the provincial Secretariat.

20249. Could the Commissioner give such outside control as is required?—Yes.

20250. You spoke of your income being stationary; is it mainly derived from the land cess?—Yes; it is not absolutely stationary, but it is not increasing very rapidly.

20251. It does expand with a new settlement?—Yes. I think from 1885—1890 to 1906-07 it increased probably from about Rs. 20,000 to Rs. 32,000; that is the whole of our local rates income. Then we have lost money through the various lapses; ferries have been bridged, and that is a thing which is going on, so that there will be still further reductions. Ferries used to provide us with a considerable income which has been reduced.

20252. About three years ago did you not get a special grant amounting to one quarter of your land cess receipts?—Yes, but it was insufficient for the total requirements of the district.

20253. Has your Board charge of all the roads in the sub-division?—Not all; there are two provincial roads there in addition. Most of the roads are Local Board roads.

20254. There is one district in Assam where the Local Board subsidises a light railway; have you anything of that kind in your district?—No.

20255. Is it the practice to give out the work on the smaller roads to planters and other gentlemen?—Yes.

20256. Does that system work well?—It works very much more satisfactorily than if the work was done by Government or by ordinary contractors; it is much cheaper, because the manager takes no profit; he supplies the labour at actual cost, and the supervision is gratuitous, and most of the planters have practical experience.

20257. Therefore, in the planting districts at any rate, there is the less need for any special Board engineering establishment?—Yes, but of course the engineering difficulties are not great as a rule.

(*The witness withdrew.*)

The Hon. Rai Dulal Chandra Deb Bahadur was called and examined.

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20258. (*Chairman.*) You are Government pleader at Sylhet?—Yes.

Under the present system the revenue of a province is shared between the Imperial and provincial Governments. But the revenue allotted to the latter in the distribution is not entirely at its discretion. Invariably the sanction of the Imperial Government has to be obtained before any permanent and recurring expenditure or any work involving high expenditure can be incurred or constructed. This restriction should be removed subject to the following limitations:—No sanction of the Imperial Government should be obtained when the recurring and permanent expenditure will not exceed a certain limit to be imposed; no such sanction should be obtained for the construction of any original work whatever may be its cost if it can be undertaken with the revenue allotted to the Local Governemnt.

A more complete separation than at present exists might be effected between the imperial and provincial finances by assigning to the Imperial Government the entire receipts under certain heads, or by paying an annual contribution from the provincial funds. The provincial Governments should have the power to raise loans on the security of their provincial revenues.

I am not for curtailing the right of appeal to the Imperial or provincial Government now granted in respect of administrative or personal actions.

In the settlement of land revenue, and the administration of excise revenue, cess and partition laws, nearly the entire administrative powers are vested in the Board of Revenue, and the Local Government has reserved to itself very little power in respect thereto. No more powers should be vested in the Board, but the power of the Divisional Commissioner should be extended by making his decision final in those appeals which are preferred to him from appellate orders passed by the Collector or the Deputy Commissioner.

Except in matters relating to revenue, municipalities and Local Boards, the Divisional Commissioner in the Assam portion of the province has no direct hand in the other matters of administration. I think that in the Departments of Police, Education, Excise and Forests the Divisional Commissioner should have the power of supervision and control in order to make the administration more effective and popular than it is at present. But in all petty matters such as routine business and discipline it is not necessary that he should have the controlling power.

In the Court of Wards' matters, all the powers, excepting the power to declare a landholder to be a disqualified proprietor on his own application and to permit a ward to make an adoption, are vested in the Board subject to the control of the Local Government. This controlling power seems to be unlimited, and some limitation should be imposed on it by empowering the Local Government

to exercise it in those cases only in which the Board passes an order involving the sale of the ward's property, the contract of a heavy debt and other matters which may effect a change in the property prejudicial to his interest.

The influence of the Divisional Commissioner in matters appertaining to municipalities and Local Boards is sufficiently strong and his opinion guides these two administrations.

The Executive Officers have sufficient opportunities for personal contact with the people, but they are unable to avail themselves of the same. The obstacles are their ignorance of the dialects which the common people speak and their transfer after a very short term of service in a district. A long term of service may remove these obstacles. Though they know the vernacular, it is the book language and not the colloquial in which they are able to speak.

I am not an advocate for the reduction of the area of any district. It may create discontent among the people. For the administration of the heavier districts the District Officers may be associated with additional District Officers.

The transfers of officers are very frequent. The term of the service of an officer in a district should be increased to a period of not less than three years. Temporary vacancies occasioned by leave or otherwise may be filled up by the provisional appointment of an officer in the district who in rank is next below him.

Under the present law the municipalities have no hand in the ward and watch of the town. The town police should be placed entirely under the control and order of the Municipal Commissioners.

Advisory Councils are not likely to be useful to the District and Divisional Officers. But I am an advocate for the creation of Administrative Councils if the votes of the members constituting such Councils decide the matters that may be laid before them. Such Council for a district should consist of five members, of whom three should be elected by the Municipal Committees, the District and Local Boards, and the remaining two nominated by the Government. The District Officer should be the President of the Council with vetoing power in the cases in which any matter is decided against the policy of Government. The Council for a Commissioner's division should be constituted of seven members, of whom four should be elected by the municipalities, District and Local Boards, industries and landholders, and the remaining three nominated by Government. The Commissioner should be the President of the Council, with vetoing power. The matters to be disposed of by these Councils should be—relief in cases of famine and scarcity; any matter affecting public health; communication; primary education; any matter of public utility or convenience which the District Officer or the Divisional Commissioner, as the case may be, may think it expedient to put before the Council.

I do not think it expedient to invest the District Boards with the power of control over the small municipalities, because the members constituting such Boards have no primary or substantial interest in the municipal affairs.

The following is the outline of a scheme which I suggest to carry out a decentralization policy in this province. The start may be made from such a small unit as the sub-division of a district:—

(1) There should be a Board for each sub-division, each district, each Commissioner's division and each province to be called the Local Board, the District Board, the Divisional Board, and the Provincial Board respectively.

(2) Each Local Board to be constituted of members selected partly by nomination and partly by election, and the other Boards to be similarly constituted of members to be nominated in certain proportion by Government and elected by the Boards next below them.

(3) Of the Local Boards the Sub-Divisional Officer shall be the President and of the other Boards the District Officers, the Divisional Commissioners and the Lieutenant-Governors concerned.

(4) The fund at the disposal of the Local Board, District Board, Divisional Board and the Provincial Board to be called the Local fund, the District fund, the Divisional fund and the Local Provincial fund, respectively.

(5) The Local Fund is to be formed of those items of revenue which at present constitute such funds, and the funds of the other Boards are to be formed by contribution from the Boards next below them. All these funds may be supplemented if necessary by grants from the provincial revenue.

(6) The function of the Local Boards will be the execution of those works which are now performed by them within the limits of a sub-division and that of the other Boards will be the execution of those works which may commonly concern two or more Boards next below them.

(7) Each Board shall have the power of control over the works of those Boards which are next below it.

The revenue of a division is now appropriated by three administrative authorities, namely, the Imperial Government, the provincial Government, and the Local Authorities. Under the present system the Local Authorities can spend that portion of the local funds only which is to be spent within the limits of a sub-division of district. But the fund which is now spent for the execution of those works of the like nature which commonly concern two or more districts or two or more Commissioners' divisions is entirely at the disposal of the provincial Government. The object of the proposed scheme is to eliminate the money thus spent by the provincial Government from the provincial fund to form therewith two separate funds and to place them at the disposal of the Divisional and Provincial Boards to be constructed. The decentralization of the revenue which is purely imperial and provincial is not possible consistently with a vigorous and effective administration of the Indian affairs.

20259. Have you any experience of Local Government?—Yes; for some time I was Chairman of the Sylhet municipality.

20260. Would you like to see the Commissioner freed from various small duties that he has to perform now?—As regards the routine business and discipline, I think they should remain with the Departmental Heads.

20261. Just as you propose to extend the powers of the Commissioner, do you want to see the powers of the Collector increased?—No, the power of the Collector should remain as it is, but in regard to certain appeals, the Commissioner's orders should be final.

20262. You say that the Executive Officers have sufficient opportunities for personal contact with the people, but that they do not avail themselves of them?—Yes, there are obstacles. One obstacle is that although they know the vernacular, they are not acquainted with the dialect of the people, and another obstacle is that there is a difference in the manners and customs of the people whom the officer meets while he is touring, which is the reason why the touring officer cannot mix with the people.

20263. He does not know the customs and manners and social etiquette?—He may know them in one district, but in different districts there are different manners and customs, and when officers are transferred they are ignorant of them. In my experience I have not seen a District Officer remain in one district more than three years.

20264. How long ought an officer to remain in a district?—Not less than three years, and not more than five.

20265. In that time he ought to get to know the district thoroughly?—Yes, and in that time he can mix with the people.

20266. Are the districts too large?—All the districts are not very large.

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20267. Therefore, if there is to be any relief with regard to the work, it must be by an increase of the staff, and not by a reduction of the area of the district?—That is my opinion; I think some additional officers might be appointed when there is a pressure of work.

20268. You are in favour of the creation of an Administrative Council, and you also wish to see a Local Board, a District Board, and a Divisional Board. Do you think that in any one district there would be enough responsible people to fill all the positions on those Boards?—There are competent men to fill them. I do not think there would be any difficulty in finding them.

20269. Are the present powers of municipalities sufficiently large?—I do not think so. The ward and watch of the town by the town police should be under the power of the Municipal Commissioners.

20270. Is there any other direction in which they might have more power?—I do not think it is necessary.

20271. Should the financial control of the Commissioner over municipal budget remain?—Yes.

20272. (*Mr. Meyer.*) Is there no local Boards Act in force in Assam?—No, there is a Regulation in Assam which simply says that the Government are to have the right to appoint district committees and sub-divisional committees, and under this Regulation the Government appointed Local Boards in Assam.

20273. Do you want a District Board in Assam?—Certainly, because there is a provision in the local Regulations.

20274. Do you know anything about District Boards in Eastern Bengal?—From the papers I do, but I have no personal experience.

20275. There we have been told that the District Board has all the powers, and the Local Boards very little power. In Assam you have Local Boards which exercise a good deal of power, and you want a District Board over them; do you intend to cut down the powers of the existing Local Boards?—Certainly, if there is a District Board, the power of the existing Local Board must be curtailed.

20276. What is the control of the Deputy Commissioner over a Local Board in Assam, which is not in his own sub-division?—The Deputy Commissioner has control over all the Local Boards, and Sub-Divisional Boards, in his district.

20277. But he is not Chairman of the Board in an outlying subdivision?—No, he controls it as District Magistrate.

20278. Does he give orders to the Board which they have to obey?—Yes.

20279. You are dissatisfied with the present system of the revenues being divided between the Imperial and provincial Governments?—I am not dissatisfied, but if there is any possible way of separating them it should be done.

20280. Do you consider the existing system bad?—I think that both Governments should share the profit.

20281. You do not think an Advisory Council for a Collector is necessary, but do you want an Administrative Council?—I have qualified my statement.

20282. To put a legal analogy, you want a Board that would stand in the same relation to the Collector as a jury does to a Judge?—I do not want a Board which would merely stand to the Collector as an assessor would to an Indian Judge, but a Board that would stand to a Collector as a jury stands to a Judge.

20283. Would you still say that the Collector should have a vetoing power in a case in which any matter had been decided against the policy of the Government, and that therefore he is to overrule his jury in certain cases?—Yes, of course, there may be such a case in which the majority of the Council would decide a matter against the policy of the Government.

20284. Then all the Collector has to say, if he does not like something that the Board has voted, is "Gentlemen, this is against the policy of the Government"? Do you propose to allow the Board power to appeal to the Commissioner?—If such a plan is to be introduced, the first thing would be that the Collector would be told of the resolution of the Council, which he would have to report to the Commissioner for confirmation.

20285. Do you desire that before he can veto he must report for confirmation?—Yes.

20286. Could not the District Board serve as the Advisory Council?—Yes, but I think they would not be a useful body.

20287. I am speaking of the District Board which now exists in Eastern Bengal and which you want to call into existence is Assam; would not that suffice for the purposes of your Administrative Board?—They would be a fresh constitution and they might serve.

20288. You mention as matters with which your Administrative Board would deal, matters affecting public health, communication, and primary education; are not all these matters which are at present dealt with by District Boards and Local Boards?—Yes.

20289. Is your Council then to have a superior authority over the Local Fund District Board?—Yes; I answered the question with regard to Assam.

20290. Is the Local Board in Assam to be under the Administrative Council?—Yes, of course it would be under the Administrative Council.

20291. You say you want to put the town police under the Municipal Council; would that be quite safe? Are there not occasionally big riots in towns?—Yes, but the town police should be under the Municipal Commissioners, and in addition in every district there should be a provincial police thana.

20292. Do you want both forces?—No, I want the town police.

20293. (*Mr. Dutt.*) How long have you been Government pleader?—For the last fifteen years. I have been a pleader since 1870.

20294. Do you remember when the Road Cess Act was passed in 1872 or 1873?—Yes.

20295. At that time Assam was part of Bengal?—It was.

20296. Therefore the Road Cess Act applied to Assam as part of Bengal?—Yes.

20297. And Road Cess is realised in Assam under that Act?—Yes.

20298. Were Road Cess Committees formed in Assam under that Act?—I do not know.

20299. Do you know whether the Local Boards are a development of the Road Cess Committees?—I do not.

20300. Do you get any contributions from Government, besides the income from the Road Cess?—Yes, each Board receives some contribution from the provincial revenue.

20301. Are they made for any special purposes, such as education?—Yes.

20302. And you also have income from ferries?—Yes; there is an income from ferries, an income under the Cattle Trespass Act, and from the local rates—the Road Cess.

20303. Is the total income for the district of Sylhet, or for each of the sub-divisions, sufficient?—No, it is not sufficient.

20304. What suggestion would you make to remedy that defect?—The Local Board should have a grant from the provincial Government.

20305. Would you like to have large contributions from the Local Government, or would you like to have primary education withdrawn altogether from your hands?—We should like to have further grants from the Local Government keeping control over primary education.

20306. You have suggested that there should be a Local Board in every sub-division, a District Board in every district, and a Divisional Board at the divisional headquarters, what would the Divisional Board do?—It would have control over the District Boards.

20307. In that case, the Divisional Board would have to keep an Engineer?—Of course, if necessary, or if the work could be done by the District Engineer it would be advisable.

20308. Would the main duty of the Divisional Board be to control the operations of District Boards?—Yes.

20309. Cannot the Divisional Commissioner do that efficiently?—Of course the Commissioner can do it, but the scheme I suggest will popularise the thing.

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20310. Do you want a Divisional Board in addition to the Administrative Council which you have recommended?—No; of course if there is Administrative Council I do not want a Divisional Board.

20311. In the same way, if there is a provincial Administrative or Advisory Council, you do not want a provincial Board in addition to that?—It depends upon the authority of the Advisory Council.

(*The witness withdrew.*)

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BABU JAMINI MOHAN DAS was called and examined.

20312. (*Chairman.*) You are Deputy Magistrate and Deputy Collector at Mymensingh?—Yes.

No extended powers in regard to revenue general administration or the Court of Wards are required by the Board, the Commissioner, the Collector or the Sub-Divisional Officer. I do not think extended financial powers can be given to the Commissioner and the Collector except in regard to petty matters. I do not think any curtailment of the existing right of appeal is necessary or expedient.

The influence of the provincial Governments has some tendency towards rigidity and uniformity, but I do not think it is excessive. The remedy that can be suggested is that the Government should be in closer touch with the officers charged with actual administration and the people. With the Commissioner as a connecting link between it and the people, the Government is not open to the charge of being too impersonal and too much dominated by considerations of revenue. The degree of influence exercised by the Commissioner is to some extent a matter of personal equation. As a rule, his influence is fairly strong, and sufficient weight is attached to his views.

Owing to increase of work, the superior Executive Officers do not now get sufficient opportunities for contact with the people. The close personal contact of the District Officer with the people is specially desirable, and it is necessary, therefore, that he should be relieved of some of his clerical and judicial duties. A senior officer at the headquarters station of each district should have the power to dispose of all but the most important matters in which the Collector's own responsibility must be maintained or in which his own opinion is necessary. Besides general supervision and control, the Collector should remain personally responsible for the treasury, revenue sales, agricultural calamities, political disturbances and other matters of similar administrative importance. He should, as far as possible, be relieved of all other duties. Similar relief is also required by the Commissioner. This can be given to some extent by relieving him of the task of compiling statistical reports and returns which may go direct from District Officers to the Board or the Government, his opinion being asked for, where necessary, after compilation.

European Executive Officers, as a rule, do not now possess sufficient knowledge of the vernaculars and the habits and prejudices of the people. Relief from work at headquarters with an inclination for closer association with the people, is the remedy that can be suggested.

No absolute standard can be suggested for the strength of the administrative staff. It must gradually increase with the increase of work consequent on the growth of population and other complex causes. There should be periodical reorganisation of the services. Division is necessary in the case of inconveniently large districts which cannot be administered on the sanctioned lines without loss of efficiency.

The rule under which privilege leave may be combined with other leave and local officers employed to fill vacancies of short duration has caused some reduction in transfers, but they are still frequent enough to cause some loss of administrative efficiency. As, however, they are due chiefly to the leave rules and the exigencies of the service, I do not think much further reduction is possible.

There is no need to enlarge the powers of municipalities.

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Improvement of agriculture may be added to the duties of the District Boards. They can deal with famine relief and hold exhibitions of cattle, country produce and agricultural implements. As a fitting complement to these duties, they should be empowered to take measures for the improvement of agricultural methods, introduction of new crops and distribution of selected seeds, maintaining a staff of agricultural experts for the purpose, under the supervision of the provincial Director. Very small municipalities, specially those which are in need of financial help, may be placed under the control of District Boards. The powers of Local Boards do not require any extension. Union committees have hitherto been a failure, owing chiefly to their unwillingness to utilize the powers of taxation given to them. A more acceptable scheme for provision of funds is required.

I am not in favour of the creation of separate Advisory or Administrative Councils to assist the District Officer. The District Board, if fairly representing the four great divisions of the people—(1) agricultural, (2) industrial, (3) commercial and (4) professional—should be able to give advice which, supplemented by the advice of the different classes of people who come into daily contact with the District Officer, would be sufficient for all practical purposes. Neither should the Divisional Officer who is expected to be in close touch with the corporate bodies and the people in his division require any such Council.

In this province, the old binding elements of the village community have been entirely destroyed, there being no common head to whom the villagers render willing obeisance. If any acceptable scheme for the provision of funds can be devised, they may be started in all but very backward tracts with sanitary, educational and very limited police powers; and when they have attained sufficient stability and developed a proper sense of responsibility, powers for the trial of petty cases may be gradually extended under proper checks.

20313. At one time had you considerable knowledge of irrigation work?—In the Settlement Department I made considerable enquiries with regard to irrigation in Orissa.

20314. Who distributes in Eastern Bengal the water from the irrigation channels to the actual fields?—There is very little irrigation in this province.

20315. You are opposed to any extended powers being given in matters of revenue general administration, or the Court of Wards, either to the Board of Revenue, the Commissioner, the Collector or to any Sub-Divisional Officers?—The powers they already have are quite sufficient, and what they now require is more time to do their work efficiently.

20316. Is the actual remedy an increase of staff and not a delegation of powers?—Yes. The subordinate staff must be increased.

20317. In the Provincial Service, or in the Subordinate Service?—In both.

20318. You think there ought to be no curtailment of the existing right of appeal?—Appeals are so few that I think it is not expedient to do so, and the right is also very much appreciated.

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20319. But if there are few appeals, how can the right be appreciated?—But there are some appeals.

20320. But the right is not often exercised?—No, because dismissals are so very rare and other punishments are also rare.

20321. Would dismissals increase in number if the right of appeal was done away with?—I do not think they would increase very much, but there would be some increased discontent.

20322. But if the right is rarely exercised how can there be discontent?—Because in the few cases in which punishments are inflicted the right would be restricted.

20323. Is it desirable that the District Officer should be in close touch with the people of his district?—Yes.

20324. Are they in close touch now?—Not very much. The District Officer is very much overworked. He is out for three months, but even when he is out he has to inspect so many places and things that he has not sufficient time for association with the people in general.

20325. Is there any disinclination on his part to see the people of a district?—I think sometimes he is not sufficiently acquainted with the vernacular, and cannot talk freely with the people, and he does not therefore feel any interest in their customs, habits, and so forth.

20326. What part of Bengal do you come from?—I belong to the Dacca district.

20327. How many vernaculars are spoken in this district?—Only one—Bengali.

20328. Is that a difficult language to learn?—No.

20329. In other districts there are a great many vernaculars spoken, for instance in Bengal proper; therefore, the language difficulty is not really so great here as it is in other provinces?—No.

20330. If the difficulty with regard to speaking the language is removed, is there any other obstacle in the way of friendly intercourse between the officers and the people?—I think there should be greater inclination on the part of an officer to associate freely with the people.

20331. On the other hand, ought there not to be a greater inclination on the part of the people?—Yes; I think they should approach the officers more freely.

20332. Are they afraid of doing so now?—Yes, because they are very ignorant and do not usually come into close contact with the high officers.

20333. Do they come into contact with the Deputy Collector?—Yes.

20334. Do you find that he sometimes shows want of sympathy?—It may be the case with regard to individual officers, but not with all of them.

20335. Is it the case with all superior officers that they show a want of sympathy?—Not all of them. It is only occasionally.

20336. You say that the District Officers are prevented from being sympathetic and being able to talk in the vernacular by the amount of office work which they have to do, especially with regard to statistics; have you ever been called upon to compile statistics?—Yes, I was in charge of a big census office, and had nearly 500 clerks under me.

20337. Did you find then that the statistics which were sent in to you by other people were accurate?—That was special work, the census is only taken once in every ten years.

20338. Were the statistics which were sent to you in regard to the census accurate?—They were prepared under special supervision and were fairly accurate.

20339. Are the statistics which are sent to the Commissioner fairly accurate?—Yes.

20340. What proportion of error do you think there would be?—It is difficult to give any percentage; it varies according to the nature of the return; I think the old returns which have been submitted for a long time and which are subject to constant check, do not contain many errors.

20341. But are the new returns inaccurate?—Yes, occasionally, because it takes the clerks some time to understand them.

20342. Do they begin by putting down anything?—No, not quite anything.

20343. Are you of opinion that some of the districts are unnecessarily large?—Yes.

20344. You are against the desirability of enlarging the powers either of municipalities or Local Boards?—Yes, and District Boards also.

20345. In fact, you would practically leave the system very much as it is, but you think there should be an increase in the number of officers?—Yes.

20346. (*Mr. Dutt.*) How long have you been in Mymensingh?—About a year and a half. I was in Orissa for about 13 years.

20347. Is not Mymensingh a very heavy district?—Yes. Its population is about four millions.

20348. How many Deputy Collectors are there in the *sadar* sub-division?—There are some Sub-Deputy Collectors besides the Deputy Collectors; there are about five Deputy Collectors employed on general work. There is also an Excise Deputy Collector besides a Deputy Collector employed only on settlement work, and another employed on partition work.

20349. Do the Deputy Collectors who do the criminal work perform other work also?—Not much.

20350. Could part of this work, which is now all done at headquarters, be transferred to sub-divisions and done by the Sub-Divisional Officers, strengthened by the addition of other officers under them?—I do not think that would be very economical, and it would also be inconvenient, because the revenue records are located at the headquarters station.

20351. Could work like the assessment of the income-tax be done by the Sub-Divisional Officer, if he received sufficient help in his own sub-division?—That is work which is done better by an expert.

20352. Would not a Sub-Divisional Officer be likely to be better acquainted with the means and circumstances of the people of his own sub-division, than an income-tax assessor at headquarters?—That might be, but he would not have sufficient time to devote to the work.

20353. I said, if he was helped by other officers; are you in favour of that plan?—I am not.

20354. Is there any other revenue work done at headquarters which could be delegated to sub-divisions to be performed by Sub-Divisional Officers?—I am not in favour of giving much more work to Sub-Divisional Officers. I would rather have it done at headquarters.

20355. Some of your sub-divisions are very large and thickly populated?—Yes.

20356. Is there any Executive Officer between the Sub-Divisional Officer and the people of those sub-divisions?—None.

20357. So that if a Sub-Divisional Officer has to reach the people or to send any orders to them, through what agency does he send those orders?—He generally sends them either through the *panchayet* or through the police.

20358. Is it a satisfactory state of things that the police should be the only link between the people and the Sub-Divisional Officer?—No, I do not think it is.

20359. Would you suggest the creation of other agencies to bring the people more into touch with the executive administration?—I would try if I could to strengthen the village unions and start them in every sub-division.

20360. Would you suggest the creation of other officers in charge of larger circles than village unions, for instance one or two thanas made into a circle and placed in charge of an Executive Officer?—I think that would be very costly.

20361. Do you do a considerable amount of criminal work?—Yes. I have first class powers and also appellate powers; I hear appeals from the

decisions of all Second and Third Class Magistrates.

20362. Are you also in charge of any special Revenue Department?—I am not at present in charge of any Revenue Department.

20363. Has the present District Magistrate sufficient control over the police work of his own district?—Of course he does not look very much into details; he cannot, because he has not much time to do so.

20364. But if he had the time to do so, has he sufficient power in his own hands to control the work of the police?—I think he has sufficient powers.

20365. Has the new scheme, introduced according to the recommendations of the Police Commission, appreciably improved the work of the police?—It is as yet too early to judge.

20366. Are you a member of the District Board? Yes.

20367. Who is the Vice-Chairman of your District Board?—He is the Public Prosecutor.

20368. So that he is a *quasi*-Government officer?—Yes.

20369. How is the budget prepared in your District Board?—There is a Finance Committee which prepares it and it is then submitted to the Board for approval.

20370. Who appoints the District Board officers—the engineer, etc?—The District Board, subject to the Commissioner's sanction when the pay is Rs. 100 or more.

20371. Have they power to appoint all the higher officers?—Yes, subject to the above limitation.

20372. Who appoints the lower officers, such as clerks and ministerial officers?—All appointments are made by the District Board.

20373. Are there any other sub-committees of the District Board which take charge of the different departments?—Yes; there is an Educational Committee. They deal with all educational matters and submit their reports to the District Board. There is also a Public Works Committee.

20374. Is the District Magistrate the Chairman of the Education Committee?—No. The Vice-Chairman or a member of the Board acts as Chairman.

20375. Is the work done satisfactorily?—Yes.

20376. Are your primary schools inspected by servants of the District Board, or by the Education Department?—By Government officers and sub-inspectors of schools.

20377. Has the District Board any control over those officers?—None, but there are some sub-inspectors now under the District Board.

20378. How is the work divided between the District Board sub-inspectors and the departmental sub-inspectors?—There is a territorial division between them; some are under the District Board and some are under the department.

20379. Is it a satisfactory arrangement that the inspection of primary schools for which you pay should be in the hands of officers who are not your subordinates?—It is necessary to retain departmental control.

20380. You do not propose any change in the system?—No.

20381. Who is the Chairman of the Mymensingh municipality?—He is a pleader of long standing. He was elected.

20382. Is the Vice-Chairman also non-official?—Yes; he is a pleader.

20383. Have you water-works in Mymensingh?—Yes.

20384. Is a water rate levied?—Yes.

20385. (*Mr. Hichens.*) Are the debates of the District Board conducted in English?—Yes.

20386. Do all the members understand English?—Some of them do not, but things are explained to them if they wish it.

20387. With regard to union committees, you say that they have been a failure owing to the power of taxation. Do you think they would succeed if they were not taxed at all?—Yes.

20388. Would it be possible, for example, to establish union committees and give them a grant from the District Board fund to begin with?—I think that is a good idea, and that might be done.

20389. What kind of work would they have to do?—Under section 45 of the Criminal Procedure Code, every headman has to send certain information, and the President of the union should have that responsibility; then there might be small sanitary powers vested in them, and primary education also might be entrusted to them.

20390. Would you give them small powers in criminal cases?—Yes, after a time.

20391. Would it be necessary to appoint a special officer in a district to look after them and to instruct them?—Yes.

20392. What class of officer would you appoint?—An officer of the rank of Deputy Collector might do.

20393. If that were done there would be some chance of getting them to do good work?—Yes.

20394. We have been told from time to time that they are too much under the influence of the big zamindars of the neighbourhood and are rather afraid of them—what do you say as to that?—That difficulty might be overcome, I think, by periodical election or nomination.

20395. Would you for that reason make your unions fairly large?—I would base them mainly on population.

20396. (*Mr. Meyer.*) You say that union committees have hitherto been a failure—do you refer to the Local Fund unions or to the chaukidari unions?—I mean the unions constituted under the Local Self-Government Act.

20397. Are there many in this province?—Very few. There are none in Mymensingh.

20398. Where was your experience of them obtained?—From what I have heard of such unions in other places. I have no personal experience of them. There is a proposal to start one in the district of Mymensingh at the terminus of the railway.

20399. Are you doing work which would ordinarily be performed by the Joint-Magistrate at headquarters if there was one?—Yes.

20400. That is criminal work, including the hearing of appeals in the district from Second and Third Class Magistrates, but not revenue work?—Yes.

20401. Therefore the Joint-Magistrate becomes Collector and District Magistrate, dealing with revenue work, but having had no experience in it?—Joint-Magistrates do not do much revenue work except when they are left in charge of a district when the Collector goes out on tour.

20402. When a Collector goes out on tour does he depute the Joint-Magistrate to do his work?—Yes.

20403. But is the Collector out for long periods on tour or only a few days at a time?—Only a few days at a time.

20404. You say that you also deal with all matters relating to the *panchayet's* work—do you mean the chaukidari *panchayets*?—Yes.

20405. Do they all come to you throughout the district?—No, throughout the *sadar* sub-division only.

20406. Who deals with the others?—The Sub-Divisional Officers.

20407. And you want a Deputy Collector to deal with all of them from headquarters?—Yes.

20408. With regard to appeals, can you dismiss any clerk receiving Rs. 15 a month?—No Deputy Collector has any power, only the Collector.

20409. Can you dismiss a chaprasie or a peon?—That is not regulated by any rule, but I do not think a Deputy Collector can dismiss even a peon.

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20410. If the Collector has dismissed a clerk in receipt of Rs. 15 per month, that man can appeal to the Commissioner?—Yes.

20411. And from the Comimssioner to the Board of Revenue?—Yes.

20412. Can he go beyond the Board of Revenue to Government?—No.

20413. Is there a definite rule laid down to that effect?—Yes, it was issued lately.

20414. I ask the question because one official witness said that there was no restriction of appeal in this province?—It is in the Board's rules which I can produce. My note is "All officers have one appeal; inferior officers have no second appeal in any case; superior officers have a second appeal against dismissal and punishments for more than six months." If a man is suspended for more than six months he has a second appeal—if he is a superior officer.

20415. A "superior" officer is, roughly, anybody in receipt of more than Rs. 10 a month?—Yes.

20416. He has no third appeal?—No. I think this right ought not to be curtailed, because it is very much appreciated by the lower officers.

(*The witness withdrew.*)

Adjourned.

TWENTY-NINTH DAY.

DACCA, *Wednesday, 8th January*, 1908

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq, C.I.E., I.C.S
W. L. HICHENS, Esq.

Mr. ROBERT NATHAN, C.I.E., was called and examined.

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20417. (*Chairman.*) You are a member of the Indian Civil Service and at present on special duty in the Eastern Bengal Secretariat?—Yes.

Larger powers should be given to Local Governments to sanction expenditure and to create appointments, etc. Financial restrictions have hitherto been narrower than those imposed with respect to other aspects of public business, and as a result the discussion of financial details occupies an undue share of public time. This has been largely due to the comparatively narrow limits placed by the Secretary of State on the financial powers of the Government of India. These limits have recently been widened by the orders published in the Finance Department Resolution of the 1st November. Great relief will be experienced if the limits now prescribed for the Government of India be applied without reduction to the powers of provincial Governments.

The powers exercised by the Government of India under the Civil Service Regulations without reference to the Secretary of State may in general be delegated to Local Governments in respect to officers appointed by them and paid from provincial revenues.

A large proportion of the detailed references to the Government of India arise out of questions of financial sanction, and apart from this aspect of the case I do not think that, speaking generally, larger administrative powers, more particularly in matters of internal administration, should be given to Local Governments.

I do not consider that, in the Home Department, the influence of the Government of India is in the direction of excessive rigidity or uniformity. In the main its influence is not restrictive but stimulating and encouraging. Were that influence removed progress and reform would be retarded.

The main sphere of work of Directors and Inspectors-General under the Government of India dealing with departments which are primarily administered by Local Governments should be to furnish expert advice. The Director-General should have the widest and most up-to-date information of any person in the country regarding the conditions prevailing not only throughout India but also in other countries, and his knowledge and experience should be at the disposal of the Government of India, of the Local Governments and of the provincial Heads of Departments. In addition to their general functions Directors-General and other similar officers may have special duties arising from the conditions of their department or appointment. Thus the Director-General of the Indian Medical Service is the administrative Head of that Service and the Sanitary Commissioner is entrusted with the general organization and direction of research connected with disease. Officers of this type perform most important service, and their special knowledge enables them to promote initiative as well as to maintain the policy of Government on sound lines.

In matters touching special local characteristics, such as the relation between landlord and tenant, the initiative in reform is often due to the Local Government, but in the main the administrative reforms of recent years in matters such as education, medical administration and research, police, sanitation, jails, and lunatic asylums have been initiated by the Supreme Government.

I am in favour of a free right of appeal for Government officers, and I would make no general alteration in the existing rules relating to appeals to the Government of India or Local Government.

More power and direct authority should be given to Commissioners of divisions. In an unduly large proportion of cases he merely submits proposals of District Officers to the Board of Revenue or Government. The various legislative Acts take little account of the Commissioner, and usually proceed direct from the Collector or District Magistrate to the Board of Revenue or the Local Government. Reform can be affected by an examination of the details of Acts and rules rather than by a general statement.

The powers of District Officers are more clearly defined and are very wide. I do not consider that

any general extension is desirable. The one direction in which wider authority may with advantage be given to District Officers is in the matter of Public Works. The present system for the execution of lesser Public Works in Districts is not successful and involves great delay. District Officers should be given enhanced powers to initiate works, to sanction their execution, and to pass estimates. Moreover, I would allow all works not of first class importance to be carried out by a District Engineer under the control of the District Officer. One engineer might be employed both for the District Board and the District Officer with a sufficient subordinate staff to enable him to perform the double duties. This would make it possible to employ an officer of higher status and qualifications for district work than is at present practicable. Such a system would greatly stimulate the execution of necessary Public Works by giving local officers greater interest in them.

It is desirable to give more extended powers to Sub-Divisional Officers both to relieve District Officers and to bring the administration into closer touch with the people. The Sub-Divisional Officer should, in such case, be given more subordinate assistance. He should exercise the powers of a Collector for *khas mahal* work and should carry out all *khas mahal* duties under the general supervision of the Collector. He might also perform the functions of the District Officer for chaukidari work and possibly for land acquisition and income-tax, it might also be possible to give him some powers with regard to lesser Public Works.

The powers devolving on Commissioners and Collectors under the Court of Wards Act and rules are inadequate, and the correspondence relating to Courts of Wards' estates is therefore out of proportion to that entailed by the administration of other departments of not lesser importance.

Government consults Commissioners on all important matters, and they have every opportunity of exercising their influence.

Executive Officers have not sufficient opportunities for personal contact with the people. This is due to the growing volume and intricacy of office work resulting from the progress of the country and the introduction of a more modern system of administration. Rougher methods which would suffice in the case of a backward community are inadequate to meet the needs and the criticism of a more educated population. The evil cannot be removed by relaxing the control of the superior authorities over the District Officer, nor by any mere redistribution of work. Change of method must be accompanied by larger establishments. The following remedies suggest themselves:—

(i.) Reduction of the size of unwieldy districts. In Eastern Bengal the Mymensingh and Backarganj districts should be subdivided and possibly one or two more. No general reduction need be made if other measures for relieving District Officers are carried out.

(ii.) Enhanced powers should be delegated to Sub-Divisional Officers accompanied by an increase of their staff.

(iii.) More extensive powers should be devolved upon Deputy Collectors in charge of departments, and where necessary special officers on enhanced pay should be appointed to the charge of departments. Such officers should have the power of issuing orders on minor matters on their own authority and should submit under their own signature the annual and other reports through the District Officer. This would diminish the time the District Officer has to spend on the preparation of reports. An excellent suggestion is at present under consideration for appointing to each district a superintendent of excise who will stand towards the Collector in the same position as the Superintendent of Police. I recently made a proposal for the appointment in the Backarganj district of a special Deputy Collector with a local allowance to aid the Collector in the charge of Wards' estates. Similar expedients should be tried freely. For one thing they will form a useful and practical means of giving the natives of the country a more important share in the administration. The proposal involves some increase in the establishment of Deputy Collectors.

(iv.) The Collector should be relieved of such portions of his duties as do not assist him in maintaining control of the district and in keeping touch with his people. It would be an excellent thing if the Collector could be entirely relieved of the responsibility for treasury, accounts and stamps, both at headquarters and at sub-divisions. The Treasury Officer would then be the direct subordinate of the Accountant-General, and it would presumably be necessary to appoint inspecting officers of the Accountant-General's Department.

(v.) Sub-Divisional Officers should be appointed for *sadar* sub-divisions.

(vi.) In heavy districts the Collector might be given the services of a Deputy Collector or of a skilled office superintendent as his personal assistant.

(vii.) The quality of the ministerial staff might with advantage be improved. Many of the lower paid clerks are inefficient.

(viii.) More modern office arrangements might be introduced, the use of typewriters should be extended, and an efficient shorthand writer would be of great use to the Collector.

I am in favour of creating Advisory Councils to assist the District Officer. District Officers are at present in the habit of seeking the advice of influential persons on important subjects. They would be able to get better opinions from a discussion in a Council of the kind contemplated. Moreover, the institution of such a Council would help the District Officer to get into touch with the people and would secure his more intimate association with the leading men of the district. The Council should be constituted by election and nomination. Zamindars, Municipal and District and Local Boards, and local associations should elect members, and the District Officer should make a considerable proportion of nominations. In this manner he would gather the really influential and useful men of the district round him. For the present at any rate the Council should be merely advisory, and its responsibility should not be confined to definite subjects. The District Officer should be able to call on his Council for advice on any subject, and any member should also be able to suggest to the District Officer subjects for discussion.

20418. For a considerable part of your service you have been employed in the Secretariat of the Government of India. From March, 1895, until November, 1904, you were practically almost without a break engaged on duties connected with the Government of India or on special duties connected with their work?—That is so.

20419. Is there any rule in the Government of India Secretariat which governs the length of time which an officer may remain there?—There is no rule regulating the total time he may serve directly under the Government of India, though there are rules regulating the period which he can spend in any particular appointment. They vary from department to department. The Deputy and Under-Secretaries in the Home Department may only occupy those posts for three years, and all Secretaries to the Government of India now hold their appointments in the first instance for three years only, but the time may be extended if the Governor-General wishes.

20420. But there is no rule requiring officers in the Government of India Secretariat to return to provincial duty after the appointment to which they were first sent has terminated?—Not that I am aware of.

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20421. You have been Private Secretary to the Viceroy?—Yes.

20422. And there is no rule likely to have been made of which you are not cognizant?—No, unless it has been made since the end of 1905.

20423. Is it a good system by which a man may serve for many years consecutively in the Government of India Secretariat without returning to district and provincial work?—It is difficult to lay down any general rule; it would depend on the individual case. Speaking personally, I should have been very glad to have had two or three years' experience as a District Officer; on the other hand, I should have been very sorry to have missed any of the experience which I have had.

20424. Do you think an officer would be more valuable if, in intervals of Secretariat work, he gained provincial experience?—On the whole, yes; and that would especially be the case if his experience with the Government of India were confined. On the other hand, general experience in the Government of India brings an officer into touch with the wider aspects of administration.

20425. From a central point of view, but not from a local point of view?—Except in so far as the central includes the local.

20426. Is it not desirable that any one who has to administer from the centre should know as much as possible about the extremes of Government?—Yes.

20427. Are you of opinion that the financial restrictions upon provincial Governments are somewhat narrower and more rigid than they are in administrative respects, and that they could be advantageously relaxed?—Yes.

20428. In what particulars?—In making appointments and in dealing with the emoluments of individual officers, and also in regard to general schemes the cost of which may exceed certain amounts.

20429. With regard to such schemes, did the Finance Department in your time look very closely into the details of provincial expenditure?—Yes.

20430. Do you know whether that examination has been relaxed since then?—I should say that it is less stringent now than it was eight or nine years ago.

20431. Would you suggest that it was harmful then?—A great deal of unnecessary delay and work was caused; on the other hand resources were much more restricted in those days than they are now.

20432. And therefore the system required some scrutiny?—Yes, but it got more than it required.

20433. It would be well to give the provincial Governments a much freer hand with regard to details?—Yes, a considerably freer hand.

20434. What would you say with regard to administrative matters?—A scrutiny of the detailed regulations would show individual points with respect to which control might be slackened.

20435. Is the control principally and necessarily from the financial point of view?—Yes, the detailed control.

20436. In questions of administration should the Government of India not merely lay down an outline of policy, but descend even to administrative details?—Yes, in so far as they are sufficiently important to materially affect the policy. It is so difficult to draw a line between the two, but they certainly should not descend too low.

20437. To take the case of whether a Local Government, apart from financial considerations, should or should not have a District Superintendent of Police at a particular station, what would you say?—Apart from the financial point of view, that ought to be decided by the Local Government. It would come up as a financial question.

20438. Can you give an example of a case of detail in which the Government of India should exercise administrative control?—If a Local Government wishes to start a large Engineering College, for instance, it ought to refer to the Government of India before doing so, apart from the financial question.

20439. Why should such a reference be made quite apart from the question of cost?—Because of the importance of the event upon the general policy of administration.

20440. Would you not give a Government which controls the area of, say, Eastern Bengal, and which is responsible for the administration, freedom to put up a College or not, as it liked?—No.

20441. It is probable that a Colonial Government would have to make a reference to the Home Government, apart from cost, as to the desirability or not of establishing a college either for engineering or education?—I do not think one can accept the analogy between the relations of a Colonial Government and the Secretary of State, and the relations of a provincial Government and the Government of India.

20442. You think that provincial Governments are subordinate, and ought to be subordinate?—Yes.

20443. Are you of opinion that the Home Department particularly is not only not restrictive, but is stimulating and encouraging to Local Governments?—Yes.

20444. Can you give a concrete example of that?—My answer lies in my reply to the question where the initiative of reform lies of recent years, and that is certainly with the Government of India.

20445. You point particularly to the policy of the Government of India with regard to sanitation, police, jails, and lunatic asylums?—Yes, I have dealt with one particular department, but in other departments one can point to the same thing. The whole of the present administration of India would be on a very much lower level if it had been left to the subordinate Governments in India.

20446. Can you give any opinion as to whether or not the provincial Governments have not taken the initiative, simply because they were under the more or less rigid control of the Government of India?—I think not. There is a tendency for a Local Government to become satisfied with the existing conditions of its administration.

20447. And to look to the Central Government to pull them up, if necessary?—Yes.

20448. In the Home Department did you see a great deal of work of the Inspector and Directors-General?—Yes.

20449. Do you think, on the whole, that that work has been good?—Yes, admirable.

20450. Has there been any tendency to encourage administration by Inspectors-General?—No, I do not think so—I have not noticed it.

20451. Do you think that the functions of Directors-General should be to give expert advice?—Yes, primarily to the Government of India, but also to the Local Governments. To the latter it should be given in an unofficial manner, and rather by conversation and visits, *i.e.*, indirect communication with the Lieutenant-Governor and his Secretary.

20452. Is that done?—Yes.

20453. Does your experience in the Home Department enable you to say that?—Yes. I might mention that the duties of the Sanitary Commissioner as they were laid down by a letter of the Government of India are as follows:—

(1) To work out a practical scheme for the reorganisation of the Sanitary Department throughout India on modern lines.

(2) To stimulate Provincial Sanitary Commissioners to take up the question of village sanitation, in respect of such matters as the building of model villages, the improvement of the water-supply and the removal of refuse.

(3) To acquaint himself with the problems of hygiene in the larger cities and to enable a survey of all their sanitary requirements to be gradually made.

(4) To study the conditions of epidemic diseases and to advise on their prevention.

(5) To supervise the vaccination system and to endeavour to improve the training of vaccinators and the supply of lymph.

(6) To direct and to co-ordinate the activities of bacteriological laboratories with reference to a definite programme.

(7) To arrange for researches into fever and dysentery in jails.

(8) To consider the improvement of vital registration.

(9) To promote the teaching of hygiene in medical colleges, vernacular medical schools, and general education.

(10) To spend a sufficient time in touring to acquaint himself with the local conditions of the various provinces, the executive agency available for reforms, and the requirements of the various commercial interests.

20454. Taking that as a concrete example does the Sanitary Commissioner having gone round and seen what he wants to see, make suggestions direct to the Local Government, or does he make them from the Home Department?—He makes them both from the Home Department and direct to the Local Government on the spot and to the local Sanitary Commissioner.

20455. Does that in any way impair the freedom of the local Sanitary Commissioner?—On the contrary, it gives him greater freedom because it supports him; he says: "The Sanitary Commissioner has been round and told us that these things must be done."

20456. And that enables him to stir up the provincial Government whether they like it or not?—Presumably they do like it.

20457. Assuming they do not like it?—Then they may say they will not do it.

20458. And that does not interfere unduly with the Local Government?—I do not think it does.

20459. With regard to your statement that more power and direct authority should be given to Commissioners and that the various legislative Acts take little account of Commissioners, are those the legislative Acts of the Government of India?—I was thinking of both; I had specially in mind the Municipal and Local Board Acts of the local Legislature.

20460. Is it then due to the provincial Government, if the position of the Commissioners has been weakened of late years?—I do not think it has been weakened of late years, but the position has never been sufficiently defined. I would not put the responsibility for that specially on the Local Government.

20461. In that matter both the Government of India and the provincial Governments are to blame?—I should say so.

20462. You have been quite lately a Commissioner. Do you think that your powers were equal to your nominal responsibility?—No, I think not. In a very large proportion of cases you receive the proposals of the Collector, you sift them and consider them, and you can do nothing more. You send them on to the Government or to the Board of Revenue. If you do this well your opinion prevails and your recommendations are carried out. But in a number of cases the reference should not be required, and the Commissioner should be authorised to pass the final orders, but there are a proportion of cases which might stop before that.

20463. Have you ever held a Conference with your Collectors?—I never did so, but it would be a very sound thing to do.

20464. At which you might perhaps be able to sketch out what you thought would be a good policy for the division and get them to carry it out?—Yes.

20465. It would save you a lot of references and would be the means of giving them sound advice first hand?—Yes.

20466. Do you think the powers of District Officers are fairly wide?—Yes, the administration is based on the District Officer, and the Commissioner's position in relation to him has never been fully worked out.

20467. Is it rightly based on the position of the District Officer?—Yes.

20468. Ought the District Officers to be selected with greater care?—One could not conceive a system under which a considerable proportion of the Joint-Magistrates did not become Collectors.

20469. But if you found after five or six years' probation a man was not suitable?—Then you should send him away. It would not be possible to keep a man throughout his service on the pay and status of a Joint-Magistrate, because he would be utterly discontented and do bad work, and he would retire on a pension higher than his pay.

20470. Would it be possible to have a probationary period for Imperial Civil Servants?—I think that is largely a question of recruitment, *i.e.*, whether it would be possible to secure men if a probationary period were imposed.

20471. Would it be desirable from an administrative point of view?—If it did not affect recruitment, yes.

20472. For what time would you fix the probationary period?—I should make it as long as five years—again, if it did not affect recruitment.

20473. At all events selection, if it is to be made, might well begin at Collectors?—Yes; that is the present rule; a Civilian is entitled to go up to the top of the Joint-Magistrates, but he is not entitled to get a district.

20474. Is selection ever exercised in the case of Assistant Collectors?—Practically never; it could hardly be so.

20475. Would you like, while not extending the powers of the District Officer very much, to give more power to Sub-Divisional Officers and Assistant Collectors and Deputy Collectors?—Yes.

20476. Are the Deputy Collectors on the whole satisfactory officers?—Yes.

20477. Can you tell me whether during the period which lapsed between the time you first went to the Secretariat of the Government of India and your return to district work, you noticed any change in the class of Deputy Collectors?—As far as there is any change it is certainly for the better; there is a constant and gradual improvement.

20478. Therefore some extension of powers might reasonably and properly be given them?—Yes.

20479. Some suggestion had been made that the size of districts is too large; do you hold that view?—With the present system a good many of them are too large; if the duties of the Collector are altered so as to lessen his work then I think only a small number of the districts in this province are too large.

20480. Do you think the proposals which you make would really relieve the Collector of any considerable portion of his work?—Yes, provided that his immediate subordinates, or the best of them, are better paid and are well qualified to be his specialist advisers. The District Officer ought to be surrounded by a group of subordinates each a thoroughly good man in his own department. His educational adviser ought to be a far better man than is now available; the Superintendent of Police, the Superintendent of Excise, the Wards officer, the officer for Government estates and so forth should each be capable of disposing finally of a good deal of the ordinary work of his department.

20481. Who is the educational assistant of the District Officer?—The deputy inspector; he is an Indian of insufficient status. In some departments

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there has been a departure from the district as the unit and that dislocates the administration; there ought to be an officer of the status of inspector for the control of education in each district—either an officer of the Indian Educational Service recruited in England, or one of the best Indians you can get on the pay that would secure him.

20482. A District Officer stated yesterday that his Educational Officer was one hundred miles away from him at Dacca, and that he had got in his district something like 2,700 schools; is that a sound state of things?—That is a bad system. There is only one inspector for the division and the man on the spot, the deputy inspector, is not of sufficient calibre to do the work satisfactorily.

20483. Do you particularly suggest that the powers of Commissioners in respect of the Court of Wards are inadequate?—Yes.

20484. Does that refer to sanctioning expenditure?—Yes, that is one instance. I refer, however, to all matters connected with the management of Wards estates. The Collector himself in the case of Court of Wards estates is the first controlling authority; the manager under the Collector is the Executive Officer. The Collector controls in the first instance, the Commissioner in the second instance, the Board in the third instance, and the Government in the fourth instance.

20485. I understand the manager outside his budget has no power to spend any money?—No.

20486. The Collector has power to spend up to Rs. 100, and the Commissioner has power to spend up to Rs. 500?—That is so. The Collector has more extensive powers in estates with a demand of less than a lakh of rupees.

20487. Is that a totally inadequate discretion?—Quite inadequate; the practical effect of it in the Dacca Division is that the amount of correspondence in Court of Wards estates matters is altogether out of proportion to the importance of the department.

20488. You would like to see better men in your office. Are the suggestions which you make such as a better class of clerks, shorthand-writers, typewriters and so on, going to entail greater expenditure, or will there be some reduction of the clerical staff corresponding with a decrease in the amount of correspondence?—Some reduction would be possible, but not commensurate with the expense of the improvement.

20489. A devolution of power and responsibility will lead to increased expenditure?—Yes. It is not so much devolution, as the creation of a staff able to cope with the increase of work.

20490. Then you want not merely to devolve, but also to tighten up the administration?—Yes. The point raised was that the District Officer had lost touch with the people, and in that unfortunately there is a considerable measure of truth, the reason being that work has increased so much that he is no longer able to do it. I am afraid, that without considerable addition to expenditure, his burden cannot be lightened.

20491. But if you prevent the necessity of the Deputy Collector corresponding with the Collector, and the Collector corresponding with the Commissioner, and the Commissioner corresponding with the Local Government, will you not reduce the necessity for some of the clerical staff?—Some of it, yes; but if the subject is worked out in detail, I do not think we shall find any great reduction in expenditure.

20492. You are in favour of Advisory Councils. and want to see them constituted partly by election and partly by nomination?—Yes.

20493. Of what size should they be?—It would depend largely on the circumstances of the district. I would contemplate a Council of something like 15 or 20.

20494. Would you make it compulsory upon the District Officer to summon the Council and to take the members into consultation?—Yes, but I would not work it on very rigid rules.

20495. Would he consult some of them for one purpose and some of them for another purpose?—Yes.

20496. He would not necessarily call them all together at the same time and at one place, but there would be a list in existence upon which names would be placed and particular members would be consulted occasionally, as circumstances required?—Yes, and occasionally he would meet them all together.

20497. (*Sir Frederic Lely.*) Generally has not the natural effect of the system which has hitherto existed been to discourage initiative in Local Governments?—I think not.

20498. Would a Local Government that proposed to organise a new departure in any particular branch of administration have much chance of getting it accepted without infinite worry and argument?—I think it would; they do not very often try.

20499. Does not the existing state of things rather discourage them from trying?—I should not have thought so.

20500. In regard to the functions of an Advisory Council, the duties of the Collector are mainly, first, to supply information and opinions to the Local Government, and secondly, to carry out the orders of the Local Government and to keep the peace of the district generally?—Yes.

20501. In which of those functions do you propose the Advisory Council should assist him?—In both.

20502. Would you have him go to the Advisory Council to ask in what way he should reply to a reference from Government for information?—Yes, as one does at the present time; by questioning individuals.

20503. Supposing the Collector did not agree with the opinions he received, what would he do?—He would state what the opinions were and his reason for disagreeing.

20504. Would he state his own opinions and merely forward the opinions he had received with them?—Yes, just as he does at the present time, when he has asked to advise on some matter.

20505. Then when you say you would have an Advisory Council to assist the Collector, you mean an Advisory Council to the Government?—It would assist the Collector in the advice he gives to the Government.

20506. But do you mean he would be likely to modify his opinions by the opinions of a few leading men whom he might gather together?—Yes, it would be quite likely.

20507. Supposing a Collector was of opinion that certain immediate action was necessary, he would have to act on his own responsibility at once?—Of course in a crisis he has to act at once, but there are many cases in which he takes the initiative which are not urgent.

20508. In most cases he has got to take the initiative promptly, but has the general orders of the Government to guide him?—On principle but not on local details. I can quite conceive that a Collector might consider that a new high school was desirable, and that he would call the principal people of his district together and find out if they were prepared to support such an institution and to get their advice.

20509. Taking a case like that would you have him call the Council together and act on their opinion?—He would act or not on their opinion, as he pleased.

20510. But he would be affected by that opinion?—Quite so.

20511. Do you not think that would tend to sap his responsibility?—I do not think it would in the least affect his responsibility.

20512. But supposing he was a weak man and made a mistake, would he not be able to shield himself under the opinion of the Council?—I do not think any one would regard that as an excuse.

20513. But is it not an excuse that a weak man would put forward?—If he put it forward, I think it would only more abundantly show his weakness.

20514. (*Mr. Dutt.*) You recommend greater freedom in matters of appointment to Local Governments than the existing rules allow? The India Government itself is bound by certain rules in matters of appointments, and their powers are limited by the Secretary of State. Do you suggest that the Local Governments should have the same powers as the Government of India has in reference to appointments?—Previously they had very much the same powers, but the powers of the Government of India have recently been considerably enlarged. The powers of Local Governments should now be correspondingly enlarged.

20515. In recommending that more direct authority should be given to Commissioners of divisions, do you mean that they should have more voice in the control of the work in their divisions?—At present a Commissioner has an important voice in the control of the work, but he ought to be able to give the final order in a larger proportion of the cases.

20516. Taking the Public Works Department, would you suggest that there should be divisional budgets?—I should not be in favour of decentralizing finance to the divisions to any considerable extent because it would create confusion.

20517. At present is there an Executive Engineer in each division of Eastern Bengal?—Yes, and that is quite an inadequate arrangement.

20518. Would you suggest that in all matters, excepting merely technical matters, the Executive Engineer should work under the control, or under the orders of the Divisional Commissioner?—I think for ordinary work he should work under the control of the District Magistrate. I would rather have a system under which there were District Engineers under the control of the District Magistrates, and that the Commissioner should exercise his authority through the Magistrate and not directly.

20519. At present there is a deputy inspector of schools in every district, and an inspector in every division?—There are several deputy inspectors in some districts.

20520. Would you propose that inspectors of schools should, except in purely departmental matters, act in consultation with the Commissioner in matters of education within the division?—Yes, and again I should be inclined to think that the preferable course would be to have an officer of the status of inspector advising the District Magistrate and that the Commissioner should control through the District Magistrate. I think the more intact you can keep the territorial system the better.

20521. Is the control of the Commissioner over the police work in his division sufficient?—I think so, he is able to give an order to the District Magistrate on any point.

20522. Would you think it desirable that in matters of promotion and punishment and transfer of police officers up to the rank of sub-inspectors and inspectors the Commissioner should have some voice?—That might possibly be sound, but as far as possible, I am in favour of the District Magistrate performing these functions under the control of the Commissioner. I mean that the power should be vested in the District Magistrate subject to an appeal to the Commissioner, but there may be cases which now go to the Government which might go to the Commissioner in place of the Government.

20523. Could some control over the excise administration of a division be safely vested in the Commissioner?—Yes, but I do not think excise is a matter in which it is desirable that he should take any detailed part, because there is a Commissioner of Excise who to a large extent takes the place of the Divisional Commissioner. There may be some danger of overburdening the appointment of Commissioner in the same way that the Collector has been overburdened, and one must guard against that.

20524. In what way would you give more direct authority to the Commissioner?—In delegating to him a large portion of the functions of Government under the Municipal Act, the Court of Wards Act, and so forth.

20525. But in the other departments I have mentioned you would rather the Commissioner exercised his powers through the District Magistrate?—In all cases, if possible, but he should have more extensive powers to give orders to the District Officer.

20526. The Board of Revenue has certain statutory powers in the matter of appeals, and they deal with a vast amount of revenue matters which do not fall under the Statutes. Could those matters to a certain extent be delegated?—Yes.

20527. In that case should the members of the Board of Revenue be vested with powers to advise the Head of the Government in matters of general administration, apart from revenue?—I have not had very much opportunity of watching the working between the Board of Revenue and the Government, but I can conceive that that might be sound.

20528. Supposing the work in revenue matters was lightened, would you suggest that the members of the Board should be colleagues of the Lieutenant-Governor, in fact Members of an Executive Council as in Madras and Bombay, besides exercising the powers of the Board in those matters as to which they have power under Statute?—I think they ought not to have anything like the status of the Council of Madras or Bombay.

20529. Would you leave the Lieutenant-Governor power to act on his own responsibility?—Yes, I would in no way lessen his responsibility.

20530. Consistently with that, would you make over certain departments to the Board of Revenue, leaving certain departments with the Lieutenant-Governor himself, making the same sort of division of work as exists in Madras and Bombay?—No, I do not think that would be sound.

20531. Would you keep them only as members of the Board of Revenue and allow them no hand in general administration?—Yes, except it should be open, as it is at present, to the Lieutenant-Governor to take their advice on any point. I would not bring them in as a definite step in the ladder, nor as colleagues.

20532. I understand that at present the Lieutenant-Governor takes their advice only as to revenue matters?—I imagine he takes their general advice on all difficult questions in which he thinks they would be able to help him.

20533. Do you recommend that the Superintendent of Excise should be a kind of subordinate to the Collector as the Superintendent of Police now is?—Yes.

20534. And therefore that the Collector should have larger control over the excise administration in his district than he has now?—I think that the principal Excise Officer of a district should be an officer of considerably higher status than he is at present, and that he should primarily exercise control over excise matters in the district. The Collector should exercise control through him by giving orders to him on general points.

20535. So that they would always act in consultation in regard to excise matters?—Yes, and it would give the Collector probably better control with less work.

20536. With regard to education you have already said that you would like to have a better officer in each district than the present deputy inspector; besides that, would you like to vest in the Collector greater control over educational matters in his own district?—His control is exercised in the first place as Chairman of the District Board, and in regard to secondary education he is required to initiate, stimulate, and advise. He has no direct power, and I would not give it him except in so far as he is Chairman of the committee of the district high school; his present duties, if he carries them out satisfactorily, give him a great deal of influence.

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20537. With regard to Sub-Divisional Officers, you think that more work should be given them. Would you have to provide them then with more Sub-Deputy Collectors?—Yes, otherwise you will tie them to headquarters.

20538. In that way you would distribute a lot of revenue work that is now done at headquarters amongst the different sub-divisions?—Yes, to some extent.

20539. Would you keep these Sub-Deputy Collectors at the headquarters of the sub-division, or would you give them independent charge of smaller circles than a sub-division?—I am hardly prepared to say. It would be necessary to retain one man at headquarters to help to look after the treasury and other headquarter business, but it is possible that the sub-division might be divided into two or three circles with subordinate Magistrates exercising magisterial and police powers and possibly acting as *khas mahal* tahsildars. I think the experiment would be worth trying tentatively.

20540. And if it was successful, would it bring the administration into closer touch with the people?—I think it would; it would give the Sub-Divisional Officer and the District Officer other channels of communicating with the people. That is very desirable; we suffer from the want of it in Bengal.

20541. You are against an extension of the right of appeal. Is the present right of appeal unlimited?—No.

20542. There is a Bengal circular dated May 25th, 1905, on the point, which clearly lays down and defines the right of appeal?—Yes.

20543. You would not like to restrict the right of appeal any further?—I think not.

20544. Do you think the present right of appeal enjoyed by Government officers gives them a sense of security in their posts?—Yes, I regard it as a very important matter. The tone of the Service depends largely upon the security that officers feel that they cannot be dealt with harshly or unjustly. One has known of instances when it has been necessary that the right should be exercised.

20545. Would you expect a Collector to consult his Advisory Council in such matters as the development of industries in his district?—Certainly.

20546. Or in carrying out plague relief measures?—Yes, and undoubtedly he would be able to render his measures more helpful to the people by thus working through them.

20547. And with regard to famine relief operations?—Yes.

20548. Would it enable him to explain to the people better the views and policy of the Government in important matters?—I think it would. I can quite see the point that it would be dangerous to fetter his initiative in cases where he has to act quickly. I would leave him perfectly unfettered.

20549. But in those matters in which he thinks he can with advantage ask their co-operation and advice, would you like the Collector to act with them?—I should, and it would add to his control over the administration.

20550. Would you also allow any member of an Advisory Council to suggest subjects for discussion to the District Officer?—Yes.

20551. If the people of any district or any part of a district felt strongly on any point, would you allow any member to bring the matter before the Council for discussion?—Yes, I should leave it open to the District Magistrate to say, "This would be unwise, I do not think the Government would like discussion on this point at the present moment because it would create difficulty"; but if there was no objection he should allow it to be discussed.

20552. And in that way the administration of the district would be very much more in touch with the people and their requirements?—I think it would be a very sound experiment.

20553. (*Mr. Hichens.*) Would you have the members of these Advisory Councils formally appointed and gazetted?—Yes. I think by the Government.

20554. Therefore you would have it publicly known that they were, so to speak, a *quasi*-official body?—Yes.

20555. Have you had any practical experience of Advisory Councils?—No.

20556. Would you say that a body of that sort when appointed would feel that it was collectively representative of the people in the sense that it was there to look after the interests of the general public?—Yes.

20557. Might there not *a priori* be a certain tendency on their part to play to the gallery?—Yes, except that the proceedings would not be public.

20558. Their opinions might not be published, but at the same time you could not prevent their explaining to other people what they had said?—Of course not.

20559. And you could not prevent them holding a public meeting and explaining what they had done?—I did not contemplate their holding a public meeting to explain what they had done.

20560. In that case, supposing questions of real importance which interested the people came up for discussion, would there not be a tendency that the members might play to the gallery?—Yes, I can conceive that individual members might do so.

20561. They would have no responsibility of their own?—No.

20562. Therefore it would be a natural temptation to them, as they have no responsibility for carrying anything out, to give advice and make recommendations which they thought would be most acceptable in the popular opinion regardless of the requirements of the Government?—I can conceive that that might occur, but it is putting it on a very low plane to assume that it would be the general tendency.

20563. Are not the chances that it might grow into something more formal?—It might eventually.

20564. Would there not be tendency for an Advisory Council gradually to insist more and more upon its opinions being carried out, and gradually to resent it more and more if its opinions were not carried out?—Judging from one's experience of this part of the country, I do not think that the danger would arise for a considerable time. I should not regard it as a danger.

20565. Has the number of appeals been restricted by an order issued some time ago?—As far as I know the Bengal orders referred to rather formulated the existing practice; I am not aware that they created a change in the system; they only apply to lower officials; other officers are governed by rules of the Government of India.

20566. With regard to the Board of Revenue, why do you think Mr. Dutt's suggestion would be undesirable?—I think the personal rule of the Lieutenant-Governor is a very strong factor.

20567. Is personal rule in a province like Eastern Bengal very important?—I think it has greater initiative.

20568. Do you mean that the Lieutenant-Governor could carry out his opinions more quickly and get his own way better?—Yes, and that the administration will be more stamped with individuality.

20569. Would that apply to a weak Lieutenant-Governor? I suppose there would be the same scope for him?—Yes, but you are more likely to have strength with one man than with three.

20570. Is it an advantage to have a strong Lieutenant-Governor with strong opinions of his own, and that he should be able to carry them out?—Yes.

20571. How long are Lieutenant-Governors appointed for?—Five years.

20572. Then at the end of five years would it be an advantage to get a new Lieutenant-Governor with new ideas to reverse all that had been done before, and start with a clean slate?—I do not think that experience shews that that would be the case.

20573. I thought your reason for preferring the Lieutenant-Governor system was because you would get full scope for one man's views?—Yes, but probably two succeeding men would work on similar lines.

20574. I thought your object was to give them an opportunity of departing from those lines. Do you desire continuity or not?—To a reasonable degree, yes.

20575. With regard to the relations between the Government of India and the provincial Governments you stated that you thought, ordinarily speaking, the Government of India ought to deal with matters of principle, and that, as far as possible, Local Governments should deal with details, but you added it was very difficult in practice to say what a detail was, and that that must be left to be decided in each individual case, more or less?—Excepting in so far as it can be decided by regulation.

20576. Do you mean that the provincial Government is to have a certain amount of initiative?—Yes.

20577. You do not want them merely to do humdrum routine work, but you want them to have a certain amount of initiative of their own?—Yes.

20578. Will you give me an example of something which is not a detail on the lines you have suggested?—I said that starting a college was not a detail which should be left to the Local Government; I think that the establishment of a high school may be so left.

20579. How would you differentiate between the two?—In the particular case by their relative importance. The difference is not susceptible of general definition.

20580. In practice if a scheme of the sort you suggest with regard to a college came to the Indian Government, would they criticise the details of it?—Yes, especially the finance.

20581. Does that tend to promote initiative on the part of the provinces?—I think it promotes good colleges.

20582. It promotes good colleges but bad Government?—No, I think that good colleges represent good Government. If the Local Governments started their colleges without reference, the colleges themselves would be inferior to what they would be if established in counsel with the Government of India.

20583. Are the Educational Codes framed in the first instance by the provincial Governments and then sent to the Government of India for approval?—Not quite that; a considerable number of the orders they contain would in the course of their making have gone up to the Government of India, but the code would merely consist of a series of existing orders in a convenient form.

20584. Would any alteration of these codes have to go to the Government of India?—Not unless the change related to a matter which had to be referred to the Government of India.

20585. Would you think it necessary to go to the Government of India to alter a syllabus for example, for primary or secondary schools?—No.

20586. Or colleges?—That depends on the Universities.

20587. (*Mr. Meyer.*) From your experience of your contemporaries and officers who have served in the Imperial Secretariats, what does a man do after he has served his three years in the Secretariat?—A good many go back.

20588. So that there is always a stream; a kind of ebb and flow?—Yes, by far the larger number go back.

20589. In this country are there any real means of gauging public opinion?—That is a very large question.

20590. There are newspapers which profess to represent opinions of sorts, but I am speaking of the general opinion of the masses?—It is extremely difficult to ascertain it.

20591. For that reason might it not be necessary to impose larger restrictions on the freedom of a Government which must be to a large extent a bureaucracy?—I do not see how that affects the conditions as between the Government of India and the provincial Government.

20592. You have told us that you are in favour of the Lieutenant-Governor of a province acting himself. Might it not be desirable, under the particular conditions prevailing in India, that any large schemes of his should be subject to the test of outside criticism?—Yes.

20593. And a scheme perhaps might be more carefully thought out, and more satisfactorily arranged, if it was known that it had to run the gauntlet of the Government of India's criticism and the Secretary of State's criticism, than if a Lieutenant-Governor could enforce it straight away?—Yes, I agree.

20594. Do you think there is a risk in having a Government which is a one-man government, and that there might be large fluctuation of opinion?—I think it would be a greater risk than in the case of a three-man government.

20595. That again might justify some restrictions on the action of a one-man government which might not be applied to a Council Government?—Yes.

20596. During your work in the Finance Department did you have specially to deal at various stages with provincial settlements as between the Government of India and the Local Governments?—Yes.

20597. Do the present settlements differ in character from those previously made?—Yes. They are *quasi*-permanent.

20598. And apart from that are they much more liberal in their terms?—Yes, they have been drawn up on much more liberal lines.

20599. You have spoken of what you consider the unnecessary restrictions on Local Governments in the Finance Department; were not those restrictions largely imposed by the Secretary of State?—Yes, undoubtedly.

20600. Apart from the restrictions which the Secretary of State imposed, were the Government of India unnecessarily restrictive in dealing with Local Governments?—There was not formerly a very great margin between the restrictions imposed by the Secretary of State on the Government of India and those imposed by the Government of India on the Local Government, but there are some points in the Civil Service Regulations in which the Government of India have authority which they might delegate to the Local Governments.

20601. Taking the margin as it existed in the past, do you think the Government of India were unduly finicking in dealing with Local Governments?—I think they made the Local Governments go up to them in some cases that ought to have been left to the Local Government.

20602. But in cases which had to go up, was it so?—No, I do not think so; it may have been so formerly, but the policy has been changed within the last 8 or 9 years.

20603. Is that partly due, do you think, to the different character of the settlements?—Partly; it is partly due to greater financial prosperity, and partly to personal idiosyncracies.

20604. Have you known cases either in the Finance or Home Departments in which the Government of India were of opinion that the Local Government's action was not quite justified, but still said, "Let them do it"?—Certainly, often.

20605. Are cases in which the Local Governments have been overruled carefully considered?—Yes.

20606. Should provincial Governments have as free a hand as the Government of India in matters dealt with by the Civil Service Regulations, and would that include the travelling allowance regulations?—Yes, portions of them.

20607. And rules as to grants for house allowance and so forth?—Yes.

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20608. Do you mean that they should have quite a free hand, or that they should act upon certain general rules?—Certainly they should act upon general rules in all those matters; I would have the rules laid down as precisely as they can be.

20609. It has been suggested that when the Local Government differs from the Audit Officers as to the interpretation of some rule, the Local Government's opinion should prevail; are you in favour of that?—No, I am opposed to that. The action of the Audit Officer is a necessary check where there is a difference of opinion as to the meaning of a rule.

20610. In such cases should the Audit Officer be able to claim a reference to the central Government?—Undoubtedly.

20611. And the same thing would apply as between the Government of India and their Audit Officer?—Undoubtedly.

20612. Have there not been considerable remissions of taxation of late years, which have been popular and beneficial measures?—Yes.

20613. Could they have been carried out if, as has been suggested, the Government of India had had less funds at its disposal and more had been given to the provincial Governments?—Certainly not.

20614. Do you think the tendency of the provincial Governments would have been not to remit taxation, but to improve administration?—It must have been so.

20615. As regards education is there not one code which has been imposed for India uniformly, the European Schools Code?—Yes, I think it is necessary, because the conditions of teaching Europeans are very similar everywhere, and they are considerations which can be more readily dealt with by the Government of India than by Local Governments.

20616. Is not the result that a Local Government runs against some restriction which might not be applicable to its province, and that it has to come to the Government of India with regard to it?—I have not had that experience, if it is so. When I was acquainted with the working there was one code for northern India, another for Madras, and another for Bombay—there were three codes.

20617. Would it not have been sufficient for the Government of India to issue a general Resolution, or to lay down general principles, and let the Local Governments please themselves otherwise?—I do not think so as regards northern India because the schools are recruited from different provinces—they are not provincial institutions.

20618. It has been stated by some witnesses that the Government of India interfere with the Provincial and Subordinate *cadres* of the Educational Service, and with the appointment of officers; apart from the general financial rules are there any special restrictions which are imposed?—No, I think the reference must have been to the financial rules.

20619. Apart from financial rules is there anything to prevent a Lieutenant-Governor or a Governor-in-Council arranging his *cadre* as he likes?—Not in the least.

20620. Have you had any experience of medical work in your time?—Yes.

20621. Has not the Government of India taken over the appointment of Chemical Examiners?—Yes, and also with regard to Bacteriology.

20622. Were those measures necessary?—Yes, most necessary.

20623. There are a certain number of Bacteriological Institutes which are maintained by Local Governments. Would it be advisable to leave them as they are or to make them all Imperial Research Institutes?—I should be inclined to make them all imperial. They should all work under the general supervision of the Sanitary Commissioner in proper co-ordination.

20624. Would you be in favour of making Sanitary Commissioners and Deputy Sanitary Commissioners of Local Governments subject to appointment by the India Government?—There is a great deal to be said for it.

20625. So as to bring them more under the control of the Government of India?—No, because of the difficulty in selecting officers locally.

20626. If a Local Government can be entrusted with administration, is it not *primâ facie* fit to be entrusted with the various appointments?—Of course if they had a man in the province they might appoint him, but very probably the best man for the specialised post would be found elsewhere.

20627. You would desire the Local Governments to communicate with the Imperial Inspectors-General freely, but informally as far as possible?—Yes.

20628. Suppose a Local Government wants the advice of an Imperial Inspector-General, but he is at the other end of India, what would happen?—I should write to him demi-officially.

20629. And the Imperial Inspector-General should reply freely?—Yes, ordinarily the reference to the Imperial Officer would, perhaps, come better from the local Head of the Department.

20630. It has been put, as against that, that it would weaken the position of the Local Governments that their own officers should correspond behind their backs without their authority?—I do not think that is a serious objection.

20631. It has been suggested that cases which are habitually disposed of in the Government of India by a Secretary or Under-Secretary without going any higher might be put down as matters for delegation to the Local Government. Would that work?—On examination there would probably be found to be a number of cases in which it could be done.

20632. In such class of cases is there any uniform principle?—No; the number of cases which, as a matter of fact, do not go beyond the Deputy Secretary, is small.

20633. Cases do come up which are such plain sailing that the Secretary or the Deputy Secretary disposes of them, but, on the other hand, cases might come up which would be of such a character that he would have to refer them higher?—Yes, and it is very difficult to lay down a rule based on a class of cases.

20634. It has been suggested that it is an anomalous position that a Lieutenant-Governor, having as a Member of Council disposed of cases of importance, should afterwards have to refer like cases to his successor, it may be, in the Government of India, and that is not a correct position for him to occupy?—I do not think the feeling does, or should, exist.

20635. Taking his position in the Government of India, can a Member of Council dispose of really important matters by himself without reference to the Viceroy?—No.

20636. In regard to other matters, under the rules would he not have often to go to the Finance Department or some other department?—Yes.

20637. And in certain cases, apart from specific importance, is not the Viceroy's sanction necessary?—Yes.

20638. Therefore, the Member is not a one-man power in the Government of India?—Certainly not; I think one may take it that no matter of importance is ever decided by a Member himself.

20639. Therefore, when he becomes a one-man power in a province he is really stepping up and not down?—Yes.

20640. Complaint has been made that the Eastern Bengal *cadre* is insufficient; is that owing to a fault of the *cadre* itself normally constituted, or to the fact that the *cadre* is at present depleted?—The latter. It is owing to the creation of a certain number of new posts, and to the fact that there was an unduly low recruitment some time ago.

20641. Is not one of the main principles of the present system of recruitment not to remedy a deficiency or excess too fast?—Quite so. Otherwise it would hamper promotion, and you would have a stagnated Service.

20642. Therefore the defect will be remedied in time?—It is being remedied, and in two or three years it will be put right.

20643. After that has been done, will the province have any cause for complaint?—Two of the districts will still require to be sub-divided.

20644. But, speaking generally, is the provincial *cadre* unduly low?—It would not be lower than the normal except for the size of the districts.

20645. Are you satisfied with the recruitment system?—Yes.

20646. Have you in your experience had a good many appeals which are really of a petty character and involve waste of time to consider them?—I have had to deal with many petty appeals.

20647. Would you be in favour of anything which could be done, without affecting the general security of tenure of Government servants, to get rid of such appeals?—Yes, if it could be done.

20648. You said that the position of the Commissioner is unsatisfactory, and that there is no definition of it in many Acts?—Yes.

20649. Is that not largely due to the historical origin of a Commissionership?—Yes. The functions of a Commissioner have never been clearly defined, and that might be done.

20650. It has been suggested that a Commissioner is more or less a post office, and that he should be more of a Sub-Governor—would you be in favour of that?—That, of course, would be the effect of giving him definite powers to pass orders. I would give him more administrative control within his division.

20651. It has been suggested that he might have larger powers in the matter of appointments and posting, do you agree with that?—I think so.

20652. Sub-Deputy Collectors are appointed at present by the provincial Government?—Yes, they must always be appointed by the provincial Government.

20653. Would it not be possible to break them up into divisional *cadres*?—No, that would spoil the Service.

20654. As regards the posting of Deputy Collectors and Civilians below the rank of Collector, might that be made over to the Commissioner?—Yes, that ought to be done.

20655. Would you be in favour of giving the Commissioner power, subject to general conditions of fitness prescribed by the Local Governments, to invest officers with magisterial functions?—Yes.

20656. That would require an amendment of the Criminal Procedure Code?—Yes.

20657. Would you give them power with regard to land acquisition matters?—Yes.

20658. But you are not in favour of giving them budgets of their own?—No, but I would allow them to give sanction for provincial works up to a higher limit than they can now.

20659. A suggestion has been made that the provincial Public Works budget should be broken up, and that the Commissioner should have power to give sanction for buildings and less important irrigation works subject to some pecuniary limit; are you in favour of that?—I am not.

20660. Are you in favour of giving Commissioners any powers with regard to the creation of appointments?—I think that in the case of the menial staff on pay of less than Rs. 10 per mensem he might have powers, and also with regard to temporary appointments.

20661. Do you think that the appointment of a clerk on Rs. 15 should go to the Local Government?—Yes.

20662. For what period would you give the Commissioner power with regard to temporary appointments?—Two years.

20663. Would you be in favour, as has been suggested, of keeping the Civil Officers in a province as far as possible in the same divisions?—No, because I think they would get narrow.

20664. Does a man get more broad-minded by having to deal with administrative work under different conditions?—Yes, and life would be very unattractive if an officer remained all his time within a small area.

20665. Would you be prepared to have a general delegation which would give the Commissioner most of the powers now enjoyed by the Board of Revenue in Court of Wards matters?—Yes, most of the powers.

20666. Who should have power as regards the initial taking over of estates under management?—The Local Government. A limit might be fixed, below which the power to take over petty estates might be delegated.

20667. You are in favour of a preliminary period of probation for Civilians?—Subject to the proviso that it did not interfere with recruitment.

20668. Is it not possible that a man who does well, and even brilliantly, during his first five years, might go to pieces afterwards?—Yes.

20669. How would you deal with a case like that?—The officer would be degraded, but that would be likely to happen only in very exceptional cases.

20670. But take the case of a man who is known to be doing his best, and yet that best is so poor that the work suffers, and the interests of the State suffer; supposing he is in the position of a Collector of a district, or even in charge of a subdivision, would you be prepared to get rid of him?—The power would have to be exercised with the extremest care, but probably we are a little too tender in such cases now; on the other hand, it has to be remembered that if it were done at all frequently it would tend to spoil the Service.

20671. In the case of a province with a Lieutenant-Governor or a Chief Commissioner, would you leave this to be dealt with by the one officer?—No.

20672. Would you require a Committee to report first and then leave the Lieutenant-Governor to decide whether he agreed with the Committee?—That is a good suggestion.

20673. You advocate larger powers for a Commissioner in regard to local and municipal matters, but has not the Local Government delegated a great many functions to Commissioners already?—Not many, I think.

20674. A Commissioner has the power of passing budgets and dealing with administration reports?—Yes.

20675. Can he sanction municipal bye-laws?—No.

20676. Is it in matters like that that you want further powers given?—Yes.

20677. Do you desire that the Commissioner should have power to exercise all the functions of outside control where necessary instead of the Local Government?—Not all of them, but the majority of them.

20678. Would you except, for instance, the suspension of a municipality or the creation of a fresh one?—Yes.

20679. Would you apply the delegation of functions universally?—I think you would have to except very large municipalities.

20680. Would you be prepared to adopt any population limit?—No, I should leave that to be decided on the merits.

20681. Are you familiar with the Bombay system in which some municipalities are declared City municipalities, in regard to which the Government acts, and others in regard to which the Commissioners act?—Yes.

20682. Would you be in favour of a policy of that sort?—Yes.

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20683. Leaving what is to be a City municipality and what is not a City municipality to the discretion of the Local Government concerned?—Yes.

20684. Have Superintendents of Excise been appointed yet?—I do not think so—the question was under consideration recently.

20685. They will replace the Deputy Collectors who previously did Excise work in the districts?—Yes.

20686. You are in favour of giving considerably larger powers to Sub-Deputy Collectors. Are their powers at present mainly magisterial?—Yes.

20687. Do you want to make them Magisterial and Revenue Officers?—Yes; I think in any particular branch of revenue it would have to be carefully considered whether the work would be more suitably done by a Deputy Collector at headquarters or by a Sub-Divisional Officer.

20688. Other things being equal, would you be in favour of the territorial system?—Yes.

20689. Can a Sub-Divisional Magistrate, assuming he is a First Class Magistrate, hear appeals?—No, that has to be done at headquarters, but I would allow him to do it.

20690. Speaking generally, would you divide a district into sub-divisions each in charge of a Sub-Divisional Officer?—Yes.

20691. Do you think the Madras system could be adopted here?—Yes, excepting that there are various revenue branches in regard to which it would not be suitable.

20692. Are your Deputy Collectors, and your junior Civilians to any extent doing work which a Sub-Deputy Collector might just as well do?—Yes, I think so.

2093. In regard to magisterial work, do they try a good many second and third class cases which might go to the Sub-Deputy Collector?—As soon as an officer is qualified he is given first class powers. First Class Magistrates do try a good many cases which might be tried by a lower Magistrate.

20694. Is it not a waste of power to have a First Class Magistrate trying second and third class cases as a rule?—Yes, quite so.

20695. When you spoke of relieving Collectors from treasury work, did you mean that you would dissociate them absolutely from responsibility for the treasury?—Yes, as far as possible; I take it there would have to be some slight control.

20696. You have many lakhs of rupees in the treasury sometimes. Do you think it would be right to leave those to the entire charge of the Deputy Collector?—Yes, it would be possible.

20697. Is it not desirable that the Collector should have the pecuniary responsibility for the treasury?—I think not.

20698. He does not do much in the way of treasury detail?—Not much, but what he does do takes up an appreciable portion of his time.

20699. He counts the balances every now and then?—Yes; the rules laid down for him to follow in the Treasury Manual give him a great deal to do. Much of this is done without due care, and that weakens the responsibility of the Treasury Officer.

20700. Are you prepared to release the Collector from the obligation of verifying the treasury balances?—Yes.

20701. Will they be equally secure if he has nothing to do with them?—Yes.

20702. Are you aware of the system of a double key for the currency chests, the Treasury Officer having one and the Collector the other?—Yes.

20703. Would you be prepared to relax that system?—No, I would still have the two keys.

20704. If you eliminated the Collector who would the second key-holder be?—It might still be the Collector—it is the mere custody of a key; or if there is a Joint-Magistrate he would be a very suitable person, or even an Assistant Magistrate.

20705. The Collector passes a number of bills, which the Treasury Deputy checks?—Yes.

20706. Supposing the Treasury Officer is not in any way subordinate to the Collector, might there not be more rigidity and more delay with regard to the passing of bills?—I do not think so, if the department were well run.

20707. It has been suggested that Collectors may have special grants within limits for special contingent expenditure, and for making temporary appointments when work is more than ordinarily heavy; would you be in favour of that?—Yes.

20708. What is the division of work between the Government and the Local Boards with regard to primary education?—In Bengal the Act throws on the Boards the functions of construction and repair of school buildings, the appointment of masters and assistant masters and the payment of salaries. Then the rules of the Local Government confer on the Board the power of deciding, subject to the sanction of the Board, where a new school shall be opened and the manner in which accommodation shall be provided, the transferring or closing of existing schools, fixing the classes and other things.

20709. But all that refers to schools directly maintained by the Board. It has been stated that in Eastern Bengal the Boards act mainly by aiding schools?—Yes.

20710. Do those rules apply to direct Board schools, or to aided schools?—It applies to the Board schools.

20711. In this province are the schools which the Boards pay for mainly direct Board schools, or what are they?—They are mainly aided.

20712. With regard to the aided schools, would it be correct to say that the officers of the Education Department pick out the schools which are to be aided and specify the conditions under which they are to be aided, or have the Board any discretion in these matters?—The Boards have discretion.

20713. Can the Board pick out particular schools and say: "We will aid this school and not the rest"?—Yes.

20714. Taking a dozen schools of the same type in different areas, can the Board pick out three schools and say: "We will help these schools and not trouble about the rest"?—Yes, I think they can do that.

20715. Even though the Educational Officer was in favour of aiding the lot?—Yes.

20716. As Commissioner you have to deal with the budgets of Local Boards and municipalities? Do the Heads of Departments, the Director of Public Instruction, the Sanitary Commissioner and the rest of them have an opportunity of stating whether they think that a District Board's allotment for education and sanitation is sufficient?—Yes.

20717. Is that representation made to you as Commissioner?—The Director of Public Instruction reports, but I do not think the others do.

20718. Suppose the Director of Public Instruction considers a Board's allotment is not sufficient, what would you do?—I should write to the Board and point it out, or if I thought there was any doubt about it, I should call for further information.

20719. But if you were convinced that the Board had a reasonable excuse for not spending more and that the Director of Public Instruction was unreasonable, would you have the final decision?—I should refer to Government.

20720. You would overrule the Board on your own responsibility, but you would not overrule the Director of Public Instruction without going to Government?—Yes.

20721. Does the Sanitary Commissioner not apply to you at all?—I do not think he does.

20722. Are you in favour of giving larger powers to Local Boards as opposed to District Boards?—No, I think they have powers enough.

20723. We have heard a good deal with regard to the paucity of the engineering establishment in this province; would you be in favour of utilising the District Board Engineer for Government works?—Yes.

20724. In fact that used to be done?—It was.

20725. Why was the practice discontinued?—I cannot say. I would place him for that purpose under the District Magistrate.

20726. It has also been suggested that it would be desirable to dissociate the Collector from the Chairmanship of the District Board. Have you any views on that point?—I think that would be a mistake. The control of the Collector over the executive work of the Boards is essential, and the work would be very greatly neglected if he were dissociated from the Board.

20727. Do you think in the first place that the Collector can do the work better than any non-official or other Chairman?—Yes, unless it be a very highly paid Chairman.

20728. From the point of view of the Collector would it be desirable to dissociate him from the Board?—It would be undesirable. It is very important that he should keep in touch with the whole working of the district.

20729. Are you aware of the system which has been adopted in the Bengal Secretariat as to its relation with the Board of Revenue?—Yes.

20730. Would you be in favour of that system being adopted here?—Yes.

20731. (*Sir Steyning Edgerley.*) You left the Government of India Secretariat in 1904, having been there for almost ten years?—Yes.

20732. So that what you say with regard to Inspectors-General is really your opinion as to what you think should be the case, rather than your experience of what actually is the case?—Yes, as regards provincial experience except in so far as I have talked the matter over with provincial officers.

20733. Have you since had to try and get big schemes through from a provincial stand-point?—Yes, I am concerned in one or two now.

20734. When you left the Home Department had the work of the Sanitary Commissioner been begun?—His work had started before I left the Private Secretaryship in November, 1905.

20735. Had the work of the Director-General of Criminal Intelligence been begun?—It had been begun but it had not gone far.

20736. Are the instructions to which you refer relating to the duties of the Sanitary Commissioner contained in any published Resolution?—They were contained in a letter of the Government of India.

20737. To the Sanitary Commissioner?—They are given in a Home Department letter of October, 1904.

20738. The Resolution of the Government of India which was published to Local Governments was dated September, 1904?—Yes.

20739. Supposing you had sent up a big scheme of police re-organisation, and had had to wait some 13 months for the opinion of the Government of India upon it, and then they objected to the placing of police in certain places in the Presidency or altered the grade of an officer suggested for a particular place from inspector to sub-inspector and so on, would you consider that to be going too much into detail?—If I had waited for a very long time and then received an inadequate reply on points of detail, I should think so.

20740. It might retard progress in getting a scheme carried through?—If treated in that way it might.

20741. Supposing you sent up proposals for the policing of a Presidency, and after seven or eight months you got a reply asking for a full explanation as to the duties of all the head constables and constables asked for for town work—that would be rather going into detail, would it not?—One would like to see the letters in such a case before replying; it might be desirable that the duties should be stated.

20742. If you had to state the duties of all these head-constables and constables, do you think the Government of India would be able at all to appreciate the exposition?—It is difficult to answer such a question without knowing the circumstances.

20743. With regard to the Education Code, was it the case that the Government of India sent a model European School Code and asked Local Governments to adapt it as far as possible?—I do not remember the exact circumstances. Of course I do not claim for the Government of India complete freedom from error.

20744. Supposing on the return of that code there is considerable criticism of proposed curricula and the syllabus in schools, would you call that going too far into detail?—I think that in the case of European schools the Government of India is the proper authority to deal with these matters.

20745. Would that be sound even against local opinion?—I think it would be right even from the point of view of local opinion.

20746. The great majority of European schools are supported by religious bodies?—Yes.

20747. And the first aim of those religious bodies is not educational, but that the religious tenets should be carefully considered?—Yes.

20748. Therefore if they have any strong opinion as to any variation of curricula, should the Government of India insist on having their own way?—If the Government of India did not pay due attention to the wishes of the persons interested in the schools, it would be a mistake of judgment, but not perhaps an interference with detail.

20749. Is not the existence of the Board of Revenue one great cause of the very small amount of influence possessed by Commissioners in provinces where both exist?—I think it is the cause of their not being permitted to pass a sufficient number of final orders. My point with regard to Commissioners is not that their influence is less than it should be, but that they have to pass on too many cases for the orders of superior authority.

20750. Probably or possibly, that is due to the existence of the Board?—The fact that an authority intervenes between the Commissioner and the Government is naturally a reason for delegating less to the Commissioner, but in practice more power has not been delegated to him in subjects which are not dealt with by the Board of Revenue, so that perhaps it is difficult to say it is due to that cause.

20751. Is the system by which you have both an Executive Engineer and a District Engineer a very efficient system?—I do not think the present system is efficient. The Executive Engineer is an officer for the whole division in these parts, and he is hopelessly overburdened with work.

20752. In Bombay there is an Executive Engineer for each district instead of an Engineer for the Local Board—are you in favour of that?—I am entirely in favour of that, or of one Engineer for both Government and Board work.

20753. How far would you carry your theory of freedom of interpretation by an Audit Officer in the case of a controversy with a Local Government, practically, on the question of what the facts of a case are; should an Auditor accept the assurance of the Government that the facts are so and so and apply the rules on that hypothesis?—No; I think the Auditor should decide; he should be regarded as the lawyer in financial matters of the Local Government.

20754. As to matters of fact as well as of law?—Yes; but it is rather difficult to conceive a case; ordinarily there would be no question of fact in dispute.

20755. It has been suggested that Commissioners should be allowed to delegate magisterial powers, but that would necessitate an amendment of the Criminal Procedure Code. What are the chances of getting an amendment of a Code of that kind?—I have presumed that the result of this Commission

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will be a substantial amount of legislation of which that would form a part.

20756. Are you prepared to go so far with regard to the supersession of officers as to favour a scheme of proportionate pensions?—That would be a very dangerous power to use, and I do not think I should be in favour of it.

20757. Would it help to diminish transfers at all if instead of placing the whole reserve of officers in the lowest grade, you distributed it over some of the higher grades?—I do not at the moment see how it would have that effect. I should have thought that a readier way would be to have an Additional Collector in each district who could take over its charge if this could be afforded.

20758. You suggest that Local Governments in respect to officers appointed by them and paid from provincial revenues might have much greater powers; why do you limit that to provincial officers?—I think that the conditions of service of officers who are appointed by the Local Government may be left to a greater extent to the Local Government.

20759. But you have under the provincial Government certain classes of officers, the charge for whom goes to imperial heads?—Yes; I have not considered their case specially; the number is not very great.

20760. Is there any reason why you should not have the same powers as regards such officers as you would have as regards provincial officers?—None, except that the imperial revenues would bear the charge.

20761. But the principles are the same, and the audit is the same; could not the Local Governments be trusted?—I think they could, but the point I had more specially in view was with regard to officers appointed by the Local Government.

20762. (*Chairman.*) Having been in both the Financial and Home Departments of the Government of India, have you ever had any reason to observe on the part of the Finance Department a tendency to claim greater control than the Home Department claim?—The Finance Department claim a greater detailed control than the Home Department.

20763. Have you any reason to believe that the Finance Department now claim a greater control over the questions which come up to it from other departments than was claimed when you were there?—No, I think that the control claimed by the Finance Department was formerly greater.

20764. (*Mr. Dutt.*) Is it a fact that the Collector keeps the treasury key in his own custody?—As a rule he does not.

20765. One key is kept by the Treasury Officer, who is a Deputy Collector, and the other is kept by the treasurer, who is an officer giving a security; is not that the case in Bengal districts?—It may be so.

(*The witness withdrew.*)

Mr. HENRY SHARP was called and examined.

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20766. (*Chairman.*) Are you the Director of Public Instruction?—Yes. I began my career in India as principal of the Jubbulpore College. I had previously been an assistant master in a public school in England.

The Government of India do not hamper the provincial Governments in the matter of administration. They lay down broad principles and leave it to the provincial Governments to apply these principles as local conditions demand. Provincial Governments have not been unduly tied by the Resolution on Education of the 11th March, 1904, *e.g.*, different provinces have worked out their own scheme for fixing grants-in-aid to schools.

There is a danger of excessive uniformity, but such a danger is mitigated by two facts—the power permitted to provincial Governments to work out general schemes in their own way, and the existence of the Director-General of Education, who is an expert adviser, in touch with both the Government of India and the provincial Governments, and who, by means of extended tours, becomes acquainted with the special circumstances of each province.

Initiative in educational reforms in recent years has been mainly due to the action of the Government of India. I would cite as instances the extension of primary education effected by the giving out of imperial grants for that purpose, and the reforms of the Universities under the Act, of 1904. At the present moment the Government of India has under its consideration the reform of secondary education and the question of free primary education. While the Government of India has supplied funds, the provincial Governments have initiated some useful reforms in primary education. These reforms were, no doubt, facilitated by that allotment. The experience gained by one provincial Government in effecting changes might well be utilised with allowances for differences in local circumstances in other provinces. It would be undesirable for the Government of India to lay down, except in the broadest manner, the methods in which such grants are to be utilised. But there is always the danger when large grants for a special purpose are made to a province and the provincial Government called upon to show their expenditure, that there may not be full time for a province to develop its schemes sufficiently to allow the money to be used in the best manner. It would be well if the Government of India made its grants when the provincial Government was able to report that its schemes were, to some extent, matured; and the Government of India in instructing provincial Governments to devise such schemes might usefully bring to their notice suggestions of reforms in other provinces.

University reform is a different question, since Universities are not necessarily provincial bodies, and where one University has jurisdiction over two or more administrative units, there is a distinct danger that the interests of one of these units may suffer.

The demand for returns and information from the provincial Governments has not largely increased in recent years.

The suggestion to insist, before admitting an appeal, on a certificate from the authority passing the first order is a good one. The question has special application with reference to schools and colleges. There is a tendency in this country to deal with educational institutions in too judicial a manner. A principal or a head master must wield immense powers within the limits of his institution in order to maintain respect and discipline among his staff and his pupils. In England, this is fully realised. The head master of a public schools wields despotic powers, and so do the class masters and the house-masters. Appeals are rare, and, when made, are not likely to be entertained. In India, the opposite is the case. It is not infrequent for a boy punished by a class master to appeal to the head master, or the committee, or to the Inspecting Officers of the Department. This occasions enquiries in which I have known pupils actually produced as witnesses against the masters. Assistant masters also appeal from the action of head masters. Making all allowances for the local differences between the two countries, more trust should be placed upon head masters, etc., in India. An occasional miscarriage of justice is not so serious as a universal weakening of discipline; but where a punishment inflicted is likely to affect the whole life and career of the pupil, some investigation is no doubt essential.

It is difficult to restrict the right of appeal; but in this country that right is undoubtedly abused. Bengal Miscellaneous Circular No. 25 of 25th May, 1905, allows double appeal to superior officers and also appeal against stoppage of promotion and increments for over six months. Whether the appeal is to the Government of India, or to the provincial

Government, the right of appeal might be restricted, and if the authority, which has ordered the punishment, is sufficient, the limit of six months for stoppage of promotion, etc., might be largely extended, if not abolished.

There is a danger of over attempts at uniformity in large provinces, but the province of Eastern Bengal and Assam has not been in existence sufficiently long to give proof in this matter one way or the other. For the present, the educational systems of the two parts are being only slowly and tentatively amalgamated. As affects the Education Department, there is not much danger. The question is mainly one of finance, and all that can be done would be to permit the department larger powers in the expenditure and reappropriation of the funds for educational purposes. The charges of Inspecting Officers have hitherto been too large in Eastern Bengal. This defect is being amended.

Transfers of officers are a necessary evil in large Services on account of the variety of interests involved. It is particularly an evil in colleges and schools, but may here, to some extent, be mitigated by choosing a suitable time for effecting transfers.

Desirable as it would be to place more power in the hands of local bodies, I fear that the experiment would not likely be attended with success. In my experience these bodies are lacking in initiative, save in so far as they are inspired by the official Chairman. District and Local Boards are most important factors in our educational schemes. But the improvement of education in each area depends solely upon the interest taken by the official Chairman, and the aid accorded him by the subordinate inspecting staff. I am doubtful whether the other members of such bodies are either interested in primary education, or know sufficient about the wants and conditions of the Board area to give very useful advice, still less to carry out improvements and reforms. It may be argued that were such bodies freed from official domination they would, when in the possession of larger powers, develop larger capabilities. But I doubt whether it is correct to speak of official domination. Perhaps a more correct term would be non-official indifference. The experiment might be interesting; but it would be dangerous to try it save on a small scale, and under some measure of control. It is only too likely that the expansion of the powers of these bodies might result in either stagnation or disaster.

As in the case of local bodies, I fear that want of interest in local affairs would be a serious obstacle to granting larger powers to village communities. In some portions of the Central Provinces and in Assam, the village school committee take real interest and pride in the village school, and subscribe funds for its improvements, but I am informed that, at least as regards primary education, the leading men in village communities in Eastern Bengal are entirely indifferent. Three possible causes may be assigned:—

(i.) The fact that in the Central Provinces and in Assam there are village School Committees vested with small powers, while in Eastern Bengal the village school is a private institution.

(ii.) In less advanced areas, like the Central Provinces and Assam, the village community is less disintegrated than in Eastern Bengal.

(iii.) The leading men in the village of a backward tract will look for no more than a vernacular education for their children, and hence will take interest in a vernacular school.

A great deal of correspondence is necessary between the Heads of Departments and the provincial Governments. The administrative machinery might be simplified either by insistence upon a personal consultation at appointed times between the Heads of Departments and the Secretaries concerned, or by making the Heads of Departments Under-Secretaries to Government. The former scheme would, of course, be rendered difficult by the exigencies of touring.

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20767. Prior to your first appointment in this country, had you any experience of Indian educational requirements?—None whatever.

20768. Had you any knowledge of the language?—No.

20769. Or of the country?—Nothing more than I had read.

20770. Or of the literature?—No.

20771. What were your duties as principal of the Jabbalpore College?—To instruct and generally administer the affairs of the college, but principally to instruct.

20772. How did you proceed about your task?—As regards the actual instruction there was no difficulty.

20773. Had you no difficulty in consequence of your ignorance of the language?—No, none whatever; there was some initial difficulty as regards one's not knowing the precise standard of English which the students under one were capable of understanding.

20774. Would it have been a great advantage to you as the head of am important college if you had known something about the language, the history, and the literature of the country?—I do not think I would say that as principal of the College, but as inspector, perhaps, yes.

20775. As a principal and a trainer of the young, you do not think that would have been an advantage?—No.

20776. Have you under you as Director of Public Instruction, inspectors of schools assistant inspectors, and deputy inspectors and so forth?—Yes.

20777. Where are the inspectors' resident as a rule?—The inspectors are generally resident at the divisional headquarters, but not invariably so.

20778. Where are the assistant inspectors resident?—The assistant inspectors are also resident at the headquarters of the division, and are under the orders of the divisional inspector.

20779. Where are the deputy inspectors stationed?—Of the deputy inspectors, one is stationed at each district headquarters, and the others are scattered about the district; there are different systems adopted in Assam and Eastern Bengal.

20780. We have been told by a witness that he was not satisfied with the system by which an inspector of nearly 3,000 schools in his district was stationed at his headquarters 100 miles away; is that a satisfactory system?—I think it is most unsatisfactory.

20781. Can you suggest any remedy?—The most obvious remedy would be to have for every district in which educational institutions are numerous an officer of the Indian Educational Service.

20782. In fact, you want an increase to the establishment?—Yes, a very large increase.

20783. Does the absence of an inspector from the district, except in the case of a headquarters district, occasion a great deal of correspondence and clerical work?—I would not say that it is so much clerical work and correspondence which is entailed, as that there is a want of responsibility amongst others on the spot, and the want of an able officer in each section to push educational schemes.

20784. Do you recommend the curriculum to Government?—Yes.

20785. And all appointments?—Yes.

20786. Do you invariably find that the Government accepts your recommendations as to curriculum and appointments?—I have not had very much yet to do with regard to new curricula, and as regards curricula, for instance, for high schools, a great deal would be gone through by the Local Government before any change would be sanctioned; for instance, it would be made known to people in general widely, and their opinions would be taken; it would be put before a committee specially qualified to look into the matter, and eventually in the particular case I refer to it has to be referred to the University.

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20787. Do you think it a wise control which the Government exercises over you in the matter of curriculum?—Yes, certainly.

20788. Might smaller appointments be left to you or will it be better to leave them in the hands of the Local Government?—The powers that I have are sufficient, generally speaking.

20789. From where is the expenditure upon education in this particular province principally met?—Of expenditure on education some 25 lakhs comes from public funds, and is equally divided between provincial funds and local funds.

20790. About one-half of your expenditure comes from public funds?—Yes.

20791. What about the other half?—That comes from fees, subscriptions, etc.

20792. Who controls the primary schools?—The primary schools are mainly controlled by the various Boards; there is a difference in the two parts of the province; in Eastern Bengal the unit is the district, and in Assam the unit is the Local Board which is a Sub-divisional Board.

20793. Who controls the middle schools?—The middle schools are partially controlled by the Boards, and partially controlled by the department, according as they receive their grant-in-aid from the district fund or from provincial revenues.

20794. What about secondary schools?—The high schools are controlled by the department in so far as they are provincial schools; the great mass of our schools are either aided or unaided schools.

20795. Does that cover the whole system of schools?—That covers the whole system of ordinary schools; there are special schools such as small training schools, but that covers the bulk of the institutions.

20796. With regard to your relations with the Director-General of Education, have you anything to say about them?—As Director of Public Instruction, my sole relations with the Director-General are demi-official relations. He sometimes writes to me demi-officially, and if I have a question to put to him or to the Bureau, I write demi-officially, or if he comes on tour I may point out things to him.

20797. On the whole is it well that there should be such an appointment?—It is a very good thing, and of great assistance generally.

20798. You can consult him quite freely?—Yes, I do consult him freely.

20799. Can you tell me anything as to the influence of the Director-General upon schemes which go from you to the Local Government, and so to the Government of India?—If a scheme required the definite opinion of the Government of India, I take it that the opinion of the Director-General would be obtained before any orders were passed in the Home Department; on the other hand, if it was a matter requiring the sanction of the Local Government, it would nevertheless go up to the Government of India in the form of proceedings, and in the course of time would come before the Director-General of Education, who might possibly raise some objections on professional grounds to some action which had been adopted in the province. In that case the Home Department would probably enquire what was being done, and might possibly point out that there were certain objections to the scheme.

20800. Is that what has actually taken place in connection with any one of your schemes?—I am not aware of it, but I imagine that is what would take place.

20801. Have you any reason to think that the views of the Director-General have either helped, or hindered, any schemes of yours which have been presented to the Government of India?—I cannot say whether or not that has been the case, because I do not see the system of working of the Government of India.

20802. You have no reason either to expect help or harm?—I have no reason to expect it, for the reason that I am not in a position to say.

20803. You have not been able to trace whether his opinion has been either for, or against, you in regard to any scheme sent up to the Government of India?—No.

20804. You say that there is always a danger when large grants are made for special purposes to a province that for various reasons the money might not be used to the best advantage?—For example, of the giving out of the imperial grant for primary education in which the provincial Governments are supposed to show an enhanced expenditure on primary education over and above the expenditure in the year 1904-05. A Local Government might feel itself compelled to show an immediate large increase of expenditure, and schemes might be brought forward in a very crude state and much money wasted.

20805. Would not such a scheme have to go to the Government of India for consideration?—No.

20806. Not if it exceeded certain financial limits?—No; having got the money we can do what we choose with it; the only case in which I can conceive the sanction of the Government of India would be further necessary would be if we employed part of it in increasing the establishment.

20807. A former witness told us that he considered that if a provincial Government wished to establish a college as distinct from a high school that ought to be referred to the Government of India; do you hold that view too?—In the case of establishing a first grade college, the matter ought to go to the Government of India for various reasons, but in the case of establishing a small college, if the provincial Government thought of doing such a thing, they might reasonably do so or raise the status of an existing college without consulting the Government of India.

20808. If the Local Government said, "It is a great nuisance having to get the opinion of the Government of India; we know we shall get it, but it will delay our scheme for a year or two; let us start the thing in a small way and we can develop it afterwards"—is there anything that would really endanger the cause of education in a province and which would require the control of the Government of India to be exercised not only with regard to small, but with regard to large schemes of the sort that I have indicated?—I do not think that the interests of education in the province would be affected except in so far as there might be considerable delay, and in so far as there might be changes in the details which it had been made clear to the Government of India were not very important but which were indicated by subsequent events; further delay would then occur because there would have to be a reference to the Government of India.

20809. You seriously think that the Government of India ought to be consulted practically whenever a college is opened in a province?—I think it would be a safe thing, whenever a college is established that the Government of India should be consulted.

20810. As a question not of finance, but of policy?—Both as a question of finance and of policy.

20811. With regard to the question of the power of appointment and selection to posts, have you all the powers which are necessary?—Yes.

20812. You say that it is not infrequent for a boy punished by a master to appeal to the head master or to the committee, or to the Inspecting Officer of the department? In that case what form does the punishment take?—He might be whipped or given some form of imposition, or he might be degraded—that would be the form of punishment—or again he might be fined, and it is very common in this country to have appeals from the decision of the master in various cases.

20813. Then whatever your opinion may be upon the general question of appeal, you think that the right of a boy to appeal from the punishment of a master ought to be limited?—It ought to be almost abolished. It causes a considerable amount of trouble, and it is most deleterious to the discipline of the schools.

20814. Might something be done in the way of extending the powers of District and Local Boards?—Yes.

20815. You think it would be desirable, but that there are difficulties in the way of such reforms?—There would be very grave difficulties. I should like to see their powers extended, but I am very doubtful as to how it could be done.

20816. Is that because there is not a sufficiently good class of men resident in the municipality, or on a District Board who are fit to be entrusted with larger powers?—I would not say it is so much owing to that, but there is an extraordinary indifference on these Local Bodies, at least as to educational matters. I know nothing about matters other than educational, but as regards educational matters they are indifferent.

20817. Do you fear that if complete autonomy was given to them their indifference would continue, and that your educational work would be retarded?—I fear it might be.

20818. Are you at the present moment forcing education on districts and municipalities against their wish?—Not, I think, against their wish. We are giving large sums of money to District Boards over and above that which they received before from provincial revenues for special purposes, and we are laying down a certain amount of general rough policy. There is a great deal of drudgery connected with the giving out of this money, such as the acquisition of lands and the management and construction of buildings, and so on, and I fail to see the hand of the Board in any of these things. It is the Collector, as Chairman, who does these things.

20819. You have not answered my question, which was whether you are forcing education upon these District Boards and municipalities against their wish?—I do not think so. Do you mean that we are forcing the management of education in general upon them against their wish, or that we are simply giving them more education than they are capable of managing?

20820. I want to know whether your policy is against the wish of the people who live in these districts?—I do not think so at all.

20821. It is not so much they are unwilling but that they do not care whether it is there or not?—They do not seem to care whether it is there or not, possibly because the Boards mostly deal with primary education, and consist of men who do not care about primary education.

20822. Would they like to see some improvement in secondary education?—In secondary education they would take more interest, no doubt, and if they had to do with high schools they would take a keen interest.

20823. But in the primary education which leads up to the high schools they take no interest?—They take absolutely no interest.

20824. (*Sir Steyning Edgerley.*) When you came to Jabbalpore had you any duties outside your own college?—No.

20825. Could everybody inside that college speak English fairly freely?—Yes.

20826. And the subjects which you taught were the subjects which you had been used to teach in England?—Yes.

20827. You were familiar with the administration of an educational institution?—I was unfamiliar with it perhaps under Indian conditions—that I had to learn, no doubt.

20828. But still the difficulty was not so great as it sounds?—No.

20829. Have you ever found provincial Governments at all unwilling to take up schemes which you may have thought should have priority?—No.

20830. Have you ever felt that the backing of the Director-General was useful as regards any disinclination of the Local Government to do what you wanted?—I cannot say that I have, because the occasion has not arisen, but I can imagine that it would be very useful.

20831. Were you able to spend your special grants on primary education?—Fairly, though we have not attempted to spend them fully.

20832. Are two of the main things in improving primary education the improvement of the inspection and the improvement of the normal schools?—Those are two things.

20833. As to both those would you have to go to the Government of India for sanction?—With regard to inspection, certainly; with regard to normal schools, not.

20834. You would have nobody in a normal school in receipt of pay over Rs. 250?—No.

20835. You complain of the difficulty in getting European stores and so forth owing to the system of indent—does that cause delay?—It causes enormous delay.

20836. Are the stores when you get them satisfactory?—So far as I know, they are quite satisfactory.

20837. You suggest that the Director of Public Instruction should be an Under-Secretary to Government; how would you work that?—He would be in unofficial communication with the Chief Secretary; he would be able to put his schemes straight to the Chief Secretary.

20838. Should there be only one office?—It would be necessary for the Chief Secretary to have a small number of educational clerks.

20839. But you would not bring the whole of your office into the Secretariat?—The present Secretariat education clerks and my office might be combined—that would be one scheme, but another would be for the Chief Secretary to retain his staff. It was rather in my mind that the Chief Secretary should retain a small staff or clerks to deal with educational matters separately from my own.

20840. Then you would not amalgamate the offices?—It would be probably better not to do so.

20841. Is there not a model, perhaps, in the Irrigation Department of the Government of India where they have an inspector who travels and deals with the cases submitted to him; do you think that would be a suitable plan for educational work, so that most of the routine would pass in the office, and only the big cases would come to the expert Under-Secretary; or would you like to see the whole of the details come to him?—I do not say the whole of the details, but as much as possible.

20842. Would your duties remain exactly as they are at present?—My duties would be precisely as they are now.

20843. All that it means then is that you would have more direct access to the Chief Secretary?—That would be all.

20844. And you would see the notes which might have been put up dealing with precedents and so forth in the Secretariat?—Yes.

20845. Would that be necessary, except in large matters?—No.

20846. One witness stated that all share in education has been taken from the District Magistrate; is that accurate?—No. It was laid down in Bengal that the District Magistrate had a great deal to do with primary education, but very little to do with secondary education. As regards secondary education he has been rather divorced from it with perhaps bad results, but as regards primary education he has a great deal to do with it especially in his capacity as Chairman of the District Board.

20847. But it is more or less true as regards secondary education?—As regards secondary education it is more or less true.

20848. (*Mr. Meyer.*) You have served till lately in the Central Provinces?—Yes.

20849. Is there any salient difference as between the Central Provinces and Eastern Bengal in regard to the powers of the Director of Public Instruction?—I should say not.

20850. Is the division of educational functions as between Government and local bodies much the same in both?—Yes

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20851. Are primary schools dealt with by District Boards and municipalities in this province?—Mainly yes.

20852. Are there any important exceptions?—No, there are no important exceptions.

20853. Does that apply to girls' schools as well as to boys' schools?—Some of the girls' schools would be exceptions.

20854. Taking the schools that the Boards deal with, they are mainly aided private schools?—The systems differ again in Eastern Bengal and Assam; in Eastern Bengal the primary schools are aided by the Boards; they are private institutions aided by the Boards; in Assam they are Board schools.

20855. Taking Eastern Bengal you have a great number of *patshala* schools. Who has the selection as to which of these schools shall be aided from the funds of the Board and which shall not?—The selection lies with the Board itself and the Board is advised by the Educational Committee; the deputy inspector is a member of that committee, and the committee generally accepts his recommendations.

20856. The Educational Committee is a sub-committee of members of the District Board appointed to deal with educational matters and subordinate to the Board as a whole?—Yes.

20857. Is the deputy inspector the predominant member?—I should not say so.

20858. You have assistant inspectors and sub-inspectors?—Yes.

20859. Who is the man who actually goes round and sees that such and such a *patshala* is a good one, and says that you should aid this school and that you should not aid the other?—In the case of *patshala* it would be largely the sub-inspector who would have to report to the deputy inspector on the matter.

20860. Does the deputy inspector place the papers before the Education Committee of the District Board?—Yes.

20861. Have the Local Boards anything to do with these matters?—No.

20862. It has been represented that as a matter of fact it amounts to this that the District Boards pay and the local educational authority select the schools which have to be aided and the extent of the aid—is that so?—That is largely so.

20863. And that the members of the Board do not, as a matter of fact, depart from the recommendations of the educational authorities?—No, they accept them.

20864. Is it an advantage to have the Local Boards dissociated from primary education?—In Eastern Bengal I should perhaps say it is an advantage that education should be centred in the District Board, because the control over the Local Boards in Eastern Bengal is not quite of the same kind as it is in Assam.

20865. Whose is the control?—By Government.

20866. Have not the Local Board, in Eastern Bengal, a double check on them? They are under the control of the District Board in the first instance, and of the Government in the second?—I believe it is a fact that in Eastern Bengal the Chairman need not be *ex-officio* an official.

20867. And for that reason do you consider that the Local Board is not an efficient instrument of education?—I would not say it is not an efficient instrument, but it would be safer to leave the matter to the District Board.

20868. When it comes to dealing with grants to schools, does not a great deal depend on the local knowledge possessed by the members of the schools in question?—Yes.

20869. In that case is there likely to be more of that local knowledge in the Local Board or in the District Board dealing with the whole district?—In the Local Board.

20870. Have the municipalities largely non-official Chairmen?—Yes.

20871. Is their position much the same as that of a District Board with regard to primary education—do they make grants?—Yes.

20872. Do you find the fact of their having non-official Chairmen makes their grants worse than those of a District Board?—Except that they do very little indeed for education, I should not say it is worse.

20873. You say that in Assam the primary system is that of Board schools. Who set up those schools?—Sir Bampfylde Fuller.

20874. Was that quite a new departure?—Yes.

20875. Who settles whether a school is to be established or not?—The Local Board. There is no District Board.

20876. Who settles what shall be spent on the school building, the number of teachers, and what shall be paid?—It is all laid down by rule.

20877. Is it laid down that if there are 50 boys there may be so many teachers with such and such pay, and if there are 100 boys there may be so many teachers with such and such pay?—If there were 50 or 100 boys in such and such classes, it depends on classification as well as numbers.

20878. Then the Boards have practically no choice?—No.

20879. They cannot say, "This school is working satisfactorily, we should like another teacher of two," as long as the manual says, "You can only have four teachers," you cannot have six?—Yes.

20880. Is that desirable or necessary?—I think it is desirable; it works well.

20881. This is pretty strong centralisation?—Yes.

20882. In the matter of secondary education, do the local bodies have much to do with it?—The local bodies do aid middle schools—English and vernacular to a large extent.

20883. Is the position as regards their control, roughly speaking, the same as it is in the case of primary schools?—As regards aid, the rules rather differ in the two parts of the province. In Assam the giving of aid to, or the withdrawing of aid from, a vernacular school has to go before the inspector before the Board can carry it out; if the school is an English-teaching school it has to come before the Director.

20884. The Board cannot deal with it itself?—The Board cannot deal with it absolutely itself; it is bound to take the views of the Education Department.

20885. And it can on no account run counter to them?—There is a possibility of appeal if they go counter.

20886. In Eastern Bengal what is the practice?—In Eastern Bengal the practice is not so rigid.

20887. Does the Education Committee of the District Board there deal with secondary schools as well as primary schools?—Yes.

20888. And the position is much the same?—No, there are not the same rules governing the grants there; the control of the Board is rather exercised through the presence of the deputy inspector on the Education Committee.

20889. Do you mean that the District Board has larger latitude in the matter of grants to secondary schools than the Local Board in Assam has as to primary schools, and is less tied up with regard to the departmental code?—It is a little less tied up.

20890. It was put by one witness that the Local Boards in Assam were very hard up and might as well be relieved of education work—what would be your view upon that?—I am not in a position to say whether they are very hard up or not; they have supported primary education and also secondary education to some extent for a long time, but some of them do occasionally grumble.

20891. May I put it in this way—that the Government intervenes so much in the matter, and they are so bound by departmental codes and manuals, that it might be as well to recognise the facts and let the Government take over the direct

management. Do you think that that is a legitimate argument?—It is a legitimate argument, but, as it is, it would be better to leave things as they are because it is at least an attempt to get the people interested in these matters.

20892. Suppose you had a Board that said, "We should be very glad to spend more on education, and take some interest in education, if you would give us a little more discretion and would not bind us by such hard-and-fast rules"; if you had the power of deciding the matter, what would you say to such a Board?—In the case of a single Board it would be a most interesting experiment.

20893. But not in the case of half a dozen Boards?—I should select one and make the experiment with it.

20894. Supposing the experiment answered, would you be prepared to relax matters as to other Boards?—Subject to the consideration that there are Boards and Boards, and what would hold in one district need not necessarily hold in another. If such a matter were ever introduced, it would have to be introduced very gradually.

20895. Your position would be that efficiency of education must take the first place and rank above any such matter as the training of the people in Local Self-Government?—Yes.

20896. You speak of the influence of the Calcutta University involving the Government in large responsibilities and you mentioned regulations sanctioned by the Government of India; the Calcutta University is a semi-autonomous body, which frames its own regulations, with the sanction of the Government of India?—Yes.

20897. Therefore it is not a matter of direct control by the Government of India but it is a matter of control by the Calcutta University?—Yes.

20898. And the object of the Calcutta University in making these regulations was to raise the quality of the colleges?—Yes.

20899. Then you say, "This will involve us in large expenditure"—what is your objection? The objection is not an objection to expenditure but an objection to the disposition of affairs, and that we have an independent body dictating enormous improvements to us. It may be impossible for the Finance Department to provide the money which would allow of those improvements, in which case we might be brought to a very serious deadlock.

20900. But are you not represented on the Senate of the Calcutta University?—This province has three members on the Senate, but no one on the Syndicate.

20901. Therefore it is really a question whether this province is properly represented on the governing body of the Calcutta University?—I should say that is another question.

20902. And possibly whether you should not have a University of your own?—Yes.

20903. You say that the Government of India should wait until the provincial Government have schemes developed before making grants. Let us take it that one year the Government happens to be rich, and three or four provinces had educational schemes for the development of which they got the money, but in the next few years the Government might not be so well off, and others might not be able to get anything. Would that not be a grievance?—It would, but what I imagine would happen would be that the Government of India would ask Local Governments to formulate schemes to be ready for a year when money was plentiful.

20904. In the circumstances which have occurred is there anything to prevent a Local Government saying to the Government of India, "We are much obliged for what you have given us, but we are not prepared to spend it just yet, although we assure you we will make up the expenditiure a few years hence"?—No; such a thing might happen.

20905. Might not the provincial Government try that course?—Yes.

20906. The last witness told us that he thought that an imperial centralized European Schools Code was desirable; is that your opinion?—Yes.

20907. Is there a fundamental difference between European schools and other schools?—Yes.

20908. It has been alleged that there is interference on the part of the Government of India with the *cadre* and the appointments in the Provincial and Subordinate Educational Services. Apart from the financial rules which require you to come up for sanction for appointments of over Rs. 250 and so forth, is there any control of that sort over the *personnel* and grading?—As regards the *personnel*, I know of no instance of such control, but as regards the *cadre*, there is very great control in the way, for instance, of having eight persons in one grade and ten in the next.

20909. Is that due to the financial rules?—I only know that *cadres* are generally submitted not merely to the Government of India, but also to the Secretary of State, and they are considered as absolutely drawn up, and cannot be changed until one goes up again.

20910. You have been asked about the creation of a college; a first grade college would require the appointment of at least one officer of the Indian Educational Service?—Certainly.

20911. That officer's salary, and his recruitment also, would require the sanction, not merely of the Government of India, but of the Secretary of State? Yes.

20912. Is it inevitable, when the Government of India and the Secretary of State are asked to sanction new officers for a college, that they should have to consider whether a new college is really necessary?—Yes.

20913. You do not think they could discriminate and say, "The Local Government says there is a necessity for a new college; now let us give them the officers"; would that be a possible position?—No.

20914. (*Mr. Hichens.*) Do you say that the Government of India lay down the broad principles and leave it to the provincial Governments to apply those principles as local conditions demand?—Yes.

20915. Are they to be found in any specific code or volume?—No. For instance, when the Government of India gives a special grant for primary education it lays down generally on what items of expenditure the money is to be spent; it says it is to be expended on the training of teachers, on increasing the training staff, or in increasing the number of schools. It would say that on each occasion on which a special grant was given.

20916. Is the tendency for these rules to be laid down by the Government of India on the increase?—No, I have not noticed it.

20917. Do you find that the application of these principles by the Government of India leads to their going into questions in minute detail—for example, taking the case of a college—would they go into that in the minutest detail?—They would probably go into that in detail.

20918. As a matter of fact is the tendency for detailed enquiry on the part of the Government of India on the increase or decrease?—I have not had long enough experience to say that; I have only been Director for two years.

20919. But *a priori* would you say the tendency is for enquiry to be more detailed on the part of the Government of India?—No, I think not.

20920. With regard to the policy of the provincial Government in connection with education, is the tendency to keep it more and more in the hands of the provincial Government or to devolve it to the authorities below it?—I have not noticed any tendency to take more power into the hands of the Local Governments.

20921. For example, are the manuals altered from time to time in the sense of tightening up or in the sense of relaxation?—I think possibly towards tightening up.

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20922. So that on the whole the tendency would be possibly to get more and more power into the hands of the Local Government?—Yes.

20923. Do you view that tendency with satisfaction?—No.

20924. Do you think steps should be taken to relax the control rather than to tighten it?—I think so.

20925. (*Mr. Dutt.*) Gazetted Officers of the Education Department are appointed, and orders as to their transfer and so on are passed by Government. Is that a desirable arrangement?—Yes.

20926. Do you know of any Local Board in Eastern Bengal of which the Chairman is a non-official?—No, I do not, because I have no dealings whatever with Local Boards in Eastern Bengal. In Assam there is certainly not.

20927. Has a District Board power to withdraw grants from any secondary school if it finds the working unsatisfactory?—It can only withdraw a grant in the case of a middle vernacular school with the sanction of the inspector, and in the case of a middle English school with the sanction of the Director of Public Instruction—I am speaking now of Assam; in Eastern Bengal there are not the same precise rules, and it could withdraw either grant.

20928. On its own authority or with the sanction of the inspector or Director of Public Instruction?—It could withdraw a grant on its own authority.

20929. With regard to primary schools also, do District Boards withdraw grants on their own authority?—Yes.

20930. Are sub-inspectors of schools paid by the Educational Department or by the District Boards in Eastern Bengal?—At present in Eastern Bengal some of them are paid by the Boards and some of them are paid from provincial funds. Some years ago the sub-inspectors in Bengal were all handed over to the Boards, and their pay was made a charge on the Boards. Recently the Secretary of State sanctioned an increase of the subordinate inspecting agency, and the appointments we had made to the *cadre*, which were sanctioned by the Secretary of State, are paid from provincial revenues.

20931. Would it be a good arrangement if you handed that money over to the Board so as to have all servants of the Board paid by the Board?—It would be a good thing if we had one or the other system; in fact we are at present trying to get it, because the present system is slightly anomalous. It would be better that the inspecting agency should be paid by, and under the control of, the Education Department and not under the control of the Boards. That has actually been done in Bengal.

20832. In that case would the District Boards have sufficient control over these sub-inspectors?—Yes, I think so.

20933. Supposing they were not satisfied with the inspection work of a sub-inspector, how could they enforce proper work?—The Chairman of the Board would report the matter to the inspector.

20934. And get orders from the inspector?—It is a matter that probably would have to be done more or less unofficially.

20935. Anyhow, the order would have to be passed by the inspector and not by the District Board or the Chairman of the District Board?—In that case it would have to be passed by the inspector or by the Director, if the position of the officer demanded it.

20936. Would that be a satisfactory arrangement?—Yes.

20937. You do not think that the whole control of sub-inspectors to District Boards would lead to better results?—No.

20938. Do you ever hold conferences of Educational Officers of the whole province, conferences of inspectors and deputy inspectors?—Yes. I have conferences of inspectors annually, and conferences of deputy inspectors are held from time to time, at no fixed intervals, by the inspectors within their circles.

20939. Do you sometimes invite non-official gentlemen to attend these conferences, men who take any interest in education?—Yes.

20940. Do you sometimes get valuable suggestions from them?—Yes.

20941. You have said that personal conferences at times between Heads of Departments and Secretaries would be beneficial; are not such conferences held occasionally between yourself and the Educational Secretary, for instance?—Certainly. But I should like them to be more a matter of rule than a matter of chance.

20942. But whenever you want you can talk over matters with the Educational Secretary?—Yes.

20943. I do not exactly see then how matters are delayed in the Educational Department by want of opportunity to talk over things with the Secretary?—Not from want of opportunity of talking over things, but it would be well if unofficial communications were recognised more than they are at present. If the Secretary in charge of educational affairs were to become cognisant of a matter earlier, and looked into it at an earlier stage than he does now, a good deal of delay would be avoided.

20944. That is, of course, a matter of detail, which could be settled between yourself and the Secretary of the Education Department?—Yes.

20945. (*Sir Frederic Lely.*) Even if the people were very keen as to education would you be inclined to hand over the whole management, even of the primary schools, to them?—No.

20946. Do you say that as an experiment you would be inclined to hand over the whole management, or did you mean only partial management?—I suggested, as an experiment, that it would be interesting to hand over some control, but I have not considered whether it would be whole control or partial control.

20947. If it was held that assistance would be useful in the matter of schools, would it not be better that it should take the form of local committees rather than action by the Board?—That would depend very much on the constitution of the local committees.

20948. With a representative committee of parents and ratepayers of a place would you not get more real assistance than from a Board?—Yes, perhaps one would.

20949. Taking the extreme case of a technical school, would it be a fair burden to lay on any popular body to expect them to establish it and work it?—No.

20950. And what is true of a technical school is partly true with regard to every school?—Yes.

20951. Would an ideal arrangement be to allot to a Local or a District Board the location of a school and distribution of a grant of money, and to the department the control of education strictly so called, and to a local committee all the other details of general management?—That is a matter which I should like to consider in detail before pronouncing an opinion upon it.

20952. Would not points of general management, such as the hours of attendance, the giving of prizes, fixing holidays and the general every day management of schools, be more fitly assigned to a local school committee?—Yes, those matters might be assigned to a school committee provided they do not determine the authority of the headmaster, leaving the art of education to the experts of the department.

20953. Are there as a matter of fact committees connected with all the schools of the province?—Not with all of them.

20954. Would it not be well that there should be?—I think it would be very well that there should be, and they are, as a matter of fact, being created.

20955. What is the arrangement with regard to the village school houses?—In the case of aided primary schools nothing is done. In the case of Board schools in Assam the usual procedure is for

the Board to allot a certain amount of money to each village school that requires a building, and the villagers willingly find the rest either in money or in kind; generally in kind.

20956. Do they build the school themselves?—Yes.

20957. Do you supply any large proportion of the cost as a rule?—No; it is hard to frame any rule in the matter because it would vary from Board to Board, but the kind of thing that happens in Assam is that when a school has to be built the Board gives Rs. 30 or Rs. 40 to the villagers, and they find another Rs. 40 or Rs. 50; the cost of the school being about Rs. 90 and not more, material being very cheap. In Eastern Bengal last year I have devoted a considerable amount of money for the erection of schools, and those I propose to be Board schools and not aided schools.

20958. When once they are built are the villagers responsible for maintaining them?—In Assam the villagers do maintain the schools willingly, but in Eastern Bengal they will not ordinarily guarantee to maintain them.

20959. Is Assam then the villagers' responsibility with regard to schools is carried out rather thoroughly?—It is carried out thoroughly and is successful.

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20960. You say that the Collector has been divorced from secondary education. Can you suggest any steps by which he may be more closely associated with it?—I think the Collector should be the Chairman of the School Committee of the district headquarters schools.

20961. (*Chairman.*) We were told in Bengal that there was practically a great reluctance on the part of the Secretary to the Local Government who dealt with educational matters to discuss schemes prepared in the Education Department before they were officially submitted to him; have you found any such reluctance in this province?—No. It is more a matter of time and opportunity than anything else.

20962. Do you find that if you want to save a great deal of formal discussion, you can go to the Local Government and discuss matters as much as you wish informally?—Subject to time, and also subject to one's touring arrangements, that can be done.

20963. And is that practically how you settle most of your business?—I cannot say that it is; at present, with a Special Secretary in charge of educational affairs much of the business can be done quite unofficially, and in fact we are adopting that system, and it no doubt expedites matters.

(*The witness withdrew.*)

Mr. J. C. JACK was called and examined.

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20964. (*Chairman.*) You are the Settlement Officer in Backargunj and Faridpur?—Yes.

The power to appoint all-India Commissions should rest with the Government of India; but action on the recommendation of such Commissions should be left entirely to the Local Government.

In the old province, the area was so large that both Board and Commissioners could be employed with advantage. In the new province (transferred districts), I see no utility in Commissioners. Their divisions are purely artificial and they are kings whose subjects are unconscious of their existence. Their influence in their divisions is quite incommensurate with their position, and owing to the permanent settlement, revenue work is so light that in any case they appear to be an unnecessary wheel in the machine. At present the Board have little work; hence if they handed on their existing powers to the Commissioners, they would be in a curious position. Commissioners of late rarely tour. A Commissioner handing on some of his direct powers should instead spend one month continuously in each district, see all classes readily, examine the administration of the past year and enter a report. District Officers would act similarly in case of Sub-Divisional Officers. As regards the powers of the District Magistrate a resident Executive Officer in each thana is the ideal reform, relieving the District Officers, ensuring trustworthy local information at first hand and breaking the power of the local police in oppression. This is a reform which would have far-reaching effects and be in the true spirit of decentralization.

It is very desirable to give Commissioners control over expenditure on buildings and repairs in their areas. At present control is with the Public Works Department and there is much waste. Control might be given in preference to local officers and the duties of the Public Works Department Officer limited to an annual criticism on the quality of each work undertaken and its cost.

A second appeal should never be allowed, except on fresh evidence, while a subordinate officer should be given an opportunity of reconsidering his decision before reversal on appeal. Thirdly, the Collector's order should be final in all cases of menial establishments, but on formal charges and with full reasons.

The existing obstacles to personal contact with the people are several: those usually urged are overwork, and ignorance of the vernacular. I think the influence of overwork is exaggerated. In any case, unless there is a knowledge of the vernacular, no opportunities for personal contact will be utilised. In this province hardly any officer possesses a sufficient knowledge of the vernacular, for which the system of training junior officers is to blame. There is a great deal of soreness amongst junior officers on this head, as the present system cuts them off entirely from any real knowledge of the vernacular. In other provinces a better system yields far better results. There are also some other obstacles. Thus, contact at headquarters is a poor substitute for a close touch with all parts of the district, yet District Officers have been very much tied to headquarters by correspondence with Commissioners and the Secretariat. Since all share in the control of education has been taken from the District Magistrate, he has been deprived of a great occasion for intercourse with influential men of the locality. In Eastern Bengal the methods of travelling are also an obstacle. The new travelling allowance rules (steam launch) are unjust and tend very much to increase the evil. There is a complete absence also of suitable inspection bungalows. In Eastern Bengal the District Officer is an abstraction and not a personality, the causes of which are all ultimately traceable to the central authority.

Either an increase in the administrative staff or a division of the existing administrative charges is emphatically required. A reduction in the area of districts is preferable both for the convenience of the population and for the personal contact of Executive Officers with the people. No additional expense is ultimately involved, if sufficient land is taken up for the headquarters. Several subdivisions are also too large.

Transfers are still too frequent, but are less so than formerly. If it be held that accepting the existing rules regarding leave and accepting the existing special appointments, the object of a cadre in the province is to provide districts with officers, who shall not be frequently transferred, then the calculation of superior appointments in the cadre is erroneous and really responsible for frequent transfers.

I am in favour of granting complete self-government with powers of borrowing, loans however to require the sanction of Government. In other respects the municipal activity of the Local Government should be confined to advice. In place of Government control, I would form a very strong Audit Department in each province, but independent of the Local Government which would make an annual audit of all municipal offices and have extensive powers to hold Municipal Commissioners personally responsible (individually and collectively) for malversation and waste. I suggest also the formation of a Ratepayers' Association in each

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municipality with the duty of aiding the Audit Officers. The Audit Department to have similar powers with regard to District Boards, Wards' estates and Trust Funds.

Local Boards and village unions are chiefly a failure. I suggest thana Boards as a better unit. They should get more money to spend.

I am in favour of developing District Boards and making them an advisory as well as administrative body, relieving them largely of control from above, but subjecting them to strict audit. I would include in each Council all gazetted officers in the district; elected representatives (resident) of each thana; representatives of each municipality; nominees of Government. I would give them the right of interpolation, except in regard to the grievances of individual Government servants; the control of education in the district; the right of discussing the draft Bills of Government before introduction into the Legislative Council; possibly the control of panchayati unions and chaukidars.

There is grave danger of abuse in developing the powers of village communities. The experiment should be tried in certain areas and very cautiously. There is great difference between district and district in village conditions.

The administrative powers of the Director of Public Instruction and his department are wholly evil. Colleges may remain under his control, but as regards secondary and primary education, his duties should be purely to examine, to inspect and to give advice.

A great deal of unnecessary work is now thrown upon District Officers by the failure to pass small amending Acts specially in land and revenue legislation. Many Acts are very old and their procedure cumbersome. In other cases, where a record-of-rights has been prepared, many Acts could be much simplified. Such amending Acts would rouse no opposition, and it appears to me inexplicable that they have not been previously introduced.

20965. Has most of your time in India been spent in settlement work?—Yes.

20966. And that particular class of work during the last thirty months has kept you twenty-two months in camp?—Yes.

20967. Has that given you a very good opportunity of seeing the people and getting into pretty close touch with them?—Yes.

20968. Your duties as a Settlement Officer include the preparation of record-of-rights and agricultural information?—Yes.

20969. You say that there is a good deal of what you term "uneasy uniformity" in the government of this province?—Yes, there is a certain amount of it.

20970. In what particular direction?—It was in connection with the orders of the Police Commission, and particularly with regard to the matter of pay. All sub-inspectors of all the provinces were to get the same pay. But the object with which that pay was given was not brought about in Bengal, and is never likely to be, because the pay is too low for the type of men required.

20971. Therefore, so far as your experience in this particular province goes, that has hit you hard?—Yes, that was vital, because the whole of the police administration depends on the grade of men you get as sub-inspectors.

20972. You see no particular use in having Commissioners?—I only meant that to apply to Eastern Bengal. I do not go so far as to say that there is no use for them, but they are not so useful there as in other parts of the country.

20973. What kind of officer would you like to see substituted for them?—I would like to see the Board of Revenue either exercising all their powers, or the Commissioners exercising nearly all the powers of the Board.

20974. You think either the Commissioners or the Board of Revenue are superfluous?—Yes.

20975. Speaking generally, which would you prefer to retain if you had the power to get rid of one?—The Board on the whole.

20976. You say that the Commissioners very rarely appear now, is that your experience?—In my part of the country, during the last six years, I have seldom seen a Commissioner on tour; in fact during the whole of my time I have only seen him once, and in most districts he does not tour much.

20977. Do the members of the Board of Revenue tour much in this province?—They tour more than the Commissioners do according to my experience.

20978. Do you think that it is because you have happened to miss the Commissioner, or that he has not been on tour at all?—I think it is chiefly that he has not toured very much.

20979. Getting rid of the Commissioners would mean increase of power and responsibility on the District Officers?—Yes.

20980. And you would give them a very substantial increase of powers?—Yes, I think so.

20981. Would you establish an Executive Officer in each thana—Yes.

20982. Of what grade—of an Assistant Collector?—Yes, or a Deputy Magistrate?

20983. Would you limit the existing right of personal appeal?—I think so, considerably.

20984. Would that not cause a certain amount of discontent among the officers?—It would at first, but not finally.

20985. To whom would you give the power of dismissing an Assistant Collector?—I was not thinking of men so high up as that; but of the lower grade of Government officials.

20986. Then to discharge a kanungo?—I would allow one appeal from the authority originally trying the case.

20987. Would that appeal be on a question of fact only?—No, it should be on all questions.

20988. Would that apply to officers below the pay of Rs. 25 or something of that sort?—A kanungo gets Rs. 100.

20989. Then would you apply it to all officers in receipt of a hundred rupees or less?—Yes, I have had to deal with hundreds of kanungos getting Rs. 100, and for two years I have been able to dismiss them without any appeal at all, but, practically speaking, none are dismissed; the mere fact that there is such a power makes them behave very much better than Collector's kanungos do, because the Collector cannot dismiss them without an appeal right up to Government.

20990. Are you eligible by length of service to act as a Collector?—I acted as a Collector years ago, but I am not eligible for two or three years yet to be a Collector.

20991. Then what happens is that a Settlement Officer, because he is a Settlement Officer, can practically do things which a senior man cannot?—Yes.

20992. Might the discretion which is entrusted to you as a Settlement Officer be perfectly well given to you as an Executive Officer?—Yes.

20993. Have you a considerable knowledge of the vernacular?—I have a moderate knowledge, though I am not a linguist.

20994. Do you think most of your brother officers in the Service do not get a fair opportunity of acquiring a good knowledge of the vernacular?—Certainly.

20995. And they have not got it in practice?—No, very few of them can speak Bengali.

20996. Is that largely the result of the system of training junior officers?—When a junior officer—a Civilian—comes to the country he spends the first year at headquarters deciding petty cases and generally assisting the Magistrate, and during the whole of that time he meets nobody but Bengalis who speak English, so that he gets no opportunity at all of talking Bengali. After that he passes his departmental examination and is sent to a subdivision where his time is at once occupied, and he gets no chance of learning the language at all.

20997. What you would recommend as an ideal system?—Young officers ought to be sent to settlement work to start with.

20998. Are there enough officers employed on settlement work to deal with all the young officers who come out?—I do not mean that they should actually do the work of a settlement, because they need a good deal of knowledge for that, but I mean that they should be attached to a settlement camp for training.

20999. Would you have three or four of these young officers attached to a Settlement Officer?—Yes, and we could absorb them all. We take up 1,600 square miles each year, and we could put them out to different parts. They *must* then learn the language, or they would not be able to get on at all.

21000. Would not that interfere very much with the work?—Very much less than under the present system, because we only get them for two months now, and we have to make a special course for them which gives us a lot of trouble.

21001. Has the system of education as it at present exists done a great deal to stop District Magistrates coming into touch with the people of their districts?—Yes. So I gather from what the people in the districts themselves tell me. I have asked respectable Bengali gentlemen, "How is it you knew the Magistrate so much better previously," and their answer is in two out of three cases, "The Magistrate used to come and see about the school; he does not do it now, he has no occasion to do so."

21002. Is the suggestion that he might perhaps be pulled up by the Education Department if he did?—He might, of course.

21003. Would you like to see the powers of municipalities and Local Boards considerably extended?—Not of Local Boards, but municipalities.

21004. Would you not give that extension of power to District Boards?—Not to the same extent.

21005. Would you do anything in the way of developing village Government?—I think that is very dangerous. There is no village system in Eastern Bengal, and if we put an officer down there to represent Government, his duties would certainly be inquisitorial.

21006. But supposing you went to the people of a village and said, "We will give you the right to try small cases of petty assault and theft," and that sort of thing, would you not favour a system which allowed that?—I should like to see it tried experimentally first.

21007. I suppose you know the villages pretty well, having been so much out in the district?—Yes.

21008. Do you not think there are in most of the larger villages people who would be of use in that direction?—Yes, I think there are, but it is very difficult to find the particular men in any village who would be trusted by their co-villagers—that is the real trouble. If we could always be certain of getting those men, it would be an excellent system, but probably we would never get them, because they are not the sort of people who would come forward.

21009. Not even if you gave the District Officer the power of selecting them?—He has not the time; I suppose in an ordinary district there would be about 15,000 villages.

21010. So that practically the selection would rest with them?—The Deputy Collector it might be. If they had a thana Magistrate, he would be a more or less trustworthy man.

21011. But who would select them under the present system?—Under the present system I suppose one of the Deputy Collectors would be deputed to select them.

21012. Would he be practically the man who, under a system of nomination, would select a village panchayet?—Yes.

21013. (*Mr. Hichens.*) If the Board of Revenue were substituted for Commissioners, would you give the powers of the Commissioners to District Officers?—Not all of them. Some of them to the Board.

21014. So that the Board would have more things to sanction, and therefore more work to do than it has to-day?—Yes.

21015. To-day it deals with five Commissioners, but it would have to deal with 27 Collectors instead?—Yes.

21016. That would be a very formidable increase in its work?—Yes, it would be somewhat formidable. A great deal of the work of the Commissioner now is of a very petty nature, and if it was made over to the Collectors, I do not think the residue would be so very formidable.

21017. But it would add to their work anyhow, and there is a certain residuum which could not go to the Collector; and in addition to that, if instead of having to deal with five persons, they would have to deal with 27, do you not think that would overburden them altogether?—But nowadays almost all the work that comes to Commissioners finally comes to the Board; it would only be getting rid of an intermediate authority.

21018. But it comes to the Board boiled down?—But very often the file becomes considerably bigger before reaching the Board.

21019. In spite of the fact of having to deal with 27 instead of 5 officers, in spite of the fact that they would have to sanction certain things which the Commissioners can deal with to-day, do you think they would still be able to cope with the work comfortably?—Yes, I think so.

21020. Am I to gather from that they have not enough to do to-day?—I cannot say that.

21021. Do you think there would be much time left for touring on the part of the Board of Revenue?—They only tour in the cold months now; that is, two or three months in the year, and they would still have nine months at headquarters.

21022. You consider touring to be an important thing which ought to be increased if anything?—Yes, certainly.

21023. Would there be much chance of increasing the touring done by the Board of Revenue, if they had the additional work which you suggest thrown upon them?—That would be an objection, but it is a question as to what amount of additional work it would give them.

21024. Does a District Officer come more directly into contact with the people than the officers at headquarters?—Yes, certainly.

21025. Is he therefore more likely to find out exactly what the people in the district want?—Yes.

21026. Is the District Officer in practice influenced by local opinion?—Yes, I think so.

21027. Does he send his recommendations to Government influenced by that?—Yes, to a certain extent.

21028. Does Government support him, or are they apt to stick to the strict letter of the law?—They are a little apt to stick to the strict letter of the law.

21029. So that from that point of view would you say there is a certain amount of rigidity in the Government?—Yes.

21030. (*Mr. Dutt.*) How long will your present work take you?—The settlement of the Backarganj is finished, and the work at Faridpur will be finished in about three years' time.

21031. You spoke of employing Civilians generally in settlement work as likely to give them an opportunity of learning the language and coming into touch with the people. If no other districts are taken up after the work is done at Backarganj and Faridpur, will there be sufficient work in Bengal to employ all the young Civilians?—I believe there is a programme that will last about 20 years with regard to the future settlements in this province, district by district. I do not know whether it is sanctioned.

21032. You have spoken of the desirability of appointing a resident Executive Officer in each

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thana; that would be very expensive?—No, I do not think so; probably the present *cadre* is almost sufficient to stand that.

21033. Backarganj has about 25 thanas?—It has 16 main thanas and 7 outposts.

21034. Then that would mean 23 Deputy Magistrates for those 23 thanas?—Yes, but we do not call the outposts thanas.

21035. Then I will take it as 16. If you appointed 16 Deputy Magistrates, would not that add largely to the expenditure?—I think there are already 15 in the district besides some Sub-Deputy Magistrates.

21036. Would you take away many of those fifteen if you appointed Deputy Magistrates in the thanas?—Yes, you could take away almost all. The Deputy Magistrate in charge of the treasury is the only essential at headquarters, and all the others might be taken away.

21037. Could the Collector do with only one Deputy Magistrate at headquarters?—One besides the Treasury Officer.

21038. Would such a change bring the administration more into touch with the people in the villages?—It would get rid of the sub-inspector of police being the Head of the thana.

21039. You propose that the District Magistrate should have some control over the Public Works Department in his own district?—I think he might be given power to deal with smaller works without having anything to do with the Public Works Department; we have that power in the Settlement Department where we do all our own works, and we find that we work at about half the cost of the Public Works Department.

21040. But he would require an engineer?—We do not want any engineer.

21041. Are you referring to small works then?—We spent Rs. 50,000 last year in works of about Rs. 3,000 each.

21042. What would you propose with regard to large works now done in a district by the Public Works Department, buildings erected by Government, not by the District Board?—It is a question of amount; I only referred to buildings which present no engineering difficulties.

21043. In those matters you would allow the District Magistrate or Collector some control over the work of the Public Works Department?—Yes, I would allow him to do it without having any reference to the Public Works Department at all.

21044. Could a large work be done without the advice of experts?—I am referring to small works. Large works could not possibly be done by the District Magistrate.

21045. In the case of large works should the District Magistrate have some control or supervision over the work of the Public Works Department?—I do not see that it would be necessary.

21046. Do you know that the right of appeal has been defined by a Bengal Circular of 1905?—No.

21047. You suggest the creation of Advisory Councils, consisting of the Gazetted Officers in a district, with elected representatives from each thana and each municipality, and with nominees of the Government. Would not that create a very vast and unmanageable body?—It would be somewhat large. I suppose it would come to between 40 and 50 in most districts.

21048. If you included all Gazetted Officers and so on, it might come to nearly 60 or 80. Could the work be managed by a large body like that?—Yes, I think so.

20149. You say that you would give them, amongst other functions, some control over education. Would not that bring them into collision with the Education Department to some extent? It might if the Education Department retain their administrative functions.

21050. When you have formed such a Council, would you be in favour of giving them a general power of control over all local bodies in the district, municipalities and Local Boards?—I do not think I would give them any control over municipalities because that would lead to a very considerable friction at once.

21051. Would you have the Collector as Chairman of the Council?—Yes.

21052. With the Collector as Chairman, do you think to allow the Advisory Council some control over municipalities might lead to friction?—But municipalities always quarrel with the District Magistrate—he is the person they quarrel with—therefore if he was Chairman of this Advisory Council I do not see that it would make any difference or that the work would proceed more smoothly.

21053. But you think it would not be worse?—It would not be worse.

21054. Is it your experience that municipalities are always quarrelling with District Magistrates?—They are very likely to.

21055. But has that been your experience?—Yes, I think that it is my experience.

21056. In the case of any suggestions or instructions given by the District Magistrate, are municipalities likely to argue against them or do they accept them as a matter of course?—No, on the contrary they rather refuse as a matter of course; if they know the Magistrate is in favour of a certain course, in my experience, it is a great argument for them to take the opposite course.

21057. Have you large experience with regard to the work of municipalities?—I have heard a great deal about them in my districts, and that is what I have been always told. They ask what the Magistrate thinks, and if he thinks one way they at once think the other.

21058. You make that statement from what you have heard?—Yes, from what I have heard from the Municipal Commissioners themselves.

21059. But not from your own experience of the working of municipalities?—No, I have nothing to do with the working of municipalities.

21060. (*Sir Frederic Lely.*) With regard to the training of young Civilians you say that when they come out they are kept for a year at headquarters? Are they supposed for that year to be working up for their examinations?—Yes.

21061. After they have passed the higher standard is there a system here of sending them out to learn survey work?—Yes, for two months.

21062. Do you propose that that should be done in their first year?—Yes, I propose that they should spend say four or six months in their first year on survey work.

21063. Would it give them as much knowledge and prepare them for their examination?—Yes, I think it would.

21064. Would it also be an advantage to get that work over before they entered on their regular duties?—Yes.

21065. Is it rather a trouble to a Collector to have to spare his assistants for survey work?—Yes, it is a very great trouble.

21066. You say that the new travelling allowance rules are unjust; will you explain your meaning?—Before these new rules were published in travelling by steam launch (and all the travelling in this district is by river) one drew halting allowances as well as marching allowances, and that was liberal—in fact too liberal—but when the rules were changed Government gave neither, and the result is that now we have to spend money out of our own pockets when we go on tour, and we get nothing in return at all.

21067. Do you say that no allowance is made for travelling by launch now?—Practically; I think you can draw Re. 1-8 a day on a certificate that you have spent that amount.

21068. Which is wholly insufficient?—I think myself most officers would say their expenses were much more than that.

21069. You have compared the Board of Revenue with the Commissioner in terms of disparagement, but is it likely that in the end the Board of Revenue would be more mobile than an individual Commissioner?—No, I think less so, probably.

21070. Or that the Board could come more personally into contact with the people than the Commissioner can?—No, certainly not; it is the kind of country you have to deal with which makes the difference. There is no touring by tent in this part of the world; it is touring by river, and that is what makes all the superior officers so immobile.

21071. But there is no superiority in the Board of Revenue in that respect?—Not at all, but it is much easier for the Board of Revenue to go round in a launch in the same way as a Commissioner does, than it would be up country to get round in tents, because a launch covers very much more ground than can be covered in going round with tents and the necessary equipage.

21072. Do you mean that the Board of Revenue would travel in a launch and the Commissioner in a tent?—No, they would both travel in a launch. A launch can only travel along the main rivers, and the main rivers are so limited in number that it is quite possible for the Board to cover them all in their tours. Commissioners never tour away from their launch.

21073. I do not understand why the Board of Revenue should be expected to see more of the country than the Commissioner?—They could, if they wished, see as much.

21074. Then is not the sphere of the Board of Revenue much more limited than that of a Commissioner? If you were to abolish the Commissioner, you would leave a certain number of very important branches of Government without any one to attend to them between the Head of the district and Government?—Yes, I believe that is so, but Commissioners in this part of the world have not very much power.

21075. (*Mr. Meyer.*) You spoke about the abolition of Commissioners, but is there not a possible alternative, namely, to strengthen the position of the Commissioner and make him a sort of Sub-Governor?—Yes, but it would have to be a very considerable reform to put him in the position of a Sub-Governor at all. At present he has very little power, and in order to give him real power you would have to reform his position altogether.

21076. Is your point then that at present he is almost useless?—Yes. But I do not say for a moment that he need necessarily be useless.

21077. How many thanas are there in an ordinary district?—In Faridpur there are 11. That is about the average size.

21078. Then would you desire to make each thana into a sub-division of a district?—Yes.

21079. In a district such as you have mentioned, how many sub-divisions would there now be?—Two, plus the headquarters.

21080. Therefore instead of three sub-divisions you would make 11?—Yes.

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21081. A thana is an ordinary police station?—Yes.

21082. Are you aware of any province in India which is officered by Deputy Collectors and Civilians at the rate of one for each police station?—If you take population as a test, I think you would find in other provinces one officer to the same number of people.

21083. Do you consider population a test of administration?—There is a good deal of work here; it is not as if population had nothing to with it, because there is a lot of criminal and other kind of work.

21084. But is the mere counting of heads a very reliable criterion? Are not the differences in the revenue system and the character of the population more important?—Yes, but work here is in every way very heavy except with regard to revenue.

21085. In other provinces they do not proceed on this liberal scale, but they give the bulk of the local work to tahsildars who are officers corresponding in status and pay to your Sub-Deputy Collectors; would it not be possible to do what you desire more economically by having the Sub-Deputy Collectors in immediate charge of the local areas?—Yes, it would be possible, certainly.

21086. And give them second and third class magisterial powers?—But most of them have only third class magisterial power now.

21087. If you have this agency, might you not give it more power?—I think so.

21088. You are in favour of territorial jurisdiction instead of subject jurisdiction, and you would like to move a considerable number of the Deputy Collectors you have at headquarters of each district and distribute them about?—Yes.

21089. With regard to what you said as to your power of dismissing kanungoes, are your kanungoes permanently employed?—No, only temporarily.

21090. Is the Collector's kanungo a permanent or temporary official?—He is sometimes the one, and sometimes the other.

21091. But it makes a great deal of difference in dismissing a man, whether he is a permanent official who has claims to pension or whether he is a temporary official?—Yes.

21092. Is not that possibly the reason that you have larger powers in the matter of dismissing kanungoes than the Collectors have?—That is certainly the reason.

21093. Then you speak of municipalities wanting borrowing powers, but are you aware that they have these powers already, subject to the sanction of the Local Government?—I do not mean to say that they have not got them, but they are only up to a small amount.

(*The witness withdrew.*)

Adjourned.

THIRTIETH DAY.

DACCA, *Thursday, 9th January*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. EDWARD CHARLES RYLAND was called and examined.

21094. (*Chairman.*) You are an officiating Deputy Inspector-General of Police?—Yes, since June, 1907.

As all other departments of Government are represented in the Imperial Secretariat and the Police Department has no proper representative, I suggest that an officer having an intimate personal experience of police work in all the provinces should be appointed for a period of three years. The officer selected should be either an Inspector-General, of not less than two years' service, as such, in the case of his not being a police officer,

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or a Deputy Inspector-General of Police, and each province should nominate an officer in turn. A better spirit of co-operation would then be established between the police of the different provinces. Uniformity of procedure and general administration would result, and the Government would have an officer of experience in the department in dealing with police matters.

The plague riots and riots in connection with the agitation in this province have only too clearly shown that Executive Officers are not sufficiently in personal contact with the people. In former years District Officers made lengthy tours in their districts, travelling from six to ten miles when they moved camp, and the people had an opportunity of personally meeting the officials and stating their grievances. Petty cases and disputes were more expeditiously dealt with, and people were saved the expense and trouble of attending Courts. Officers had more leisure to grant interviews. People looked on the officials as their patrons and protectors, and the poor who cannot afford the expenses of a Court, were able to represent their grievances and receive protection from moneylenders and unscrupulous zamindari underlings who, taking advantage of the present condition of affairs, perpetuate extortion with impunity. At present officers are rarely able to perform long tours; their visits are flying and distances travelled too great to enable them to gain any knowledge of the country or people, and it has thus come about that the people view the rare visits of an official with suspicion. The causes for this state of affairs, so far as the police are concerned, appear to be the increase of office work and matters requiring the presence of the Superintendent of Police at headquarters, the difficulties and expense of travelling. The travelling allowance rules require revision, and the introduction of rules requiring District Officers to visit a certain number of village unions in the district during the year appear necessary. The responsibility of proper inspections of police stations should be placed on inspectors, and the period required to be spent at these posts by Superintendents of Police reduced. Superintendents of Police should be given greater control over the village headmen and watch and ward staff.

I do not consider that Executive Officers possess a sufficient colloquial knowledge of the vernacular. Inducements in the way of prizes or rewards should be given to encourage a better colloquial knowledge, and the rules permitting only officers of short service to compete for language rewards should be relaxed.

The recommendations of the Police Commission provide for an increase in the administrative staff, but in the districts of Eastern Bengal where communication is difficult and by water, there should be a larger number of sub-divisions with Assistant or Deputy Superintendents in charge. With the exception of Mymensingh, the area of districts in the province known to me are not, in my opinion, excessive, but there should be district allowances to compensate deserving and efficient officers for continuous heavy charges. Under the present system a premium is put on slackness. Good work results in an officer being posted to a heavy charge where, in addition to his work, it will be generally found the expense of living is greater and the climate inferior to that of the lighter districts.

Transfers in the past have in the case of Police Officers been too frequent and not always due to the exigencies of the Public Service. The question of accommodation has been and is one of the great causes for officers being discontented and working for a transfer. The houses available for the police are wretched and unhealthy habitations, and when better houses are available the rents are prohibitive. The Government rate of 10 per cent. of an officer's pay is too high a rate to demand as rent for an unfurnished house. Houses should be built or acquired, and actual necessities in the way of furniture should be provided. Transfers throw officers into debt, and many are for this reason unable to keep horses or other means of conveyance which are absolutely necessary to secure proper efficiency in their duties. Anxiety over money matters has much to do with the inefficiency of Police Officers. Though much has been done to remedy this of late, the expense of living in this province, which has always been heavy, has greatly increased.

Far from giving them larger powers, the powers of municipalities and District and Local Boards should be reduced particularly as regards assessments.

I am not in favour of Advisory or Administrative Councils. Such bodies would only hamper work. If District Officers are enabled to come more in personal contact with the people, the necessity for any bodies who might be looked to to represent the views of the people would disappear. Provided District Officers have more time and opportunities than at present for touring, village committees might be given greater powers in the disposal of local affairs; but I anticipate some difficulty in securing a sufficiently independent and advanced class of men willing to serve on the village committees.

21095. You suggest that the Police Department has no proper representative in the Secretariat of the Government of India?—Do you not look upon the Director of Criminal Investigation as such a representative?—No, matters would be dealt with more expeditiously if we had some one who knew the inner working of the Police Department and who had actually served with the police, either as an Inspector-General or Deputy Inspector-General.

21096. Are cases hung up by the Local Government or where does the delay occur?—I think the delay is generally more with the Imperial Government. One or two matters which we have sent up have been fairly long in being dealt with.

21097. Are you sure that that was the fault of the Government of India?—I think so, and we often get questions from them with regard to matters referred to them, which would be quite unnecessary if there were some one on the spot who knew the technical work of the police.

21098. Could not the Director of Criminal Investigation give that help?—I think not. Of course it might be the case if such a man as the present officer is appointed, but it is not as a rule that an Inspector-General of Police is promoted to that appointment. If it were, it would lead to more uniformity of procedure in the different provinces; we are absolutely in the dark as to that at present.

21099. Have you no power at the present moment to write to the Director of Criminal Intelligence?—I do not think, as a rule, it is done much. There is nothing to prevent it; but it wants more than mere writing; it wants a man to go and serve there for a while, because there may be some rules and regulations which on paper may look well, but which in practice are not sound.

21100. There is nothing to prevent you saying, "I find myself confronted with this difficulty here; what do you do in your province"?—We have not made many requests to other provinces. I think it would be a good thing to do.

21101. You would not get any rebuff from the Local Government if you adopted that course?—I am certain we should not.

21102. You say that Executive Officers are not sufficiently personally in contact with the people; do you refer to the police?—Yes, as well as the Magisterial Officers; I have noticed that myself particularly in connection with the plague riots.

21103. Was it that the people concerned in those riots did not know the Executive Officers and therefore they had no influence over them?—Yes, and in one place I went to, they said they had not seen a *Sahib* for five years.

21104. What sort of officer would they expect to see?—A Magistrate or a Police Officer.

21105. And neither the District Officer or the police have found the time or inclination to pay them a visit?—In none of these particular places, although they happen to be important and large centres. That was last year in Mymensingh.

21106. What was the size of the particular town to which you refer?—It was not exactly a town;

it was a rural area, but it was thickly populated and an important jute centre.

21107. Has anyone been there since?—We spent a good deal of time there in the year the riots occurred.

21108. We were told in Bengal that the tours of Police Officers had been restricted by order: are your tours here restricted?—No. In this province we are working under the Bengal Code as we have none here yet, but there are orders which require the Superintendent to be at headquarters for the first ten days of the month.

21109. Mr. Knyvett, the Acting Inspector-General of Police, Bengal, said that he thought the order restricting touring ought to be withdrawn. What do you think?—There should not be any hard-and-fast rule; on the other hand, the District Superintendent of Police, being at present responsible for the accounts and the issue of pay and other things, whether there is a rule or not, cannot always leave his headquarters.

21110. What is the remedy for that?—We are going to provide Deputy Superintendents to look after the office work of the District Superintendent.

21111. When is this improvement likely to take place in Eastern Bengal?—Within the next two years.

21112. You tell us that the expense of travelling is one of the difficulties in the way of Police Officers getting about?—Yes. Formerly one could get a cart, for instance, for about eight annas a day; but you cannot get one now for two rupees a day. The rate of travelling allowance is not adequate. It does not cover a man's expenses.

21113. Have any representations been made to the Local Government on the matter?—I do not think so.

21114. Are the rates fixed by the Local Government or by the Civil Service Regulations?—By the Civil Service Regulations.

21115. If the allowances are inadequate, would it not be well that some representations should be made?—Yes, if representations were made, the matter would probably be taken up.

21116. Have you no power to make those representations to your chief?—Yes.

21117. Do you not think it might be well to do it?—Yes.

21118. Have Police Officers generally a sufficient knowledge of the language?—They have when they pass their examinations, but they have not the opportunity of keeping it up. In former days all one's clerks knew nothing but the vernacular, but nowadays they are all English-speaking men and most of the work is carried on in English; our papers are written in English, and gradually English is being introduced as the language for general use in regard to police work, with the result that an officer has no occasion to keep up his knowledge of the vernacular.

21119. But does he not require a knowledge of it when he goes into the interior?—Yes, absolutely; he cannot enquire properly into a case unless he knows the language thoroughly.

21120. Do the people in country districts always talk the same *patois*?—No, they all differ, and that is where the difficulty is.

21121. Even if your men were acquainted with Bengali, they would not be able to speak to the Pahari people and so forth?—No, but we do not come into contact with them much unless in Assam; in some places you can get on if you have a knowledge of Bengali.

21122. Are you satisfied with the relations between your District Superintendent and the District Magistrate?—Yes.

21123. Can you suggest any improvement in any way?—I think not.

21124. Do you have any difficulty with regard to posting your inspectors?—I have not found any.

21125. Have you not found that it has entailed a good deal of correspondence between yourself and the Commissioner?—No.

21126. You state that the Government rate of 10 per cent. on officer's pay is a very high sum to demand as rent for an unfurnished house?—Yes, in view of the frequent transfers which cause expense to an officer in furnishing and in carting his furniture about for which he gets nothing.

21127. Is there nothing allowed for removal?—Absolutely nothing, except that he is allowed double first class railway fare and the fare by steamer. A transfer often means throwing a man into debt several hundred rupees, apart from what he may lose by having to sell his furniture and purchase new.

21128. Would you like to see an allowance made of actual out-of-pocket expenses?—Yes, and the provision of the actual necessaries in the house one goes to on which Government might charge a percentage to the officer using them.

21129. You think village communities might be entrusted with some powers of self-government?—They might if they were more frequently visited; at Backarganj we successfully tried the experiment of allowing them to deal with unnatural death cases which would save the police no end of trouble. They dealt with them very well indeed; we never had any complaints.

21130. Would you give them power in small petty civil and criminal cases?—Yes, there are numerous cases which at present we inquire into which might well be referred to them.

21131. (*Sir Frederic Lely.*) Would you not say that uniformity of procedure is less necessary in the case of the police than in any other branch of Government; that is to say, that it depends on the nature and customs and habits of the people concerned?—It does to a great extent, except as regards criminals—when we find the up-country criminals coming to Bengal.

21132. That ceases to be local, but so far as the local keeping of law and order is concerned, the procedure of the police should depend more on local conditions than probably any other branch of Government?—Yes.

21133. When you speak of questions coming from the Government of India, which would not be asked if there was a skilled adviser at headquarters, would it not be better if many of those questions ceased altogether and were left to the Local Government?—Yes, certainly, or if the Government recommendations were accepted more freely.

21134. Has the action of the Government of India in recent years unnecessarily trammelled the Local Government and local Police Officers?—I will not go so far as that, but it has occasioned delay.

21135. Has action under the Police Commission been in the direction of laying down too much detail?—It is hardly time to speak about that; reforms are only being introduced at present, and it is a little early to condemn anything they have recommended.

21136. As a general principle, would you say that the details of police management should be left to the local authority?—I think so.

21137. Would you agree that a thorough knowledge of the language is as important and perhaps more important in the case of a Police Officer than in the case of any other officer?—I think it is just as important for the Magistrate who has the trying of cases and the recording of evidence. The same thing applies of course to the police; in enquiring into cases it is very necessary that they should know the language fairly well.

21138. Does Government lay much stress upon the knowledge of language on the part of Police Officers?—In the examination they do.

21139. And after a man has passed his examination, is there nothing more heard of him in that special direction?—Yes.

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21140. Have you ever heard of a case of a man's promotion being stopped because he has not acquired a knowledge of the language?—Not in the case of Gazetted Officers.

21141. Have you ever heard of a man being censured for it?—No.

21142. Have you ever known of a case where intimation has been conveyed to a man of the disapproval of Government on this account?—No.

21143. Once a man's examination is passed, Government takes no further note of whether he knows the language or not?—I think not. If they do take note, they have no opportunities of knowing whether an officer has kept up his knowledge. No enquiry is ever made that I know of.

21144. Do annual notes as to the personal character of officers go up from you at all?—Not from me. The Inspector-General records his remarks, and the Magistrates record their remarks as to Police Officers, but we do not know what they contain; they are confidential.

21145. Is the examination sufficient, or would you suggest any changes in it?—I think it is too severe as regards a knowledge of reading and writing, and not sufficiently severe as regards colloquial knowledge; the examination with regard to colloquial knowledge is a short *viva voce* examination of about ten minutes only.

21146. But the reading and writing of the language is important?—It is important, but not so important as a good colloquial knowledge.

21147. What sort of translation work is set?—They get some petition or a report to translate.

21148. Is not that part of the examination necessary?—It is necessary. Then they have dictation; they have to dictate a bit of English into Bengali, and they have to translate and write in Bengali a bit of English.

21149. Then what do you say with regard to the colloquial test?—At present it is not as thorough as it should be.

21150. Does the blame for that rest upon the examiners chiefly, or is any change in the Government order necessary?—I think a change in the Government orders is necessary.

21151. (*Mr. Dutt.*) The appointment of a Director-General of Criminal Intelligence was made to co-ordinate police work in the different provinces as regards heinous crimes?—Yes.

21152. Was it one of the objects to introduce some sort of uniformity in the different provinces?—I think not.

21153. Is it too early yet to judge the result of it?—For the purposes for which the particular appointment was established, I think it has been absolutely successful.

21154. Do you want the appointment of another police officer in the Secretariat to secure some sort of uniformity?—Not necessarily a separate officer—he may be the same officer. All I would suggest is that he should be a Police Officer.

21155. Have Deputy Superintendents yet been appointed to the different districts?—Some six or eight have, but not in all the districts.

21156. Have sub-inspectors been appointed according to the new rules?—Yes, the first batch. We have several of the men who were trained in Bengal who have come over.

21157. Have the powers of the Magistrate with regard to the transfer and promotion of Police Officers been much affected by the new rules?—I do not think so.

21158. Have the powers of the Magistrates over officers been to some extent decreased?—Yes, they have.

21159. So that a District Magistrate has less control over police work than he had before?—Yes.

21160. There used to be a register in which the Magistrate trying a case made his remarks as to the conduct of the police; is that register still kept up?—There is no such register still kept up that I know of, but the Magistrates have the right to record remarks of that kind, though in the case of subordinate Magistrates it is discouraged.

21161. You say some chaukidari unions in the Backarganj district have been empowered to deal with cases. How long ago was that?—Ten years ago.

21162. Was that system successful so long as you were there?—Yes.

21163. Was it introduced into many villages?—I think it was general throughout the district.

12164. Is not the Bengali language spoken in all three divisions?—Yes.

21165. And a man coming from Rajshahi has no difficulty in understanding the language of Dacca, and a man coming from Dacca has no difficulty in understanding the language of Rajshahi?—No.

21166. Are the Superintendents of Police in these eastern districts thoroughly well acquainted with Bengali?—The present officers are.

21167. Can they understand the language as it is spoken by the villagers?—Yes.

12168. You say that the powers of municipalities and District and Local Boards should be reduced, particularly as regards assessments; are you aware that District Boards have no power with regard to assessments, and that the assessment and collection of the Road Cess are made entirely by the Collector?—I was not aware of that.

21169. (*Mr. Hichens.*) Do you think that the Government should make a profit out of providing an officer with a house, or should they provide it below the market price?—In the case of junior officers I think they should do the latter.

21170. Does the 10 per cent. represent a price usually below the market price?—In the case of junior officers I think it does, but not in the case of senior officers.

21171. How far is the pay of subordinate officers uniform throughout India?—I think it is more or less uniform now, but there are exceptions in certain places, such as Calcutta and Bombay.

21172. Can you get an efficient type of officer for the pay prescribed?—Yes, officers we can.

21173. Is the pay of the men prescribed too?—Yes, by the Government of India.

21174. Can you get efficient men for that pay?—Not always in the case of the men.

21175. Is it desirable that a principle of uniformity in regard to the pay of men should be laid down?—Some uniformity should be laid down, but relaxed in certain cases. The difficulty we experience is in getting suitable men for the towns.

21176. The provincial Government would not be likely to pay more than it found to be necessary, if left to itself?—No.

21177. And if they did decide to pay a higher wage than was paid, for instance, in Burma or in the Central Provinces, it would be for some very good reason?—Yes.

21178. Do you think it is necessary to refer that matter to the Government of India?—I think so, in the case of the men.

21179. Do you think the Government of India would agree without any demur if the provincial Government sent up a request to be allowed to increase the pay of the men on the ground that they could not otherwise get efficient men?—That would be one of the cases I refer to in suggesting that we should have an officer having police experience at headquarters.

21180. Would there be any difficulty to-day in getting that consent?—I think at present it would be absolutely refused.

21181. And yet it is desirable that you should be able to pay a higher wage?—In certain places, yes.

21182. You are getting inefficient men, the work is being inefficiently done, and yet you are powerless to remedy it?—The rates have been lately revised and fixed. At present we are trying the

experiment of recruiting men, with regard to which we have had difficulty, from up-country, and it remains to be seen whether the steps now being taken will prove successful or not. At present, the time has not arrived for making any definite pronouncement.

21183. If it becomes necessary, should any recommendation be endorsed by the Government of India before it is carried out?—I would sooner it was left to the Local Government to deal with.

21184. (*Mr. Meyer.*) You rather implied that it was an exceptional matter for a Director-General to have been a Police Officer—who is the present Director?—Sir Harold Stuart.

21185. Are you aware that he was for several years Inspector-General of Police in Madras?—Yes.

21186. Do you not think that a sufficient qualification?—There is no hard-and-fast rule laid down that the appointment shall be given to an officer with police experience.

21187. But so far as Sir Harold Stuart is concerned, he possesses the qualification you desire?—Yes.

21188. And was he not the first holder of the appointment?—Yes.

21189. Therefore, so far you have no reason for complaint?—No, except that I suggest he should be an officer who has had experience in all provinces, and not necessarily in the one province he has served in.

21190. Is there any person who has had experience of police in every province?—No.

21191. Do you propose that all Police Officers should travel over them all?—Not all, but I think the officer selected for appointment should have a year's experience of them all.

21192. As a matter of fact, the existing permanent officer has that experience, having been Secretary to the Police Commission?—I could not tell you.

21193. Do you desire every department to have a special representative at headquarters in the same way that the police have?—No.

21194. You complain of delays on the part of the Government of India in dealing with cases which arise from the undue discussion of details; but if you had an officer with technical police experience, is it not just possible that he will go into detail more than another officer would?—Possibly he might, but I do not think we should have to refer things back so often as at present.

21195. But might not his view be different from the view of your Local Government?—It might be.

21196. You have charge of the Special Intelligence Branch in this province. What are your relations in connection with that with the Director of Criminal Intelligence?—I am directly under him. I report to him direct as to matters which are of inter-provincial importance.

21197. And you might receive instructions from him to carry on an investigation as to some particular case or to watch some gang that may be coming in from another province?—Yes.

21198. But are you under his orders in the same way as you are under the orders of your own Inspector-General?—Yes; he issues circular orders on matters directing the lines of enquiry; they do not interfere with one's work, but they lay down the lines of work.

21199. He could not for instance tell you to go to Gauhati to-morrow in the same way as your own Inspector-General could?—No.

21200. Have you found any inconvenience in this double control, such as it is?—No.

21201. Have you found any advantage in the information you have received from the Director of Criminal Intelligence?—Yes.

21202. You have said it was too early to consider details, but, speaking generally, did not the Police Commission bring about some considerable reforms in police organization?—Yes.

21203. And also some considerable enhancement of pay of the Police Officers and subordinates?—Yes.

21204. So far, was its action beneficial or otherwise?—Decidedly beneficial.

21205. Then you spoke about the pay of your men—was that recommended by the Police Commission?—Yes.

21206. Before the recommendation of the Police Commission was adopted, was not the matter referred to all the Local Governments?—Yes.

21207. Therefore, your Local Government had an opportunity, if they thought the pay too low, of objecting?—This province was not formed then; it came under Bengal.

21208. Are you aware whether they did object?—I cannot say.

21209. Are there any local allowances given here to supplement the general rates?—Not in Eastern Bengal. I think there is an allowance in Assam.

21210. Where do you recruit the bulk of your rank and file from?—A certain percentage, from 20 to 30, from up-country, and a certain percentage locally.

21211. What do you mean by up-country?—United Provinces, Central Provinces and Bihar—the Hindi-speaking districts.

21212. What is the constitution of the military police; what class of people are they?—They are from up-country. They generally come from Bihar and other places.

21213. Then so far as your recruiting up-country is concerned, you are in a way trenching on the local recruiting-grounds of other provincial Governments?—Yes.

21214. And from that point of view it might be harmful to them, if your Government were to raise the pay of police constables considerably?—I think not, because men would naturally work for very much less than they would in other parts where living would be more expensive.

21215. But, nevertheless, a point might be reached at which it would pay them to leave their own province?—Undoubtedly.

21216. Suppose the United Provinces said, "You are diminishing our recruiting ground by offering such high prices," what would happen?—I do not anticipate that that would ever occur.

21217. But in the event of its occurring I suppose ultimately the Government of India would have the decision?—No doubt.

21218. Have your District Superintendents to spend a minimum amount of time on tour?—They have to inspect a certain number of posts twice in the year, but the number of days is not fixed.

21219. Therefore, conceivably, might not a man rather scamp his inspection?—He is supposed to spend a certain amount of time at those posts when he does inspect them, and he has to inspect them twice a year.

21220. Is that sufficient or would you also have a minimum time for touring as District Officers have in some provinces?—I think it is sufficient as it stands; it is never worked up to at present, because they cannot possibly do it.

21221. But when matters are improved, would you insist upon it?—Yes.

21222. Things are different in the Assam Valley from Eastern Bengal as regards language and conditions?—Yes.

21223. Do you have frequent transfers of Police Officers as between Assam and Eastern Bengal?—No, not in the past; they have been more or less confined to Assam.

21224. If a District Superintendent of Police goes on privilege leave, and there is an Assistant Superintendent in the district, would he be put on to the work if he was considered fit to do it?—Yes.

21225. Although he was not the senior man on the roster?—No, he would not get the acting appointment, that is given in the regular grade, the

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senior Assistant would get the acting appointment, and it would mean a transfer.

21226. Suppose A goes on leave, B is an Assistant in the district but a junior, C is a senior Assistant outside; would you replace A by C, and not by B?—Yes.

21227. Always?—Yes.

21228. Do you think that that conduces to frequent transfers?—Yes.

21229. What should be done in the case of short vacancies not exceeding six months. Would you not let B act?—It would be rather hard on C if he happened to lose two or three acting appointments.

21230. But in the course of a man's whole service, would he not score sometimes as against losing at other times?—That might be so.

21231. If it could be managed without undue damage to the personal interests of the Service, would it not be preferable?—At present there are not enough Assistants; there are only Assistants in two or three districts out of 24.

21232. But that is an abnormal state of affairs—is it not, because your *cadre* is somewhat depleted?—It is very low indeed, but still there will be a large number of districts without Assistants.

21233. Still when you have one, ought he not to be utilized as acting District Superintendent of Police?—I think an allowance might be given instead of the regular acting promotion, which should go to the senior man.

21234. You would add to the expense then?—Yes.

21235. Another system has been suggested, of letting the junior man who gets the appointment take half the ordinary acting allowance, the senior man who has to forego the appointment taking the other half—would that meet the case?—I do not think it would; you would find it would cause discontent amongst the senior Assistants.

21236. You said that it was ruinous for an officer to be transferred, because of the inadequate travelling allowance, and so on?—It is not necessarily the case when a man goes for two or three months, because he generally relieves a man who has gone on leave for that time, leaving his house standing and the acting man would take it over.

21237. Then what would happen to the house of the man who relieves?—An Assistant generally has not a house, although there may be exceptions.

21238. At any rate, if transfers are so expensive in general as you represent, it would not be an unmitigated loss to the officer to have to forego the acting allowance?—It might not in some cases.

21239. You spoke of the travelling allowance rules—does the State take any cognisance of an officer's wife and family?—No.

21240. But it gives an officer double first-class fare in order that he may have something towards the expense of conveying his baggage and so forth?—Yes.

21241. As regards the rent of houses, is not 10 per cent. of his salary the maximum which is chargeable to an officer?—Yes, but the value of a house is usually more than 10 per cent. of an officer's pay.

21242. Is it not the Public Works rule, that the rent is calculated on commercial principles, as near as may be, subject to a maximum of 10 per cent. on the officer's salary?—Yes.

21243. Therefore if an officer is paying 10 per cent., he is generally paying less than the market value of the house?—He may be.

21244. Is it easy to get private houses here?—No. it is most difficult.

21245. And if there were such, are they rather expensive?—Very expensive.

21246. So that the State does not in any way plunder you?—No.

21247. On the contrary, it rather benefits you?—Where we have Government houses, yes.

21248. We were told in Bengal proper that chaukidari unions used to be very much under the control of the police, but that that had been now altered and the police had been dissociated from them; is that the case in this province also?—To a great extent; not entirely. It was tried in one or two places, but they went back to the old system.

21249. Have they gone back to the old police system?—Not quite to the old police system; it has been modified. In the olden days, panchayats were nominated entirely by the police, and the chaukidars were under the police; but that was all knocked on the head and a system introduced by Mr. Savage separating the chaukidars from the police; that system was tried and found wanting.

21250. Then is the chaukidar still under the control of the police thana?—As regards attendance and reporting, he is. The police have nothing to do with his appointment.

21251. And as regards the selection of the members of the panchayat?—The police have nothing to do with that.

21252. Then the police are in the main dissociated from the chaukidars?—Yes.

21253. Has that been satisfactory or otherwise?—I think there should be more control of the chaukidars by the police; but as regards appointment, the police need not have further powers; I think the chaukidars are being made far too independent of the police.

21254. With regard to your complaint as to assessment, do you say anything with regard to the assessment of municipalities?—Yes. I do not think the assessments of municipalities are fairly done. They charge excessive rates in some cases, and absolutely absurd rates in others.

21255. Who makes the assessment?—The Municipal Commissioners.

21256. Is there any appeal?—I believe there is.

21257. Have you appealed?—No, I have not.

21258. (*Sir Steyning Edgerley.*) Will the proposals of the Police Commission provide you with a deputy superintendent in each district?—No.

21259. Will they give you an Assistant Superintendent, or a deputy superintendent in each district?—No.

21260. Will they give you what you consider a sufficient staff in all classes of officers for the province?—I think so, when the system is fully in work.

21261. Then you have obtained all you have asked for, having regard to all classes of officers?—We have not got them yet; they have been sanctioned, but the system is being introduced gradually.

21262. But on the whole you think it sufficient? I think so.

21263. You said you thought certain schemes had been hung up; what schemes were in your mind?—A certain proposal which was sent up in connection with reorganisation and special appointments which had to be made to deal temporarily with some agitation.

21264. With regard to permanent establishment what has happened?—That has all been sanctioned, but the funds have not been allotted yet.

21265. What is the pay of constables?—They start at Rs. 8 and rise up to Rs. 10.

21266. What is the pay of head constables?—From Rs. 12-8 up to Rs. 20.

21267. Before the reorganisation, what were the rates of pay?—Before the reorganisation the pay in some districts was from Rs. 10 to Rs. 25 for head constables, and constables started at Rs. 7 and ended at Rs. 10, including good-conduct allowance.

21268. So that there has been no raising of the maximum of the constable, and there has been a diminution of the maximum of the head constable?—Yes.

21269. Is there a system of direct recruitment of sub-inspectors commencing with Rs. 50?—Yes, but they come in first as probationers at Rs. 30.

21270. So that the prospects of your men up to head constables are worse than they were before?—Yes.

21271. Under those conditions can you get men?—Yes; our forces are filled, because we have a class of men known as writer-constables, who are capable of being absorbed as head constables into the regular strength if fit, and there are others being reverted to the ordinary rank and file.

21272. As regards touring, do you travel on daily travelling allowance?—Or mileage.

21273. Have you had any experience of the permanent travelling allowance system?—Yes.

21274. Which do you think causes the least labour?—I should think the permanent travelling allowance system.

21275. Which do you think is the better system?—The permanent system.

21276. Who countersigns the daily travelling allowance bills, the mileage bills?—The Inspector-General of Police.

21277. Have you anything to do with them?—No, except as regards the subordinate officers.

21278. It is now the 9th of January; have the subordinate officers got their mileage for November yet?—Yes.

21279. But not for December?—Not for December.

21280. If the allowance was on the permanent system, would they not have had it?—Yes, they would have drawn it on the 1st of the month.

21281. So that it means not only more work, but further delay in the men getting their money?—Yes.

21282. As regards the language difficulty, is there any rule, if a man is transferred from Eastern Bengal to Assam, laying it down that he has to pass an examination in Assamese?—Yes.

21283. If he does not pass what happens?—Nothing, provided he has passed his previous examination entitling him to his promotion.

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21284. Is there anything in the shape of a deduction from his salary if he does not pass within a given time?—No.

21285. With regard to the system of disposing of cases of unnatural death by village panchayats, does that save a great deal of work?—Yes.

21286. Have you ever known it lead to murders being lost sight of?—No; it has been only tried, to my knowledge, in one district.

21287. Is there not great danger of that?—Not if the men appointed are suitable.

21288. Take the case for instance of a sudden death—would not that want careful enquiry?—There is that risk of course, but intelligence is always brought to the police.

21289. Of course it is all right if intelligence is brought to you, but supposing it is not?—The chaukidars invariably give intimation, and if there is no call for interfering we do not interfere.

21290. Have you a very large number of chaukidars in each district?—Yes.

21291. Are they paid by a separate cess?—Yes.

21292. May they run in a district like Backarganj to as many as four or five thousand men?—Not so many as that. About 2,000.

21293. Do they do a great deal of police work for you?—Yes; they bring us information, and they keep us informed of the vital statistics, and in the event of our wanting any information collected it is the chaukidar who does it.

21294. Do they report cases of crime in the villages, and so on?—Yes.

21295. Then practically they enable you to do with a smaller body of police than you could otherwise get on with?—Yes.

(*The witness withdrew.*)

Mr. WILLIAM SWEET was called and examined.

21296. (*Chairman.*) You are the Superintending Engineer in the Eastern Bengal Circle?—Yes, for a short time I was acting as Secretary to the Assam Administration before the present province was formed.

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21297. How many circles have you in Eastern Bengal?—One.

21298. What is the constitution of your staff here?—I have five Executive Engineers.

21299. Are you satisfied with the powers which you, as Superintending Engineer, have now?—No, I think they might be considerably enlarged, more particularly with regard to the sanctioning of estimates.

21300. Might the Local Government have power to sanction estimates?—Yes, from imperial funds up to two lakhs.

21301. Also power to fix the permanent scales of the Lower Subordinate Officer and the petty establishment, and to appoint temporary engineers?—Yes, within the limit fixed for the establishment of the province.

21302. And in the same way to construct tramways in certain cases?—Yes, in certain cases.

21303. You think that the procedure for the acquisition of land is rather roundabout?—Yes, about seven steps are now required to acquire land.

21304. Supposing you wanted land, will you tell us what happens?—We should apply to the Collector for an estimate of the cost of the land, and for a draft declaration for publication in the Gazette that the land is to be acquired for a public purpose. He would send that estimate up, if it is over Rs. 5,000, to the Commissioner for his approval; if it is over Rs. 25,000, the Commissioner will sign it and send it on to the Board of Revenue; it would then come back to the local officer who is acquiring the land who would send it up to Government for sanction to acquire the land and the publication of the notification. After publication the Government would address the Board of Revenue, requesting them to acquire the land; they pass on orders to the Commissioner, and he passes on orders to the Collector. All these steps cause considerable delay.

21305. What is the system you would suggest?—The local Public Works Officer should apply to the Collector for his estimate and notification (or the Collector might send it on to the Commissioner and on to the Board of Revenue), and the local Public Works Officer could send the estimate up with the notification. If the Government sanctioned the acquisition of the land, as soon as the Gazette containing the notification issued, the Collector should have power to carry out the acquisition and deal with the actual owners, unless, of course, the final award exceeded the estimate. That would reduce the process by three steps.

21306. You would like to see the powers of Superintending Engineers increased?—Yes; I would suggest that all intermediate officers should have their powers enlarged.

21307. Would you like the Superintending Engineer to have power to sanction estmates for works from all funds up to 10 per cent. of the powers of the Government?—Yes.

21308. And to accept tenders and to fix rents in the same way?—Yes, under the rules laid down by the Government of India, which are purely mechanical.

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21309. Are the rules reasonable?—Yes.

21310. You would like power to sanction local purchases, etc., up to Rs. 2,500?—Yes.

21311. And to purchase tools in the same way. Have you any power to sanction contracts?—I can accept tenders up to Rs. 10,000.

21312. Do you desire any extension of your powers in that respect?—I should suggest a limit up to my powers of sanctioning estimates.

21313. Does the work in connection with these things take up some time?—It does not take up a great deal of time, but it adds to the office work.

21314. In the same way would you like to see the powers of Executive Engineers extended?—Yes.

21315. In the case of sanctioning estimates, what would you put their limit at?—I would give an Executive Engineer, reported fit for administrative appointments, 10 per cent. of the powers of Superintending Engineer, and as to others who are not reported fit for administrative posts, I would give a lower limit, and a third grade a still lower limit.

21316. You tell us that certain Executive Engineers are reported fit for promotion. Do you at present make considerable selection from your officers?—Yes, as soon as an officer becomes a first grade Executive Engineer, I have to report whether he is fit for an administrative post.

21317. Up to the first grade, does he go up by seniority?—Yes, tempered by reports to a certain extent.

21318. Are those reports ever unfavourable?—Yes, and they have to be shown to the Executive Officer.

21319. Are there cases in which officers have been passed over before ever getting to the first grade?—Yes.

21320. Then after the first grade there is a very fair amount of selection?—Yes.

21321. Does that system work well?—Yes.

21322. What happens to an officer when he is passed over?—He remains where he is and never gets any further.

21323. Does that system work well?—I think his pay ought to be increased periodically after he becomes a first grade Executive Engineer (after 19 years' service); he may have to stay on another 15 years.

21324. But if he is of no value to the State, why increase his pay?—He might be a very good Executive Officer, but without any administrative capacity.

21325. Would he improve as an Executive Engineer?—Yes, every day adds to one's experience.

21326. You would in no way curtail the right of appeal?—No.

21327. In respect of provincial Officers, have you all the control you wish for in the way of posting and transferring?—Yes.

21328. Do you appoint the Subordinate Service?—The Superintending Engineers appoint lower subordinates within the scale laid down.

21329. Can you dismiss them?—We can dismiss those whom we appoint subject to appeal.

21330. Speaking generally, are you satisfied with your relations to the staff subordinate to you?—Yes.

21331. As a Superintending Engineer are you satisfied with your relations to the Public Works Secretariat?—Subject to what I have said about enlarged powers, yes.

21332. Is the Public Works Code at all complicated?—No.

21333. You do not think it could be relaxed in any way advantageously to the Service?—I think not.

21334. Do you think your staff is not up to exercising, or perhaps do not desire, greater freedom?—I have no reason to think that.

21335. (*Sir Steyning Edgerley.*) I understand you have only five Executive Engineers, which is one for each division?—Yes.

21336. Can they do the whole work of the division?—The Public Works division is not the same as a civil division. In one of the civil divisions there are two Engineers, in Dacca there is one, and in Chittagong there is one.

21337. And in Assam?—Assam is the same. I think there are seven divisions in Assam.

21338. So that you really have twelve Executive Engineers in the province?—Yes, there are 12 or 13 in the province.

21339. Besides that, you have a certain number of District Engineers?—There are District Engineers under the District Boards.

21340. Do they do any work for you?—Not now.

21341. Are the twelve men sufficient to do the whole work of the province?—They are somewhat overworked at present.

21342. Is there any question about increasing them?—No, there has not been any question raised.

21343. Are they sufficient as a staff?—No. I do not think it is worth while raising the number of divisions; we can, if necessary, arrange for special divisions; we have a special division here at Dacca, and in case of a large work we should go in for a special division.

21344. We were told yesterday that the work of an Executive Engineer is impossible for any single man—do you agree with that?—No; it is hard work.

21345. You think then that there is sufficient establishment?—No, I think we require more Assistant Engineers.

21346. Do you think the system of Executive Engineers under a District Board is an economical system?—In some ways it is wasteful, because you have two men travelling over very much the same area of country. It could be improved by abolishing the District Engineer.

21347. If any change were made, would that be the change to make?—That is the only way; you would have to increase the Public Works *cadre* and increase the charges.

21348. In that case would you have to put an Executive Engineer into each district?—I fear we should unless we could insure a supply of efficient Assistant Engineers.

21349. Have you any such at present?—Yes, but they are mostly very junior. I think I have five Assistant Engineers and one temporary Engineer in my circle.

21350. Have you any difficulty in getting stores under present conditions?—There is no great difficulty, but there is sometimes considerable delay.

21351. That is a difficulty when you are finishing a building?—Yes, we have had to stop work occasionally, in buildings for the new station, for instance.

21352. Have you any instance in mind?—In one case the iron-work, girders and so on, had not arrived.

21353. Is that a sort of thing you would be able to get in India?—Yes.

21354. When were they ordered?—Many of them were ordered by telegram, but I could not tell you the time which elapsed before they were delivered; at any rate it was a good deal longer than sufficient for the Director-General to have supplied them. The delay was over six months in some cases.

21355. Are you quite sure you could get similar stores quite satisfactorily in Calcutta?—Yes; if we could not get them we could order them, and they would be got out in a third of the time.

21356. Would they be satisfactory?—Yes, for the work we want them for. In some cases they would be rather dearer.

21357. (*Mr. Meyer.*) What are the restrictions which the Government of India impose on the Local Government with regard to the Upper and

Lower Subordinate scales in the Public Works Department?—They want to fix the number for us—the number of our clerks and subordinates, not in each grade, but in each office.

21358. The Government of India have laid down a uniform scale of clerks for the Executive Engineer, which you cannot exceed without their sanction?—The Government of India wished to fix the number to be employed in the office in the first place, and we shall not be able to exceed that number unless we employ temporary hands; we shall not be able to exceed the scale of permanent clerks fixed by the Government of India, because the Local Government cannot revise the orders of the Government of India.

21359. Therefore the Local Government could not add a permanent man at Rs. 15 without going up to the Government of India?—Yes.

21360. Is that a restriction of the Public Works Code?—No; the Code says that a provincial Government shall fix its lower and menial establishments. It is with the scale we are going to start the province with that the Government of India is interfering at the present time. I do not know under what rule it is called for, but the matter has been referred to the Government of India, and they have objected to the proposed scale.

21361. Is it not possible that the matter went up to them for financial sanction by reason of the new appointments of Executive Engineers or otherwise?—I think it is being criticised in the Public Works Department, not the Financial Department.

21362. You get your orders as to Public Works matters, whether they relate to finance or not, from the Public Works Department?—Yes, it may have gone up upon that.

21363. Is it not possible that you have to send up these schemes for financial sanction by reason of the total cost of the appointments involved, and that then the Government of India dealt with the scheme and said, "Five clerks are enough for an Executive Engineer," but that does not prevent the Local Government adding a sixth or a seventh later on?—I think it would; the Local Government could not add a permanent clerk after the Government of India had laid down a certain number, otherwise there would be no object in laying down that number.

21364. As regards Sub-Engineers and Supervisors and so on, do the Government of India impose any check as to appointments?—No.

21365. But they do with regard to the *cadre*?—Yes, they fix that.

21366. What is the pay of these people?—The highest pay is Rs. 450, and the lowest of the Upper Subordinates is Rs. 60.

21367. What do you call a Lower Subordinate?—A Lower Subordinate begins at Rs. 30.

21368. Do the Government of India interfere with the Lower Subordinate *cadre*?—Yes, they have in this case.

21369. Can you alter the *cadre* without going up to them?—No, not when they fix it.

21370. As regards the appointment of temporary Engineers, your present power is up to Rs. 250 a month. It has been suggested by various Local Governments that they should have power to make temporary appointments up to Rs. 500, but you want to go up to Rs. 950; what is the reason for that?—Because Rs. 950 has been fixed as the highest pay for a temporary Engineer.

21371. You have, say, 12 Executive Engineers now, and if you want six temporary men do you mean that the Local Government should be able to appoint those men at Rs. 950 straight way without reference to the Government of India?—Yes, if the scale allowed us to appoint that number. The Government of India will lay down the scale, and say, 12 permanent and so many temporary.

21372. If the Government of India consider that from time to time you require a certain number of temporary Executive or other officers, then you think that the Local Government might appoint them and fix their pay?—Yes.

21373. You want to give the Local Governments power to deal with tramways. What is technically termed a tramway might really be a light railway?—By tramway I mean a light railway, too.

21374. A light railway might come into competition with a bigger railway?—It could.

21375. And railways are an important and an imperial matter?—Yes, and companies as well.

21376. Who controls companies' railways? The Local Government or the Government of India?—The companies, and I suppose they would raise an outcry.

21377. From that point of view is it not necessary that there should be some imperial control over a tramway which is really a light railway and not a mere local substitute for an omnibus route?—Yes, but I have suggested this from experience of a country which formerly was devoid of railways entirely—Assam. It now has one.

21378. As regards land acquisition, do you desire to reserve to the Local Government the original decision as to whether land requires to be taken up for public purposes?—Yes.

21379. In cases of relatively small value, might that not go to the Commissioner?—Yes.

21380. What are your relations in the Public Works Department here with the Commissioner and Collector?—We consult the Commissioner as to new roads and things of that kind and the Collector, too.

21381. Are not the roads made by the District Board?—They are mostly in Eastern Bengal, except in Rajshahi.

21382. In regard to buildings, I suppose you would consult the local Head of the Department concerned?—As regards new buildings the local Head of the Department makes the first movement.

21383. In regard to such roads as are outside the sphere of the District Board, would you consult the Collector and Commissioner before making them?—Yes.

21384. And if they said it was not necessary, or that road B was better than road A which you proposed, what would happen?—If we could not agree together, we should refer the matter to the Chief Engineer.

21385. What would happen if the Chief Engineer agreed with you and disagreed with the Commissioner?—It would then be laid before the Lieutenant-Governor.

21386. It has been suggested that the provincial Public Works grant should be largely distributed amongst divisions, and that the Commissioner should have the power of financial sanction within the budget allotment, for road and irrigation works which are not of primary importance, the professional sanction remaining as at present with the Public Works Department; do you see any objection to that?—I see no objection to raising the powers of Commissioners with regard to sanctioning roads.

21387. Would you raise them largely?—Yes, I think so. I see no reason why they should not be final in the matter of sanctioning roads if the Local Government gives them sufficient money to carry out the work.

21388. You spoke of discriminating between grades of Executive Engineers—how many grades are there?—Three. I would discriminate between men in the first and second grades. As soon as a man becomes an Executive Engineer, a report has to go in as to his fitness for an administrative appointment.

21389. What about the second and third grade men?—I propose for the second grade a larger limit, and the third grade I would leave where it is.

21390. Are you quite satisfied with the powers of the provincial Government under the rent rules?—Yes, as far as fixing rent goes.

21391. Have you not to make a good many representations to the Government of India?—Not about rents; once laid down it is a hard and fast rule.

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21392. But whenever circumstances oblige you to build a house on which the rent fixed under your *quasi*-commercial principles would exceed 8 per cent. of the officer's salary, have you not to go to the Government of India to get it changed?—Yes, as a matter of building we have, but not as to fixing the rent for buildings already completed. The Local Government now fixes the rent.

21393. Are you satisfied with the rules as to expenditure on houses?—No. I think the Local Government might have a free hand in regard to all classes of officers.

21394. That might mean giving a house to a high official at such a rent, as compared with its market value, that you would be considerably increasing his emoluments?—Of course you are supposed to be able to trust the Head of your Government.

21395. Do the present rules go on that principle?—The rules go on the principle of absolute distrust.

21396. Does the Public Works Code go on a principle of confidence or distrist?—On the whole, a principle of confidence.

21397. Is the Public Works Code in some respects unduly rigid?—Yes.

21398. There are certain rules under which the Local Government has to come up to the Government of India for sanction for an individual work?—Yes.

21399. If the Government of India approve, would the Local Government have to send the estimate up again?—Yes.

21400. Do they have to send up the estimates in every case in which they have to get financial sanction?—Yes, they have.

21401. Is that necessary?—No, except in the matter of imperial expenditure.

21402. Are not references required occasionally where the estimates have been passed, but it is a question of whether you will execute them by contract or departmentally, and so forth?—No.

21403. Though your own people below you have to come up to you?—Yes. The Local Government can accept a contract up to any amount.

21404. Would it not be possible for a District Board Engineer to take over the Government building work?—That is how this province was run before we took it over. It was given up because it was thought that the Public Works Department would do it better.

21405. How long had the system been going on?—I think almost from the time of the formation of District Boards. The District Board Engineer did most of the Government work.

21406. But in Assam you had not District Board Engineers, and consequently the Government staff did it all?—The Government staff did all the important works for the Boards.

21407. When Assam and Eastern Bengal were united under an officer who had been Chief Commissioner of Assam, then the Assam system was promptly applied in Bengal as far as Government works were concerned?—Yes.

21408. Was it done on mere theory, or was there actual evidence that the old Eastern Bengal system had been unsatisfactory?—There was a certain amount of evidence that it had not been very satisfactory, and there was also the idea of placing more officers about the district so as to be able to check the expenditure.

21409. Under the Eastern Bengal system, the District Board Engineers were supervised to a certain extent by the Superintending Engineer of the Public Works Department in his character of Inspector of Local Funds Works?—Yes.

21410. The present result is that you have done away with the agency of the District Board Engineer, of whom you had one in each district, and you have instituted a scanty Public Works staff with one Executive Engineer in each Commissioner's division?—Yes, except in the case of Rajshahi.

21411. Do you consider that a satisfactory alternative?—Yes, I think so.

21412. An officer coming in to the Public Works Department has a right if he behaves well to rise up to the post of first grade Engineer?—Yes.

21413. But the Superintending Engineer stands on a different level?—Yes, selection is made from the first grade.

21414. But a senior man does not necessarily go in?—No; as soon as a man becomes a first grade Engineer, a report has to be made in regard to him.

21415. Supposing a Superintending Engineership falls vacant and you have three first grade Executive Engineers, all of whom are fit, but the junior of the three is a much abler man than the other two, would he be put in?—Not if the other two had been reported on as fit.

21416. Then it is really seniority tempered by selection and not selection purely?—Yes.

21417. Does promotion to Chief Engineer go in the same way?—Sometimes a man is pretty certain if he gets Superintending Engineer to become Chief Engineer.

21418. So that it goes practically by seniority?—Yes.

21419. Have you had many appeals come to you, first as Superintending Engineer and second as Chief Engineer?—No; they are not very plentiful.

21420. Are there not many cases in which a matter has already been decided twice or more by people below you?—There is practically only one appeal—there is the decision of the officer and the appeal then goes to the Government.

21421. Has an Executive Engineer much power in regard to punishing or dismissing people?—No, he has very little power indeed, but he can dismiss a man he has appointed himself—a clerk or a menial.

21422. Suppose he does not dismiss him but suspends him for a month, could an appeal go to the Superintending Engineer?—Yes, and from him to the Chief Engineer.

21423. Then could it go on from the Chief Engineer to the Secretary to Government?—It could.

21424. Have you had many matters which under the existing rules or practice you have to refer from yourself as Chief Engineer to yourself as Secretary to Government?—In appeals there have been.

21425. In all important matters you would take His Honour's orders, but are there matters which have to go to you formally as Secretary to Government but which you consider so unimportant that you do not take His Honour's orders but deal with yourself?—Yes; there are many things one disposes of as Chief Engineer or as Secretary which are not of sufficient importance to go up to His Honour.

21426. It has been represented by one officer that one of the instances of harmful interference by the Government of India was with regard to building operations here in Dacca, which he said were largely delayed owing to the action of the Government of India; have you any knowledge of that?—We found we could not build here within the rules and we had to go to the Government of India to relax them in certain cases.

21427. Are you speaking of residences for officers of Government?—Yes, and in the matter of Government House there have been many references, and it has taken us two years to get it through.

21428. Was that owing to the cost being disapproved, or the plans being disapproved, or what?—The plan was approved, and then it was decided that the Government of India architect should work it up for us and make all the drawings and so on, but he did nothing for some three months, so Sir Bamfylde Fuller got them back and gave them to a private architect to work up. Then they were sent back to the Government of India again, and I suppose the Government of India architect criticised them a great deal, and a great many changes were made before they were finally approved.

Then the architect's estimates were sent to the Government of India for sanction, but they said, "No, you are to make out your own estimates, and send us the detailed drawing," and they wanted detailed drawings of every bit of moulding and so on; so that altogether there was a good deal of rigidity about it.

21429. Was your local architect a private man?—Yes, a qualified architect.

21430. But in the matter of a Government House which has to last for a very long time, might there not possibly be something to account for the Government of India requiring the advice of their own architect?—Yes, I have no objection to make to that, but I do object to the excessive amount of detail in regard to the estimates.

21431. Was the delay due mainly to the existing rules, or what one might call vexatious interference under the existing rules?—I think under the existing rules the matter could have been passed through more quickly, because there is nothing in the existing rules which necessitates any great delay.

21432. Do the existing rules require a reference to the Government of India architect?—Yes.

21433. And they also require a reference financially owing to the cost of the building?—Yes; there was no great trouble about that.

21434. Having regard to the conditions under which the Government of India had to examine all these matters, was their examination needlessly minute, and were you put to unnecessary inconvenience and delay?—I think we were.

21435. Would you say considerable delay?—I think we might have started the work some six or eight months ago.

21436. (*Mr. Hichens.*) Who provided the money for the new buildings which are going to be put up here?—That is a question I am not prepared to deal with.

21437. At any rate, given that the money was available, was there any particular reason why the provincial Government should not be able to settle what sort of buildings they wanted and how they were to be put up?—I think with the exception of an important building like a Government House, all questions as to buildings might be left to the provincial Government.

21438. The assumption would be that you would employ a competent architect?—Yes, for a large building especially.

21439. Have you had much experience with regard to the architect of the Government of India?—No, very little.

21440. It was put to us in another province that occasionally he was not versed in local conditions?—Quite true.

21441. And therefore his advice might be sound or it might not, but at any rate it was not desirable that a Local Government should be in any way bound to take it?—Yes.

21442. Might it be laid down that a provincial Government might consult the Architect of the Government of India if they chose, but if they felt that they had a good enough architect of their own, they might abstain from consulting him?—Quite so.

21443. In regard to the Government House, is there really any reason why the provincial Government should not settle for itself the kind of building it is going to have?—I think that means that one man would settle the plan of the building, and he might have fads.

21444. In the case of that particular building, the Local Government might rely too much upon personality and individuality, and therefore the matter ought to go through more hands?—Yes.

21445. With regard to other Government buildings, for instance, as other public offices, is there any reason why there should go up either for administrative or technical approval to the Government of India?—I think it is very desirable that we should be able to get an architect's advice and help, but if we have a private architect I do not see that it is necessary.

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21446. (*Mr. Dutt.*) You say that if Government has approved of the acquisition of any land, further procedure might be left to the Collector, but is not that the rule at present?—No, after the Government has approved of the estimates, orders are issued to the Board of Revenue who pass them on to the Commissioner who passes them on to the Collector, and I would omit all that; I would have the appearance of the order in the Gazette sufficient authority for the Collector to proceed with the work.

21447. You say that the Collector should be empowered to give immediate possession under section 17 of the Act without reference to the Local Government?—Yes, instead of having to refer backwards and forwards through the same channel for orders.

21448. Is not section 17 reserved for urgent cases, where immediate possession is necessary?—Yes.

21449. Do you not think in such cases the Government should decide whether there is urgency or not?—But it very often happens in a twopenny-halfpenny case; for instance, we might want a brick-field, and if we want it, we want it immediately.

21450. But looking at it from another point of view, does not section 17 set aside a lot of the procedure with regard to notification and that kind of thing? Do you not think the Government ought to have a voice in deciding whether the matter is so urgent that the usual procedure should be set aside?—I do not think there is very much procedure set aside under section 17. A Collector cannot take any action under that section until the notification has been published and he has issued his award.

21451. You said it would be possible to employ either an Executive Engineer or an Assistant Engineer in each district to be in charge of the Government work and also of the District Board work. Would you advocate that system as better than the present one?—It is hard to say which is the better; there are advantages in both systems.

21452. At present have not the District Boards power to appoint their own Engineers?—Under certain rules.

21453. If you sent your Government officers there, you would have to withdraw that power from the District Boards, and the Government would send its own Engineers?—Yes.

21454. In that case would you make the District Board contribute towards the pay of that officer?—We do not in Assam. I do not contemplate that.

21455. If you sent a Government officer to carry out District Board works, would you do so without making the District Board pay a part of his salary?—Yes, I do not see any reason why they should pay him.

21456. Taking the experience of a large district like Mymensingh, is it possible for one Engineer to take charge of all the works in such a district, over and above any Government buildings he might have to construct or supervise?—Yes, if he had a sufficient staff of Assistants; he would have to have a very considerable staff, and Government doing it would be probably more expensive than the District Board's maintenance, but it would be more efficient.

21457. So that on the whole, you have not any very decided opinion whether the one or the other is the better system?—No; I think the District Board work, though probably not so good as it might be, may be good enough.

21458. You say you would not curtail the right of appeal; will you give us your reasons for that opinion?—I think the more right of appeal there is, the more care people will take in passing orders which might be appealed against.

21459. (*Sir Frederic Lely.*) Supposing a District Engineer has to build a district cutcherry of average size, is he supplied with a standard plan?—He is either supplied with a standard plan or with a design.

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21460. Have you standard designs?—Not for all public buildings. We have none for cutcherries.

21461. Or for all public buildings which are much in demand?—Yes, we have of those which require to be of the same type, like Munsiff's Courts, but the plans for a cutcherry vary in different districts.

21462. Taking a Munsiff's Court, which is a standard type of building, would the local Engineer have scope for making any change?—No.

21463. Even if he were a man who had made a study of architecture?—He would not start building, because he had a type drawing, but he would have to send an estimate on that type drawing and get sanction, and if he wanted to make any changes he would have to send his proposals up to Government.

21464. Is not that system rather a discouragement in the way of special architecture?—I think it is hardly necessary to make any arrangement for giving any scope in those matters, because they cost money.

21465. Do you think that the system secures you against any possible waste or mistake, and that that is worth purchasing even at the expense of a dead level of design?—No, I think it would be a very good thing indeed to alter designs, but that means more expensive buildings.

21466. But do you not think that it would be desirable for a central authority to be able to give more scope for special ability or special taste in the matter of architecture?—Yes; the Local Government is not bound to stick to these type drawings.

21467. Supposing an Engineer's estimates are sanctioned on certain specifications, and he finds that it would be economical or desirable to change an item of the specification, to use one sort of timber instead of another, for instance, would he have any power to do that?—He would put that in his estimate for scrutiny by the Superintending Engineer and Chief Engineer, possibly, and if they approved of it that would be sufficient. There is no hard-and-fast rule with regard to the material to be used.

21468. Is there a certain amount of discretion left?—Yes, absolute discretion.

21469. I understand the Public Works Department is entirely independent and isolated from all the other departments of Government?—Yes, it is in the execution of its work.

21470. I notice in Sir John Strachey's book that it is laid down that nothing can pass in a district of which it is not the Collector's duty to keep himself informed and watch the operation; would you accept that proposition from the point of view of the Public Works Department?—No; the Collector has nothing to do with watching the operations of the Public Works Department. Where anything affects his district, such as a railway embankment, which might affect agricultural operations, it would be his duty certainly to watch it.

21471. Supposing he became aware of some excessive waste which was going on owing to the inefficiency of the Executive Engineer, should he take any action?—Certainly; it would be his duty to represent to the Executive Engineer's superior, if there was anything wasteful.

21472. And if the Superintending Engineer did not agree with him, and thought there was no reason for interference, what would he do?—That would be left very much to his own discretion whether he went on with the case, or the Superintending Engineer might show him that the matter was all right; he could either accept that or go to someone higher.

21473. Would the Superintending Engineer think himself bound to refer the matter to a higher authority?—No, not if he was satisfied.

(*The witness withdrew.*)

The Hon. Mr. PAUL GREGORY MELITUS, C.I.E., was called and examined.

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21474. (*Chairman.*) You are the second member of the Board of Revenue, are you not?—Yes.

The chief point of contact between the people and the administration is the District and Sub-Divisional Officer. No scheme of decentralization is likely to remain successful unless District Officers are given a substantial voice in the initiation of proposals affecting the district administration. They are now often consulted too late, that is, after a decision has been arrived at, or practically arrived at. The remedies suggested are: to require proposals of Local Governments affecting district administration to be accompanied by the opinions of District and other officers: to require District Officers before reporting to consult their Sub-Divisional Officers, and both the District and Sub-Divisional Officer to consult those interested and give all persons wishing to do so an opportunity of expressing their views for the consideration of the Local Government: to let the public know that the proposals of Local Government were framed after duly consulting officers and persons concerned.

District and Sub-Divisional Officers are sometimes posted without reference to their suitability for particular charges. This is partly unavoidable. Transfers are frequent. This also is partly unavoidable; and in the earlier years of service it is desirable that an officer should be transferred at not too long intervals to widen his experience. But the evil may be diminished by posting officers when their time comes for holding charge permanently to districts for a period of, say, five years, and to sub-divisions for two or three years; by reposting officers to the same district during their term of five years on return from furlough, the acting vacancy being utilised to give experience in a district charge to junior officers; by offering bad districts—there are many such in the province—down the line to the first officer considered qualified who accepts. This method would please both the officer appointed, as he would get his district permanently perhaps a year or two before his time, and the officers superseded, who would avoid going to a district they do not want.

District and Sub-Divisional Officers in the Assam Valley after some little time generally acquire a sufficient colloquial knowledge of the vernacular. In Bengal this is said not to be the case. The Assam system, especially the land revenue, brings them more in contact with the people. Ability to read the written character is often defective. The remedy is strict examination. The main obstacle in the way of more personal contact between officers and the people is pressure of office work. Sub-Divisional Officers in the Bengal districts, for instance, have to spend much time on tour in trying cases from a distance which could more conveniently be tried at headquarters. I see no remedy except an increase in the Provincial Service. Efficient members of the Provincial Service might be appointed Additional Collectors at headquarters. I would prefer this to the appointment of a Sub-Divisional Officer at headquarters. The proposal would relieve the District Officer but not the Sub-Divisional Officer. There is also much set work on tour, such as inspections, testing of measurements, income-tax enquiries, which take up time. It is a question of departmental efficiency *versus* administrative strength. The former requires much time to be spent on inspections, etc., the latter would be better served by leaving the officers free to "talk" to the people. Tea-garden inspections take up much of the time of officers in Assam, but the supervision of tea-garden labour is, perhaps, the most important branch of revenue administration in the Assam tea districts.

One or two districts of the province may be too large, but no general reduction in the size of charges is required. I think an increase in the Provincial Service is required if District and Sub-Divisional Officers are to have more time for mixing with the people. If the principle of "greater care in selection, less regard being had to

seniority" is to be applied to district charges, the strength of the Indian Civil Service may have to be increased by a small allowance for inefficients, just as there is an allowance for leave and training; otherwise districts may come down to officers too junior for such charges. But perhaps an increase in the Provincial Service would answer that purpose.

In administrative matters my experience, both in the Home Department Secretariat and in Assam, is that the control of the Government of India to the present extent, is on the whole good and should not be relaxed. No doubt there is often ignorance of local conditions in the Government of India leading to avoidable correspondence and delay, and they sometimes make mistakes. But those disadvantages are outweighed by the advantage of checking hasty action. There would probably be more mistakes if the Local Governments were left more alone. It is not always the case that a Local Government acts with local knowledge. Most Local Governments consist of a single man, often new to the province. He may come to the province with preconceived notions, prepared to find fault with the administration of his predecessors, and unwilling to listen to the advice of his officers unless it falls in with his own views. I think it unsafe for the Government of India to initiate changes affecting the district administration of a province except by way of suggestion to Local Governments, but they should retain full control and veto over details as well as principles. My Secretariat experience was that they generally gave in when a good case was made out. I do not believe in the distinction between "details" and "principles" in administrative matters referred to by some witnesses who have advocated leaving to Local Government more liberty as to details to be worked out on principles laid down by the Government of India. Most principles are details when considered with reference to higher principles. Similarly details become principles with reference to lower details.

I would not withdraw the control of the Government of India under the Assam Land and Revenue Regulations.

Sufficient corrective for excessive rigidity in, or mistakes by, the Government of India Secretariat exists in the power of the Local Government to suspend action and make representations, and in the willingness of the Government of India to give in to those representations. There is not sufficient corrective in the case of such tendencies in the Local Secretariat when once orders have been passed, because subordinate officers are not at liberty to urge objections to the same extent: the order begins to take effect at once, and there is no one competent to suspend action all over the province, except, perhaps, the Board of Revenue in cases in which the order is addressed to the Board and not communicated by circular to subordinate officers; and there is less likelihood of representations by subordinate officers being attended to. The Local Government would not attach the same weight to their objections as the Government of India attach to objections by Local Governments. The proper corrective in the case of Local Governments is to consult local officers before orders are decided upon.

The Board have (*a*) certain statutory functions not sufficient to occupy their whole time, (*b*) certain functions delegated by the Local Government. In the case of (*b*) it is optional with the Local Government to make over work to, or take it away from, the Board without reference to the Government of India. When a subject has been made over to the Board, no further direct correspondence on that subject should take place between the Government and the Commissioner or Head of Department subordinate to the Board.

Were it not for the fact that a Board of Revenue was established for the new province after full consideration, I should be inclined to recommend its abolition, substituting for it a Financial Commissioner, whose work would be confined to his statutory duties. I am not in favour of associating the Board with Government, as has been done in Bengal. This would, I think destroy the independent existence of the Board, and might lower it in the estimation of the people. The position of the members would fluctuate somewhere between that of colleagues of the Lieutenant-Governor and that of mere Secretaries according to the varying personality of the Lieutenant-Governor, Members, and Secretaries. In any case there should be an independent branch of the Board for dealing with appeals. In Assam the people are accustomed to their appeals being disposed of by Government, but in the Eastern Bengal districts they attach importance to separate authority.

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In the Assam Valley the entire staff of Sub-Deputy Collectors should be placed at the disposal of the Commissioner, who would be responsible for their posting. Here again we have the question of departmental efficiency *versus* administrative strength.

As regards Service appeals, I would leave the right of appeal as regards dismissals as it stands; firstly, because it helps to make Government service popular; secondly, ministerial and lower officers are often dismissed for faults for which, and on evidence on which, no one would dream of dismissing superior officers, and, thirdly, some officers are over-ready to dismiss their subordinates for faults for which a smaller penalty would suffice; others perhaps err in the opposite direction. So much depends on the accident of who is the officer passing the order or hearing the appeal. Appeals against dismissals are those which take up most time; the rest do not cost so much time and labour as to require separate procedure.

The Assam Sub-Divisional Boards have worked well—probably much better than District Boards would have worked. It seems impracticable to extend the system to the Eastern Bengal districts. No change is required in Assam unless it is in the direction of a Local Self-Government Act, which is not really required.

I would not place the smaller municipalities under the District or Sub-Divisional Board in either section of the province. Probably these municipalities would not like the change, and they are better left to the supervision of the District and Sub-Divisional Officers.

I am unable to think out a scheme for the constitution and functions of District Councils which does not break down as likely to do more harm than good. There would be difficulties arising from the composition of the population. If a proportion of the appointments are by election, there would be a risk of the introduction of disloyal men which might endanger rather than promote good relations between the officers and the people. If all appointments are by nomination, this would be made an additional grievance and another handle for friction between disloyal men and Government. Then there are the questions of the work of the members, the responsibility for supervising them, the methods of control and of insuring that their advice and action is for the public good and not in personal or class interests, and of protecting them against attack by their enemies. There would have to be control over the individual members in proportion to their work. It would be different in the case of village bodies, but the Council would not be large enough to contain ordinarily more than one member in any particular locality. To be of practical use most of the members would have to be *bonâ fide* resident in the villages in the interior. Further, these Councils might narrow rather than widen the field of consultation. A District or Sub-Divisional Officer should take advice from *all* persons wishing to give it. I should, however, be quite willing to support the creation of these Councils if I could see a scheme likely to do more good than harm. Advisory bodies, temporary or permanent, appointed to advise on some special or technical subject are on a different footing, and might often be useful.

Petty civil and criminal cases might with advantage be made over to bodies of panchayats, *gaonburas*, and leading villagers, where there is not much chance of their being dominated by landlords, subordinate officials, and others. This is certainly practicable in the Assam Volley, where disputes are very frequently settled in this way. The *goshains* of the Assam Valley are universally respected, and their influence makes for purity of

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life and obedience to authority. They might be associated with the Government and utilised for disposing of minor cases. This would be a popular measure. Their decision would have to be final.

21475. You have had a good deal of experience, not only in the Secretariat, but in the district?—Yes.

21476. When you first entered the Board of Revenue as second member, your work was not of the stamp that it is now?—There has been a difference. When I left the province on leave both of the members were Bengal men with Bengal experience, and it was thought necessary to transfer the Assam land revenue to the senior member; but the senior member has recently spoken to me about transferring it back to me.

21477. Is there no hard-and-fast rule which requires the first member to have certain departments under him and the other member to have certain departments under him?—No, the Local Government has the power to apportion the work by departments.

21478. Does that arrangement work pretty well?—Yes, I think so.

21479. Is it much better than having a hard-and-fast rule as to the way in which work shall be assigned to each member?—Much better.

21480. You have been not only a Sub-Divisional Officer, but a Commissioner?—I have been a Commissioner in the Assam Valley division for over seven years.

21481. Are Divisional Officers consulted too late in the day when administrative proposals are made?—There have been cases in Assam in my experience where they have been consulted too late, that is to say in matters on which the Chief Commissioner, so far as one could judge, has practically committed himself.

21482. Does that system obtain still?—I think not.

21483. Is there any system in force of conferences either of Commissioners with the Board of Revenue, or of Collectors with the Commissioner?—There was none when I went on leave, and I have not heard of any such system.

21484. Would such a proposal be advantageous?—I think so; occasional conferences would be a good thing.

21485. Might they prevent District Officers being consulted too late?—I do not think that would affect the point to which I am referring. When it is decided to take action, District Officers are not consulted until it is too late.

21486. Can't you give an instance of such a case?—In the case of the Assam Labour Immigration Act of 1901, no officer or planter in Assam was consulted by the Chief Commissioner from the time the question arose until the time the Act was actually introduced in Council.

21487. And is that clearly, in your judgment, a bad system?—I think so.

21488. And perhaps a system of conferences might obviate such another case arising?—It would, if the subject was referred to the conference.

21489. Were the Commissioners consulted with regard to this particular Act?—There is only one Commissioner in Assam; no officer was consulted. Of course, I cannot say what the Chief Commissioner may had said in conversation with people, but I can say that there is no paper in any district office or in any planter's office in Assam showing that from the time that the question of amending that Act arose, until the time it was introduced in Council, anybody was consulted—and that is not a solitary instance.

21490. At that time was the Chief Commissioner solely responsible for the Government of Assam?—Yes.

21491. In your opinion is one of the reasons why the control of the Government of India ought not to be relaxed in administrative matters, the danger which may arise from too hasty legislation passed at the suggestion of a single official, namely, the Lieutenant-Governor or the Head of the province?—Yes, and not only legislation, but also executive action.

21492. In practice, although there may be no formal Council to a Lieutenant-Governor, most officers at the head of a province call into consultation their Secretaries and their Board of Revenue, where such exist?—That would depend entirely on the personality of the Head of the province.

21493. You consider transfers very frequent, and you suggest three methods of remedying the evil. You would post officers to a district for a period of not less than five years, and to a sub-division for not less than three?—Perhaps he might be less in a light sub-division, because the Sub-Divisional Officer is a young man, and he had better be transferred while young, so as to get a wider experience.

21494. It was stated by a witness that the system of training young officers on arrival at headquarters was not a satisfactory one?—I do not see what the alternative would be. The best training they could get would be to go to a typical district of a province.

21495. You would not send them out, say, for six months on settlement work?—That would come more suitably after a year or two of district work, and after they had learnt the language and passed some of their examinations.

21496. It was represented that a period of residence at a district headquarters was precisely the reason why a young officer did not learn the language; do you agree with that view?—I do not, because he is put on to try cases, and if the Head of the district takes an interest in him, he takes him about with him or sends him on local enquiries, so that he has opportunities of learning the language then.

21497. You would re-post officers returning from furlough to the same districts which they had held before going on furlough and to get over the difficulty occasioned by the existence of bad district in a province, you would offer them down the line of seniority till an officer was ready to take a bad district and thereby secure advancement?—Yes. That was tried once in Assam with success for two years.

21498. Why was it discontinued?—I do not mean that the system was regularly tried because there are not many bad districts of that sort in Assam. It was tried once in the case of one district with success. But in Eastern Bengal there are a large number of bad districts.

21499. Has it never been tried in Eastern Bengal?—I do not think so.

21500. You say that the Government of India ought not to interfere in district administration, save by way of suggestion?—I should have said that they ought not to interfere in matters of detail. The Government of India ought not to initiate changes affecting the details of district administration, but they should retain full control and veto over Local Governments even in detail.

21501. Would you lead us to believe that the Government of India, when pressed upon matters of detail, generally give way?—That was my experience in both the Assam Secretariat and the Home Department.

21502. But, on the other hand, you are of opinion that the provincial Secretariat are not so willing to trust their officers in a matter of detail as the Government of India is willing to trust the Local Government?—That all depends on the Head of the Local Government; the Local Government is one man, and personalities vary.

21503. The details are so carefully scrutinised by the Head of the provisional Government that he can control local officers in details?—I think so from my experience in Assam, and I should say also, perhaps, in this province. I cannot say with regard to the new province, but of course a good deal of work is left to the Secretaries.

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21504. It is the Secretary who interferes in the details, and not the Head of the Government, although he may write in his name?—It might be.

21505. Are the representations of subordinate officers not taken notice of when they remonstrate with the Local Government?—They do not remonstrate very often, because when an order is passed it has to be carried out. The Board of Revenue might remonstrate, but there was no Board until the other day, and before that the District Officers and Commissioners would feel it rather beyond their duty to remonstrate after an order had been passed. I have occasionally pointed out certain matters in the orders which in my opinion might be altered.

21506. With what result?—I do not remember having pointed it out in any big matter.

21507. You did not think it at all events your duty as a Commissioner to remonstrate with Government in questions in which you thought Government had taken a wrong course?—Not after the orders had been passed.

21508. Would you think now, as a member of the Board of Revenue, that it would be well that Commissioners should draw your attention to matters in order to prevent serious mistakes by the Government or to something which was going wrong owing to an order of the Government?—I think they would do that even now.

21509. But you tell us that they did not do it in the past?—They did not think it necessary to remonstrate against an order passed by the Local Government.

21510. Do you not think it is their duty to do so?—I do not think it is their duty after a decision has been arrived at, but if the order, when put into practice, produces bad results, then it is their duty to point it out.

21511. Will you explain your views as to the Board of Revenue?—At present there is a multiplication of authorities. Both the Commissioner and the Board of Revenue are really hardly required between the District Officer and the Lieutenant-Governor. Then if direct correspondence between a Commissioner or the Head of a Department and the Lieutenant-Governor goes on at the same time, the Board's responsibility is weakened, and it is altogether in a position in which it cannot do much good.

21512. Which is the most desirable to retain, supposing you had to eliminate either the Commissioners or the Board of Revenue?—I should say it did not make much difference, provided the number of the Board was raised, and they toured a great deal. In the one case the Commissioner is a local man, which is an advantage, but in the other case one member of the Board would probably deal with the same subject all over the province which would be an advantage, and he would have the other members to consult with.

21513. What number would you fix as the number of the members of the Board of Revenue, if you did away with Commissioners?—Assuming that they toured as they ought to do, and a great deal more than they do now, at not less than four or five.

21514. Do Commissioners tour a great deal in their districts?—My average in Assam was about 150 days in the year, but in this new province the circumstances have been exceptional the last year, and Commissioners have not been able to get out as much as they otherwise would have done.

21515. What sort of exceptional circumstances have there been?—Disturbances and things like that.

21516. Is any rule laid down as to the amount of touring to be done by Commissioners?—It is 120 days in the Assam Valley, and I think there are different periods fixed for the different Commissioners in the Eastern Bengal districts.

21517. Is there any period laid down for the touring of the members of the Board of Revenue?—No, there is no period. They move about at their own discretion.

21518. If you abolished the Board of Revenue, would you desire to see a Financial Commissioner substituted for it?—That would be necessary to dispose of appeals, but I do not wish to abolish the Board.

21519. Would it be possible to give Commissioners final authority in regard to revenue appeals?—No, that would not be possible; I do not think the people would be satisfied with their decisions, because a Commissioner is too much in contact with Government, and they would like an appellate authority independent of Government; there is a sort of idea that where Government interests are concerned an independent authority is better.

21520. Are you in your collective capacity independent of Government?—Only in respect of appeals and certain express powers which the law gives.

21521. Could not the Commissioner be made independent of Government?—Yes, he could be.

21522. If so, that difficulty would disappear?—I do not think it would altogether disappear, because he would be an officer of a different status.

21523. Could his status be made the same, by giving him greater power all round and increasing his position?—It might be made the same.

21524. Have you an independent Secretary to the Board?—Yes.

21525. Do you appoint your Secretary yourself?—He is appointed by Government after consulting with us. Our Secretaries are entirely separate from the Secretaries to Government.

21526. Do you not wish to see any closer association between the Government and the Board of Revenue than at present exists?—I should not like the Bengal system introduced, because it would depend so much on personal character what the position would be.

21527. Does the position of the Board of Revenue now not depend upon personal idiosyncracies?—No; it is a separate office. The work made over to us depends on the personal views of the Lieutenant-Governor, but the kind of association they have in Bengal might turn the members of the Board practically either into colleagues or Secretaries, or it may even be that the members of the Board might be placed in a position subordinate to the Chief Secretary in certain cases.

21528. Are you mainly in favour of leaving the right of appeal as it stands at the present moment?—I think so. I have only mentioned Service appeals, but that conclusion applies to other appeals as well. They really do not take up much time, except as to the important cases, and any diminution of the right would be unpopular.

21529. Would it be unpopular with a special class, or would it be unpopular with the people at large?—With the people at large.

21530. You tell us that in Assam there were Sub-Divisional Boards which worked better than the District Boards would have worked. Would you like to see that sub-divisional system extended to the province generally?—It cannot be extended, because there is not enough Public Works establishment. An Executive Engineer's division in the Assam district covers two districts only, and he can professionally inspect and advise and can also take over works for execution by the Public Works Department in a way we could not do here, with one Executive Engineer in each Commissioner's division.

21531. From the point of view of administration, but not from the point of view of districts, would it be better to have a system of good Sub-Divisional Boards than to have the present system of District Boards and Local Boards?—My answer would be, "Yes," it would be better if the detailed arrangements could be made.

21532. Could you find in a sub-divisional area men of sufficient calibre and character to work such Sub-Divisional Boards?—I think we could.

21533. Could you then get rid of District Boards?—There would be a little difficulty in getting rid

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altogether of the District Boards, because each of the Sub-Divisional Boards could not afford a good Engineer; there would probably have to be one Engineer for the whole district, and some sort of authority to control him and distribute his time between the different sub-divisions.

21534. Is not a great deal of the work which used to be done by the District Board Engineer now done by the Public Works Department Engineer?—I cannot say about the Eastern Bengal districts.

21535. Is the actual trouble, in your judgment to get a competent District Engineer?—That would be the real trouble.

21536. With regard to Administrative or Advisory Councils, would there be difficulty in regard to their working?—I should like to see them if I could work out the details, but I confess that I cannot do it. It would be a difficult thing to arrange so that the result should not produce more harm than good. How are you to get the members? If the appointments are by election, then taking, for instance, the state of things in Eastern Bengal if you had an undersirable or disloyal man with the status of a member of the Advisory Board, with the sedition, the boycotting, and other things going on, he might do a good deal of harm, and his position would help him to do it, and if the appointments were by election the probability is that a good many men of that class would be elected. On the other hand, if it was by nomination, the noisy class of people would not be satisfied, and would make an additional grievance against Government out of the method of appointment.

21537. With regard to village tribunals, do you think that in selected places they might be started with advantage?—I should like very much to start them in Assam, following the lines of the ordinary village procedure in settling disputes. That procedure is this: suppose A has a complaint against B, they call together some of the leading men of the village, such as the mauzadar *mandal* and *gaonebura*, and anything between 10 and 20 or even more villagers and they sit down and talk the case over and come to a sort of decision which is generally more or less unanimous. There is little chance of injustice under that system, because of its publicity, and practically there is little chance of either party lying because he is sure to be caught.

21538. Would you make those decisions, whatever they were, final and without appeal?—I should say so, in small cases, but not in any case where imprisonment was involved, or in any case which might eventually be punished by the infliction of a fine of a few rupees, or in minor civil disputes such as boundary disputes.

21539. (*Mr. Hichens.*) Is the time of the Board of Revenue very fully occupied with its work?—I cannot say; it was not before I went away on leave, but I am told there has been an increase in the work since then.

21540. Are the subjects with which you have to deal divided into single-member subjects and two-member subjects?—No, there are no two-member subjects; they are all single-member subjects, but either member may call the other in for the disposal of any particular matter.

21541. Do appeals have to be settled by both members of the Board?—No. Appeals are taken by each member separately, unless for some reason the two members sit together. If the member hearing the appeal proposes to reverse a Commissioner's order, the concurrence of the other member is required.

21542. When it is stated that an appeal is to settled by the Board of Revenue is what is really meant that it goes before one member of the Board?—It goes before one member of the Board unless he decides to call in the other member.

21543. As to which he would use his discretion? Yes; I only remember two or three appeals of that kind during the few months before I went on leave.

21544. Does the same principle apply in Bengal, that is to say, that appeals are settled by one member?—I believe so.

21545. Therefore the term "Board of Revenue" is rather a misnomer, and it would be more correct to say there are two Financial Commissioners with separate and independent powers?—I do not call it a misnomer, because we consult together very frequently.

21546. But you might consult with anybody else, the Lieutenant-Governor or the Chief Secretary?—No, that would not be the same thing. A colleague feels a sort of obligation to help you with his advice; for instance there is a big arbitration pending before Mr. Savage, and he has asked me to sit with him and hear it.

21547. What would happen if you differed from him?—Then the law provides that a third person is to be appointed by Government.

21548. A suggestion has been made that the Board of Revenue should be constituted advisers to the Government in respect of all matters practically which concern the Government, that is to say, that their powers should be extended to all other departments. What is your opinion?—I should have no objection; we can take more business than we are doing with an increase of office establishment.

21549. Would two members be able to get a full grasp of all the different departments of Government, and be able to divide up the work satisfactorily between them without an additional member?—If we undertook all the work, there might be a little strain, and it might interfere with our touring.

21550. Would you say that, even if you did have additional work, the importance of touring would be as great as ever?—The importance would be as great as ever, but we should not be able to tour to the same extent.

21551. And that would not be advisable?—No, it would not.

21552. If it was decided that the Board of Revenue should take additional work and be constituted advisers to His Honour in other matters, might it be desirable to increase the number by one or two in order to preserve the power of touring?—Yes.

21553. What exactly is your objection to the Bengal system which has just been adopted in regard to the Board of Revenue?—The Bengal system is that the members of the Board have authority to dispose of cases within their own powers, and certain cases, not within their own powers, but within the powers of the Lieutenant-Governor, and to submit the important cases not being within their own powers to Government; when they submit cases to Government they pass through the Chief Secretary. My objection is that you might be treated as a Secretary to the Government if the Government so wished. Of course the Board could object to that, and then there would be constant friction.

21554. As a matter of fact the Board of Revenue have just the same separate powers as before; they have not been altered?—No.

21555. It is only the procedure of submitting questions to his Honour, that is in question?—It is more than that; it is the amalgamation of offices; if the office becomes amalgamated with the Secretariat, you become members of the Secretariat practically instead of the Head of a separate office, and your position then would depend very much on the views of the Lieutenant-Governor.

21556. You are afraid that the Board might be sunk?—I have no such fear at present, but it is quite possible that other Lieutenant-Governors might place the Board in an undesirable position.

21557. With regard to the relations between the Government of India, and the provincial Government, you do not agree with the distinction which has sometimes been drawn between detail and principle in administrative matters. Would your

view be that if the Government of India is to retain control in a matter at all, it must satisfy itself fully?—Yes.

21558. It must be satisfied that the details are correct, just as much as on the broader issues?—Yes.

21559. What distinction would you draw between the functions of the Government of India and those of the provincial Government; would you lay down any rule at all?—The only alternative I can suggest is for the Government of India to exercise discretion as to the matters in which they say they will interfere and matters in which they will not interfere; after all, whatever is laid down, the method of carrying it into practice is the important factor.

21560. Would you agree that the Government of India should only concern itself in matters of wide importance?—No, I would not agree with that, because things might be done under that rule which might be of very wide importance without appearing to be so at the time.

21561. Then what criterion are you to take with regard to any particular thing?—None at all, except the discretion of the Government of India.

21562. But how are they to be guided?—They would have to be guided by the merits of each case; I could lay down no principle.

21563. Looking at it from the point of view of the province, are there not certain things which it is desirable that the provincial Government should control?—Most certainly.

21564. Could you lay down a broad definition of them?—No, I cannot define them: I would make no definition at all; certainly there have been cases in which much harm would have been done in small matters if the Government of India had not been able to control.

21565. Might the control of the Government of India be relaxed from the point of view of the provincial Government in certain respects to-day?—I think the control might be considerably relaxed in financial matters, in matters of petty expenditure, for instance in matters like political pensions. There are many starving or half-starving members of the late Assam Raja's family, and references have to be made to the Government of India in all such cases which might be left to the Local Government. I remember a case in which a sub-inspector had been killed by a desperate character whom he was trying to arrest, and whose widow applied for pension, but she was told that he had not been killed under circumstances of exceptional danger and the Government of India could not recognise any claim. All such cases might be left to the Local Government, and there may be a large number of them.

21566. In financial matters it is necessary very often to lay down a general rule, for instance as to travelling allowances and things of that sort, but when once it is laid down might one recognise that there must be exceptions to it?—I suppose so; all rules work very hardly no doubt in special cases, and there ought to be exceptions to every rule.

21567. As a general principle, if a rule is laid down by the Government of India governing travelling allowances and so forth, might the Local Government be allowed to make exceptions to it?—I think so, within certain limits, but I cannot suggest any limit.

21568. Would it be desirable in such matters that a list should be sent to the Government of India either yearly or half-yearly, in order that they might watch what a province is doing?—Yes.

21569. And then would you give them power perhaps, not to reverse what had been done in the past, but to notify the province that the exceptions were becoming too frequent and that they must modify their action?—I would give the Government of India rather more power than that if it appeared that the rule was being absolutely evaded by detailed instructions; I would give them power to take away the power of the Local Government if they were abusing it.

21570. But in practice it is not very likely that a provincial Government would do such a thing?—I do not think so. Of course they would be more liberal than the Government of India; for instance, they would not have refused the pension to the sub-inspector's widow, and they would have granted more pensions to the starving members of the Assam Rajas' family.

21571. From the point of view of a contented Government that would probably have been an advantage?—Yes, I think it would.

21572. You say that District Officers are not sufficiently consulted; is your point that they are more in touch with the people and that therefore their recommendations may be a little less rigid and a little more sympathetic than those of the Secretariat?—No, I do not mean that; what I mean was that there would be less dependence on the opinion of a single man or a Secretariat.

21573. In practice would you say that a Collector is more influenced by personal appeals in consequence of his personal intercourse with the people than a Secretariat?—I should say that a Collector who has been some time in a district, and who knows the language and the people, would be given that way.

21574. And in the same way perhaps the provincial Government might be more inclined to deal sympathetically with questions, such as you have mentioned, within its own province, than the Government of India would?—I think they would be more sympathetic and there would be a little larger expenditure, but it could be all controlled.

21575. It might be that a certain item was disallowed by the Accountant-General, on the ground that it was not in accordance with the Civil Account Code. Would you think it expedient for the Local Government to be able to enforce their own interpretation as against him finally?—No. I should say not; the making of exceptions would be sufficient.

21576. But, on the other hand, there is this difficulty, that if the Local Government wanted to decide in one way all they would have to do would be to say, "Very well, we will make an exception in that case?—Yes, they might do that, but that would be an abuse. It depends on the particular case.

21577. Is it possible or reasonable to give the one power without the other, and should they not both stand or fall together?—I have never considered the question, but power to interpret the rules as Local Governments think proper seems rather a large one.

21578. Have you never had cases before you where inconvenience was caused by a too rigid interpretation on the part of the Government of India?—I dare say there have been instances like that.

21579. Is that not just the direction in which a certain amount of freedom and latitude might be given to the provincial Governments in regard to their own funds?—I think not; you could not avoid control in any case.

21580. You referred to labour immigration, and you said that it was one of the most important questions that had come forward for some time?—I said that labour immigration was one of the most important subjects of administration in Assam.

21581. How far have the provincial Government control in such matters?—Full control, but the sanction of the Government of India is required for a few things; otherwise they have full control.

21582. Both with regard to emigration and immigration?—Yes, inland.

21583. Could they prohibit persons from Burma coming in, for instance?—For that particular thing they would have to get the sanction of the Government of India.

21584. For example, could the Government of Madras refuse to allow recruiting there without the sanction of the Government of India?—All the provisions in restraint of recruiting require the Government of India's sanction.

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21585. (*Mr. Dutt.*) Are members of the Board, as a matter of fact, consulted by the Lieutenant-Governor in matters other than revenue matters?—Yes. I had a reference the other day on the labour immigration question, and they are consulted on other matters occasionally.

21586. Is the labour immigration question connected with revenue?—No, in no way.

21587. Are such consultations frequent?—I can hardly say; I have only just come back, and there has been a change in the Government; so that I can hardly give an opinion, but I believe the members are frequently consulted on other matters.

21588. There are no other officers of the standing of the members of the Board of Revenue whom the Lieutenant-Governor could consult in police matters or in Public Works matters?—Not of the same standing.

21589. The Lieutenant-Governor on those questions would have to consult his Secretaries or Heads of Departments?—Yes.

21590. You say that it is conceivable that a new Lieutenant-Governor might come to a province with preconceived notions, and might possibly carry out his own opinions?—Yes, that is possible.

21591. As a matter of fact, can you say if successive Lieutenant-Governors have, or have not, come to Bengal with pronounced views on certain matters?—I can hardly speak as to Bengal; I left Bengal 21 years ago.

21592. Supposing there was a risk of a break in the continuity of policy arising from that cause, is there any remedy except the control of the Government of India which you would like to suggest?—The practice of consulting officers more strictly enforced would be a considerable check.

21593. But those officers whom the Lieutenant-Governor could consult would be of the rank of Secretaries or Heads of Departments?—I mean that he should consult his Commissioners and Collectors on district matters.

21594. Is there any rule that the Lieutenant-Governor should be guided by the majority of officers he might consult?—No, and I do not suggest such a rule; he should consult them and then form his opinion.

21595. Would you be inclined to recommend that the members of the Board of Revenue should be raised altogether to the rank of colleagues of the Lieutenant-Governor, retaining at the same time their statutory powers as a Board of Revenue?—I do not like to give an opinion on that point, as it concerns me personally.

21596. Irrespective of personal considerations, in your opinion, would it be a step in advance if the members of the Board of Revenue were raised to the rank of colleagues of the Lieutenant-Governor, retaining at the same time their statutory powers as a Board of Revenue?—I am inclined to think it would be a good thing.

21597. In that case would you recommend a division of work into departments as at present obtains in Madras and Bombay?—Yes.

21598. Does the right of appeal, as it at present exists, create in Government officers in the lower departments a general sense of security in the Government Service?—I think it does.

21599. In consequence of that, can the Government find better men to-day on a pay of Rs. 50 than a private employer or a *quasi*-Government body, like a municipality?—There are other considerations, such as status and pension, but no doubt the right of appeal helps.

21600. A question was put to you with regard to the possibility of working Local Boards and abolishing District Boards altogether in Eastern Bengal; in that case would there be difficulty in distributing the proceeds of the Road Cess which is collected for the whole district?—I cannot say how the Road Cess is collected in Bengal; there is no difficulty in Assam, because the local rates are collected for each sub-division and it should be possible to make some such distribution in Bengal. If it could not be settled how much was paid on account of each sub-division there would be a difficulty.

21601. You say that you would be quite willing to support the creation of Advisory Councils, but you cannot work out the details because there is a danger of undesirable men becoming members of them; but do you think that members of the District Boards at present belong to that class of undesirable men?—I cannot speak as to the Bengal districts. In the Assam districts I should say, no—that very few of them belong to the undesirable class, but the undesirable classes are not very strong in Assam.

21602. If the District Boards were allowed to elect a certain portion of the members of an Advisory Council, would they elect what you call undesirable men?—Not in the Assam Valley; I cannot speak for Sylhet.

21603. Is it possible under such a system of election and nomination to get together a workable body of men to advise the Collector?—The body of men might be got together, but there would still be the risk.

21604. Do you favour the idea of creating panchayats in villages?—Only for Assam. I am not speaking for Eastern Bengal, but the system of disposing of disputes in villages in Assam works very well.

21605. If it were desirable to create the same class of panchayats in Bengal, would you be in favour of employing a special officer to organise the formation of such panchayats?—Assuming such a system to be introduced, it might be a good thing to have a special officer to look after them.

21606. You would not make such village panchayats in any way subordinate to the police?—No.

21607. (*Sir Steyning Edgerley.*) What is the arrangement for the management of the Salt Department here?—We have not much salt. There is the detective establishment in two districts. I know very little about the subject.

21608. Is the control provincial?—The detective establishment is, I think, a Bengal establishment; we have not yet got a separate establishment, but I do not really know.

21609. You said that the Executive Engineer difficulty would be in the way of substituting a Board system in Eastern Bengal. Would that be insuperable?—Practically, because there would not be enough work in, say, a couple of districts for an Executive Engineer. If you have an Executive Engineer for a whole division, you can hardly expect him to supervise work in five or six districts.

21610. But if you had a single officer in each district for both the Government work and the District Board's work, would there not be enough work for him?—Then it would be quite feasible.

21611. Would you prefer that the District Board should have an Engineer, or that the Government should have an Engineer whose services would be at the disposal of the District Board?—The latter method was tried in Assam, and it broke down there on account of friction. If you have an officer of the standing of Executive Engineer, he would not submit to being in any way subordinate to the Chairmen of Local Boards, who would be Sub-Divisional Officers—probably in most cases Deputy Magistrates. That is why it broke down in Assam. Now each Board has its own Service, and the Executive Engineer is professional adviser to the Board, with power to inspect the work.

21612. There would not be that difficulty in Eastern Bengal?—There would not be that difficulty as things stand at present, because each Board has its own engineer; the Executive Engineer is not the engineer of the Board.

21613. As to the Advisory Council, have you not got the material to hand in your District Local Board?—So far as you may take them as representatives of the district, you may consult them.

21614. But could not you modify the Act so as to extend their functions and to make them representatives?—I do not know what their functions would be; that is the second difficulty I feel; the

first is as to the constitution of the Board, then, secondly, as to what they are to do and how they are to be organised. I have not worked a system out; every attempt I have made to work it out has failed.

21615. If the system of making the members of the Board of Revenue practically colleagues of the Lieutenant-Governor were adopted, you would of course very much increase the position of Commissioners?—Yes.

21616. If that were done and matters came direct to Government, that would avoid a good deal of the delay and duplication of work which the present system involves?—Yes.

21617. As regards the relations with the Government of India, you say you think that their interference must rest on the merits of each case?—I can think of nothing else.

21618. How is that to guide a Local Government as to what it ought to submit and what it ought not to submit; must it submit everything?—No; there would be orders as to what should be submitted. I advocate giving them as much power as ever could be given to them, with control over them.

21619. Would they simply submit that which requires financial sanction?—No, they would submit whatever required administrative sanction; that would go according to precedent.

21620. Would a code grow up as to what they must submit?—There is a practice now.

21621. You would leave the matter alone on the administrative side?—Administratively I should leave the matter alone, yes.

21622. Do you tour much?—I did a great deal of touring as Commissioner of the Assam Valley—between 150 and 175 days in the year.

21623. As member of the Board of Revenue what do you do?—I have hardly experienced that, but the Board do tour.

21624. Did you tour as a Commissioner on a permanent travelling allowance?—Yes.

21625. And as to the Board?—On Rs. 10 a day. The Commissioners have a permanent allowance; the Board have not.

21626. Which is the most convenient system to work—the permanent allowance system or the daily allowance system?—The permanent system is the more convenient.

21627. Does the daily allowance system involve a great deal more work?—It is troublesome; the amount of work it involves is not very much.

21628. There is the audit?—I suppose there is a certain amount of trouble there.

21629. And there is a Manual of Distances?—Yes.

21630. All that is avoided by the permanent system?—Yes.

21631. A witness told us that he thought the expense of travelling had very much increased of late years; is that so?—I dare say it has in the Bengal districts; in Assam it has always been high, and has remained about the same.

21632. At the present day are the travelling allowance rates, mileage and so on, so inadequate as to put an officer out of pocket in travelling; such an officer as a District Superintendent of Police, not a Commissioner?—Yes, I should say they do not cover expenses unless in exceptional cases an officer goes out for the purpose of making travelling allowances; those are very exceptional cases.

21633. If he goes out simply doing the work, his travelling allowance does not cover expenses in this province?—I should say not.

21634. Is the margin of income of a District Superintendent of Police so small that it is a distinct deterrent to his getting about?—Yes.

21635. You tell us that if there is a difference of opinion between two members of the Board, the old Regulation provided that a third person should come in and arbitrate?—Yes, a third person *ad hoc* would be appointed to decide.

21636. And he would necessarily be a junior in status?—Probably.

21637. Unless the Lieutenant-Governor came in, he must be a junior?—Yes, he would be a junior.

21638. Is that not rather inconvenient?—The case has not arisen in my experience. When I was a Commissioner in Assam, there was no Board of Revenue. The Chief Commissioner did the work of the Board.

21639. You have no experience as to how far a Board can really inspect a province?—No, I have not; the Board of course could not inspect the whole province; it is the Commissioner's business to inspect; the Board's business is rather to see that the inspection is properly made.

21640. It was suggested to us by a witness that it would be a good thing to say that no officer should be taken to the Secretariat as Secretary (or we might almost add, perhaps, promoted to higher office) unless he could show a record of at least three years' service in charge of a district. Would that be a salutary rule on the whole?—I do not think the rule would do any particular good.

21641. Is selection for charges of districts sufficiently strict?—There is not much selection; I have found very few cases of people being passed over, and in those cases they were hopelessly incompetent.

21642. Ought there to be more selection?—There ought to be more, but the Service is not strong enough for it; I believe it is already considerably short of strength.

21643. Assuming the normal Service, would you increase the severity of selection?—Yes; but, even so, you would require a considerable margin as reserve for inefficients, or the districts would come down to quite junior officers.

21644. If you do that, what would you do with an officer after the decision to permanently supersede him had been come to; should he serve for his full time?—If he is declared permanently disqualified for his district, the best thing to do would be to make him retire on a liberal pension.

21645. Would you give that power to the Government?—I think so.

21646. Would it be necessary to exercise it in all cases?—The case would be very rare of an officer permanently unfit; in many cases an officer might be unfit while young, but he would get fit with more experience.

21647. It has been suggested to us that it would be a very good thing to relieve Collectors, as far as possible, of all work which does not bring them into contact with the people; for instance work like charge of the treasury, and practically to put the responsibility on the Deputy Collector with a system of local audit by the Accountant-General; do you think that would work?—I do not see any objection to it.

21648. There is in the aggregate a fair amount of work that the Collector has to do under the head of "treasury" at present, that does not bring him into contact with the people at all?—That is so. We have made a suggestion to meet cases like that, namely, that there should be power to appoint competent members of the Provincial Civil Service as Additional Collectors, in order to relieve the Collector of office work and so on.

21649. Is there any other subject you can suggest like the treasury?—Office inspections for instance; I do not mean to say that the Collector should altogether cease to inspect offices, but that is a detail. The Additional Collector, if a Magistrate, could probably take many of the District Magistrate's powers under the Criminal Procedure Code.

21650. Is not a great deal of the work in this province done by departments; you have Deputy Collectors and so on under the Collector working a whole subject throughout the district?—Yes.

21651. A contrary system prevails in other provinces of India, where the Sub-Divisional Officer is practically a Collector for his charge, taking everything?—Yes, that is the system in Assam.

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21652. How do you compare that with the system in Eastern Bengal?—I think the Assam system is far preferable, but there would be great difficulty in introducing it into Bengal, because all the records are at headquarters, and the Sub-Divisional Officers are busy from morning till night trying cases; you would have to increase establishments in the sub-divisions; there is so much case-work in Bengal.

21653. But at the same time the district would be better administered?—I think so.

21654. As regards the record difficulty, is it not the fact that the Government of India are now pressing for central record-rooms in the districts?—I cannot say. The district record-rooms both in the Eastern Bengal and Assam districts are at district headquarters, not at the sub-divisions, where they are only temporary record-rooms.

21655. So that you would rather start with the advantage of having your central record-room already?—That is so; that would not be a difficulty.

21656. Should you say that since you have known Eastern Bengal and Assam, local self-government is progressing?—I should say that it is stationary, and, where it works well, a good deal is due to the District Officer himself. The Boards in Assam work well; they do actually carry out more work through the members than the Boards in Bengal; but in Assam a large number of the members are planters.

21657. Is that true of the municipalities also?—I think they take more interest in municipal work.

21658. Is that growing, or is that stationary too?—I cannot say if it is growing or if it is stationary.

21659. Is there more discussion at the meetings and more interest shown?—I cannot say that there is.

21660. Are the funds sufficient to maintain an interest; or are the funds all absorbed in the necessary expenditure?—I do not know about the funds in the Bengal districts, but they have a very fair income in Assam; they are not people of very great position there—the towns are small.

21661. It was suggested to us that the pressure of the cost of education on the Boards, which they cannot control or arrest, was eating up their revenue and leaving them very little margin; what do you say to that?—I do not know about the Bengal districts, but that does not apply to Assam. The Government gives the Boards grants which cover the educational expenditure.

21662. Mr. Henderson rather suggested that the grants did not cover it?—I cannot be certain whether they do or not, but the Government give very liberal grants to municipalities, and education is one of the duties of the local municipality.

21663. Mr. Sharp told us that in Assam they are completely tied in primary education by rules; Mr. Henderson told us that it is growing into a very heavy burden. If the Government grant covers the expenditure, what would you think of the suggestion that Government should become frankly responsible for education, and give some other subject to the Boards to deal with?—I do not see any objection to that. I do not think any of the members take much interest in primary education, so far as I have seen.

21664. It is not a subject that has "caught on" in fact?*—I do not think it is; perhaps I should correct what I have said; I am not quite sure whether the grants do cover the expenditure or not.

21665. (*Mr. Meyer.*) As Commissioner in the Assam Valley you were directly under the Local Government at that date?—Yes.

21666. The present Commissioner of the Assam Valley is not directly under the Local Government; the Board comes between?—In revenue matters that is so; in other matters he is directly under the Government.

21667. Does that mean that the Commissioner of to-day has less power than you had, or simply that the Board has taken over functions that used to be exercised by the Local Government?—The Board has taken over functions that used to be exercised by the Local Government. So far as the Commissioner is concerned, his power is not impaired.

21668. You spoke about this Regulation that required an *ad hoc* third member of the Board to be called in the case of the two members differing; does that refer only to appeals?—Only to appeals.

21669. You have also told us that the members of the Board deal singly with their subjects; do they consult each other habitually?—Yes.

21670. You deal with excise at present. Do you consult Mr. Savage in any excise matter?—Yes, it is open to me to consult him.

21671. If his opinion differs from yours, what happens?—If it is my department, I have the passing of the orders.

21672. And similarly, if he consulted you in any matter about his department, and you happened not to agree with him, it would be in his power to pass orders?—Exactly.

21673. You just fall back on each other as friendly and experienced advisers?—Yes.

21674. Has the Lieutenant-Governor power to appoint the members of the Board?—I think the sanction of the Government of India is required.

21675. Is that necessary?—Yes, I think so. It ensures greater care being taken.

21676. The Governor of Madras appoints his own Board of Revenue without the sanction of the Government of India?—I do not know that.

21677. I gather that you are in favour of territorial arrangements against subject arrangements for the districts in Eastern Bengal, if certain objections, which you put, could be surmounted?—Which objections, I am afraid, are very strong.

21678. With regard to the records and the establishment?—Yes, and there is the criminal work.

21679. Is not a large amount of the criminal work of the Sub-Divisional Officers second and third class cases?—Probably.

21680. Could those not be given over to a subordinate, and cheaper agency—men of the Sub-Deputy Collector class?—It could be done; then you would have to increase the establishment. The mere fact of starting a sub-divisional system on that basis would mean an increase in the numerical strength of the Service. Now you have a Sub-Divisional Officer with perhaps one Deputy to help him, or perhaps none at all. If you give him the rest of the work, as he has in Assam, you would have to give him extra assistance.

21681. You have been speaking of Additional Collectors; other witnesses have said that it is necessary to increase the *cadre* of the province.

* I have since looked up the figures for 1906-7, and I find that the sum total of the Government grants to Local Boards in Assam exceeds or is much the same as the Educational expenditure in the case of 13 Boards out of the 17. In the case of four Boards such expenditure is substantially in excess of the Government grants. Expenditure on education issue of the obligations imposed by law on the local rates. Government is under no obligation to give grants. The discrepancies in the evidence seem to arise from there being three kinds of Government grants to Boards:—(1) Fixed, for general purposes, including education; (2) Fixed, as special grant for education, to cover certain additional expenditure necessitated by changes ordered a few years ago; (3) Not fixed, but granted from time to time at the discretion of Government either for particular purposes or as a general grant-in-aid. I am comparing the sum total of the three kinds with the educational expenditure, the other witnesses may have compared only (1) and (2) or perhaps only (2). The total of (1) and (2), omitting (3), would probably fall short of educational expenditure in the case of most Boards.

Would not the same object be obtained more economically by increasing your staff of Sub-Deputy Collectors, and devolving more power upon them?—It could be done more economically, but I do not think it would be so satisfactory; I do not think any Sub-Deputy Collector has any more than second class magisterial powers, and very few of them have those.

21682. In Madras, for example, we never dream of giving our Sub-Divisional Officers second and third class work; once they have obtained the necessary powers they take the first class cases and take appeals from Magistrates belonging to the Subordinate Service. Could you not do something of that sort here?—I really do not know enough of the Eastern Bengal districts to say. In Assam a somewhat similar system is possible. The Sub-Divisional Officer is practically Collector; he has Magistrates to help him, and he has his own Sub-Deputy Collectors. But he does not ordinarily hear appeals which go to the District Magistrate.

21683. Have you many transfers of officers at present, as between Eastern Bengal and Assam?—Yes, there have been a great many transfers.

21684. You have two sub-provinces, with quite different systems in many ways?—Yes.

21685. Does it conduce to efficiency that a man who knows the methods and the language of the people of one of the sub-provinces should be moved off to the other sub-province?—I think it does, because it gives him experience which prepares him for higher office. I have felt the want of experience of the Eastern Bengal districts very much myself.

21686. That is your chief argument?—I think that argument holds good; so that when they get to be senior officers they may have some experience.

21687. That object could be obtained without constant transfers; you might exchange a man between two sub-provinces once in his service?—That I cannot say.

21688. As regards restrictions by the Government of India, you referred to some cases in regard to political pensions, and some special provision in regard to an officer who had met his death in the execution of his duty. Are you aware that in those very cases restrictions are imposed by the Secretary of State on the Government of India?—No, I am not aware of that, but I do not think that that affects my argument.

21689. Except that if it is necessary that the Secretary of State should relax his control, you would be in favour of that also?—Yes, I should add that the Assam political pensions are very small pensions.

21690. I gathered from your answers that you are strongly against a Local Government having a dispensing power, so to speak, in dealing with the restrictions imposed upon it?—I am not strongly against it, but if they had power to make exceptions to the rules, it would be unnecessary to give them the power of interpreting rules in doubtful cases.

21691. You may go on making exceptions until you whittle away the rules?—Mr. Hichens' proposal was that a return should be sent to the Government of India for the purposes of a check, and I assented to that.

21692. Would you do the same with regard to your Board's standing orders and so forth; would you allow a Collector to do anything he pleased subject to sending in periodical returns?—If it was in accordance with the Civil Service Regulations there would be no objection. You could not give them power to make exceptions in the case of any statutory orders, but in small financial matters I should not object. For instance, the Board controls more or less the District Officers' budgets; there would be no objection to the District Officer altering the budget as passed by the Board, and sending in a return.

21693. You think that no friction would arise subsequently if the Government of India came down on a Local Government and said, "You must recall your exceptions, because in our opinion they strike at the principle of the rule"?—There is that risk, but I do not see how it could be avoided. It is possible.

21694. You have had large experience of Secretariat work. Is not one exception quoted as a precedent for another, so that you are invited to go on gradually?—Yes, that is all possible, but I rely upon the control to stop that. I do not see why the control should lead to friction; it might, of course.

21695. You are in favour of largely enhancing the powers of Local Governments in regard to matters for which they find the money wholly or partially themselves?—I do not see why the powers should not be given.

21696. You would make a distinction between the matters in which the Local Government find the money, and matters such as customs in which the whole cost falls upon the imperial revenues?—Yes.

21697. You think it would not be safe to trust the best intentioned Local Government to give away money which is not its own?—It would seem so.

21698. Is there not a distinction between free and regulated immigration? So long as a man does not proceed to some tract in regard to which a Labour Law prevails, the Local Government cannot stop him from going there?—The Local Government can stop any kind of immigration of labourers to a labour district.

21699. What do you mean by a labour district?—I mean the tea districts in Assam.

21700. Those are districts which have a special Labour Law?—Yes.

21701. Suppose a hundred people take second class tickets to Burma from Chittagong?—There is nothing to stop them.

21702. Simply as regards immigrants, a Local Government could not stop immigration unless it was to a particular tract?—To a tract called a labour district under the Immigration Act. I do not know about the Madras Act.

21703. You are against relaxing any of the restrictions imposed upon the Local Government by the Assam Revenue Regulation. Do not some of those include settlements?—Yes, settlements and a general control over the making of rules; sections 34, 137, and 158 are the powers I refer to.

21704. Have not the general principles of policy been clearly laid down by the Government of India?—I cannot say.

21705. Assuming that they have, what objection have you to the Local Government having a fairly free hand in the detailed application of those principles?—I do not see how you can lay down principles which will cover every case. The settlements you refer to are the ordinary re-settlements of districts as the old settlements fall in, but there are various kinds of other settlements which might be made; for instance colonisation grants. I can remember certain proposals which if they had not been negatived by the Government of India might have flooded Assam with concession-hunters and land speculators.

21706. Those proposed to alter the revenue conditions of the province, and to establish a sort of permanent settlement?—It was something like that, but we do not know quite what their effect might have been at some future time. I wish to guard against that by having the control of the Government of India.

21707. Then with regard to the rules?—Those very concessions were proposed to be granted by rules.

21708. You have spoken of certain difficulties between the Government of India and the Local Governments arising in matters of detail more or less, and you say that the Government of India very often gives way to the representations of the Local Government. Do you think that that correspondence and that controversy are likely to be diminished by the appointment of Imperial Inspectors-General who come round and tell the Government of India what the conditions of the province are, and who can tell what the probable views of the

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Government of India would be, and so on?—I cannot say. I have had no dealings with Heads of the Imperial Departments.

21709. Assuming that your Board of Revenue, as has been suggested, became colleagues of some sort of the Lieutenant-Governor, would it be necessary to largely enhance the power of the Commissioner?—I do not know that it would be necessary, but the powers could be enhanced

21710. It has been suggested to us that the Commissioner in Eastern Bengal, at any rate, is rather a post office, and that his real position ought to be that a Sub-Governor; would you accept that as a general statement of the case, leaving the Board out of the question for the moment?—He could hardly be made a Sub-Governor, with the Board on its present footing, because then he would be rather above his superior.

21711. Suppose there was no Board for the moment, would you be in favour of largely enhancing the power of the Commissioner in that way?—I think so, assuming that there was no Board.

21712. He might, for instance, appoint his own Sub-Deputy Collectors?—Yes.

21713. He might post Civilians, at any rate below the rank of Collector and Provincial Officers, within his division?—He might be allowed to transfer them within his division.

21714. Would you give him a budget, especially for Public Works, which now come from provincial funds, in respect of which he should be the sanctioning authority without having to go up to Government in the Public Works Secretariat?—I would not like to give an opinion as to that.

21715. Would you give him the full power of outside control in respect of District Boards and municipalities, with the exception of constituting them and superseding them?—I have no objection myself to giving them to him, but I do not know what the popular feeling would be about that.

21716. As an experienced administrator, do you think it would be safe and expedient?—It would be expedient to give him a good many powers of control.

21717. Possibly the largest municipalities would be especially reserved for Government?—This would have to be considered; you have to consider not only efficiency but sentiment; it is difficult to say off-hand.

21718. From the administrative point of view?—From the administrative point of view, it would be a very good thing.

21719. Similarly they might be allowed, subject to provisions made by the Local Government, to invest officers with magisterial power and so forth?—I am doubtful of that.

21720. Now as regards the Board, you express yourself as not unfavourable to elevating the Board to be colleagues of the Lieutenant-Governor?—I said it was not for me to give an opinion. But I think it would be a good thing.

21721. What sort of colleagues; do you mean full colleagues in the way that the two Civilian Members of the Council sit by the side of the Governor of Madras or Bombay?—I should not like to give an opinion on that.

21722. In that case, of course, a number of Department which are now subject to the Board, the Excise Department and the Customs for instance, would come direct to the Government?—Yes.

21723. As regards the Local Boards in Assam, what control has the Collector over them; of course he presides over his own Sub-Divisional Board?—He is Chairman of his own Sub-Divisional Board; all correspondence and budgets of other Sub-Divisional Boards in his district pass through him; I do not know that he can directly order the Board to do anything, but he can recommend to Government; as a matter of fact, the Boards are generally willing to carry out his suggestions.

21724. He has no coercive powers apart from Government behind him?—The Local Boards are under executive order.

21725. But does the executive order allow the Collector himself to set aside or alter the decision of a Sub-Divisional Board or must the matter go to Government?—The Commissioner or Deputy Commissioner may suspend resolutions of the Boards, subject to report to, and the orders of Government.

21726. As regards the budget, the Commissioner can do it?—The budget now is sanctioned by the Commissioner.

21727. The Commissioner, therefore, could alter the budget, but the Collector could not?—Yes.

21728. You are aware that some years ago there was some proposal for putting these Local Boards on a legislative basis; what has happened to that?—I think it has been forgotten.

21729. You are quite satisfied at present?—Quite satisfied.

21730. With regard to appeals, one of the reasons why you do not want to reduce the number of appeals is that you consider some officers are hasty and unjust?—I do not say unjust, but they are sometimes hard, especially young officers.

21731. I think everybody is agreed generally that one appeal should be allowed. Suppose on that appeal it was found that the officer had been unduly hard, and suppose this was found not once but several times, could you not punish that officer?—There should be a hint of that kind.

21732. A gentleman appearing before us in Calcutta said that he thought it would be a good thing if the planters who were already Honorary Magistrates were also allowed to be Honorary Judges to settle disputes among the coolies themselves, not differences between the estates and the coolies; do you think that that would work?—No, I do not like the idea. I think the planter if he has any influence with his coolies ought to be an Honorary Civil Judge without any sanction of Government.

21733. You would trust to moral suasion?—Yes, I would never approve of a planter being an Honorary Magistrate or Judge or having any judicial power unless he exercised it at the district or sub-divisional headquarters.

21734. Under the observance of the Deputy Commissioner?—And of the Bar.

21735. When you say that in a number of cases the travelling allowance was not sufficient to meet the officer's expenses what do you include; do you take his living expenses into account?—No, except when the living expenses come up to more than they would if he remained at headquarters. Perhaps he might have to pay more for certain things on tour.

21736. You recognise that he is not entitled to be re-imbursed the cost of living if he were at headquarters, it is only the balance that you take into account when you say that in some cases the travelling allowances are not sufficient?—Yes.

21737. On the other hand, you mentioned people making money out of travelling allowances?—I have heard occasionally of people who have travelled long distances and have made money out of their travelling allowances.

21738. Under a system of fixed travelling allowances such as has been suggested, is it not possible that some officers, a few only, perhaps, might travel very little, and make the fixed allowance a source of profit?—Yes, it is possible.

21739. You have to guard against that; would you do it by getting returns from them, or how?—In the same way as you would guard against officers making too much travelling allowance—by the control of the superior officer.

21740. But your superior officer may be far away; the control must be on paper; how are you going to get the information requisite for the control?—I see your point. He would send for the travelling allowance bills, but the officer would have to send a statement.

21741. He would have to send diaries?—Yes.

21742. And those diaries would give, perhaps, not so much trouble as travelling allowance bills, but a great deal of trouble?—It would mean a little office work.

(*The witness withdrew.*)

The Hon. Mr. HENRY SAVAGE, C.S.I., I.C.S., was called and examined.

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21743. (*Chairman.*) You are the senior member of the Board of Revenue of Eastern Bengal and Assam?—Yes.

In the contract with Local Governments a lump sum of liberal proportions should be allotted (over and above the ordinary allowances), in the disposal of which that Government should be given a free hand.

The Local Government should have power to borrow so as to meet (*a*) loans to estates which come under the Court of Wards, and (*b*) loans under the Land Improvement and Agriculturists' Loans Acts, which should be amended to give fuller powers to the Local Government.

Many of the estates which come under the management of the Court are heavily encumbered, and the Court find it difficult to get loans at a reasonable rate of interest to pay off the incumbrances and save the estate. At present estates under the Court owe 15½ lakhs to private creditors at rate of interest varying from 5½ to 9 per cent.

A beginning has been made in this province towards a practical solution of the problem how to rescue the agricultural population from the clutches of the rapacious money-lenders. There is in this direction scope for the employment of as much money as Government can borrow. An allotment might be made to the Local Government of, say, a lakh a year for three years to meet interest on the money it borrows until the interest on the loans it gives out comes in freely. In general, the Local Government will probably be able to borrow at 4 per cent. and can well ask and obtain 5 to 6¼ per cent., of which at least 1 per cent. will be a net gain and may be accumulated as a reserve to meet interest on future loans. Possibly Local Governments may have to pay a shade higher interest than the Government of India pay, but there will be compensation for this since the Local Government will only borrow as the money is wanted and so will not have the money lying idle. Probably the local borrowings will draw on funds which are not drawn on by the Government of India and will not come into competition with them.

There is one special restriction imposed by financial considerations which should, in the transferred districts at least, be removed. This is the instruction against the acceptance of *salami* (premium) for settlement of land with tenants in Government estates and estates under the Court of Wards. The restriction was imposed at the instance of the Government of India in pursuance of the principle that it is financially unsound to take *salami* since it involves a draft on the future for the benefit of the present. Theoretically this is correct, but in practice, the result is that the *salami* is paid all the same, and the only result of the self-denying ordinance is that the pockets of the employés in the *khas mahals* and under the Court of Wards are enriched. The raiyats will not pay any rent above the ordinary local rates, but will pay the *salamis*; they believe their tenure is insecure if they do not. The loss to Government has been heavy.

As far as restrictions are imposed by law the best way of removing them will be by a general Act of Delegation.

The provisions of suitable accommodation for offices and officers at the headquarters of this Government has been delayed to a most unjustifiable extent by the action of some of the departments of the Government of India. This has involved loss in efficiency to an extent which it is difficult to estimate. I may instance the dislocation of business caused by the Accountant-General's offices being retained at Shillong, remote from the business parts of the province. The delay has also caused great inconvenience to officers who have been hard put to it to find house-room.

In all matters connected with the improvement of the relations of landlords and tenants, in matters concerning the prevention of disturbances on account of disputes regarding land, especially in new formations, and in matters regarding the improvement of village police, the credit of initiative may fairly be given to the Government of Bengal. In all these matters the Local Governments should be allowed a free hand. Reference to the Government of India and then further references to other Local Governments not only lead to inordinate delay, but tend to obscure the points at issue. For instance, Bengal wanted to pass a short Act to put a stop to, or at least check, the fighting out on the land of disputes regarding new formations which lead to much bloodshed, but when the matter was referred the proposal took the form of a project to amend the Criminal Procedure Code, and there it has rested up to now. Meanwhile the riots on *char* lands go merrily on.

Appeals to the Government of India should in no case be accepted unless submitted in the first instance to the Local Government and sent on by that Government. The Local Government should have full power to refuse to forward the appeal, and their refusal to do so should be the final order in the matter. No appeal from an officer of the Provincial or Subordinate Executive Service or from a ministerial officer should be accepted by the Government of India. The Local Government should, in the interests of the administration, be the final authority.

It should be the strict rule that no appeal will be accepted by the Local Government unless it be presented to the authority against whose order or action appeal is made. The present practice of accepting appeal petitions sent by post (often unstamped, anonymous or pseudonymous), and forwarding them officially for report, tends to destroy the prestige of the subordinate authorities and encourages the bringing of malicious charges. It should be the rule not to take any notice whatever of anonymous or apparently pseudonymous petitions, and if for special reasons it be deemed desirable to make any enquiries, these should be made "confidentially."

Appeals in a regular form should not be accepted by Government unless presented to, and forwarded by, the authority appealed against. It is perhaps scarcely desirable to impose the restriction that the authority whose order forms the subject of appeal should certify as to the admissibility of the appeal.

The Board of Revenue should be the final appellate authority in respect of ministerial officers in all offices of Commissioners and District Officers or their subordinates. It may be said that the Board have no direct concern with the criminal side of these offices; but experience has shown in Bengal that it is desirable to have the same final appellate authority for the employés in both as their duties are often intermingled. From the Board an appeal may be allowed to the Local Government if presented to the Board and the Board think it should be forwarded, but not otherwise.

The apparently inevitable tendency of the Secretariat is to regard every variation from the strict letter of rule as an enormity. The antidote is to be found in the closer touch between the Lieutenant-Governor and the Heads of Departments and Members of the Board which the formation of the new province has made possible.

There is no doubt that District Officers are kept too much at headquarters by the increasing complexity of their work and the continually increasing care which has to be taken to keep strictly within the letter as well as the spirit of the law. In the transferred districts every action of the District Officer is subjected to the subtle criticism of a well-trained Bar and the slightest error or omission is certain to form the subject of appeal. Add to this that it is not the officer who knows his district and the people in it and their language, but the one who can shine as an office man who gets on, and there is no need to search further for the obstacles in the way of personal contact with the people.

They may be removed by relieving District Officers of much of the routine work at headquarters, by giving to efficient members of the Provincial

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Service powers (coupled with special promotion) to take full charge of the duties of the District Officer in connection with the branches of administration, such as treasury, tauzi, arrears, collection, and registration, and by making a thorough knowledge of district work a *sine qua non* for employment as Secretary to Government.

At present many Executive Officers are very deficient in the knowledge of Bengali, which is the mother-tongue of nine-tenths of the population of this province. Urdu was the language which the majority of officers posted to Bengal learned first, and it was rarely that Bengali appealed to an officer with a knowledge of Urdu as a language worth learning. Now that all officers who come to this province will learn Bengali from the time of their arrival and will have to pass a stiff examination in it, there will be a rapid improvement in this respect.

No large increase in staff will be required, but some increase will be necessary to allow of the appointment of Additional Collectors. If Additional Collectors are appointed there will be no need for any general splitting up of districts. In any case, however, Mymensingh and Sylhet should be split up.

In this province I do not think the time has come for giving any extended powers to local bodies.

There are no village communities properly so-called in this province—at least in the plains districts. A beginning was made towards the creation of a community of interests in small areas by appointing for such areas a panchayat of leading villagers to supervise the village police. Steps have recently been taken in a few districts in this province to extend the powers of these panchayats to other matters; but the subject has not met with the attention it deserves. What is called the new panchayati system demands, as the necessary preliminary to its success, the personal whole-hearted support and attention of the District Officer both to instruct the members of the panchayat in their duties and to encourage them to perform them in face of the opposition which the system meets with from the police and ministerial staff who for many reasons are its determined adversaries. But in no instance has any District Officer given to the system the care and attention necessary. When the system is fully developed the panchayat will be the proper authority for the disposal of petty criminal and civil cases and for the management of all local educational and sanitary institutions, and of the village banks which will be the proper distributaries of the loans to agriculturists.

21744. I think you have had no Secretariat experience?—None whatever.

21745. Have you found that a drawback, since you have been on the Board of Revenue?—No, I do not think I have in any way.

21746. What subjects have you under you as senior member?—Everything connected with the land revenue; connected with that are partitions, Courts of Wards, agricultural loans, and so on.

21747. Who has excise, salt, and customs?—The second member has all miscellaneous revenue.

21748. You tell us that the Local Government ought to have a lump sum of liberal proportions which it can spend as it pleases, apart from the ordinary normal budget. Should the Government of India make a special grant of that, or should it be part and parcel of the settlement?—I would make it part and parcel of the settlement.

21749. Do you suggest any particular limit?—No, I have not really considered that.

21750. You have some difficulty in raising funds for Court of Wards?—Yes, sometimes considerable difficulty in getting money at anything like a reasonable interest.

21751. Have you any reason to believe that there would be a purely local market for loans in connection to the Court of Wards?—We should probably tap some local money in the various bazars, money which ordinarily would not go to Government of India issues.

21752. Would you have to pay a high rate of interest?—We might have to pay about 4 per cent.

21753. On the other hand, would you still have loans raised for provincial Governments by the Government of India?—I think on the whole it would be better.

21754. Would you be prepared to devolve to Commissioners greater powers in respect of expenditure upon Court of Wards' estates?—Yes. My proposal would be that, after an estate has been taken in charge by the Court of Wards, the Commissioner should become the Court of Wards to all intents and purposes, or estates with a rental of, say, a lakh of rupees and under. I would make the Collector up to Rs. 10,000 the Court of Wards. As matter of practice, after an estate has once been taken over, there is not much direct supervision by the Court.

21755. Is there a scheme?—We have a scheme, and after that the thing works of itself.

21756. Still in spite of the scheme, at the present moment the Commissioner has to go up to the Court of Wards for sanction?—Yes. I have to sanction, very often, two or three rupees expenditure. I would give all that to the Collector.

21757. Would you put any limit to the power of sanction of the Commissioner?—I would make the Commissioner the Court of Wards for estates for a lakh of rupees and under; then, for bigger estates I would give the Commissioner all powers of sanction up to Rs. 1,000 for any one project, not beyond that. Also I would give him full power in all cases in which the scheme has been sanctioned by the Court.

21758. How are you hampered at the present time by the control of the Government of India in cases of survey?—The Local Government can only order survey and settlement under certain conditions; there are other cases which have to go to the Government of India for sanction.

21759. What are the points which have to go to the Government of India?—All the district survey settlements have first to get the sanction of the Government of India.

21760. To what extent would you like the powers of the provincial Government extended?—I think they might have full powers in the matter; it is purely a local matter; it is not a political matter at all. The Government of India wish that there should be a survey and record-of-rights of the whole country, and that this should be maintained up to date. After that the Local Government should have all power to make any arrangement they think fit.

21761. Who pays for the survey?—The Government of India makes an allotment; for the main part of the survey the Government of India pays 25 per cent. and the rest is realised from the people.

21762. Within that extent you would give the provincial Government a free hand?—Yes.

21763. Are there many restrictions on the administration of Assam at the present time?—The restrictions to which I have referred are the restrictions on the making of rules under the Land Revenue Regulations and the restrictions on making records-of-rights.

21764. Those still remain?—Yes. The Local Government has to get the sanction of the Government of India for all records-of-rights, and the making of rules is "subject to the control of the Government of India," which I presume means that the rules have to be sent to the Government of India before they can pass. Under the Tenancy Act in Bengal the Government have full power to make rules.

21765. It is not "the previous sanction of the Government of India," but it is "subject to their control"?—I presume this means that the rules have to be sent up to the Government of India. In fact since the new province was formed no new rules have been passed.

21766. You would like to see appeals from officers limited?—They go too far at the present time.

21767. And in that case the Local Government should be the final authority?—Yes, in all appeals from the Provincial and Subordinate Services.

21768. You tell us that the Secretariat is rather inclined to regard every variation from the strict letter of the rule almost as a crime. Could you give us any particular instance?—I could hardly mention any without going into very minute details. I look upon this as the general tendency of a Secretariat.

21769. You suggest that this might be obviated if there was closer touch between the Lieutenant-Governor and the Heads of Departments Do you have any conferences between Heads of Departments?—I think not.

21770. Have you any powers as member of the Board of Revenue to call conferences of Commissioners?—There are no special powers laid down; I should have to refer to the Government before I could call any conference.

21771. Has it ever struck you that it might be a desirable thing to do?—I have often thought that it would be a good thing if we followed the Bengal practice of having a general conference of Commissioners and the Board at some period of the year.

21772. I have heard of a case of a member of the Board of Revenue being recalled from leave to preside at a conference of Commissioners?—That is what has been established in Bengal, and I think it would be well if we had the same thing here; but as yet there has been nothing of the sort here.

21773. You have not suggested that to the Local Government?—No. There has been all this agitation about, and I have not suggested it.

21774. The same thing might be applied to Collectors by Commissioners?—Yes.

21775. Then you say that District Officers are kept very much at work by the increasing complexity of their work, and that a man who is able to write a good report is apt to get on. Have you anything to say as to the selection or promotion of officers?—No. Except as to the selection to the Subordinate Civil Service.

21776. As a member of the Board of Revenue your opinion is not sought as to the ability of superior officers?—No.

21777. Have you ever noticed that a man who does good district work does not receive his adequate reward for it; can you really say that?—Yes, I think I may say yes.

21778. In recent years?—I would not like to mention particular instances, but there is certainly a tendency that way.

21779. Of recent years?—Yes, I think of recent years too.

21780. Why is that; is it that the Secretariat all stick together?—It is very much this; that the man who comes more under the notice of the superior authority is more likely to get the comfortable billets than the man who does not.

21781. You look upon that as a regrettable fact?—Yes; it is a fact which is very difficult to get rid of.

21782. Do you think that every officer who is employed for a certain time in the Secretariat ought to return to district work?—I think undoubtedly that no man should get a high post in the Secretariat unless he has had considerable district experience.

21783. Is there any rule in Eastern Bengal requiring that?—I do not think there is any rule which requires it.

21784. Is there practice which amounts to rule?—No; of course, we have a very short experience as yet in Eastern Bengal.

22785. We have had a great deal of evidence tendered to us that the staff in this province is too small for the requirements of the province; do you hold that?—I certainly hold that view.

21786. Are the districts too large?—No, with the exception of two; Mymensingh and Sylhet are much too large.

21787. With those exceptions the districts are of reasonable size?—Yes, I would not subdivide them, but I would give them more officers.

21788. In the higher or lower ranks?—In both, speaking generally; there are some districts which have sufficient officers of the higher ranks.

21789. What ranks are you speaking of?—The Deputy Collectors. I would make Additional Collectors, and give them promotion in that way, rather than by making them District Officers; they are much better fitted for it.

21790. It is an increase therefore of the Provincial Service that you look to more than an increase of the Imperial Service?—Yes.

21791. A Deputy Collector in this province has no territorial charge?—No; Deputy Collectors have generally charge of the whole district in certain items; for instance, one man is in charge of certificate work, but not always. Where the Sub-Divisional Officer has time (which is in very few sub-divisions indeed), he is put in charge of certificates. It is left to a considerable extent to the District Officer and the Commissioner to decide what the Sub-Divisional Officer can take. In sub-divisions anything like Madaripur, of which there are many instances, the Sub-Divisional Officers have not a moment to spare, and it is impossible to put them in charge of these things unless you have another Sub-Divisional Officer.

21792. Is it desirable to maintain the present system, not of territorial, but of subject charge?—I think it is necessary to do so unless you put in the sub-divisions experienced men in addition to the present experienced men there.

21793. If you did that, which system would you prefer?—Then I should prefer the sub-divisional system—the territorial system.

21794. Ought there to be any increase of status and authority given to District Boards?—No; up to the present time I do not think the District Boards have done anything to justify an increase of their authority. When a District Board does good work, it is the good work of the District Officer, not of the Board. Very few members take any interest whatever in their work.

21795. May that be because they feel no sense of responsibility for the work done?—I do not think it is that; I do not think they are capable of taking very much interest at the present time. Their education has not been in that direction; it is of a political nature, and good work in a District Board is not of a political nature.

21796. You think anything that would divorce the work of the District Officer from the District Board would be prejudicial to good government?—I am certain it would.

21797. Would you say the same with regard to any relaxation of control by the Commissioner over a municipality?—Yes. I think the municipalities have full powers to make very great improvements which they have not made. I can give instances, if necessary, where they have gone backward rather than forward.

21798. Particularly with regard to education?—No; with education the municipalities have very little concern.

21799. And the District Boards?—The District Board, as a Board, practically does nothing; it is the District Officer and the special inspectors who see to education.

21800. Are the villages capable of having any extension of authority?—Yes, I think they are; if you can get them properly formed and get the leading men to take an interest in them, it is a work that could be done; it would take a great many years and a great deal of the time of the District Officer to get them to do it. But speaking from my knowledge of Eastern Bengal, in every

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part there are men who could be got to take part in the work if they are properly organised, and if they are taken away from the control of the police. At present we have got panchayats, and we have started an improved panchayati system, which I think has a great future before it.

21801. You think that the time of the District Officer which would be devoted to this work would be time well spent?—Undoubtedly.

21802. With regard to the Court of Wards, we had it in evidence from a witness the other day that the account rules of the Civil Service Regulations, as applicable to the Court of Wards, practically formed a precedent which restrained and hampered the Local Governments in dealing with Court of Wards matters; are you of that opinion?—I do not know; I have never met with anything of that sort that has hampered me in that way.

21803. Would what you say about loans to estates or local borrowings apply equally to agricultural loans?—Yes, I think we could get the money locally.

21804. (*Mr. Meyer.*) You say that "in the contracts with Local Governments a lump sum of liberal proportions should be allotted to the Local Government, over and above the ordinary allowances, in the disposal of which that Government should be given a free hand." Is not that very much what has been done in your last financial settlement?—I am not aware, really, of what has been done in the settlement, but, if it has been done, well and good.

21805. The province got, in addition to its ordinary shares, a large lump sum to be spent at the Local Government's discretion gradually?—That was for Public Works only.

21806. It was given, generally speaking, primarily for Public Works, but it could be spent on any object within the terms of the settlement?—I have no knowledge of that. What I was thinking of was, money we wanted for the colonization scheme in the Sundarbans; I think we ought not to have to ask specially for that; we should have a sum of money that we could use when we wanted a little more than we had budgetted for.

21807. You say that the Local Government should have power to borrow to meet loans for estates coming under the Court of Wards. Has it not got the power now?—No.

21808. A zamindar can borrow himself if he is in charge of his own estate. If you are acting for the zamindar, cannot you borrow?—The Court of Wards can borrow, but I cannot go into the open market, and say, "we want a loan at 4 per cent. on the guarantee of Government."

21809. Do you want the Government to guarantee the private estate of zamindars?—Yes, we want Government to lend us the money, so that we can get it at a reasonable rate. It would pay Government, and pay us.

21810. The Government does that practically now, under the Agricultural Loans Act; the Government of India may lend you money at 3½ per cent., and you may lend out at 6¼ per cent.?—Yes.

21811. Why are you not satisfied with that system?—If the Government of India will give sufficient, that will satisfy us, and if they do the same for the Court of Wards, we shall be satisfied.

21812. The Government of India has to find that money from capital; if it gives a large amount of capital for this purpose, there will be less money for railways and productive irrigation works, and so on?—Yes, and therefore they cut us down, whereas, if we would borrow ourselves, we should be able to tap sources which the Government of India could not.

21813. You think that that could be done to a considerable amount?—Not a very large amount, but I think a considerable amount.

21814. You have got a municipality here. Has that ever tried to borrow in the open market here?—No, I do not think it has.

21815. You speak of special restrictions in regard to survey and record-of-rights, and so forth, imposed by the Tenancy Act; do you mean the Bengal Tenancy Act of 1885?—Yes.

21816. That Act was passed in the Imperial Council as the result of a very protracted and bitter controversy?—Yes.

21817. Is it not possible that these references to the Government of India were put in as a matter of conciliation?—Very possibly; I think possibly that one about the survey and settlement was a matter of compromise.

21818. However, you would be glad to get rid of them now?—Yes, I do not think there would be any opposition.

21819. You differ from Mr. Melitus as to the power of the Local Government in matters of settlement; Mr. Melitus wants to keep the present restrictions in Assam, and you want to get rid of them?—Yes. Mr. Melitus objected to the settlements being given entirely over to the Chief Commissioner. I think he was referring particularly to one Chief Commissioner. I do not think there is any fear of the happening now of what he thinks really happened before.

21820. You think that the general policy of land settlement must remain with the Government of India?—Yes, the general policy.

21821. And there are certain restrictions with regard to the employment of provincial officers that you find rather irksome?—Yes, there is a little friction at the present time; it is a thing that might have been left to the Local Government.

21822. Then you speak of the acceptance of *salami* in regard to Government estates and Court of Wards estates; do you want it relaxed in both cases, or only in regard to Court of Wards cases?—I want it in both cases, because the money, in the case of Government estates, ought to come to Government; at present it does not.

21823. The general principles of Government in these *khas mahals*, as it is in raiyatwari areas, is to give out the land at a fixed assessment?—Yes.

21824. You want to exact, in addition to the fixed assessment, an additional premium?—We do not want to exact it; we want to be able to accept it, because the raiyats do not think they have a good title until they pay it, and they actually do pay it to some underling.

21825. You say the restriction was imposed at the instance of the Government of India?—Yes. Some years ago the question went up, and it was overruled, because of the general principle that it is not right for the present generation to draw a draft on the future, and this *salami* is, in a way, a draft on the future, because it is thought that if *salamis* are not taken the land may let at a higher rate in the future. As a matter of fact, the raiyats will not pay anything more than the customary rent, but they are quite willing to pay *salami*.

21826. Do you know if the principle was imposed in the first instance by the Secretary of State?—Yes, I believe it was.

21827. You say that in the matter of the improvement of the village police the initiative is due to the Government of Bengal. I think you had a good deal to say to that yourself?—Yes.

21828. Before that, had not the recommendations of the Police Commission paved the way?—No; the beginning was before the Police Commission; it goes back to 1874, the first Chaukidari Act.

21829. The pendulum swung to and fro; the last Act before the Police Commission came round was Sir Henry Cotton's Act, which put everything into the power of the police?—Yes, there have been many variations.

21830. The first move in the other direction came from the Police Commission?—Probably, they received evidence, I do not know quite who gave evidence in favour of extending the system.

21831. Subsequently—largely, I think owing to your own efforts in Bengal, the village system has been much reformed; the police have been largely cut adrift?—Yes, to a considerable extent.

21832. I gather that it is not quite the same in Eastern Bengal?—No; the District Officers have not been able to get time to do the same, chiefly on account of this agitation, which has in fact made the pendulum swing somewhat backwards again.

21833. A Police Officer whom we examined said that he had now nothing to say to the election of panchayats or chaukidars?—It is only in one or two districts that the new system has been introduced—in Dacca and Tippera.

21834. You say there should be no appeal from an officer of the Subordinate Executive Service dealt with by the Local Government. Take a Deputy Collector; he would be dismissed in the first instance, by whom, supposing he had to be dismissed?—By the Local Government.

21835. Would you allow no appeal from the Local Government in a matter of that sort?—In that case of course.

21836. Would you allow one appeal in every case?—Yes.

21837. Would you like any further appeal in a case of dismissal; would you discriminate dismissal from some less stringent punishments?—No, I do not think I would. I should allow an appeal to the Local Government, but not a second appeal beyond the Local Government.

21838. The rule would be this, that everybody punished should have one appeal?—Yes.

21839. Except in the case of petty fines and black marks?—We do not fine now at all.

21840. And as to black marks?—I have never heard of an appeal against black marks.

21841. An officer dismissed should have a second appeal, provided that such second appeal does not lie beyond the Local Government?—That is so.

21842. Any officer immediately punished by the Local Government should have an appeal to the Government of India?—Yes, I think that would be a very fair arrangement.

21843. Not on to the Secretary of State?—No, I should not allow that.

21844. Then in regard to administrative matters, you say that the Local Government should have full power to refuse to forward an appeal to the Government of India. It might happen that the order has been passed by the Local Government as a Court of first instance; there again would you allow an appeal?—Yes.

21845. It is only where a matter has been dealt with on appeal that you would not go further?—Yes.

21846. You desire to allow considerable larger powers to Commissioners?—Yes; on the whole I would extend their powers; I would restrict the number of cases in which they have to come up for sanction.

21847. You would be in favour of making a Commissioner more of a Sub-Governor?—Looking at it from the point of view which you put, I think so. The Commissioner has at present very extensive powers.

21848. Can he even appoint a Sub-Deputy Collector?—I would give him power to appoint Sub-Deputy Collectors and the power of transferring—which he has nominally—the Sub-Deputy Collectors within his division.

21849. Would you allow the same powers as regards Civilians?—I would allow it up to the Collector.

21850. You would give him a budget of his own on which he might sanction Public Works?—Yes.

21851. Would you give him power to create appointments within a limited scale subject to the budget?—Temporary appointments, not permanent appointments.

21852. You have told us that every little appointment has now to go to the Local Government; if it is a permanent appointment, can you even appoint a peon?—No.

21853. Is that necessary?—No; it might be left to the Board.

21854. Would you give the Commissioner a budget of his own for general and miscellaneous purposes?—I would give him a round sum to use to the best advantage.

21855. Has the Commissioner in this province, as in Bengal, some little allotment for miscellaneous purposes?—He has a very small allotment.

21856. Then, you would give him power to confer magisterial powers under the code?—Yes, I see no objection whatever. In the very great majority of cases it is a mere matter of form; when it is sent up to the Local Government, the Local Government simply says "ditto."

21857. You say the control which Government now exercises over municipalities should be maintained. Would you be prepared to give that control mostly into the hands of the Commissioner?—As a matter of fact it is mostly in the hands of the Commissioner now.

21858. Not altogether?—Not altogether.

21859. Can he make members of the municipality?—He selects them. He gazettes for the municipalities, and they are sent up to the Local Governments for the District Boards.

21860. Might he select all the members?—Yes.

21861. Might he pass bye-laws?—The bye-laws ought always to be considered by the Legal Remembrancer; after the Legal Remembrancer agrees to them, the Commissioner might pass them. Very often we get bye-laws which are not legal.

21862. Speaking generally, might he have all powers short of constituting or dissolving or suspending a District Board?—Yes.

21863. Would you say that with regard to all municipalities, or would you discriminate, as they do in Bombay, between city municipalities and others?—No, I do not think that that is necessary here; there are no really large towns.

21864. Under the Land Acquisition Act would you allow the Commissioner the powers of Government within a certain amount. At present you cannot acquire the least strip of land for public purposes under the Land Acquisition Act without going up to Government to get the matter notified?—He would be all right as long as he got the money.

21865. Of course in growing towns dealing with things of that sort it is a delicate matter to take up lands especially where matters of commercial interest are involved. Suppose the land was valued at not more than Rs. 5,000, and the money was available, would you allow the Commissioners to exercise the powers that Government now exercises?—Certainly; in a case of that sort the Government would simply pass the order as a matter of form.

21866. You have spoken of the Bengal conferences. Who takes the chair at those conferences?—Generally the senior member of the Board.

21867. They consist of the two members of the Board and the Commissioners of Divisions?—Yes, and various Heads of Departments and certain Judges and the Secretaries to Government.

21868. Would the value of those conferences be enhanced if the Lieutenant-Governor himself had presided and heard the opinions of his officers?—Sir Andrew Fraser preferred to have the opinions put to him in that way, and he would come and talk the matters over with us afterwards and give us his opinion.

21869. The conference, you might put it, sent him an address, and he made a speech from the throne in reply?—Yes.

21870. Suppose that system was introduced here, what would you advise the Lieutenant-Governor to do?—I think it would be a good thing if the Lieutenant-Governor presided; of course not always. On certain subjects the meeting might be presided over by one or other of the members of the Board.

21871. It might resolve itself into sub-committees?—Certainly.

21872. Assuming that the Commissioner gets considerably enhanced powers, what would you do with the Board of Revenue?—I think there ought

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to be no intermediary between the Board and the Local Government; the Board ought to be coadjutors of the Lieutenant-Governor.

21873. Would you make the two members of the Board, as has been suggested, colleagues of the Lieutenant-Governor?—In a way. The Board, with its present powers of appeal, and so on, should be as it is at present, and then in matters which are referred to Government I would let the Board decide those cases which are now decided by the Secretaries. There is a considerable number of small matters which the Secretaries decide themselves without consulting his Honour at all; those the Board should decide and submit the order to his Honour, as the Secretaries do; that is the Bengal system.

21874. Might you not delegate to the Board, as at present constituted, a number of the functions at present exercised by the Lieutenant-Governor?—Yes, that would have the same result, practically.

21875. The other proposal was somewhat wider; it was suggested that the two members of the Board should be able to advise on matters outside revenue—on the whole administration in fact?—I suppose that is the statutory position of the Board; they are the confidential advisers to the Governor by statute.

21876. In matters of police for example?—The regulation does not restrict it at all. They are confidential advisers to Government.

21877. Would you be quite satisfied, if the Bengal system was adopted—if in a case that is to go to the Lieutenant-Governor, for instance, the Revenue Secretary to the Local Government noted first, and then you noted, and then the case went to his Honour, so that he should have your opinion as against the Secretary's opinion?—Yes, and above the Secretary's opinion.

21878. Of course he could agree with the Secretary?—He could agree with the Secretary, but the Board ought to be able to see the reasons. Very often in the Secretariat they have references which we have not in the Board's Office; members of the Board ought to have the benefit of those.

21879. On perusal of the Secretary's note it might be that you would see a point that you had not considered?—Quite so.

21880. You do not think it is necessary to go beyond that?—No, I think the Board has quite sufficient to do in its present position.

21881. If you had that position, would you need a separate office for the Board; could you not amalgamate with the Government Secretariat?—To a certain extent it might be possible, but it would have to be worked out very carefully. There are a number of different departments like the Court of Wards that must be separate. Whether it is one with the Secretariat or not, the Board's office consists of many parts.

21882. You have spoken of friction between the Board and the Government; is that not always liable to arise between two separate offices?—Between two separate offices it is certain to arise.

21883. Would it therefore be desirable to amalgamate the offices?—To amalgamate the offices would have a beneficial effect.

21884. Suppose you enhance the powers of Commissioners to a large extent and gave them considerable powers in administration generally, and as you have just said in Court of Wards matters, would it still be necessary to have two members of the Board of Revenue?—I think so, if the Board has to do a large amount of inspection, which the Board ought to do. A very great deal turns upon the standing of the Collectors. Twenty years ago Collectors in Bengal were more often of the standing of 15 to 27 or even 30 years' service, they were experienced officers. Then the amount of inspection that was necessary was small, and it was then that the Commissioners very often became post offices, because practically their senior officers knew as much about the matter as the Commissioners did. In recent years it is very different; the Commissioner has become an absolute necessity, because of the very junior officers who are put in the responsible position of Collector. As long as that continues, so long will inspection by the Commissioner and the Board be most useful.

21885. Suppose you get back to the old position, would you then see any use for the Board of Revenue?—When we get back to that—which is not likely to happen for many years to come—the question might then come up practically, whether the Board could not be reduced in number. I do not see at present any possibility of it.

21886. Perhaps you take into consideration in that answer the general conditions of the province?—Yes.

21887. As regards your district organisation, you know the Assam system, and naturally you know the Eastern Bengal system still better. I gather that you prefer the Assam system theoretically?—Theoretically, yes.

21888. But your difficulty is the establishment?—Yes.

21889. Could you not meet that difficulty more economically, and perhaps more satisfactorily, by making more use of your Sub-Deputy Collector class?—I do not think so. The work of the Sub-Divisional Officer in these heavy sub-divisions in criminal matters is the work of a First Class Magistrate to a very great extent; the amount of writing and making records that he has to do is something very great; I know many of them work fully their eight or nine hours a day.

21890. In such sub-divisions who takes the second and third class cases?—There is generally a Sub-Deputy and then there is generally a local Bench which takes a lot of the cases.

21891. So that these people are really oppressed by first class cases?—Yes, it is not the small cases that are the trouble.

21892. You agree generally that it is rather a waste of power to make a man a First Class Magistrate and put him on to do second and third class cases?—Certainly, we have always tried to get over that by establishing Benches.

21893. You advocate an Additional Collector to be appointed from among the Deputy Collectors; you say that he is to be a sort of colleague of the Collector?—I would put him in independent charge of certain branches such as the treasury.

21894. With no control?—Only by the Commissioner. You might give him power, the same as now Deputy Collectors are made District Officers. As a rule very few of the Deputy Collectors are absolutely fit to be District Officers in all branches, but in certain branches like treasury and certificates, they are quite capable of being put in independent charge.

21895. How many listed districts have you in this province—districts in which Collectors may be taken from the Provincial Service?—I think it is three.

21896. But you would have a good many more Additional Collectors?—Yes, considerably more.

21897. Your Additional Collector would then be the superior officer of the district staff as regards treasury work?—Yes, they would not come into contact much with other departments.

21898. Would you have the Civilians and the Deputy Collectors come under two masters within the district?—Yes, to some extent.

21899. Would that not result in some friction?—I do not think so.

21900. A young Civilian after his preliminary training goes out to a sub-division, and there he is mainly occupied with criminal work?—Yes.

21901. All the revenue subjects, such as there are, are mainly dealt with by the Deputy Collector at headquarters?—Yes.

21902. After some years of this sort of work he becomes a Collector and can act as such?—No, he comes in as Joint-Magistrate.

21903. Then the day comes when he has to act as Collector and he has to plunge into a number of subjects with which he has had very little to do?—That is so; it is objectionable, but how to get rid of it is another question. As Joint-Magistrate, of course, sometimes he gets a bit of experience in collectorate matters.

21904. But a man who has served in Assam would not be in that position; he would have had general revenue knowledge?—That is so. As Joint-Magistrate, when the Collector is on tour he has charge of the work at headquarters, and there he gets an insight into the work.

21905. The Collector here does not go regularly on tour; he tours spasmodically for a few days?—Not for a few days; he ought to go for a number of days together. I do not know what they do at present, but as Collector when I was at Backarganj I used to go out for a month at a time. On the whole, we generally make two tours. My principal tour was in the rains, when we could get about by boat to all parts of the district, and the other in the cold weather.

21906. Anyhow, the Joint-Magistrate's revenue experience is only at intervals?—Yes; it is not a perfect education by any means.

21907. Do you have any transfer of officers as between Assam and Bengal?—We have several Assam officers coming into Bengal.

21908. Is that a good thing on the whole?—I believe in the beginning it was not a good thing, but, of course, these officers have acquired experience.

21909. Mr. Melitus told us that he would have preferred every officer having to serve in both sub-provinces, but he did not wish them always to be moving to and fro one way and another?—My idea would be in their younger days before they are Sub-Divisional Officers it would be a good thing to give them experience in both; then they would be better fitted to become either Deputy Commissioners or Collectors.

21910. But as a rule you would let a man gravitate to one or the other when he became Collector?—The question would be for how many years; a man ought to be a Collector for five years in one district, and that would take up a good part of his collectorate time really. I would like the distinction between the two parts of the province to disappear as rapidly as possible.

21911. You think the larger powers, which you see no objection to giving to Collectors and Commissioners would not require any greater care in the method of selecting these officers?—No, I think not; the Government has full power of selection at the present time. It will always remain a question of the personal equation.

21912. Without mentioning any names, has it been exercised?—I should say generally it has been exercised; but I certainly know of cases in which it has not been exercised.

21913. There are men who have been allowed to become Collectors who ought not to have been?—Men who have been appointed before they ought to have been; perhaps men who ought never to have been appointed.

21914. And perhaps you would go so far as to say that there have been Commissioners appointed who ought not to have been Commissioners?—That is so.

21915. The general orders are quite sufficient; what you want is, some greater stringency in their application?—Yes.

21916. Suppose there is that stringency, and that A B is not considered fit to be a Collector, would you keep him on?—No, I think Government ought to have the power to say to him, "You must go"; giving him a fairly liberal pension. But, of course, there are men who improve in their later years. There ought to be considerable discretion used before they tell a man to go. A man may not be fit to be a Collector when he is of seven years' standing, and by the time he is of ten years' standing, he may be fit; I would give him time for improvement.

21917. If after repeated trials he is found unfit?—I should say it would be good for the Government, and good for the man, to get rid of him.

21918. Take a man who is passed over for a Commissionership?—Generally that would come at a time when he has earned his pension; then I should say, certainly, let him go. I think that if a man is not fit to be a Commissioner when he gets to the end of his service, 21 years, the Government ought to have full power to tell him to take his pension.

21919. There again, I suppose, sometimes a man would come at a rather early age?—Yes; there might be a good man who would be put in first, while another man of a lesser calibre would come in afterwards.

21920. You would not send a man off at once; you would give him another chance?—Yes.

21921. We were informed by some of the previous witnesses that here in Eastern Bengal the District Board Engineer used to do most of the Government Public Works, buildings, and so on?—Yes, pretty well all, at one time.

21922. That was put a stop to on the formation of the new province; the then Lieutenant-Governor adopted the Assam system. Do you think that that was a good change?—If the Public Works Department can be kept up to strength, then the change was a good one; but if it is to be attenuated, and the department becomes as it was in the old days, one man to a division, then it is impossible for him to do the work.

21923. So far as Eastern Bengal work is concerned, is that not exactly what you have got now?—They have got some more; I have not seen much of the work since the new province was formed.

21924. You do not think that the District Board Engineer was of a sufficient calibre to take charge of buildings, roads and so forth?—It depends altogether on the District Engineer, and that depends on the pay the District Board can give him; when the District Boards is rich enough to pay him Rs. 500 a month, it is all right; but when they pay him Rs. 250 or Rs. 300 you have a man in a position in which he can do very great harm indeed.

21925. Would it be an economy of labour if the Government and the District Board shared the Engineer?—Something of that sort would be a good plan.

21926. Do you think the statement that has been made that the District Officer has his time taken up and is absolutely overburdened by demands from above is not really accurate?—I think that that is not really the case.

21927. What helps to block him, if it does block him, is the demands within his own district?—That is true; he has to be very, very careful nowadays. In Eastern Bengal we have always had the very severest criticism applied to the acts of all our officers.

21928. (*Sir Steyning Edgerley.*) As regards members of the Board becoming *quasi*-colleagues of the Lieutenant-Governor, you said it would not be necessary that they should become full colleagues; what is your objection to their becoming full colleagues?—If they become full colleagues, it would imply their being on an equality with the Lieutenant-Governor, and I do not see how it would work.

21929. The analogy is brought in from Madras and Bombay?—But is there not some little friction there?—I am not speaking of my own knowledge, but from what I have been told on very high authority.

21930. I do not think there is much friction in Bombay?—I believe I am right in saying that in Bombay there once was a very large amount of friction. There would not be the same danger in this province or in Bengal, of friction as there is in Madras or Bombay, because there the Governor

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is a man new to the country, and either he has to accept the advice of his colleagues who know the country, in which case he has not much authority of his own, or if he asserts any authority he goes against the advice of his colleagues. Here the Lieutenant-Governor would be an officer who has as much knowledge of local conditions as his colleagues. I do not see the necessity of making the members of the Board colleagues.

21931. Do you see any objection?—No. I cannot say that I see any objection.

21932. They could still, of course, do their appellate work?—They would still have the same legal status as a tribunal.

21933. Certain evidence was given to us in Calcutta which seemed to show that people felt that there might be a lack of continuity in one-man Government; that would be remedied to some extent by a three-men Government, because they would not all retire at the same time?—That is no doubt one of the defects of one-man Government. I think at present the Board system is rather a popular institution with the people. As a matter of fact the Board in this province was formed because of a popular outcry against the abolition of the Board, and I think it is popular because it is more accessible.

21934. You think it would be more popular than the Government without a Board?—I think so; the people would prefer the Board in its present position.

21935. You say that a certain number of powers might be delegated, some of them affecting the Criminal Procedure Code, others the Bengal Tenancy Act, the Land Acquisition Act, the Court of Wards, Act, and so on. Have you thought at all as to the best procedure of delegating?—I think it would have to be by a general delegation Act in the case of statutory matters; in the case of mere departmental matters it could be done without a general delegation Act.

21936. Do you mean by a delegation Act an Act saying that the Government could delegate these powers after giving notice, or would you have specific delegating sections for each power?—I would say that the Local Government could delegate such and such powers; that would be the simpler form.

21937. To take an illustration. You think it is possible that the restrictions in the Tenancy Act were the result of a compromise?—I think they were; I have no distinct recollection, and without looking the matter up I could not say definitely, but it is possible.

21938. Suppose the Government took power by an Act of a general nature, and said "We may delegate this, that, and the other after giving notice in the Gazette and inviting objections"; suppose they used the Act as regards powers under the Tenancy Act which at one time were the subject of controversy, you think that probably there would now be no question about it?—I think now it is a matter of ancient history, and there would be no question raised about it.

21939. Do you think anybody could say, if the Legislature gave such powers, that you were in 1908 committing a breach of faith because the Legislature had originally passed the Tenency Act in a form constituting a compromise?—I do not think that after this lapse of time it would apply.

21940. Of course, you would want full notice of what you were doing?—Yes, it would be fully notified, and all objections listened to.

21941. You think that an increase in the Provincial Service would suffice in the districts?—Generally, I think so.

21942. A witness this morning told us that he had been to places where they said they had not seen a *Sahib* for five years; do you think that is possible?—I have just been out to a place where it might be said, but such cases are very rare.

21943. This was represented to us as being a large centre of the jute trade?—I do not see how that could be.

21944. Do you think that the European element in the Service is dangerously weak?—Perhaps we may be somewhat short in the *cadre*; the Secretaries to Government would be best able to answer that question; but, as far as I have seen, the only objection I have is that the Collector has come down rather low in the Service; there are men of six years' service serving as Collector; that is much too low.

21945. What is the cause of that?—Probably inadequate staff and leave.

21946. You think that the *cadre* ought to be of a strength that would bring the standard of service for a collector up to 10 or 12 years?—Yes.

21947. That is the old expectation of the Service?—Yes.

21948. Then as regards Local Self-Government; if anything is to be done you think attention should be concentrated for some years to come on the village and the village organisation, and build that in underneath the municipalities and District Boards?—I think it should not spread from above; it should come from beneath.

21949. Your Sub-Deputy Collectors get what pay?—From Rs. 100 to Rs. 250.

21950. Are they not quite fit to be First Class Magistrates?—Some of them are, but those who are fit to be First Class Magistrates generally get promotion into the Provincial Service. There are very few of them that I would give first class powers too.

21951. Have you strict educational qualifications for them?—Yes, at the present time we have; they are generally B.A.'s; there is no set rule on the subject; in fact, a good many are appointed from the settlement staff, and some of those may not even be B.A.'s, but most of them are.

21952. Assuming that they are drawn from that rank, is there any great difficulty about making them First Class Magistrates?—The power of a First Class Magistrate is very great, and besides, the Sub-Deputy Collectors are wanted for the Collectorate work. The pay would hardly justify one in giving them very important criminal work; I should be rather afraid of it.

21953. You know that such powers are given to officers of similar grade in other provinces?—Yes, but I should be afraid of the influence that might be brought to bear.

21954. A question has been raised as regards the permanent travelling allowances. Mr. Melitus told us that in the case of officers such as the police—the lower paid officers—the expense of travelling had risen so much that these rates were no longer adequate to cover expenses; would you agree?—I should say that it is very possible that the present allowance does not meet expenses, and that very often officers, in order to make ends meet, have to work so as to get the highest travelling allowance possible.

21955. Is not that a very bad thing?—It is a very bad thing undoubtedly.

21956. Have you any experience of permanent travelling allowance?—Yes, as Commissioner.

21957. You do not like the system?—I do not.

21958. It gives less work?—Very little, I should think.

21959. Less audit?—There may be a little less audit, but nothing of importance.

21960. Not in the aggregate?—No, in regard to the Commissioner I suppose it does, because there would be nobody to check his diaries.

21961. The daily travelling allowances has led to Manuals of Distances and so on?—Yes, but I much prefer the daily travelling allowance rule; I think it is much more equitable.

21962. Would it be a good thing to extend to the Executive Service what you have in the Judicial, that nobody should hold an appointment above the grade of District Officers until he has served for three years as a District Officer?—I think it would

be a very good rule indeed ; a man learns as District Officer what he cannot learn in any other way.

21963. You think that there is no noticeable progress in local self-government within the last generation?—I do not think there is any real progress.

21964. Can you suggest any reason for that?—The people from the *mufassal* do not care to come into the District Board apparently ; the men who come into the District Board are to a very great extent the pleader class, and I do not think they have much interest in the country ; they like to be members of the District Board, and that is about all.

21965. Is that not capable of remedy by altering the franchise or by other means?—I do not think there is anything like real public spirit. There is a great amount of factious spirit ; here and there you meet with a man who really takes a hearty interest in the work and does good work, but that is the exception.

21966. You do not think that that is growing?—I do not think it is growing ; in fact, the men who formerly did take a considerable interest in the *mufassal* are to a great extent gravitating to the towns ; all our zamindars are gravitating to Calcutta.

21967. Is it the same with regard to the municipalities?—Yes.

21968. So that it is rather a hopeless outlook,—I do not see at present that there is much prospect of improvement ; I do not see that there has been any improvement in that line in the course of my service.

21969. It was suggested to us that the Local Boards take very little interest in primary education ; that they are bound down very tightly by codes and rules, and that the education is practically paid for by provincial grants, and it was suggested that it is a growing expense of which the Boards could not see the end, and that it would be much better for the Government to take over the responsibility for primary education and perhaps substitute some other objects for the Board's works?—I do not think that Local Boards take much interest in primary education ; they may in secondary education, but in primary education I doubt whether they take any interest. An interest might be taken by the village panchayats, and many of them would possibly take an interest ; I have heard so.

21970. In fact, your advice is to tackle the question of the panchayat?—Yes, to improve from the bottom.

21971. And one thing is enough at a time?—Quite.

21972. It was suggested to us that the young Civilians would get a much better training if, instead of being at first put at headquarters, they were sent out in charge of the Settlement Officer, and forced to learn their vernacular out in the districts where they could not get on really without speaking it?—I would give them both. There is no doubt they ought to go out in the *mufassal* ; in fact, there is a rule that they have to go for so long ; we have also framed new rules for examination in the vernacular, which have been sanctioned by the Government of India, which will certainly compel every man in this province to be able to speak and write Bengali.

21973. Can you tell me anything about the salt administration?—I was in charge of it at one time.

21974. That is an imperial head of account?—Yes.

21975. But is it provincially administered?—We have very little to do with it. We have salt godowns at Chittagong where salt is imported ; then we have various bonded warehouses in other parts of the country. Then we have a certain amount of watch to do along the sea coast to see that there is no manufacture, but that is very little.

21976. Is the establishment provincial or imperial? The Officers are under the Board to a certain extent, but I do not know whether they are appointed by them ; the Board does not make the appointment at Chittagong ; that is imperial ; at these local bonded warehouses the appointments are made by the Collector, and they are paid for by the bonder.

21977. You do not know quite what the status of the establishment is?—As far as the bonded warehouses go it is provincial.

21978. And the inspecting establishment?—There is very little of it ; I think it is paid provincially. It comes into the provincial budget, but it is a very small thing altogether.

21979. You heard Mr. Nathan yesterday give us a very rosy account of the Home Department?—Perhaps that was natural.

21980. You think it was somewhat rosy?—Yes.

21981. (*Sir Frederic Lely.*) Is not the popularity of the Board of Revenue largely or entirely due to the fact that the parties may appear before it in person or by Counsel?—I think so to a great extent ; they get a hearing.

21982. If the Councils were to allow the same, the preference for the Board would disappear probably?—Possibly, but then the Council would have to be the same as the Board. The Board is stationed at Dacca ; we only go to the hills by permission.

21983. But you go on tour?—Yes.

21984. And you are able to take a bird's-eye view of the whole administration of the country from the Sub-Divisional Officers up to the Board of Revenue?—Yes.

21985. Has Government ever laid any stress upon the acquirement of conversational power in the vernacular by District Officers?—I do not think Government ever has.

21986. They have never taken any note of it?—I do not think so ; I do not think Government has ever promoted an officer because he happened to be good in languages.

21987. Or disapproved of the promotion of any one who was not good?—I think not ; they have neither approved or disapproved.

21988. You mention the new rules as to examination ; does not the matter depend rather, not on rules, but on the method of examination?—Yes ; the rule is that a member of the Board of Revenue should preside at the examination in Bengali, and then every one will be subject to the same strictness ; and it will be possible to be strict.

21989. There is hope of an improvement occurring?—Yes, I have no doubt that there is bound to be an improvement.

21990. Have you any suggestions to make for diminishing transfers of officers from district to district?—The only thing I can think of is that Commissioners and the Board ought to be consulted a little more freely. It is impossible, of course, to get behind the personal equation ; we know of transfers that are made on personal grounds.

21991. You would not suggest any other definite rule?—No.

21992. Would you allow a man returning from furlough to claim a district merely on the ground of seniority, with the avowed purpose of getting out of it as soon as he got a chance?—No, I certainly should not.

21993. To obviate that would you object to a rule by which a man who was appointed a permanent Collector undertook to remain in the district for say, three years?—That is supposed to be the underlying rule at present.

21994. It is only by some such rule as that that you could obviate the cases I referred to?—Yes, that is supposed to be the rule.

21995. Practically Eastern Bengal and Assam are uni-lingual areas?—Assamese is spoken by about a million inhabitants, compared with about 27 millions who speak Bengali, and the languages are pretty much the same, so much so that, although I do not know Assamese, I can read it.

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21996. With reference to Bengal proper, would you see any great objection to dividing the Presidency into language areas, and after a certain period confining a man to one area; for instance, allowing a man to be for ten years in one district and then allowing him to make his choice?—Then they would all choose Bihar.

21997. You would admit that the man who acts as the link between the Sub-Divisional Officer and the people is a man of very great importance?—Certainly.

21998. He communicates to the people the views and orders of the Government?—There is no one under the Sub-Divisional Officer, unless it be the panchayat; I am speaking of Eastern Bengal.

21999. There is no one in the least degree corresponding to the tahsildar or the *mamlatdar*?—No; of course where there are Government estates there may be a tahsildar, but as a rule he will not be under the Sub-Divisional Officer.

22000. Then is it not true that there is a gap between the Sub-Divisional Officer and the people?—Yes; and that gap I would fill up by the village panchayats.

22001. At present it is not filled up?—No.

22002. The police thanadar does something towards it?—To some extent.

22003. You have no one you can trust to communicate orders to the people, and you have no one to give you information and advise about the people?—No, unless you go on tour.

22004. There is nothing but what the Sub-Divisional Officer may get himself directly?—No.

22005. Do not a peripatetic Board of Revenue and Commissioners practically cover the same ground—I mean as touring and inspecting officers?—To a certain extent they do, but the Board of Revenue generally see the Commissioner's inspection notes, and look into matters of importance such as they have had experience of.

22006. The basis of their work is distrust of the Commissioner, a doubt whether he does his inspection thoroughly or not?—To some extent. I have been a great deal on tour this last year; that has been in connection with the Ministerial Officers' Salaries Committee.

22007. I am speaking of the general administration?—Then, of course, also the Commissioner has not much to do with settlements and records-of-rights; that is the work of the Director of Land Records.

22008. Still, the Commissioner has a general interest in them?—No, he has very little to do with them.

22009. He would have more interest in them than the Board of Revenue would have in municipalities and District Board work?—Barely. He is really outside the record-of-rights.

22010. But there are many subjects which are absolutely outside the sphere of the Board of Revenue?—Of course there are.

22011. And generally speaking the Commissioner's outlook would be more comprehensive than that of the Board of Revenue?—Yes.

22012. And also, as he is confined to a limited division while the Board of Revenue has to go over the whole Presidency, his outlook would be, perhaps, more personal than the outlook of the Board?—I do not know that; on the other hand, the Board of Revenue would have the whole province to look to, so that their outlook one would think would be more comprehensive.

22013. Speaking generally, are the municipalities in Bengal partly elected, and under considerable control by Government?—Yes.

22014. You would not suggest any change?—From my personal experience of municipalities I should say certainly there should be no change in the direction of relaxing control.

22015. Not in the direction of substituting assistance for control?—No; I could give instances to show that they are not to be trusted.

22016. You would say the same of the District Board?—Yes.

22017. Would you suggest confining the membership of the District Board to residents of the particular *taluk*; would that improve the *personnel*?—That is so to some extent.

22018. But I suppose there is nothing to prevent an outsider getting himself elected?—He must be a voter.

22019. Cannot you suggest anything further by which the help and advice of the people might be brought in aid of administration, apart from the villagers?—Unless by the extension of the panchayat system, and making them the electors.

22020. In enlisting the village to the aid of the administration, would you propose to work through the existing panchayat or would you discharge him altogether?—I would work through him and improve his status. I would enlarge the size of the village and get a large area to choose from, so as to get better men.

22021. Do you think that the help of the Registrar of Co-operative Societies might be enlisted with any advantage in making this beginning?—Yes, I think he ought to work through these panchayats.

22022. Do you make any what I may call demi-official effort to get the people into the help of the administration. For instance, if a road runs through a landowner's estate, do you ever make over to him the grant for a road and ask him to spend the money on his own responsibility?—I do not remember doing that, I have very often got them to join in, and help, and given the land free.

22023. But you have not thrown the responsibility on them?—Not in that way; sometimes for digging wells and tanks we have done so.

22024. Does the Government lay any stress on the intercourse of a Collector with his people?—Not that I have ever found.

22025. You have never known a case of Government writing to the Collector and saying, "We understand that you are not sufficiently in touch with your people"?—I have never heard of such a case.

22026. I understand that you are not in favour of a formal Advisory Council?—No, not a formal Advisory Council.

22027. Does the practice exist in Bengal districts generally of keeping darbar lists, or rather, a list of leading men whose advice on behalf of various sections of the community would be valuable?—That is the darbar list really.

22028. Is not the darbar list confined to social respectability?—Partly, and partly it includes generally any men of intelligence that we happen to know of.

22029. Does that exist in every district?—Yes.

22030. Every new Collector has the opportunity of ascertaining whom to ask advice from on any particular subject?—Yes.

22031. Would you be in favour of the Collector being empowered to pay the expenses of any gentleman he wished to call in and consult?—No, I would rather say that the Collector ought to go and see him.

22032. But that is not always possible?—I do not know that these matters come up very frequently, and when he is on tour, he could see any of these men.

22033. If a matter arose in which he wished to consult men of light and leading, you would not suggest any rule of that sort?—I would not suggest any payment.

22034. Are you of opinion that the Collector's office needs what has been called modernising?—Yes, that is part of what we are employed in doing in the Salaries Committee; we are practically reorganising the office, reducing numbers, getting better work out of them, and arranging to train the men at the first stage, so as to make efficient officers of them.

22035. How about the use of type-writers and shorthand-writers?—That is one of the things we are going to have.

22036. What would you say to exempting the Collector from the duty of counting the cash-balances?—I think he ought to be exempted altogether from the duties of the treasury.

22037. And the technical examination of record-rooms?—That I should give to a special staff to be sent round from district to district, independent of the Collector.

22038. Would you give the Collector in a large district a personal assistant?—No, I have thought of the matter; in fact, it was partly one of my proposals at one time; but on looking into the matter I do not like the idea. For one thing, there would be a great danger of his becoming the Collector in many ways; he would be regarded as having far more authority than he really would have, and there might be many wrong things going on.

22039. He might save the Collector a good deal of useless routine work?—I would do that through the Additional Collector that I propose.

22040. Would there not be the same danger with reference to him?—No, because he would be a much senior man; you could not get as personal assistant to the Collector a Senior Deputy Collector; the cost would probably be prohibitive. I do not think it would work.

22041. Would not the limitation of appeals be very much against popular sentiment?—I do not think so.

22042. You do not think that there is an ingrained feeling that there should be free access to the supreme authority?—No, I do not think there is anything of that sort.

22043. You think that there is nothing that is worth taking into account at any rate?—No.

22044. Do you know anything of Orissa?—Yes.

22045. Are you of opinion that the connection of Bengal and Orissa has had an injurious effect on Orissa?—I do not know that it has had much effect at all.

22046. Do you consider that a Commissioner in Orissa might, with advantage, be endowed with more decentralised powers?—Yes, certainly; it would be a good thing for Orissa to have a Commissioner who would be more independent.

22047. (*Mr. Dutt.*) You tell us of the possibility of friction if the members of the Board of Revenue were raised to the status of colleagues of the Lieutenant-Governor. Would the risk of that friction to some extent be avoided if His Honour was empowered to act on his own responsibility against the opinion of his members, pending a reference to the Government of India?—Yes, I think it would go very far to prevent any evil effects from friction; it would not prevent the friction, but it would prevent any evil arising.

22048. Now about this general Act of delegation, how do you propose to frame it. You said that the Local Government should be empowered to delegate such and such powers; I suppose you mean that those specific powers would be mentioned in a schedule of the Act?—Yes.

22049. That when it was desired that the Lieutenant-Governor should be empowered to delegate certain powers under certain Acts, all those Acts should be mentioned in the schedule?—Yes.

22050. Under the law a survey and record-of-rights can be undertaken at the request of the majority of the proprietors of an estate?—Yes; the Local Government can, on application, order a survey and record-of-rights without a reference to India.

22051. When there is not such application, the Local Government has power, with the sanction of the Government of India, to undertake a survey and record-of-rights partly at its own cost and partly at the cost of the zamindars and tenants?—Yes.

22052. Was it intended that it would be undertaken only on special occasions?—Yes; I cannot exactly remember; but it was rather a compromise; presumably it was to meet the fear of the zamindar that the Local Government would do something rash or outrageous.

22053. In fact, it means the Government undertaking the work at their own instance and making the zamindars and tenants pay for it?—Yes, that is what it comes to.

22054. Under those circumstances should it not be under some sort of control of the Government of India?—I do not think so; I do not think it is at all likely that the Local Government would do anything rash.

22055. If it was undertaken all over Bengal, would it be popular?—Yes. There is always strong opposition at the beginning, but afterwards landlords and tenants have all agreed when the thing has been done well, that it is a good thing.

22056. Do you think it would involve some cost in keeping up the record-of-rights?—Yes, the record-of-rights ought to be kept up to date, and there should be an establishment for that purpose which the general revenue should pay for, because the making of the record and the keeping of it up to date means a very great diminution in the number of Magistrates required. It is a matter for the public; the whole public is interested.

22057. Has it been decided that it should be kept up from the general revenues?—I do not know that anything specific has been settled, but there has been some correspondence which I think tends that way.

22058. With regard to appeals, do you remember the details of the Bengal Circular, 1905, which specially defines the right of appeal?—I do not remember the details, but I had something to do with the framing of it; it goes on the principle of allowing one appeal certainly, and then a subsequent appeal in certain cases.

22059. Would you like to modify those principles or would you stick to them?—I would like to stick to them.

22060. Do you say that the Divisional Commissioner ought to have the power of appointing Sub-Deputy Collectors?—Yes.

22061. Would some sort of sanction from the Government be necessary, because there would arise the question of their pay?—It would have to be a certain number; the Commissioner has the nominations at the present time; it would come to the same thing; you would have to give so many; there would have to be correspondence with the Government about it. I do not say that it would simplify the work much, but it would improve their status.

22062. These Sub-Deputy Collectors are Gazetted Officers?—Yes.

22063. And so far all Gazetted Officers have been appointed by Government?—Yes.

22064. Would it be likely to raise the status of the Sub-Deputy Collector himself, if he were appointed straight off by the Commissioner, instead of being appointed by the Government?—I do not think it would affect his status in any way.

22065. Have you watched the result of the recent changes in the police according to the recommendations of the Police Commission, so far as those changes affect the control of the District Magistrate over the police?—I have not had much experience in that matter; I have had a little experience as Commissioner.

22066. Are you able to form an opinion whether it has enlarged or curtailed the powers of the District Magistrates so far as control of the police is concerned?—So far as my experience goes it may have to some extent curtailed the powers of the District Magistrates, but not to any appreciable extent.

22067. Do you think that it would be a move in the right direction to curtail the powers of the District Magistrate?—No, not to curtail his powers

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over the police, certainly not; I do not think it would be a good move at all.

22068. You have told us that the District Boards have made practically little or no progress in the last twenty years. Do you think that that is the fault of the members themselves or that here is some fault in the system of working the District Boards?—I should ascribe the fault really to the members themselves more than to the system. I do not think it is in them to take interest in the matter; they do not give their minds to it.

22069. As a District Magistrate you have come across men, who have really tried to work the local self-government scheme?—I have, but they are a very small minority. I could name some who have done a great deal, but their numbers are very limited.

22070. It was suggested to us by a European witness in Madras that he resigned his seat on a Board, because the members of the Board had practically no work to do and no trust reposed in them. Do you think there is something in that which would explain the small interest taken by members of the District Boards?—I hardly think so; I think the members of the District Board have a possibility of doing a great deal, if they would put their minds to it, in the matter of sanitation, in the matter of tanks and wells for the locality in which they reside, and so forth.

22071. Are these matters entrusted to sub-committees to deal with them separately?—Yes, there are sub-committees formed for various purposes, but they differ in various districts, so that it is impossible to give a general reply.

22072. Suppose such committees were formed in all districts, and members of District Boards were told off to do this or that work specifically; would that be likely to create in the members, a little more interest in the work which they have to do?—Very possibly. I think it is to a considerable extent tried now. Perhaps not generally.

22073. You have told us that practically the only link now between the Sub-Divisional Officer in Eastern Bengal and the villagers if there is a link, is the thana police officer? Do you think it is possible to appoint Magistrates in every thana or in every circle of two thanas to take up cases in that area?—I think it is quite possible, when we get the reformed panchayats to work, to form a Bench of three presidents of panchayats and let them work as a Bench of Magistrates for their three circles.

22074. My question referred rather to the appointment of Stipendiary Magistrates, men of the rank of Sub-Deputy Collectors?—No, I should not like that; you would have to increase the number of Sub-Deputy Collectors very considerably, and I do not think the people would like it. It would take them away from the influence of the Bar at headquarters, and there would be constant applications for transfers. I do not think it would work.

22075. You are aware of course that such a system prevails both in Madras and in Bombay, where they have smaller revenue circles?—Yes.

22076. By the provision of such small circles would not a Circle Magistrate with revenue powers be able to foster the creation of the panchayats themselves?—What we want, in order to get the panchayat system into working order, is to have someone in charge of each thana, and he might be given a certain amount of criminal powers; but the time will come when we get the record-of-rights and amendment of records when there will have to be a considerable number of officers up and down the place, then they might combine the registrar's duty with the magisterial duty.

22077. (*Mr. Hichens.*) In your opinion are there substantial improvements which could be made which would save the Collectors and the Commissioners themselves a great deal of routine work?—The proposals of the Salaries Committee make the routine work better done; it will make the office work better done, and so, of course, it will to a certain extent save the labour of the officers.

22078. You propose to economise the time of Collectors by the appointment of special officers for the purpose of routine inspection?—Yes.

22079. They would be appointed at district headquarters?—I would leave the Additional Collectors at headquarters entirely; I would not have them go out at all. They would have quite sufficient work there.

22080. You would not propose to relieve the Collector entirely of that class of work?—No, I do not think that would be at all necessary or desirable.

22081. Would you say that the towns has progressed on the whole?—In some places; places vary. In some places there have been substantial improvements; in others I could speak of retrograde action.

22082. Where there is a substantial improvement, is it appreciated by the people of the town?—I very much doubt it. I can tell you about Dacca here; that is an instance in which it has not been appreciated.

22083. I suppose that is one of the main reasons why they do not take an interest in their work, because they do not appreciate it?—They do not appreciate it—that is one great reason.

22084. The only way to superinduce that interest, I suppose, would be patience and education in the value of it?—Yes, steady work and steady pressure and education; as they get the advantages, they will probably come to realise the benefit of them.

22085. Do you think that enough money is spent by the municipalities on improvements of that sort?—I think that many municipalities could raise a much larger income and spend more money to very great advantage.

22086. These improvements are desirable not merely from a hygienic point of view, but also from the point of view of promoting self-government?—Yes, from both points of view.

22087. Do they get any Government contribution?—The town of Dacca is receiving considerable assistance from Government in the way of assistance for schemes of sanitation and waterworks, too.

22088. You would say that it was worth while that their endowment, whether it was from Government or whether it was from taxation, should be fairly liberal, so that they could go in for substantial works of improvement?—Yes, it would be a good thing if they could increase their income in many ways.

22089. What was the longest time you were Collector in any one district?—About six years in Backarganj; that was not exactly at one stretch, because I was away on leave, and transferred; but I think altogether it comes to about six years.

22090. Did you find that in your sixth year you were getting stale?—No, I found, on the contrary, that every year I passed there I got to know more about the place and was able to do more good.

22091 Is there no objection to Collectors being posted for more than five years, if possible ten years, in one district?—I suppose it would hardly ever happen in a man's service to be so long as ten years in one district; five years would be about as long as it could be, considering leave and promotion, and so on; but certainly up to six or seven years; probably a man does more good in the last three or four years of that period than at any other time.

22092. Would you urge that apart from considerations of promotion, and so on?—Yes.

22093. You say, "The apparently inevitable tendency of the Secretariat is to regard every variation from the strict letter of the rule as an enormity"; do you mean by that rather that a man who deals with a subject by means of correspondence is probably unsympathetic as compared with a man who has to deal with individuals on the spot?—Yes; one man looks at it from his office point of view, and the other man looks at it from the practical point of view.

22094. You mean that a man who writes is apt to be more aggressive and more unpleasant on paper than a man would be in dealing with people personally?—Certainly.

22095. Therefore in so far as power has been accumulated in the hands of the Secretariat, there is a danger of their using it unsympathetically as compared with the Collector in his district, for example?—Certainly.

22096. Applying that principle still further, would you say that possibly changing "provincial Government" for "Collector" and changing "Government of India" for "Secretariat," the same thing applied?—Yes, I should say, it probably applies. It would be a good thing if there was more personal intercourse.

22097. Would you say that, in regard to matters of broad principle, the Government of India was impersonal and looked at them from the broad point of view and was apt to give scientific advice?—Yes.

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22098. But that when it came to what one may call more or less finnicking detail of uniformity they were rather apt to play the part of the provincial Secretariat?—Yes, that is so, as far as my experience goes.

22099. Would you say that the important thing is to rule not by mere rigid uniformity and adherence to the law, but more by the dictates of the heart?—Yes.

22100. And if that is to be achieved, it must be done by giving more power in regard to details to the provincial Government?—Yes, that is, I think, what is wanted.

(*The witness withdrew.*)

Adjourned.

THIRTY-FIRST DAY.

DACCA, *Friday*, 10*th January*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.S.I., I.C.S.
R. C. DUTT, Esq., C.S.I.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

The Hon. Mr. L. J. KERSHAW, I.C.S., was called and examined.

22101. (*Chairman.*) You are Secretary in the Financial and Municipal Departments?—Yes.

The powers of Local Governments in regard to the preparation and passing of estimates should be enlarged. Under the present system estimates (under imperial, shared, and wholly provincial heads) are passed by the Local Government in December and January, forwarded to the Accountant-General, and by the Accountant-General forwarded on the 20th January to the Finance Department of the Government of India. The Local Government is responsible for the preparation of the estimates, but the rules regulating the budget procedure take no account of the Local Government between the 20th January and the date (about March 15th) on which the estimates are finally passed by the Government of India. During this period the estimates are submitted by the Accountant-General to the Government of India in three editions and returned by the Government of India to the Accountant-General twice. The estimates originally sent up are altered without reference to the Local Government, on a consideration mainly of the revised estimates of the year which change from month to month, as the actuals of each successive month are to hand. So far, then, as the prescriptions of the code are concerned, the Local Government has no knowledge of the alterations—and these are at times considerable—made, nor has it any direct communication with the Government of India during this crucial period. In practice, however, copies of the budget notes are supplied unofficially by the Accountant-General to the Local Government early in February, and again towards the end of February or early in March. The Local Government can then see what alterations have been made, and can submit representations against reductions, usually through the Accountant-General. It can also suggest on its account, through the same channel, any additions which may be necessary. But as the budget notes of the Accountant-General are models of compression, it is difficult for him to present with sufficient force the arguments of the Local Government against reductions or the necessity for additions. As the time which the Government of India can give to a consideration of provincial estimates is exceedingly short, any direct official representation by the Local Government is undesirable. It is also the case that the Accountant-General himself sometimes alters the figures passed by the Local Government. Such alterations are usually unimportant and are based on the latest actuals, but the practice is to be deprecated as it is entirely foreign to the legitimate work of the Accountant-General, and, if allowed to grow, would result in the creation of a third budget authority. If the present system of scrutinising provincial estimates in detail be continued, it is difficult to see how matters can improve as the successive revises are carried out in Calcutta under high pressure, and it is not possible to give more than a day or two to the estimates of each province. Apart from the objection that the Local Government has no direct communication with the Government of India, the Local Government cannot, under this system, be held responsible for the accuracy of the estimates, as the figures finally sanctioned in March may, or may not, bear any resemblance to those passed in January. It is also, I believe, the case that the tests brought to bear on the estimates are mainly arithmetical, and it is inevitable that sufficient consideration cannot always be given to local conditions.

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The objections to the present system are the following:—

(i.) The estimates when originally submitted to the Government of India only contain the Accountant-General's compressed explanations of increases or new items.

(ii.) While the estimates are being dealt with by the Government of India, the Local Government has not a fair opportunity to submit representations against reductions

(iii.) The tests applied to the estimates are mainly arithmetical, and alterations are made on the basis of the revised estimates. In cases in which owing to local circumstances the revised are no true *criteria* of expenditure in the coming year, inconvenience may result from curtailment.

(iv.) The whole system is calculated to produce a feeling of irritation and antagonism at budget time, and if provincial estimates are in successive years substantially reduced, there must exist the grave danger that a Local Government will deliberately over-estimate in the hope of obtaining a sufficient allotment.

(v.) The Local Government is not responsible for the accuracy of the estimates.

It is but fair to say that, when deductions are made by the Government of India, they are, where possible, made so as to produce the minimum of inconvenience, and take the form of lump deductions so that expenditure is not restricted. But this is not always the case, and items are at times cut down. I do not propose that the Local Government should (so far as provincial receipts and expenditure are concerned) finally pass the estimates. The net excess of receipts over expenditure or of expenditure over receipts is a figure which closely affects imperial finance in the Ways and Means estimate, and the Government of India must retain the authority to estimate such excess. But if such authority be reserved, there seems no reason why greater responsibility should not be given to Local Governments. The true division of responsibility would be that the Local Government should have final authority to deal with its own estimates without interference, and subject only to a general control and to code prescriptions, while on their side the Government of India should be able to give effect to their opinion on the estimates as a whole by applying a *plus* or *minus* correction to the closing balance. The Local Government would revise its own estimates in February and March by the light of new actuals and alterations would be communicated to the Government of India by the Accountant-General. There would, in fact, be two sets of budget notes—one for all estimates which would be submitted to the Government of India by the Accountant-General, and the other for provincial heads which would be submitted by the Accountant-General to the Local Government—so that, without interfering in details, the Government of India might watch the progress of the provincial estimates preparatory to making its lump correction. But there are objections to this course, as the accounts of the Empire, as shown in the Financial Statement and presented to Parliament are made up by major heads. I am not certain that these objections are insuperable, but if considered so, the same principle should be applied, save that the Government of India, in place of making a lump correction at the foot of the estimates as a whole, would, where they considered it necessary, make a correction at the foot of each major head without altering details. This is indeed only a development of the present practice, with this important difference, however, that if the system were clearly laid down in the code, the Local Government would feel directly responsible and more accurate estimates would be framed. Much of the work now thrown upon the Government of India would be transferred to the Local Government, and more harmonious relations would result. In the first instance I would apply this system to all wholly provincial heads of revenue and expenditure. If successful, the system might be extended to shared heads where the provincial share was a half or more. A more complete separation than at present exists between imperial and provincial finance would follow the adoption of these proposals. So far as the broader question is concerned, I think that in a non-famine province like Eastern Bengal and Assam the system of *quasi*-permanent settlement is the best possible. But in concluding a settlement the provincial shares of the divided hands should be so regulated that the fixed assignment will be as low as possible. This would necessitate that in the selection of heads of divided revenue and in the apportionment of these heads between imperial and provincial, each province would be treated on its own merits and with regard to the capacity of the expansion of the shared or wholly provincial heads. With the greater portion of this province permanently settled, a half share of land revenue receipts is not so valuable an asset as in temporarily settled provinces. In a province so situated, I think that the balance should be adjusted by the assignment of a larger share than a half of growing heads, such as stamps and excise.

I would not be prepared to give borrowing powers to Local Governments. I would not go further than to permit Local Governments to guarantee interest on local railways and other similar productive works. But to attract local capital, a guarantee of a higher rate of interest than 3½ per cent. should be permitted. The maximum liability under these guarantees should be fixed for each province, but within this limit the Local Government might have a free hand.

In regard to the creation of new appointments, the enhancement of salaries, etc., when the charge falls wholly or in part upon provincial revenues the powers of sanction of the Local Government should be equal to those of the Government of India. If delegation on these lines were carried out, the Local Government would not be unfettered. In the first place the general control of the Government of India would remain and it would be open to that Government to lay down general lines of policy. In the second place the Local Government would exercise its powers subject to the prescriptions of the codes, and the Accountant-General who is the watchdog of the Government of India, is on the spot to see that these prescriptions are not evaded. In the third place, the Government of India have, through the monthly proceedings, an opportunity of seeing what each Local Government is doing, and if from these proceedings, it appeared that a Local Government was abusing its delegated power, or exercising them in a manner out of agreement with the declared policy of the Government of India, it is open to the Government of India to take action in exercise of their general powers of control. Beyond these checks there is the safeguard that a responsible provincial Government, administering revenues assigned to it in trust, will in the exercise of these enlarged powers follow the prescriptions of the code, and loyally carry out the policy of the Supreme Government.

The Local Government should be permitted to sanction expenditure for which specific provision has not been made without specific reappropriation if it undertook to find funds towards the close of the year. In the middle of the year neither the Local Government nor the Accountant-General can safely reappropriate from any head, and if reappropriation be insisted upon, it may happen that the reduced head may require to be added to later in the year. If reappropriations are made in block, say, in the middle of February, both the Local Government and the Accountant-General are saved a great deal of unnecessary trouble. This system would throw on the provincial Financial Secretariat additional responsibility, and would involve the keeping of a careful watch upon the progress of expenditure, but this is not unreasonable. We are in this province working, by permission, under this system, and the system works well. I would not delegate the power to authorities subordinate to the Local Government.

As to the delegation of powers conferred by law, specific amending legislation is desirable. It seems

proper that the Legislature which restricted the exercise of an authority should specifically declare that it is desirable to delegate that authority.

The Government of India have a much better appreciation of the importance of adhering to financial rules than Local Governments. They have a rooted dislike to relax the prescriptions of the Code or to create what may prove to be inconvenient precedents. But in special cases, on the recommendations of the Local Government, they are not unreasonable. This rigidity is wholesome, and has a steadying effect on provincial Governments. Not the least valuable results which would follow decentralization would be the removal of the tendency in Local Governments to avoid references to the Government of India in unimportant cases by straining the meaning of the codes where the special circumstances of a case are such that this course seems warranted.

The powers of the Local Government to withhold petitions might be somewhat extended without danger. The right of appeal to the Government of India against orders affecting officers personally is certainly very liberal, but I would not curtail it. The restriction of the right would be keenly resented, and any convenience which might result would be small compared with the dissatisfaction caused.

The demand for returns has not increased to any great extent of recent years. A great deal was done 5 or 6 years ago in this direction, but as returns have a constant tendency to increase it should be a standing rule that each Local Government should depute an officer once every five years to overhaul reports and returns.

We have two systems of rural local self-government in this province, one in Eastern Bengal, the other in Assam. I have had experience of the latter system while I served in Assam, but my experience of the Bengal system is limited to what I have seen of its working at headquarters. In Eastern Bengal official control is so close and exercised from so many directions, that there is no sense of local responsibility, and any real progress in local self-government is impossible. It will not help matters to widen the powers of Boards. I am in favour of completely recasting the system. I would remove from the Commissioner and District Officer all control over local bodies, and would centre control in a Local Self-Government Board, composed of a senior officer nominated by Government and a highly paid non-official elected by the Boards themselves. The cost of this Board would be met partly from provincial revenues and partly from local funds, and in it would vest all the powers now exercised by the Collector, Commissioner and the Local Government. I would reserve only to the Local Government a general power of control, but would direct that in the event of a disagreement between the two members of the Board the Local Government would decide. This Board would deal direct with District and Local Boards, and would exercise its control not merely through reports and returns but by inspections and consultations. It would be a real motive power and an authority to be referred to for assistance and guidance. The District Officer might be elected a member or Chairman of a Board, but his position would be in no way different as such from that of an ordinary member. He would officially be outside the system, but he would be consulted freely by the Central Board in regard to nominations, large projects, etc.

With the removal of local control there would probably be an immediate loss of efficiency and some waste of money, but the ultimate result would be the creation of a sense of true local responsibility, and the price to be paid does not seem excessive. Local bodies are at present administratively incapable, and I do not see how under present conditions this defect can be remedied. Some control is necessary, and a central control such as I have described would not only be popular, but would produce in the long run better results.

At the outset I would not widen the powers of Boards. They have at present more powers than they can properly exercise, and more money to spend than they know what to do with. I would be inclined to limit their control to Public Works, rural sanitation and water supply, veterinary improvements, pounds and a few other minor matters. I would entirely provincialize all education and medical expenditure, vesting the control of these departments in the Director of Public Instruction and the Inspector-General of Civil Hospitals. This would involve a complete re-adjustment of the contributions made from provincial to local. But when it became apparent that Boards could safely be entrusted with wider powers I would enlarge their powers of sanction in regard to expenditure on the objects under their control.

I doubt whether District Boards could usefully be entrusted with powers of supervision over small municipalities. Local official control is more necessary in municipalities, and the change would not, I think, be popular.

22102. You send your budget, you say, on the 20th of January of each year through the Accountant-General, and the Government of India have to dispose of all their objections and so forth by the 15th of March?—Yes.

22103. Between those dates your budget comes back to you twice?—Not to the Local Government, but to the Accountant-General.

22104. And through the Accountant-General the provincial Government have an opportunity of seeing the objections raised by the Government of India?—Of seeing the alterations made.

22105. And the objections taken?—It is a case of alterations, that is all.

22106. Is any direct official representation possible by the provincial Government to the Government of India regarding the alterations?—I have known demi-official representations to be made, nothing else.

22107. In some cases the Accountant-General on his own authority makes alterations in the budget?—Only to a very slight extent.

22108. Are you afraid of that practice growing?—The alterations which I have known to be made were justified; the only thing is that if the practice grows it might possibly become objectionable. It depends entirely on the Accountant-General.

22109. Is the danger more theoretical than real?—Possibly.

22110. You take some objections to the present system?—Yes. In the first place the provincial Government is under the Code held responsible for the accuracy of the estimates; as a matter of practice the Local Government cannot be held responsible, because the alterations are made subsequently by the Government of India, on successive actuals. When the estimates are framed by the Local Government, the Local Government has before it the actuals of six months; when the estimates are revised by the Government of India they have before them the actuals of 8, 9 or 10 months. If the Local Government had these actuals before them they might possibly frame different estimates. Another objection is that the very short time in which the budgets are passed through the successive revisers does not give the Local Government sufficient opportunity of protesting against any alteration if it thought protest necessary, and it can only do so through the budget notes. The budget notes are very compressed, and the Accountant-General may possibly not represent the views of the Local Government with sufficient clearness.

22111. Have you any reason to think that he does not do so?—No; on the contrary I think he does his best to put the views of the Local Government forward. I lay no stress on any inconvenience which may result from reductions, but a great deal of useless work might be avoided if more discretion were left to the provincial Government in framing the estimates until the last stage, when the final corrections in excess on one side of the account over the other is made. That it is admitted must be done by the Imperial Government.

22112. What remedy do you suggest?—I would allow the revisions which are now made by the Government of India to be made by the Local Government; that is to say, I would have a duplicate set of budget notes, one dealing with wholly

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provincial or shared heads, which would go to the Local Government and be dealt with by them exactly as the Government of India now deal with the budget notes.

22113. The budget notes are prepared by the Accountant-General?—Yes. I would have the whole of the figures, whether imperial or provincial, go to the Government of India, but the Government of India should make no alterations in the provincial budget until the last moment, and then should apply its corrections; the estimates would then stand as framed by the Local Government with the correction either on the estimates as a whole or by major heads, whichever was found most convenient.

22114. At what date should this last moment be fixed?—The date at present is the 9th of March; that is the last date on which any alteration can be made by the Government of India, and then by telegram.

22115. You want the greatest possible extension of time for the provincial Government to criticise the alterations made by the Government of India?—My proposal is that there should be no alterations made by the Government of India until the latest possible date.

22116. And the latest possible date is the 9th of March?—If this proposal were accepted, it would mean that the estimates would finally be sent upon some date in February.

22117. What is the latest date on which you think that estimates should be submitted by the provincial Government to the Imperial Government?—I should submit them, as at present, on the 20th January, and again early in February and again late in February; or possibly twice would be enough.

22118. Then in practice you would adhere to the present system?—By no means. Under the present system the Local Government submits the estimates on the 20th January; under the system I propose they would again deal with the estimates, with further materials in the way of actuals, in February, and these would go up to the Government of India in the second edition.

22119. But what is the latest date that you wish your provincial budget to reach the Government of India for the first time?—The same date as at present, the 20th January.

22120. Then what is the difference between your proposal and the present system?—I propose that the Local Government should alter its budget on successive actuals; at present it does not; the Government of India do it; there is the difference.

22121. What improvement would result from your proposal?—The Government of India would be relieved of a great deal of work, to begin with.

22122. And more work would be given to the provincial Government?—Yes.

22123. Then you want a transference of burden in preparing the budget to be made from the Government of India to the provincial Government?—Yes.

22124. Your proposals would not save work, but would alter the incidence of work?—It would alter the incidence of work and give the real responsibility to the provincial Government.

22125. And it would make their estimates apparently more accurate?—Yes.

22126. In reality it would be very little change?—I am not prepared to admit that, because the actuals would be at the disposal of the Local Government, and the local knowledge at the same time; at present the Government of India has the actuals alone.

22127. Is there no system possible by which both parties to this arrangement might be saved work; might it be possible to transmit the budget in a more complete state at a later date than the 20th January?—I think it is desirable to have the estimates prepared in January as at present, whatever system is adopted.

22128. You would not submit them for the first time to the Government of India at a later date?—No, not for the first time.

22129. Then, you want the deductions which are to be made by the Government of India to take the form of lump deductions?—That is so. It is really very little different from the present procedure; there might be objections (and I do not know whether it is possible to surmount them or not) to a system under which the reductions on the budget as a whole would be shewn in the form of a minus to the closing balance. The Government of India would accept the estimates passed by the provincial Government as they stand, but would retain the right to say what the excess of receipts over expenditure, or *vice versâ*, would be.

22130. Supposing that that was the only possible means of reducing the budget, would not that reduce the control of the Government of India over expenditure to which they now contribute a share?—I do not think so. Under the present practice the intention of the Government of India is not to restrict expenditure; the only object is accurate budgeting.

22131. At the present moment the provincial Government may transfer expenditure from sub-head to sub-head quite freely within their budget?—Quite freely.

22132. Does it ever arise in practice that, a reduction having been made in the total expenditure by means of reductions from particular major heads of expenditure, that reduction has been subsequently corrected by a transference from major head to major head by the Local Government?—That was the case last year; the lapses under certain major heads made up for the deficiencies in others; this year it is doubtful; it may be necessary this year to go up to the Government of India for a reduction of the closing balance; in other words, the amount at our disposal may not meet the expenditure.

22133. So that the action of the provincial Government by this transference from major head to major head, has practically nullified the work of the Government of India in reducing by anything save a lump reduction. You have accepted the total reduction, but you have corrected the views of the Government of India?—The object of the Government of India is not to reduce our expenditure; all they say is "You are at liberty to spend it if you can; then if we do spend it, we go up to the Government of India for a closing balance. Such an application could not be refused if we proved our case.

22134. Then the work of the Government of India goes for nothing in many cases?—I am not prepared to say that.

22135. You suggest that if your views were adopted, more harmonious relations would result between the two Governments; do you find that there is a certain amount of bickering on paper at the present moment between the two Governments?—The objection is that we have no opportunity of bickering; there is no time.

22136. You would like to do it if you could?—We write up demi-officially about an estimate, that is all.

22137. Are their relations really inharmonious on the whole?—I would not say so, but they are apt to become so; there is some irritation, of course.

22138. Do you think that the present system of *quasi*-permanent settlement is satisfactory, subject to your remarks?—Yes.

22139. Were the difficulties which might be experienced by Eastern Bengal with regard to growing revenue in the case of land revenue adjusted when the last permanent settlement was made; was not allowance made for the fact that you differed in this respect from other provinces?—Our settlement is only provisional; we have not got a permanent settlement so far. Our shares were more or less the same shares as in the case of the Bengal settlement, that is to say, half the land revenue.

22140. Was not the fact that the land revenue would not grow both in Bengal and in this province taken into account?—It is not altogether a non-expanding head; only a portion is non-expanding—a little less than half.

22141. Was allowance made for the fact that some portion of your land revenue is not an expanding revenue?—No specific allowance was made; but we were treated liberally on the whole.

22142. In consequence of this fact?—Not altogether in consequence of that fact.

22143. Partially in consequence of the fact?—I doubt whether that fact was taken into consideration.

22144. Do you think it was not taken into consideration at all?—Not specifically.

22145. What do you mean by "specifically"?—It was not mentioned in the correspondence.

22146. But was it allowed for in practice; you say you think you were treated liberally?—Yes.

22147. You do not wish to see general borrowing powers given to the Local Government, but you would like to see them free in the matter of local railways and small productive works? Do you think you would get a purely local market for loans of this sort?—Not for the whole loan, possibly; if the rate of interest guaranteed was sufficiently high I think we could get money in the local market; I doubt whether there would be any new sources tapped at 3½ per cent.

22148. Would the fact that you might tap a new market counter-balance the disadvantage of paying a little more for your money?—I think so. It is an advantage that the people of a province should be financially interested in local schemes such as light railways, motor services, and so forth.

22149. If a loan were issued by the Government of India for such a purpose would it be taken up largely, if at all, locally?—Not at 3½ per cent.

22150. Suppose the Government of India issued a loan at 4 per cent., would you then get no advantage over them?—No, not at that rate of interest.

22151. Is it really that you are prepared to pay a little more for your money in order that you may interest the people in what is going on in their own locality?—Quite so.

22152. With regard to the creation of new appointments and so on, I suppose the time has hardly elapsed for the Government of India to say what they propose to do under the Secretary of State's despatch of the 1st November, 1907?—We have not learnt it at present.

22153. Has there been time for them to convey their views to you?—No, the orders were only issued in November.

22154. It therefore may be possible that they are going to enhance your powers?—Yes.

22155. In any case you think it is desirable that they should?—Yes.

22156. You point out that even if you got such delegation extended to you as the Government of India now enjoys, there would still be certain restrictions on your action?—Yes. The general restriction is that the Government of India may lay down general lines of policy; then there is the fact that the printed monthly proceedings are sent to the Government of India.

22157. Then there is the check of the Accountant-General?—Yes; that is to see that the rules are not evaded.

22158. Will you tell us what these monthly proceedings are?—Cases are divided into A and B cases, according to their importance; important cases are printed and bound up in volumes by the departments and the correspondence parts of the files, not the notes, are sent to the Government of India monthly.

22159. Are these monthly proceedings entirely necessary?—I do not know what use is made of them by the Government of India; I have no doubt they find them useful in order to know what is going on in the provinces.

22160. Do they entail a certain amount of trouble in compilation?—They entail great trouble.

22161. Could they be rendered less often than they are, equally effectually?—The printing is the difficulty.

22162. It is not the trouble of compilation?—No, the papers as a rule are there: the compilation is not much trouble.

22163. How is the printing a difficulty?—In our particular case (probably in other provinces the same difficulties would not arise) all our printing work is done in Shillong, and we are working under difficulties there.

22164. Would the same check be obtained if the proceedings were rendered quarterly or annually?—Yes, the same check would be exercised.

22165. As to the sanction of the revision of establishments, what is the limit now?—The Government of India limit now is Rs. 50,000.

22166. You want in connection with the revision of establishments the same powers as the Government of India?—Yes, where the charges are provincial.

22167. Then with regard to travelling allowances, there is the objection lest any alteration that you make should inconvenience the authorities in other provinces?—Yes.

22168. What is your remedy for that?—The remedy would be communication with the neighbouring provinces which the orders might effect.

22169. You would substitute in the rule for "other provinces," the words "neighbouring provinces"?—Yes.

22170. Suppose you refused to be bound after all the neighbouring provinces had expressed their views?—Then a reference ought to be made to the Government of India.

22171. You are working in Eastern Bengal and Assam upon a system by which you can sanction expenditure without specific reappropriation?—That is so. We got special permission in this province from the Government of India.

22172. What was the reason for that?—We are more or less in a state of flux at present, and accurate budgetting is very difficult; the totals may be correct, but the expenditure under major heads is very difficult to estimate. To find money for new schemes it is difficult to reappropriate, say, in the middle of the year from a particular head; we reappropriate later on in the year, *en bloc*.

22173. Does the system work well?—Yes, from our point of view.

22174. Might it be extended to other provinces without any danger?—I think so.

22175. You want leave to abolish appointments as well as power to create them?—Yes, cases are rare, but they do arise.

22176. Does the Government of India exercise its powers with any really prejudicial effect to Local Governments?—No. They treat us on the whole very reasonably.

22177. Where they restrain you, and perhaps cause you some inconvenience, is it because they themselves are under rules which they are bound to obey?—That may be so.

22178. And perhaps they are overscrupulous from your point of view in keeping within the four corners of the law?—That may be the case; I do not know.

22179. You would like to do away with the control of Commissioners and District Officers over local bodies?—Yes. I would like to replace the control which they now exercise by a Central Board composed of a senior official nominated by Government and a non-official member elected by the Boards themselves, to be paid partly from provincial and partly from local funds.

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22180. Would that not lead to a good deal of centralization?—There would be centralization in a way, but I think it would quicken work.

22181. You want to retain the control of Government over district authorities (using the word in the largest sense), but you want to remove the personal control of the Divisional Officer?—To give him more freedom.

22182. May not that result in a system by which the control instead of being exercised by local knowledge would be a control through a paper knowledge?—Not if the Board were formed as I recommend.

22183. Could two gentlemen, touring throughout a province of the size of this one, have the same local knowledge that is now possessed by Collectors and Commissioners?—They could consult the Commissioners and District Officers freely.

22184. If they rejected the advice of the officers, where does the local value of the Commissioner and Collector come in?—Very probably they would not reject the advice of the local officers.

22185. If they did not reject advice, what is the good of substituting the Board for the local control of these officers?—It gives more freedom to the Board itself.

22186. To the old Board you mean?—Yes.

22187. Would you suggest that where the Local Board (whatever its character) and the Collector or the Commissioners differed, your new Board should practically accept the views of the Local Board?—I do not understand in what case they could differ, because there would be no direct communication between the District Board and the Magistrate.

22188. Your new Central Board goes down to examine a project which is put forward by the present District Board, which holds a particular view; the Collector of the district holds a different view: should the Central Board preferably accept the view of the District Board or that of the Collector?—It depends entirely on the merits of the case.

22189. Might not the control of the Government over the District Board in that case be just as much as it is now?—The control would be partly exercised by the Boards themselves through the elected non-official member.

22190. Then he is to go, not by the merits of the case, but by the views of the constituents, as it were?—He would be a non-official member of Government so to speak.

22191. And introduce into the Government the non-official view which in your own mind is not sufficiently present there now?—Yes.

22192. You think that system would expedite and not retard the consideration of local questions?—Just so.

22193. Would you give over to this Board all the control which is now exercised by yourself, as Municipal Secretary to Government?—The whole control.

22194. Suppose there is a difference between the two members?—Then there would be a personal reference to the Lieutenant-Governor himself.

22195. Having no local knowledge of his own, he would sum up the case as put before him by the two members and decide?—Yes.

22196. Would that not be the substitution of a paper control for personal control?—No, I think it would be real control.

22197. Have you put this view before your Government?—Only recently.

22198. Have they expressed any opinion about it?—It was not accepted.

22199. You think there might be some loss of efficiency and some waste of money?—I think certainly there would be.

22200. What would be the counterbalancing advantages?—It would give Local Self-Government a chance to show whether it was worth anything.

22201. Suppose it failed, could you go back?—It probably would not be necessary to go back.

22202. Could you go back?—I think we could go back.

22203. Instead of making so great an experiment as this, would it not be worth while to begin with the village community and give them some training in Government?—That would be the creation of new *quasi*-official bodies; here we have bodies ready made. The experiment ought to be made on existing bodies rather than by creating new bodies.

22204. Would you favour the creation of some village autonomy?—I can offer no opinion of any value upon that.

22205. But you consider the present system unsatisfactory and you think that an experiment might be made in the direction you suggest?—An experiment might be made, not in the whole province, but in a selected portion of it.

22206. Would you extend to the municipalities and district authorities which came under your scheme any greater power than they have now?—No.

22207. Would you limit their power in any way?—I would limit it by withdrawing some of the matters with which they deal, especially education. That can be done equally well by the Education Department of Government, and I do not think it would be objected to, certainly not in Assam.

22208. As Municipal Secretary do you find that the municipalities and District Boards take any interest at all in education?—From the reports that are received there is no great interest taken.

22209. Do you propose the removal of education from their control because you think you will get greater educational progress?—I think you will have more efficiency in having everything under a departmental head.

22210. Even though that efficiency should be secured against the wishes of the municipalities?—I am not prepared to say that. If they did object, it might be necessary to reconsider the whole position.

22211. Would you remove any contribution which the District Boards or municipalities may now make?—There would be an entire readjustment of the contributions now made.

22212. But you would be prepared to face all this in order to give your scheme a chance?—Yes.

22213. (*Sir Frederic Lely.*) With reference to your scheme for controlling Local Boards and municipalities, do you attach no importance to preserving the position of the Collector?—I admit that there is that objection.

22214. Is not the Collector more likely to have accurate local knowledge than a Central Board?—That is so.

22215. If the views of the Collector and the views of this Board happened to be opposed to each other, which do you think would be most likely to be the sound adviser?—It would depend entirely in each case; possibly, with a Magistrate who had been a short time in a district, his view would not be entitled to the same weight as that of a man who had been there some time.

22216. Take the average Collector, who has the average means of knowing the district; your supposition that he would have been a short time in office might equally apply to the officer of the Central Board. Take an average man for each, with equal opportunities; which would be the more likely to give sound advice?—I think the local man would be more likely.

22217. What is the advantage of making the Collector stand aside?—To carry out the objects of Local Self-Government.

22218. But to carry them out effectively you would reject the man who is most associated with the interests of the district?—Not quite; it is possible that there may be another agency which would carry out the work much more effectively; but if the object of Local Self-Government is first to remove

part of the work from Government to local bodies, and secondly to educate the people up to a sense of local responsibility, this scheme would give them a chance of doing that.

22219. You think the advantage of the Central Board would be that they would not be so likely to bring personal influence to bear on the members of the Board?—It would make the Boards less a one-man concern than at present.

22220. You propose that they should get knowledge upon which they should base their action by inspections and consultations; would that not be likely to create undesirable friction in a district, if an outside Board came into the district and claimed to meet the Boards there and consult with them over the head of the Collector?—Not if the Board also consulted the Collector, as they would do.

22221. Your proposal would be to create an Advisory Collector?—Not quite that.

22222. Do you not think that the better the Collector, the more he would resent the interference of men who from the nature of the case would be more ignorant of the state of things than himself?—A Collector does not resent the Head of the Department coming down to his district; this would be the Head of the Local Government Department coming down.

22223. He would resent the Head of a Department coming down and interfering in local cases; suppose he has formed a strong opinion that certain water-works are necessary for the health of a town, and an outside person has a different opinion; would not the Collector resent that outsider coming in and over-ruling his opinion?—Not if the outsider were the Sanitary Commissioner, who is an expert.

22224. Who absolutely knew nothing about it, who decided it, on theoretical grounds on paper?—No; he would do it after examination.

22225. You prefer this development to village Government, on the ground that the District Board is an existing institution, whereas the village would be a new one; but as a matter of fact, is not the village of much older standing in the constitution of the country?—I mean an institution which is recognised as an official body, such as the District Board ought to be.

22226. The District Board is an exotic?—Quite so.

22227. You would allocate certain subjects to the Boards, and certain subjects you would put under provincial control?—Education and medical expenditure I would provincialise in order to lighten the duties of the Boards.

22228. Can you suggest any principle on which you can divide these subjects?—There are Government Departments which could carry out the work, probably more efficiently than the Boards.

22229. Is not education a subject that comes home more to the people, especially as parents, than anything else?—I do not think the Boards take an interest in education.

22230. (*Mr. Dutt.*) When the budget actuals are sent early in February, and again late in February, has the provincial Government no chance of revising, then and submitting the revised budget to the Government of India?—As a matter of fact, the provincial Government does make alterations between the 20th January and 9th March. They are communicated to the Accountant-General and by him to India.

22231. Will you explain exactly what further revision on the part of the provincial Government you advocate?—A revision on actuals, that is to say, when the estimates are first framed, usually the only actuals available are for the first six months of the year; these estimates might be further revised by the Local Government as eight and nine months' actuals were to hand. I want the revision to be made by the Local Government instead of by the Government of India, on the advice of the Accountant-General.

22232. What is the nature of the alterations which are made by the Accountant-General?—They are very slight; I do not lay much stress on that point.

22233. What is the nature of the alterations made by the Government of India?—They are lump deductions almost entirely. They are intended to be in the interests of correct estimating.

22234. Are any alterations made on any other ground within your experience?—Any alteration which would have the effect of raising expenditure might be added by the Government of India; for instance in the Forest Department a time scale of pay was introduced which involved expenditure; the Government of India itself added that.

22235. New facts having come to the knowledge of the Government of India such an alteration is also made in the interests of correct estimating?—Obviously.

22236. What is the manner in which the authority of the Local Government may be delegated to subordinate officers when the Local Government desire to do so?—In many instances the Local Government is at liberty to delegate; in other cases permission must be obtained. We have already delegated a certain number of powers.

22237. I am speaking now of powers which have been conferred on the Local Government by particular legislative measures. Suppose the Local Government desires to delegate some of those powers to the Commissioner or Collector, what ought to be the method pursued in delegating them?—I think a special Act ought to be passed for each power, a special Amending Act to the Act which prevents delegation.

22238. In order to attract local capital, you would allow a higher rate of interest from the Local Government; you admit that would in the long run be a pecuniary loss to the Government?—It might be an immediate loss. The Local Government would guarantee the payment of interest; instead of paying the Government of India 3½ per cent., it would guarantee 4 or 5 or 6 per cent.; the difference would of course be loss.

22239. You say you are against the curtailing the right of appeal which now exists in personal matters. What are your reasons?—It would cause great dissatisfaction among officers; I do not think it gives much trouble now, not having regard to the importance of the matter.

22240. It has been suggested to us that the very fact that there is an appeal against an order makes an officer more careful in passing orders of punishments; do you think there is something in that?—Yes.

22241. Does this existing right of appeal give a sense of security to Government officers in the appointments which they hold?—The right is appreciated.

22242. Does it make Government service a little more popular?—I think it does.

22243. You say that the present District Board administration is to a large extent one-man rule?—I have not been Chairman of a District Board in Eastern Bengal, but I understand it is the case.

22244. There is no real sense of responsibility in the members who come to the meetings; they just say yes or no?—Exactly.

22245. And they are not induced to take a real interest in the matters which are placed before them?—I do not say that. They do not feel responsibility for matters such as Public Works, education and so forth.

22246. You think it would be better even if you restricted the field of operations, to give the members some real responsibility?—To try it would be desirable as an experiment.

22247. Would the District Boards send up their budgets to this Central Local Board through the Collector?—No, they should be sent direct. I do not think it would be desirable under the system I propose inasmuch as the Magistrate would be out of this system, to send the budget through him. I would leave it to the Central Board to consult him.

22248. You would not make it imperative?—No. They should consult him as a rule.

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22249. So that the Collector would not be furnished with a copy of the budget?—Not unless the Central Board cared to let him have a copy.

22250. When large schemes are sent up for sanction, should they be forwarded through the Collector, or should the Central Board send them on to the Collector?—I would leave the Central Board to consult either the District Officer or the Commissioner or any other Department.

22251. Would it generally be desirable that the Collector should be consulted?—Certainly.

22252. If the Collector was kept informed of the annual budget and also of large schemes sent up to the Central Board, would he remain generally ignorant of the state of things in his own district?—If he had the budget, and if he were freely consulted by the Central Board on all large projects, he would have a certain amount of knowledge of what was going on; he would not have the knowledge that he has now.

22253. But would it not entirely dissociate him from the work of the District Board in his own district?—It would dissociate him directly; indirectly he would exercise an influence.

22254. Would that influence be sufficient for practical purposes?—It probably would not; immediately it would not; eventually it might.

22255. Would you invest the Central Board with a general power of control over self-governing municipalities?—In the first instance, I would exclude municipalities from the scheme. Local official control is in quite a different position in the municipalities.

22256. (*Mr. Hichens.*) We have been told by certain witnesses that the cause of the apathy of the people in regard to municipal and local affairs is, not so much that they have not got responsibility, but because the particular subjects which are entrusted to their charge do not interest them at all; do you think that is true?—To a large extent.

22257. Is it any use giving them responsibility in these matters if they are not interested in them?—As an experiment we might see whether if the local official control was removed, they would take any interest, or not; at present we do not know.

22258. Is not the first desideratum to interest them in the things themselves; for example, to make them keen on having a water-supply and to shew them the benefits of it and so on?—That is part of the process of education.

22259. Is it any use going in for other drastic remedies until you have superinduced that idea?—I cannot see how that education can be effected without giving them some responsibility. It is possible that interest might be created by giving them some responsibility, and, as an experiment, it is desirable.

22260. You give a certain number of more or less detailed recommendations of wider powers which the provincial Government should have in financial matters, and you allude to a principle which is underlying them; what is that principle?—That where the charge falls upon a provincial or a divided head, the powers enjoyed by the Local Government should be equal to those enjoyed by the Government of India under the code.

22261. Would it apply to a matter like travelling allowances?—It would apply if the charge were a provincial one.

22262. Say, that the code provided that special allowances for travelling should be given in hilly districts; would you allow the provincial Government to decide what were hilly districts and what were not?—That would follow from the principle.

22263. Suppose the Accountant-General did not agree?—In that case the Local Government would have power to fix the special rates of travelling allowance in special localities; it would not be open to the Accountant-General to question the orders of the Local Government unless the total amount exceeded the limit.

22264. When a question of interpretation in a matter of that sort arises, who is to decide it?—The Government of India.

22265. Still?—Certainly. If the Accountant-General says to the Local Government "You are exceeding your powers and I will not pass this charge," either the Local Government must cancel its order, or the matter must be referred to the Government of India.

22266. You are not prepared to go so far as to say that the provincial Government should have power to settle matters of that sort?—No.

22267. (*Mr. Meyer.*) Has your financial experience been confined to the province as at present constituted?—In the old province of Assam I was on two occasions Secretary. There was only one Secretary, and there was a certain amount of financial work to be done.

22268. This is a province that has only been formed for about two years. Were not the estimates rather difficult to deal with both for the Local Government and the Government of India?—Very difficult.

22269. You say, "The estimates originally sent up are altered without reference to the Local Government on a consideration mainly of the revised estimates of the year which charge from month to month." There I suppose you refer to the estimates for the current year?—Yes.

22270. Is not one of the factors the proportion which the budget estimate of previous years bears to the actual experience of those years?—That is a factor.

22271. This province being a new one, that factor was lacking?—We had not got that particular factor.

22272. In Assam, on the other hand, in the undivided province, you had the figures for a considerable series of years?—Yes.

22273. Did not the Government of India then alter the figures, not merely with reference to the actuals of the few months of the current year, but with reference to the history of the past?—I did not actually serve as Secretary during budget time; I do not know what happened.

22274. As this province increases in age, and as you get a certain series of years of figures for the province as now constituted, will not estimating become easier?—Certainly.

22275. Have the alterations that the Government of India have made been justified as a rule?—Not always. I have in my mind a particular major head.

22276. As regards the budget as a whole, the Government of India cut down your expenditure somewhat?—Not very much.

22277. As far as actuals have gone, was that cutting down justified in the aggregate?—It was justified on the figures of the revised, that is to say, the Government of India, proceeding on the revised, were perfectly entitled to make those reductions.

22278. I am speaking of the figures for 1906-07. In the budget of 1906-07 the Government of India cut your expenditure a little. Taking the expenditure as a whole was that justified?—The expenditure was within 2 per cent. of a 2-crore Budget.

22279. If the Local Government figure had been accepted, would the budget have been considerably above that 2 crores?—It would have been, but the point is that the Public Works Department were not able to spend.

22280. You say the Government of India reduced it to 2 crores, and as a matter of fact the actuals justified their cutting?—Yes, that was the first year. I think a good deal had to do with working up to the figure. The agreement we had was a curious agreement between estimates and actuals.

22281. The Government of India's final figures are arrived at, of course, on consideration of a large number of detailed heads?—Yes.

22282. It is possible therefore that, although in the aggregate the Government of India may be right, in a particular major head they might cut it too much or too little. Do I understand you want to give an instance of that?—In this year's budget there is an instance in education. The budget as sent up by the Local Government was reduced; it was pointed out when the budget was first sent up that the revised estimates of the year were in this particular case of no value, inasmuch as the Education Department was progressing and new schemes were coming into force. A reduction was made by the Government of India. A demi-official protest was made, and the budget was reduced. Now the expenditure will certainly exceed the estimates as finally passed by the Government of India

22283. In order to meet those cases, does not the rule specially lay down that the Local Government may transfer from one budget head to another, provided it does not affect the aggregate provincial revenue?—Yes.

22284. That does not necessarily vitiate the action of the Government of India?—Not unless the aggregate is exceeded.

22285. The Government of India want, of course, to have their estimates under each major head as accurate as possible, but in the end they want to arrive at the final figure?—Quite so.

22286. They may have made a mistake in the particular major head, and they are quite willing to let you remedy that, provided the eventual surplus or deficit is not affected?—Quite so.

22287. Even then, you can go up to the Government of India and get sanction?—For a reduction of the closing balance, yes; that may be necessary this year.

22288. Further, in this province you have been allowed a special concession in the way of reappropriation?—Yes.

22289. The reason was these special circumstances of the province, that you had not the same guide from the past as exists elsewhere?—Yes.

22290. Is that a safe system to apply elsewhere, where you have the guide of the past?—My experience has been limited to this province. It works well under our present circumstances, and it seems to me that it would work well under normal conditions.

22291. You say, "We will spend x rupees in the hope of being able to find it by reappropriation, while we cannot find it now"?—It comes to that.

22292. That is practically overdrawing your banking account in the hope of replenishing it presently?—No budget, however carefully framed, can be infallible.

22293. Would it be safe to apply that system of overdrawal generally?—I personally see no objection to it, if the provincial Financial Department will take the responsibility and watch actuals carefully.

22294. If the Government of India had to deal with eight major provinces and other Imperial Departments, all working on this system of overdrawals, might not their estimates be materially vitiated?—I do not see why they should be.

22295. You represent that the provincial Government has not got sufficient opportunity of learning the alterations made by the Government of India. Are not the Government notes at once communicated to you by the Accountant-General?—I have said so.

22296. And the budget notes contain the reasons for the alterations?—Very briefly.

22297. But they are there?—Not always.

22298. You desire that your Financial Secretariat should have much more liberty in regard to preparing the estimates for the heads which are either wholly provincial or divided? Do not the divided heads of revenue and expenditure directly affect the imperial surplus?—I have proposed that this principle shall be applied in the first instance only to provincial heads.

22299. But the divided heads are much more important?—In that they concern the Government of India.

22300. As a matter of provincial revenue, which is the more important, your divided heads, or your wholly provincial heads of revenue?—The divided heads, of course.

22301. Therefore will it do very much good unless you apply it to the divided heads?—On the revenue side there is no particular objection; the question is one of expenditure.

22302. To the expenditure more under the entirely provincial heads?—Yes.

22303. There are some important heads, such as forest and excise, on which the expenditure is divided?—Those are the two most important.

22304. So far as there are divided heads, the Government of India is directly concerned?—Yes.

22305. Ought it not to have a say from the outset as to matters which affect its own revenues as well as your revenues?—I do not propose that in divided heads of expenditure the Local Government should have the power that I refer to.

22306. You begin with the entirely provincial heads, and then you get on to the divided heads?—I say, "In the first instance I would apply this principle to all wholly provincial heads of revenue and expenditure. If successful the system might be extended to shared heads, where the provincial share was a half or more."

22307. So that you look forward to extending it?—If the result showed that the Local Government could budget in an accurate way.

22308. Then you desire, if possible, that the Government of India should take over provincial estimates exactly as they stand, and make no alterations under each head, but at the very end make a lump deduct or add?—Yes. Either in the estimates as a whole or by major heads, as may be found most convenient.

22309. They cannot possibly make such a lump alteration without having scrutinised each major head carefully?—Quite so.

22310. Therefore they might have made the alteration in the major head?—There is no objection to that.

22311. Further, the whole system is to show the expenditure under each major head?—Yes.

22312. Consequently it would vitiate the present system entirely if they had a lump at the end of the budget which did not appear under any head whatever?—I propose as an alternative that the deductions shall be shown under major heads.

22313. Do you think your lump system would be practicable on the estimates as a whole?—It would be for the Government of India to say whether it would be possible under the present system of showing imperial and provincial under each major head in the imperial statement of accounts.

22314. You propose, anyhow, even if the system of allocating the alterations under the heads is continued, that the Government of India should have nothing to say until about the 9th March?—No, that would be impossible; I should say towards the end of February it should receive, as at present, the estimates as originally passed and as revised by the Local Government, preparatory to making these lump deductions.

22315. You have never served in the Government of India Secretariat?—No.

22316. Are you aware that the imperial budget is one that involves an enormous amount of work and labour? You have to deal with eight provincial Governments with settlements, some minor Administrations, and a variety of spending departments and also revenue-making departments. Do you think the Government of India could possibly do the work if they had to leave the correcting of these very important estimates to the end of February?—They would prepare for it, but the actual correction would be made at the end of February.

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22317. They would have in their mind the corrections to be made, they would not communicate them to you, but suddenly in February they would plank them down on paper?—Exactly.

22318. You think that would be an improvement?—I think so.

22319. You speak here about Local Governments being driven by the cutting of the Government of India into over-estimating their revenue. Is it not a fact that the Local Government generally under-estimate their revenue?—I merely said that it is conceivable that such a result might occur.

22320. Do not the Government of India generally add to your revenue estimates?—Yes.

22321. Therefore there is no cutting down of your revenue, on the contrary there is an enhancement?—Quite so.

22322. You are aware of the correspondence that went on between the Local Government here and the Government of India in the matter of your provincial settlement. Is it not the fact that the figures furnished by the provincial Government were so incorrect that Sir Bamfylde Fuller had to withdraw them two or three times?—Only once. The figures (calculated by the Government of India) on which the original settlement was based were inaccurate; we went up and suggested other figures, and with very few exceptions they were accepted by the Government of India. The item you have in your mind, I think, is an item referring to supervision charges in the police.

22323. My impression is that the whole letter had to be re-written, because the figures were wrong from beginning to end?—The alterations on the settlement proposed by the Local Government were, with few exceptions, accepted entirely by the Government of India.

22324. I am asking whether certain actuals that were furnished were correct or not correct; I think it was about January, 1906?—That was before I came in. The figures were very indefinite; it was difficult to get correct figures from the Accountant-General of Bengal.

22325. Are you satisfied that the mechanism of your Financial Secretariat is such as to make it likely that you can turn out almost correct figures?—I think if we had the same materials at our disposal as the Government of India, that is to say eight, nine, or ten months of actuals, we could do it.

22326. It has been suggested that provincial Governments might possibly receive greater latitude in the matter of their estimates if the expenditure heads, that are at present divided, were made wholly provincial, the provincial Government, of course, receiving some additional revenue in compensation; would you be in favour of that scheme?—No, I am quite satisfied with the present system of divided heads; I do not see any objection to it.

22327. On the other hand, as long as expenditure is divided it is easier for the Government of India to criticise and to add fresh expenditure if necessary?—Yes, and it is desirable that if the Government of India share the revenue they should share the expenditure; that is one of the cardinal principles of these settlements.

22328. Suppose the provincial Government had to bear the whole of the expenditure, and that resulted in a loss?—Under land revenue we do bear almost the whole of the expenditure and only take half the revenue.

22329. The bulk of the land revenue is "administration"—establishments concerned with administration?—Part of it is transferred to "administration."

22330. You spoke of local borrowing for railways and other productive works; what do you mean by a productive work?—I had in my mind a motor-car service.

22331. I meant rather from the point of view of finance?—A bridge would not be a productive work, because it would not levy tolls; a light railway would be a productive work.

22332. A productive work as we understand it in the Government of India, is a work that will pay for the ordinary working expenses, and interest charges, and yield some margin of profit; is that what you mean by a productive work?—Generally, yes.

22333. Does not the Government of India at present borrow as much as it can for Public Works of this description?—Yes.

22334. How would you gain by borrowing a little more?—I do not propose that we should borrow; I am against the Local Governments borrowing.

22335. In the matter of guaranteeing, were not there some proposals circulated?—Yes; I do not think orders were passed on them; the Local Governments reported on the matter, and it was left there.

22336. There was a suggestion made that you should be able to guarantee within certain limits?—Yes, 3½ per cent. was what was suggested.

22337. Would you desire larger powers for the Local Government under the Local Loans Act?—I think the currency of a loan might in special cases be extended.

22338. You can guarantee a loan for 20 years, but you cannot guarantee a loan for more without reference to the Government of India? What power would you desire?—I would leave the matter as it is; we have a case at the present moment where we want a longer period, but it is desirable that we should go up to the Government of India on a matter of that sort.

22339. It has also been suggested to us elsewhere that the Local Government might sanction a local body raising a loan in the open market, if it was a rupee loan raised locally and of relatively small amount?—I am no believer in local bodies borrowing.

22340. Have you anything to do with the Port Trust here?—In the financing of it, in giving loans and contributions.

22341. Do you think that it has got sufficient powers; do you control its budget?—No; that goes to the Public Works.

22342. But so far as the restrictions in the Act are concerned, there is nothing to alter?—No, I have no suggestions to make upon that.

22343. You think these monthly proceedings might be less frequent?—The Chairman suggested that.

22344. I asked your opinion, that was all?—Sufficient check would be exercised if they were submitted quarterly.

22345. If a check is to be exercised through the proceedings, is it not desirable that it should be exercised as soon as possible?—It is.

22346. Therefore from that point of view, if the proceedings are to form the basis of a check, is it not desirable that they should be submitted monthly?—They are not submitted until some months after, in reality.

22347. (*Chairman.*) Even so there is some delay, but the delay would be considerably increased under a quarterly system?—I suppose it would; there would be delay naturally.

22348. (*Mr. Meyer.*) As regards this schedule of yours, one of the items is that the Local Government should have power to grant pensions up to a limit of Rs. 10 a month or gratuities not exceeding the equivalent value of that amount when no loan or gratuity is permissible under the rules (Article 924 (*b*), Civil Services Regulations). That is the limit imposed on the Government of India. Would you like larger powers to the Local Government if possible?—That is where there is no pension permissible under the code. The cases are not very many, but, if the Secretary of State cared to delegate his powers, the limit of Rs. 10 might be increased. It is not a practical question; there are very few cases.

22349. In regard to leave rules, it has been suggested that some considerable number of transfers are due to the rigidity of the leave rules—that

a man has to come back at a certain time and cannot go on leave again within a certain period, and that that leads to more frequent changes than if the leave rules were more elastic and the man kept a running account, as it were, with the Local Government so that the Government could allow him leave at such times as suited the Public Service. Would you be in favour of relaxation of the rules in that direction?—It would be very dangerous; if leave were granted to one officer in that way, the same concession would have to be granted to another officer.

22350. Does not a man in the higher Services earn three months' leave for every year's service?—Yes.

22351. Taking the operation of that rule, he might at some particular time have a year's leave to his credit. At the same time, he is estopped by another rule, which prevents him taking furlough within three years after returning from other furlough. Would it be expedient in such a case, if it was desirable that the man should go on leave at a particular time, for the Local Government to say "You have got your leave due, and you can go; it does not matter that you took leave only two years ago"?—That would be very convenient possibly to the officer and to Government, but it might be difficult to refuse the same concession to another officer who had the leave due but who did not satisfy the three years' rule.

22352. I am speaking of abolishing the three years' rule. The suggestion is that the officer should keep a running account with the Government of the leave he has earned by his total service, deducting the leave he has taken, and that as long as leave is due to him the Government should be able to grant him leave without any restriction as to the length of time that has elapsed from his taking leave before. What is your opinion upon a relaxation of that sort?—If you do away with the three years' rule, you will certainly help in the way of avoiding transfers, but it will be very difficult to refuse leave to a man who has leave due, except on public grounds.

22353. Would not the Local Government be sufficiently stern in refusing leave?—The three years' rule is a good stand-by.

22354. A man is next in order of promotion for an acting Collector, and it is known that he wants to take leave six months later; would you say, "You must either forego your promotion or forego your leave for the present"?—I would give him promotion, but refuse him leave.

22355. No man has a right to acting promotion?—Not as a right.

22356. No man has a right to leave; it is only when the exigencies of the Public Service permit. The State says, "We cannot give you both, you must choose one or the other"; do you consider that unreasonable?—No.

22357. You want to make the travelling allowance rules more elastic also?—Not more elastic; it is rather that changes should be more at the discretion of the Local Government.

22358. Would you have general principles laid down by the Government of India?—The Government of India would be entitled to lay down general principles.

22359. But, subject to those principles, the Local Government might have a considerably freer hand than they have now in the matter of details and expenses?—Yes.

22360. Article 278 (*a*) of the Civil Account Code, practically gives the Local Government power, within the limit of Rs. 1,000, to incur non-recurring expenditure which is not specifically provided for. It has been suggested to us that it would be useful to increase this power; would you hold with that?—I see no objection to extending it.

22361. Some witnesses have suggested that the Accountant-General should have no right to challenge the action of the Local Government within the limit laid down under this section; would you hold with that?—No.

22362. You think it is necessary for the Accountant-General to see that the spirit of the rule is observed?—Yes.

22363. The rule is intended not to enable the absolute infraction of existing rules, but merely to provide for something that has not been covered in detail elsewhere?—Just so.

22364. Then, however far the financial powers of the Local Government may be increased, you agree that it is necessary to have general rules and restrictions laid down by the Government of India and, further on, by the Secretary of State?—Yes.

22365. In interpreting those rules, you think that the power of interpretation should rest with the authority which lays down the restrictions?—Certainly.

22366. It has been suggested that, apart from interpretation, the Local Government should have power to make exceptions, and to say, "We know that this is against the rules, but it is a little matter, and we will do it." Would you be in favour of that?—No, I would allow the Local Government to make no exceptions.

22367. Is that because you think that a series of exceptions might fritter away the rules?—There is that danger.

22368. Is it desirable that the Accountant-General should be able to challenge the financial action of any Local Government as *ultra vires*?—Yes. He does so at present.

22369. It has also been suggested that, as to a number of these proposed relaxations of rules, the Local Government is the best judge of what is necessary in the province. Against that it is urged that the relaxation proposed is generally not so much in the interests of the province, as in the interest of some particular officer; would you agree to that?—I am not prepared to say that.

22370. Are not a large number of the cases which you send up to the Government of India personal concessions to individual officers?—A large number are.

22371. With regard to those individual officers, is it not sometimes a little painful to refuse a personal friend?—Not always.

22372. Some officers might not take such a Spartan view?—That is conceivable.

22373. It is also conceivable that there is some advantage by reference to an outside authority—the Government of India—to whom these officers are in general mere names?—If that is not purchased too dearly at the expense of delay and trouble.

22374. You have said that in regard to these larger concessions to the provincial Government which you have advocated, you are dealing with cases in which the provincial Government pays wholly or in part. You administer some services, which the Imperial Government pay for. You think those stand on a different footing?—Quite a different footing. We have no right to ask for any delegation where the expenditure is not wholly, or partly, provincial; in the cases you refer to we are not administering our revenues; we are administering revenues of the Imperial Government.

22375. You have not the check caused by the fact that if you are a little too extravagant you yourselves will feel the pinch later on?—That is another point of view.

22376. The whole principle of the provincial contract is that the provincial Government gets a certain amount of responsibility because it has to meet the consequences?—Yes.

22377. In regard to imperial expenditure you have no contract?—We have no contract, and no responsibility.

22378. You would have on the one hand all the arguments as to the desirability of increasing appointments, and on the other hand you would have no argument for economy?—That would be the case.

22379. At the same time, the provincial Government does have some limited power of increasing

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imperial establishment charges?—To a very small extent.

22380. You would increase that?—I propose, as a matter of convenience, to increase the amount up to Rs. 5,000 in any one year. We have cases in Chittagong, in connection with salt and customs, where expenditure is necessary in the course of the year, and a reference to the Government of India is necessary. It is not always possible to suggest reappropriation in the middle of the year, and the limit might usefully be increased to Rs. 5,000.

22381. You would not relax the restriction of Rs. 50 on the creation of permanent appointments?—No.

22382. Have you any experience of sending up to the Government rules under the Opium Act?—We sent up rules last year.

22383. Is it necessary that these rules should receive the previous sanction of the Governor-General in Council?—Yes, seeing that opium is an imperial head of revenue and expenditure, and seeing that it is desirable that the administration of that department should be uniform throughout the provinces.

22384. Do not your rules deal wholly with the internal consumption of opium?—Yes.

22385. That is not an imperial head entirely, it is a divided head?—That is so.

22386. Having regard to that, and to the fact that these rules also cover a great mass of detail, might it not be sufficient to alter in that Act the words "subject to the previous approval of the Governor-General in Council" to "subject to the control of the Governor-General in Council" so that the Governor-General in Council might lay down general principles, and the details might be left to be dealt with locally?—That would save a good deal of trouble.

22387. We have heard about the establishment of excise superintendents?—We are forming two Services now, one for the superior and one for the inferior; we have recruited for both Services.

22388. They are to replace Deputy Collectors who have hitherto been told off for excise work, on the ground that permanent agency is more satisfactory than an officer who may deal with excise for a time and then be taken off just as he begins to understand the work?—Just so.

22389. The excise supervision is to remain under the control of the Collector?—I believe that is the idea. It is one of the recommendations of the Excise Committee.

22390. Would you be prepared to endorse the suggestion that the Commissioner should have considerable budget powers; that you should break up the provincial civil work budget largely, and give portions to each Commissioner from which he could sanction Public Works in his division?—I do not like that idea at all.

22391. At present no permanent appointment, however small, can be created in the Government service except by the Local Government; would you be prepared to delegate any powers to the Board of Revenue or to Commissioners?—Not permanent appointments; as to temporary appointments, they already enjoy fairly large powers; in some appointments the limit is Rs. 100.

22392. It has also been suggested that Collectors should have sums provided for them in the budget from which they would make temporary increases to their clerical staff to meet some special pressure of work; would you be in favour of that?—If a scale were laid down within which they could entertain additions to establishment.

22393. That could be obtained by a lump grant; suppose you give a Collector Rs. 300 he would have to make that Rs. 300 do?—Yes; it is a question of funds entirely; it would be for the Board to lay down a scale of establishments.

22394. Have you had considerable experience of Local Board work in Assam?—Yes.

22395. Is not the Deputy Commissioner President of his own Sub-Divisional Board?—He is usually Chairman of the Sadar Sub-Divisional Board, not of the others.

22396. Has he any powers over the others?—Some projects go through him. He is not directly over them.

22397. Has there been any system of federation, as one may call it, for these Boards?—There have been proposals for the formation of a Joint-Committee. The first idea was to have a District Board; that was abandoned. It was then proposed to have Joint-Committees formed of delegates from the Sub-Divisional Boards under the presidency of the Collectors in order that they might employ a highly qualified District Engineer.

22398. Has the idea been abandoned?—It has been hung up.

22399. Has there been much inconvenience from these small Boards working independently?—I think they are working admirably.

22400. You exercise a pretty rigid control in regard to education over the District and Local Boards in this province?—In regard to the expenditure of imperial grants, we do. Over the expenditure as a whole the control is fairly rigid, but particularly rigid with regard to imperial grants.

22401. As a rule your Government officers select the schools which they are to aid, and in Assam they are rigidly tied up by scales; the number and pay of the teachers depends on the number of boys in each class and so on; would you maintain those restrictions which seem to apply quite independently of the imperial grants?—Those restrictions existed before the imperial grant was made. I think I am not entitled to speak about education.

22402. If local bodies were allowed more voice in the matter of education, would they not take some interest in it?—I am not prepared to say that they would.

22403. How many Conservators of Forests have you here?—One.

22404. Is the Commissioner much consulted in forest matters?—Reservation proposals come through him and he gives an opinion.

22405. Your forests are mainly in Assam?—No; we have large forests in the Rajshahi Division and some in Chittagong.

22406. Do you think the Forest Code is unnecessarily rigid?—No; we have had no inconvenience that I can recall.

22407. You do not complain of the number of references on relatively petty detail that your Conservator has to make to you, and that you have to make to the Government of India?—They are not excessive; we make no recommendations with regard to delegations. We do not feel any inconvenience.

22408. How long does it take you to put all officers in possession of the necessary orders after the Government of India sanction your budget?—That is done by the Accountant-General. I think they get the budgets with the details in May from the Accountant-General. It takes something like two months.

22409. Is it desirable that they should get that as early as possible in the year?—Yes.

22410. (*Sir Steyning Edgerley.*) Would it be any administrative advantage if you could give them that information by the beginning of March?—I do not think that would be possible.

22411. If your yourself could settle your provincial budget, and know that it was not going to be touched, you could begin the work of distribution by about March 9th?—It could be done, but I do not think any practical inconvenience results from the fact that an officer has not got a budget on the 1st April.

22412. Have you any system here of a sort of provisional sanction by which works can go on?—Establishments of course go on automatically;

from the beginning of April, the expenditure on contingencies, say, continues, even though the officer may have no budget.

22413. And works in progress under the Public Works Department?—They continue.

22414. Then as to the idea of abolishing re-appropriations; you suggest that you should re-appropriate *en bloc* in February. Is it necessary to wait so long?—The longer one waits, the more certain one is of one's position as to the lapses and excesses.

2415. As a matter of fact you could really begin to reappropriate about October?—No, in October before the cold weather starts, which is really the opening season, it is difficult to say what the figures would be.

22416. You would have got five months actuals; is that not sufficient?—Not altogether. I would rather wait till later.

22417. As regards these general powers of delegation, you say that if these lines were carried out, the Local Government would not be "unfettered"; is it the feeling in the provincial Government that you are unnecessarily hampered?—Perhaps it is an unfortunate expression. There are restrictions at present.

22418. You have got the safeguards of general policy and audit and monthly procedings, and you add: "Beyond these checks there is the safeguard that a responsible provincial Government, administering revenues assigned to it in trust, will in the exercise of these enlarged powers follow the prescriptions of the Code and loyally carry out the policy of the Supreme Government." Would you consider that a considerable safeguard?—The best safeguard of all.

22419. Then if you have got that, and if you have got to administer revenues which go partly to the provincial exchequer or partly to the imperial exchequer, what is the object of discriminating between powers over imperial and provincial establishments in departments which the provincial Government administers?—The revenue is not provincial revenue or shared by the provincial Government; the same responsibility does not exist.

22420. You said that you agreed that the Local Government has no responsibility upon imperial heads; do not you think that that requires reconsideration?—Did I say "responsibility." I should have said "powers."

22421. I took down the word "responsibility"?—I withdraw that entirely; there is not the same sense of responsibility as under the provincial and divided heads.

22422. Do you suppose that the people engaged in the collection of the revenue really know whether it goes to imperial or provincial?—No.

22423. The ultimate credit would in no way affect the collection of the revenue?—I doubt it.

22424. And the expenditure would be in regard to establishments; it all has to come up to the Local Government?—The Local Government has no power of increasing establishments under an imperial head. The proposal comes up through them.

22425. Do you not consider that you could be safely trusted to exercise the power?—If the Government of India care to delegate the power, we will take it cheerfully. I think there is no risk, but it is not a delegation that we press for.

22426. You are about to take over the expenditure on salt administration?—Yes.

22427. The establishment is to be really the same as the excise establishment?—They are to be amalgamated; I understand that that is the scheme.

22528. Excise is a shared head; salt is wholly imperial?—Yes.

22429. How do you propose to deal with the difference of power in regard to that expenditure?—That particular point has arisen as to the debit of the joint establishment; it will have to be settled.

22430. But as to the powers of the Local Government in regard to sanctioning establishments?—That point will also have to be settled; in that particular case I think they should be treated as a provincial charge.

22431. Take the small customs establishment in Chittagong; is that an imperial head?—Yes.

22432. Do you see any objection to the Local Government administering it?—Not from the point of view of convenience.

22433. Or from the point of view of the Government of India?—No; we do not press for the delegation; if we are given larger powers we should use them.

22434. So that there is no reason in the matter of establishments for keeping up that distinction between imperial and provincial?—I would not be prepared to say that.

22435. I mean where the provincial Government administers?—There may be reasons from the Government of India point of view of which I am not aware. There is this particular point, that it is Government of India money; that is one reason. Except that, I am not aware of any objection.

22436. Then again, you speak of the difficulty of measures affecting neighbouring provinces; do you not think that it would be a perfectly sufficient rule to say that each province must make out its own case without quoting precedents from elsewhere?—Great inconvenience may be caused by one province doing something which makes it almost impossible for the neighbouring province to refuse to do the same thing; we have had actual cases. The Government of Bengal went up to the Government of India for increased compensation allowances to officers drawing up to Rs. 30 a month in Bengal; that was sanctioned; and we had to do the same thing here a year afterwards.

22437. As to the control of the Government through proceedings; is it not the rule that these monthly proceedings have to go to the Secretary of State, by the third mail of the following month?—I am not aware of the rule. We certainly do not keep it here.

22438. You think that where you want to devolve powers, it is necessary to have amending legislation of the particular section?—I think that is desirable.

22439. Do you think that that is desirable absolutely, or as a matter of expediency?—It would, of course, give more trouble to have a number of amending Acts, but it is desirable that each case should be taken up and a specific amending Act passed.

22440. A witness yesterday gave us an instance in which a very desirable little improvement merged itself into an amendment of the Criminal Procedure Code, and there it has rested ever since. If you go in for specific legislation, in the matter of delegation you may very likely have to wait a very long time for your amendments?—That is so.

22441. And of course proposals for such amendments will come in considerable volume and fairly continuously as the provinces grow. Have you not got to set those disadvantages against the theoretical advantages of specific legislation? Do you think there is any insuperable reason why a general amending Act, securing previous notification of intention and invitation of objections and so on, should not be considered?—I know of no insuperable reason.

22442. You do not think there is any reason of principle or any very strong reason?—Except that it is desirable that the same Legislature which passed the Act should declare that the delegation was desirable.

22443. The same Legislature would pass the general Act?—That is so, but the form of the Act would not be to detail specific delegations.

22444. A witness gave us an instance of that kind in the Bengal Tenancy Act; as matters over which there was originally very much discussion, he thought that considerable delegation now would

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be accepted without a word; would you agree in that case?—If it were correct that there would be no opposition.

22445. You would learn that by notification and invitation?—But why not amend by a specific Act in that case?

22446. If you found that there were objections which were generally very strong, you probably would; but is there any objection in principle to having power to use such an Act in the probably numerous cases where no strong objection was shown?—I prefer the other method.

22447. You say that the guarantee of loans by a Local Government might be an immediate loss; you mean it would be the price you would pay for expansion of facilities in a particular area?—Yes, the difference between 3½ per cent. and whatever the rate is.

22448. There would be compensations?—Certainly.

22449. And those compensations might fully cover the loss?—I think they would in this case.

22450. As regards your Local Board scheme, was not something of the same sort proposed in 1883?—I am not aware of that; that was when the system was first started.

22451. Suppose the Collector ceased to be Chairman of the Local Board and ceased to be on any of the municipalities; it has been suggested that he might then have a small Administrative Council with him partly nominated and partly elected from these local bodies, and exercise the outside control at present reserved to higher authority on the spot?—I do not quite like that scheme.

22452. It supplies your non-official element, and it supplies your local knowledge, which are defects of the scheme of a Central Board?—It creates a new body, the Advisory Council.

22453. It is not an Advisory Council, it is a Local Self-Government Administrative Council?—That would be a separate body.

22454. It would be a separate elected body?—Which it might be very difficult to get rid of.

22455. The same argument would apply to the Central Board?—That would be an official body, and it might be possible to abolish that at any time. I doubt whether, if you created a new local body, you could abolish it; it would be difficult.

22456. Why more difficult than to abolish a central body?—You could abolish a central body, but I do not think you could abolish this new body that is suggested. I prefer the other scheme.

(*The witness withdrew.*)

Mr. JOHN EDWARD WEBSTER, I.C.S., was called and examined.

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22457. (*Chairman.*) You are Secretary in the Government of Eastern Bengal and Assam in the Judicial and General Departments?—Yes.

I am doubtful of the expediency of delegating greater financial powers to Local Governments.

As regards appeals, any member of the public dissatisfied with the administrative action of any Local Government or of any officer of Government can appeal to the Government of India, and the petition must be forwarded to the Government of India by the Local Government, unless it falls under one of the 14 specified sub-heads. It would not be expedient to extend greatly the discretionary power to withhold petitions now possessed by Local Governments, nor would it be desirable to lay down that no such appeal should be admitted unless accompanied by a certificate from the Local Government that reasonable grounds of appeal exist. I am, however, doubtful of the necessity of transmitting to the Government of India all petitions of the nature specified. I do not quite understand the object of transmitting petitions of the nature specified in notes (*a*) and (*b*) to Rule 11 (*b*) of the Memorial Rules. Petitions containing a prayer for mercy or pardon, other than those preferred by persons under sentence of death, should not be transmitted unless in the opinion of a Local Government reasonable grounds for the exercise by the Governor-General in Council of his prerogative of mercy exist.

The general rule as to the right of appeal, of officers of Government against decisions affecting them personally should be that every officer should have one appeal and no second appeal should be allowed. The Governor-General in Council must, of course, have the right to interfere and revise any order of a Local Government if he thinks it necessary to do so. This would leave the Gazetted Officers of Government, who can ordinarily be dismissed or reduced only by the Local Government, a right of appeal to the Government of India. Local Governments might also have discretion to withhold petitions against their orders fixing the pensions of Non-Gazetted Officers of Government.

The demands for returns from Local Governments has not increased of recent years, but more information regarding matters of general administration is now required to be given to the Supreme Government.

Recurring expenditure must be controlled by Government, but some devolution of control is possible by giving lump grants for buildings, &c., fixing graduated scales for certain establishments and other forms of expenditure and extending the contract system. Much has already been done in these directions, and I can make no definite suggestions for further extension.

The influence of the Commissioner, in matters pertaining to departments other than the Land Revenue Department, is sufficiently strong, and adequate weight is given to his views.

Executive Officers have not sufficient opportunities of personal contact with the people. The obstacles are partly overwork, partly the extent of the district and sub-divisional charges, and partly the small concern that the Executive has with land-revenue administration.

The majority of Executive Officers do not possess sufficient knowledge of the vernaculars, and owing to the great extent to which their work must in existing circumstances be done through English-speaking clerks, it is hardly possible to expect them to be fluent in the vernacular.

Several of the districts and some sub-divisions are too large for efficient administration. A larger number of cases should be tried locally, and this is impossible with the large charges entrusted to Sub-Divisional Magistrates. In order to give a sufficient proportion of senior Collectors, the number of junior civilians must be increased considerably.

It would be difficult with the present staff to go much further than is now done in the selection of officers on the ground of special capacity, but there is no doubt that the possibility of delegating powers is much limited by the inexperience of certain officers who perforce are employed in responsible positions. If a large increase of financial control be delegated, the personal responsibility of disbursing officers must be more strictly enforced.

Transfers of officers have in the past been undesirably frequent, but every effort is made to avoid such transfers, and I can suggest no method by which their number can be reduced. In the case of Medical Officers there is a tendency to give excessive consideration to the emoluments attached to particular districts, and to the predilections of the officers themselves.

It would be advisable to restrict considerably the present functions of District Boards and municipalities by taking away from them the direct control of departments of Government organized under Departmental Heads, such as hospitals and education, of provincial communications, and of all matters of other than purely local importance. In respect of such matters their functions should be purely advisory, and in respect of the residue entrusted to their charge they might be allowed a greater measure of independence.

I am certainly not in favour of creating any new Advisory or Administrative Councils to assist Divisional or District Officers, but the existing Boards and committees might advise on subjects not directly under their control.

If it were possible to give village authorities greater powers in the disposal of local affairs, I would certainly do so, even at the sacrifice of efficiency. But in this province there is really no such thing as a village community, and our attempts to create a responsible and trusted village authority have met hitherto with no success. I would persevere, selecting carefully the local areas, but the prospect is not hopeful.

I consider the reference now made by Judges in respect of unclaimed intestate property under section VII., Regulation V. of 1799, wholly unnecessary.

It seems also unnecessary that a Magistrate, who can convict a man and commit him to jail, should be compelled to obtain the orders of Government before sending an insane criminal to a Lunatic Asylum, or that results of every half-yearly examination of lunatics made by the visitors of an asylum should be reported to Government even though no recommendation be made.

No useful purpose is served by the reports to the Local Government regarding accidents on Railways (Section 83, Act IX. of 1890).

I have always doubted whether the system of administration through Divisional Commissioners is sound, and whether it would not be better to do away with them and entrust the control of local bodies, and of the departments in which such local bodies are interested, to a Central Board. The Commissioners were created to perform the functions of the Board of Revenue when communications were much slower and central control more difficult than now. They are necessary at present, as many District Officers are very inexperienced; but if all our Collectors are to be officers of eight years' service or over, a central control will be sufficient, and the abolition of the Divisional Commissioners will not only give us more senior Collectors, but will raise the prestige of the District Officers.

22458. In 1905 you were appointed to the Financial and Municipal Departments in the same Government?—Yes, temporarily.

22459. Two months afterwards you were transferred to the Judicial and General Departments, your present position?—Yes.

22460. In your judgment was that sudden change of office in your case advantageous to the Service generally?—I think it was advantageous. I had no particular turn for finance.

22461. Do you think that the transference of an officer from one branch of the Secretariat to another, two months after he is in charge of the former branch, is a good system?—Not as a rule.

22462. You do not wish to see any curtailment of the right of appeal at present enjoyed by officers, but you would like the Local Government to have some powers to withhold petitions. Are there many such petitions?—Not a large number.

22463. Do a great many of them go through you?—Yes, a good many; not the greater number.

22464. Is the Sanitary Board in this province under you?—No.

22465. Do you get any complaints by the Inspector-General of Civil Hospitals as to the inefficiency of any of the officers under him?—I cannot remember a case.

22466. Are there many members of the staff under the Inspector-General of Civil Hospitals who are not up to the mark?—They are not all of the same class, but I do not know of any one who is so inefficient as to be incompetent to perform his duties.

22467. Is any part of the civil medical staff not up to the mark?—The Assistants in charge of many of the dispensaries are not competent officers; those are not Government servants; they are entertained under local bodies.

22468. Do you receive in your department a great many general returns and reports?—Not a very large number.

22469. Are they increasing?—I think not; my impression is that more things are reported now than formerly.

22470. You share in the views which are held by Mr. Kershaw as regards the construction of a Central Board to deal with municipal authorities?—Yes. My idea is that there should be one officer of Government, associated probably with an elected officer, and that they should exercise all the powers of Government, and some of those at present exercised by Commissioners of divisions.

22471. (*Sir Steyning Edgerley.*) As to the Central Board, did you hear the suggestion I put to Mr. Kershaw as to the possibility of outside control by a collector with an Administrative Council?—Yes.

22472. Do you dislike that idea?—Yes.

22473. It is not quite so violent a change as the Central Board; it would be much easier experiment to try?—I should not like that scheme.

22474. You are of opinion that "petitions containing a prayer for mercy or pardon should not be transmitted, unless in the opinion of a Local Government grounds for the exercise by the Governor-General in Council of his prerogative of mercy exist"?—That is, other than petitions by condemned persons.

22475. That refers to the exercise of clemency under section 401 of the Criminal Procedure Code?—Yes.

22476. But if the Local Government considers that there are reasonable grounds, they have concurrent powers and can use them themselves?—Yes.

22477. Then why should they trouble the Government of India at all?—Sometimes there may be a *primâ facie* case which may not appeal to the Lieutenant-Governor at the time as being sufficiently strong, but he may recognize that it is possible that the Governor-General in Council might take a different view.

22478. You are in favour of relieving the District Boards and municipalities of duties, such as hospitals and education. Of course you would take away the provincial grants for those purposes also?—Yes.

22479. Would you give the Boards other subjects to deal with instead?—I would not give them any others.

22480. You say, "It seems also unnecessary that a Magistrate, who can convict a man and commit him to jail, should be compelled to obtain the orders of Government before sending an insane criminal to a lunatic asylum"; do all Magistrates know in which asylum there is room for an insane?—No, not at present.

22481. Is that not partly the object of the reference, to know where to send him?—It might be arranged that certain districts should send their insanes to certain lunatic asylums.

22482. Suppose you started off your lunatic on that assumption to an asylum, and when he got there it was found that the asylum was full?—If at any time the asylum was full, an order could be passed temporarily directing all the lunatics to be sent to another asylum.

22483. Is it not far better that the Magistrate should know beforehand where an insane ought to be sent?—The Government as a rule has no information as to what room there is, and has no greater opportunity than the District Magistrate of judging.

22484. Is any first class Magistrate in the province in just as close touch with the Inspector-General of Civil Hospitals as Government is?—No.

22485. Then what is the advantage you expect from your suggestion?—The practical point is that we send men from certain districts to one asylum, and from certain districts to another asylum; if at any time there was any reason to change, the District Officers would request us to make an alteration.

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22486. (*Mr. Meyer.*) Have you anything to do with mining concessions in your department?—I have had a few cases where people wished to mine beyond the inner line.

22487. I am not speaking of Native States now, but of the province generally?—Not except where people wish to mine beyond the inner line—not necessarily in Native States.

22488. You have oil fields in Assam?—Yes, they are under the Chief Secretary.

22489. You would not take up mining work *per se*, but merely because it happens to be in a Native State?—Or within the province, and yet beyond the inner line.

22490. It has been represented to us by some witnesses that it was a grievance that the Government of India not long ago told the Local Governments to adopt a uniform set of petroleum rules; have you anything to say as to that?—I think there should be a uniform set of petroleum rules. It is a matter that concerns commerce; many firms have business in several provinces.

22491. And it is really an imperial matter now-a-days, though it may not have been a few years ago?—Yes.

22492. To what contract system do you refer when you say, "Some devolution of control is possible by extending the contract system"?—I mean the contract contingent system, by which officers have a certain allotment within which they can spend as they like.

22493. Have not your Commissioners that now to some extent?—Also our Collectors. A good deal of expenditure is under the contract contingent system.

22494. You desire to do away with Commissioners and let the Collectors be directly dealt with by the Board of Revenue. You are aware that that system applies at present only in one province, namely, Madras?—Yes.

22495. Are you aware that the Madras system works satisfactorily, first because it has a more numerous Board of Revenue than elsewhere; secondly, because the Collector is in a considerably higher position there than he is in most of the provinces?—I am aware that that is the case.

22496. In Madras the districts are all parcelled out into sub-divisions; each Sub-Divisional Officer exercises practically the powers of the Collector in miniature; the Collector comes in as practically the local Commissioner, and then you get the Board of Revenue?—Yes.

22497. Do you desire to see that system adopted in this province?—I do not know that I would enlarge the size of our districts.

22498. Have you got that sub-divisional system in anything like the same way here?—No.

22499. In the event of your scheme being adopted, would you accompany it with the adoption of a regular sub-divisional or territorial system?—I should like to increase the powers and jurisdiction of our Sub-Divisional Officers.

22500. To give them the whole duties of a Collector as far as possible, instead of only magisterial work?—Yes; they have certain revenue powers now.

22501. At present there is a material difference between the two parts of the province; in Assam they have already got that far?—I have never served in Assam, but I believe that is so.

22502. In Eastern Bengal, though the Sub-Divisional Officers do some other work, they are mainly confined to magisterial work?—I believe so.

22503. They cannot take appellate magisterial work?—Not unless they are specially invested with powers.

22504. Are they as a rule so invested?—No.

22505. The Collector is in charge, nominally, of the largest sub-division in the district?—Yes.

22506. Do you desire to change all that, and first of all to relieve the Collector of the direct charge of any sub-division; secondly, to give the Sub-Divisional Officers (who would have to be more in number, of course) general powers, revenue powers as well as magisterial, and to do away with the Deputy Collectors at headquarters, except, of course, for matters like the treasury?—I do not think I would greatly increase the number of Sub-Divisional Officers.

22507. Would you make the Sub-Divisional Officer a miniature Collector, dealing with anything as far as possible within his own range, and do away with these special Deputy Collectors at headquarters?—As far as possible, yes.

22508. (*Mr. Hichens.*) We have been told that now-a-days there is a tendency to make regulations and rules about all sorts of minute points, and consequently to leave less discretion to Local Officers?—I have heard that complaint, but I do not think I have sufficient experience to say anything about it.

22509. Who has power to make rules—the Board of Revenue?—The Board of Revenue has considerable powers.

22510. Has the Chief Secretary power to make rules?—Only in the name of Government.

22511. Have all the Secretaries got power in the name of the Government?—Yes, in their own special departments. No Secretary can go beyond his own department.

22512. Have Heads of Departments powers to make rules, too?—They have certain limited powers.

22513. Does it go down below that?—Rules having the force of law are generally made by Government.

22514. Do they go to the Lieutenant-Governor in person?—As a rule they would.

22515. Therefore there is as much control as can reasonably be expected in the matter of new rules?—I think so.

22516. (*Mr. Dutt.*) You say: "I do not quite understand the object of transmitting petitions of the nature specified in notes (*a*) and (*b*) of the Memorial Rules." What are notes (*a*) and (*b*)?—They refer to petitions regarding civil cases to which Government has been a party.

22517. In such cases, where Government has been a party, should not memorials go up to the Government of India?—It would depend on the nature of the memorial; I really do not understand what the rule means.

22518. In that case you would not exclude such memorials from being sent up to the Government of India?—No, but I should omit from the rules the note insisting on their being sent up.

22519. You would lay it down that in important cases they must be sent up, but not in other cases?—I should leave them to be dealt with under the general rules for the transmission of memorials to the Government of India.

22520. Then about petitions containing a prayer for mercy or pardon; you say in those cases the Local Government need not send up such petitions, unless in the opinion of the Local Government there are sufficient grounds for sending them up. In that case are you not depriving the Government of India of the prerogative of mercy?—Yes, but I do not think any practical injury is caused to anybody by that.

22521. Is there not a general feeling in this country that all people convicted or punished have a free right to appeal for mercy?—I am not aware of it.

22522. With regard to second appeals you say that second appeals should not be allowed in personal cases. Would you make any exceptions to that?—I would make no exceptions.

22523. Might there be cases in which an order of dismissal was passed after some sort of demi-official communication with the officers immediately superior?—There might be demi-official communications previously, but there must be a formal inquiry afterwards.

22524. In the case of the dismissal of a Collector's head clerk or a sharistadar, it is possible that the Collector might be in some sort of demi-official communication with the Commissioner before he passes the final order?—That is possible.

22525. In such a case, the head clerk or sharistadar appeals to an authority whose mind has to some extent been already formed on the subject?—He might have an opinion.

22526. If that was the final appeal, would it be fair to the appellant?—Yes.

22527. You say you would like to see a large number of cases tried locally; of course you mean criminal cases? Have you any idea how to make that possible?—Magistrates can very often arrange to go out to the place; if a matter is not very urgent, he may possibly do it in the course of a tour; in urgent cases he may make special arrangements and go out for a special purpose.

22528. But he cannot do that generally with regard to the whole district, or a Sub-Divisional Officer could not do that generally with regard to the whole of his sub-division?—Not in all cases.

22529. How would you like the idea of having junior Deputy Magistrates or senior Sub-Deputy Magistrates placed in charge of small circles, consisting of one or two *thanas*?—I think it might work.

22530. If it was feasible it would be in accordance with your recommendation to have a large number of cases tried locally?—Not entirely. My idea is to go into the villages and try the cases among the villagers.

22531. If you had a number of small circles with a Magistrate in each, it would be more possible for that officer to go to the villages than it is now for the Magistrate or Sub-Divisional Officer, and so far it would be more possible to carry out your idea under that arrangement?—Yes.

22532. In other respects might the creation of such small circles be beneficial?—Yes.

22533. You say you would restrict the District Boards' field of operations, but you would give them a greater measure of independence; will you tell us what you mean by that?—I am under the impression that we began in the wrong way; that it would have been better to give very restricted powers and probably a smaller local jurisdiction with a greater freedom from bureaucratic control, than to give them larger powers and a greater measure of bureaucratic control.

22534. Do you mean that the District Officer need not necessarily be the Chairman of the District Board?—Yes; I think the Board would be less efficient with that change, but it may be worth while as an educative measure to try the experiment.

22535. Then who would be the controlling authority for the District Board if the District Magistrate was removed?—You would have a Local Self-Government Board for the whole province.

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22536. In that case would every District Board send up its budget to that Board?—Yes.

22537. Should the budget be sent through the Collector in order to keep him informed of the operations of the Board during the year?—It would be a good measure.

22538. Should the District Magistrate have a chance of expressing his opinions in forwarding the budget for the decision of the Central Board?—Yes.

22539. When the District Board undertakes such large schemes as require the special sanction of the Central Board, should those schemes be forwarded through the District Magistrate and should he record his opinion on them?—He would generally be consulted by the Board. The District Board would need to consult the Collector first. Once the scheme was formulated, it would go direct to the Local Self-Government Board, who would consult any officers whose opinions were required in the matter.

22540. (*Sir Frederic Lely.*) Your district work has been for four years as Assistant Settlement Officer, and for four years as District Judge, so your proposals to abolish the Commissioner and bureaucratic control and so on are not based upon much practical experience?—No.

22541. Who does the first class magisterial work in a district?—Sometimes the Joint-Magistrate, sometimes a Deputy Magistrate of the first class, a member of the Provincial Civil Service.

22542. Is the Sub-Divisional Officer invariably a First Class Magistrate?—Not invariably.

22543. When he is not, who does the work of his sub-division?—He does as much as he can, and the rest has to be done by Magistrates at headquarters.

22544. Is it the practice to invest Second Class Magistrates with powers to commit?—I cannot remember accurately, but I think it is unusual.

22545. It has been suggested that it is a waste of power to employ a First Class Magistrate to try second and third class cases; is that true invariably?—No; many cases that might be tried by Second and Third Class Magistrates are of very great difficulty.

22546. A man who has only second class powers is presumably a man who is not fit to be given first class powers?—Presumably so.

22547. And therefore not fit to try difficult cases?—He is not fit to try difficult cases.

(*The witness withdrew.*)

The Hon. Mr. HAVILLAND LEMESURIER, C.I.E., I.C.S., was called and examined.

22548. (*Chairman.*) You are Commissioner of the Dacca Division?—Yes. The limits by which provincial Governments are bound in creating and remunerating appointments and in dealing with the restrictions imposed by the Civil Service Regulations might with advantage be enlarged. So far as my experience goes, the Government of India do not treat provincial Governments with excessive rigidity or uniformity, nor do they treat them too much from a departmental standard, but in many cases the financial limits are placed too low and references in individual cases are unnecessarily frequent and take up an excessive amount of time owing to the rigidity of the rules.

As regards the right of appeal to the Government of India or provincial Government the present rules have greatly diminished the amount of work under this head. Subordinate authorities when punishing those below them are now compelled to observe a very careful procedure, and to record in a convenient form the nature of the evidence, the plea of the accused person, and their findings on the facts. If these are in order the first Appellate Court has little difficulty in disposing of the case one way or the other, and if the first Appellate Court in return deals fairly and clearly with the points raised on appeal, there will ordinarily be very little left for further applications. At present all such applications have to be sent up through the various authorities concerned, and so long as this condition is insisted on and the appellant is required to place with his petition a copy of every successive order already passed against which he appeals, much more is not needed. I would however confine this opinion to the case of appeals against punishment, and I would discourage by every possible way appeals by persons who imagine themselves to have a claim on a particular appointment or who protest against promotion being given to others. In such cases I would allow even the single appeal but very sparingly, and I should require the person making it to set out his grounds very clearly in his petition before notice was taken of it.

The question how far it is possible and desirable to allow Commissioners and Collectors to control

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to a greater extent than at present expenditure in their divisions or districts is largely one of how far the Financial Department of the Government of India is prepared to allow provincial Governments, and they in turn to allow their subordinates, any increase of funds "to play with." If a Commissioner or Collector is given a limited sum every year to spend as he thinks best, he will inevitably spend the whole of it in order to avoid lapses, and it is impossible to say that the real wants of one division or district may not be more pressing than those of another. Commissioners in this province are already given two allotments, the one to assist local bodies by grants-in-aid, the other for minor Public Works. Owing to the numerous demands from all quarters, these grants are easily and profitably expended in this division, but I should be sorry to say whether the objects to which I allot them are more pressing than those of my brother Commissioners in the other divisions.

On the general questions of delegating powers, I would venture to suggest:—

(1) The Board of Revenue has a very great and important function as the chief Revenue Court. Its decisions on appeal are the guide to all the subordinate Revenue Officers in their *quasi*-judicial work and they have gradually built up in the Board's manuals a whole code of the Revenue law of the province. Owing to the presence of the member in charge at the arguments by counsel and pleaders, the public have more confidence in the decision of revenue appeals in the last degree by the Board of Revenue than they would have in the decision by a Chief Commissioner disposing of matters purely on the papers; and to leave final decisions to Commissioners would lead to much confusion of practice. Many of the minor functions of Government in the matter of sanctions and the initiation of revenue proceedings (such as cess revaluation) might be delegated to the Board of Revenue as the chief revenue authority, Government reserving to itself merely general supervision and the power of interference, where necessary, in the interests of political expediency or considerations other than revenue.

(2) In the matter of the Court of Wards, Government might delegate to the Board practically all its powers except those of the declaration of a proprietor to be disqualified on his own application (since the law requires that the assumption of his estate shall be in the public interest, this appears to be a necessary reservation), and the appointment of manager to the great estates whose administration is a matter of political importance, and whose manager in practice ranks on a footing little, if at all, lower than that of the Collector himself.

(3) The Board of Revenue should cease to address Government officially, and instead should work directly with the Lieutenant-Governor. Such a scheme was initiated in Bengal, and has I believe since been carried further. The Members of the Board and their Secretaries dispose, as at present, of all work essence of it is that whilst the in which the Board is the final authority, in cases which have to be referred to Government the Secretary to the Board becomes a sort of Deputy Secretary to Government. He deals with the papers both in the Board's office and in the Secretariat and finally puts up the case to the Revenue Secretary to Government, who after further consideration submits it to the member in charge of the department, and the latter finally disposes of the matter in direct communication with the Lieutenant-Governor. Should the Member and the Revenue Secretary differ in opinion, the latter has the right of asking that the case should be submitted for the orders of the Lieutenant-Governor, even though it be one with which the Secretary is ordinarily competent to deal direct. This system secures to the Lieutenant-Governor the great advantage that the last word should be said by the most experienced of his officers. On the other hand the Revenue Secretary is assured that before a proposal comes up to him, it has been carefully examined both by the Board's office and the Secretariat, and that therefore it is not an impracticable one, nor presumably will it be necessary to refer the matter back. Lastly, the Members feel that as the papers will be seen by them, no notes or criticisms of a disrespectful nature regarding themselves will find a place on the file, and they secure at once their present power of initiating proposals which their experience suggest to be necessary and the added advantage of considering them finally after thorough examination and criticism. A similar scheme might also be applied to other departments, such as Education, Police, etc.

To Commissioners should be delegated all executive sanctions of importance in connection with Revenue and Court of Wards work or other expenditure within the present competence of the Board of Revenue, once the latter have accorded their sanction to a large scheme. There is at present far too much reference, especially in Court of Wards matters, not only to the Board, but to the Commissioner, and it might perhaps be said roughly that what is now referred to Government might (with few exceptions) be delegated to the Board, the Board's duties to the Commissioner, and the Commissioner's to the Collector.

I do not consider that the influence of the provincial Governments is in the direction of excessive rigidity or uniformity, nor are the provincial Secretaries inclined to regard matters too much from a purely departmental standpoint. There have been cases, no doubt, where such was the tendency of the individual Secretary, and I have often, as a Collector, considered that my own opinion which had been overruled was the right one. On the other hand, I have often with later years had occasion to change my own opinion. Since I have been a Commissioner, I have had no cause to complain that my influence in matters appertaining to departments other than the Land Revenue Department was not sufficiently strong, or that adequate weight was not given to my views. On the contrary, in my opinion the position of Commissioners and the importance given to their opinions have greatly improved within the past few years.

The question whether Executive Officers have sufficient opportunities for personal contact with the people is connected closely with the succeeding question whether any general increase in the administrative staff or any general reduction in the area of district charges is required. In this province at the present moment the Civil Service *cadre* is short of its full strength by at least 10 per cent., and there are also serious shortages in the Police Department, and in the Public Works and the Medical Departments also. Eastern Bengal has for many years past suffered from under-officering, and several of the district charges are exceedingly onerous. Proposals have been submitted to the Government of India for the division of the district of Mymensingh into two, and in view of the rapid development of the Backarganj district by the settlement of waste lands, it will not be long before that must also be divided. Similarly several of the sub-divisions are excessively large; notable instances are Madaripur in Faridpur from which (and a part of the *sadar*) it is proposed to form a new sub-division; Tangail in Mymensingh which also will probably soon require to be divided; and Pirozpur and Patuakhali in Bakarganj, the Sundarbans portions of both of which will soon require to be formed into a separate charge. The great

difficulty in transferring more work to sub-divisions is the absence of a resident population at most of these places, at all events in Eastern Bengal. Ordinarily the sub-divisional town is the creation of Government itself, and it is inhabited purely by the few pleaders and muktears practising in the local courts and a few shopkeepers and traders ministering to their needs. In such places there is but little opportunity for the Sub-Divisional Officer to mingle much with the people, in the sense of the land-owners and the cultivators of the *mufassal* area. To do this he must go on tour, and his tours should be tolerably leisurely, involving halts at places where though he may not have any very special work to do, he can have opportunities of talking with the people and of being visited by, and returning the visits of, the zamindars residing within reach. This means that at every sub-division there should be a fully-powered second officer able to carry on current criminal and treasury work whilst the Sub-Divisional Officer is on tour, and similarly that at district headquarters there should ordinarily be at least a Joint Magistrate (or where criminal work is really very heavy and requires constant attention, an additional District Magistrate) to set the District Officer free to tour and see what is going on. Another useful measure would be the more extensive employment of shorthand writers.

With regard to the Executive Officer's knowledge of the vernaculars, the great difficulty in the undivided province was the number of languages spoken. Now that the area has been reduced, and officers find Bengali prescribed as the first and most important language, there will be a distinct improvement under this head.

If larger powers are to be given to Commissioners, Collectors and other local officers, it will be necessary to resort more largely to selection. In fact no officer is even now *entitled* to look for higher promotion than the 1st grade of Joint-Magistrate, and if this rule is adhered to, nothing further seems to be required.

The question of the transfer of officers is a very difficult one. The best method of securing continued service would be to have at each man's station an "under-study" ready to take his place, but this would mean the duplicating of the entire establishment. I have myself been moved some 22 times in my 21 years' service, but these moves have been less frequent as I have grown older, and a certain number of transfers during a young officer's earlier period of service are on the whole a good thing for him. I am also inclined to think that the number of transfers during the past years has been abnormal. The annexation of Burma in 1885, the under-recruiting for some years prior to that event, the great development of settlement operations in Bengal, and finally the creation of the new province have all meant a greatly increased demand for officers; and *cadres* have had to be enlarged before the necessary recruits were forthcoming. It will be necessary to improve the residences for officials at several headquarters stations to which at present, owing to want of accommodation, only bachelors can be posted.

As regards Heads of Departments, one measure, though apparently a small one, would be a great relief. At present the office of Inspector of Local Works is usually held, in addition to his other duties, by the Executive Engineer or Superintending Engineer. This officer's proper duties sometimes cover the whole of the division, with the result that he is not able to pass orders on the District Board proposals as early as could be wished, nor can he ordinarily find much time for inspection of work away from the district headquarters. The Inspector of Local Works, in the Dacca Division at any rate, should be a whole time officer, and in that case he might in this capacity deal not only with the District Board and municipal projects but with the minor public works which Collectors initiate and carry out from the Khas Mahals Improvement Fund or from the funds of Court of Wards estates. At present a Collector often finds there is delay and difficulty in getting professional advice on these and kindred matters. If the Executive Engineer is stationed at a headquarters station other than the Collector's own, the latter officer finds he has to refer in the first instance to a Public Works Department Sub-Divisional Officer who is frequently only an overseer and disinclined to assume responsibility or to go out of his way to offer helpful suggestions. The consequence is that the Collector is prone to press for these matters being put under the District Engineer whom he knows and controls, and from whom he can require assistance. This system is expensive, since a contribution of 15 per cent. has to be paid to the District Board on the value of all works executed by this agency, and further for this very reason, it encourages the District Engineer to accept more work of this kind than he can do justice to consistently with his duties to the District Board, and in too many cases the latter suffer in consequence. It would be a good thing to place at the Collector's disposal an officer of the Public Works Department of adequate standing, having regard to the nature and extent of the work to be done in each district, to assist him in these matters, and the professional control over this officer should be exercised, not by the Executive Engineer, but by the Inspector of Local Works, as the funds from which these works are executed are treated as outside the provincial Public Works Department budget, and it is advisable to avoid the trouble involved in reallotting to a Public Works disbursing officer.

Only one district municipality, Dacca itself, is of any importance in this province, and its present position is hardly such as to call for additional powers being given to the Commissioners. Probably when further developed, the question of special legislation for it may be taken up in the provincial Council. The other municipalities of the division except Narainganj really consist of a more or less important and wealthy, but "kutcha" built, bazar and a few official and private residences and public offices and the Municipal Commissioners seldom own much house property therein. It is not advisable to give larger powers to these bodies except in some degree to raise the limits to which they may expend money or sanction appointments. I would classify the municipalities according to income, giving higher powers to a 1st class municipality, than to a 3rd class one, which is little better than a village. In the case of towns like Narainganj, Chandpur and Chittagong, where most of the taxation comes from some great industry or commercial undertaking, there seems to be a need in the first instance for giving more voting power to those interests before greater powers can be conferred on the municipal body. With regard to District and Local Boards, proposals have been made by the Government of Bengal in the Local Self-Government Amendment Bill which was discussed in the Bengal Council, but withdrawn. I am not disposed to advise the grant of further powers than were then proposed. District Boards have hardly yet accomplished their full purpose, and they will still require to be guided and controlled for a good many years to come. Local Boards, especially in this division, have not done much to justify their existence. This is due to the absence in many of the sub-divisions of persons interested in and qualified to deal with the work which might be delegated to Boards. In many cases the Boards, for the above reason, have not had delegated to them even such powers as the Act allows, and I should not be inclined to give any more powers until those the law gives are fully availed of.

I am in favour of the creation of an Advisory Council in every district, which the Collector might consult on questions of general and local policy, such as claims of road improvement, medical relief, improvement of water-supply, village sanitation, and kindred matters, as well as on legislation proposed by Government or which the public show a tendency to ask Government to initiate. Members should be free to ask the Collector to give notice that such and such a subject should be discussed at the next meeting or to lay before a meeting (after notice) definite proposals of their own with a view for discussion. The Councils should be composed of representatives elected by the District Board and by the municipalities, by the Landholders' Association, if there is one, and the Muhammadan

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Association, also by nominees chosen from the principal traders and merchants by the Collector at the instance of such leading merchants as he can consult, together with gentlemen selected for their public services and prominent position in the district. There should be periodical meetings, as well as extraordinary ones called by the District Officer when he has any important matter to discuss either of his own suggestion or at the instance of the members, and the Council should have the power of asking the Collector to summon before them the District Engineer and the principal Medical and Educational Authorities of the district to give technical advice. The Collector should preside at all meetings.

The suggestion that the District Board should exercise supervision over municipalities will not be popular, but there is much, I think, to be said in its favour. The system would seem very applicable to the small semi-rural areas which form the greater number of the municipalities of this division. I have endeavoured to encourage these bodies to club together for the purpose of engaging a competent staff of engineers and medical and sanitary experts, food and nuisance inspectors, &c., but without success. At present a taxdaroga on Rs. 20 and a so-called overseer on Rs. 10 or Rs. 15 frequently represent all the agency available for these purposes. If the District Board were given the supervision of these departments and empowered to appoint the necessary staff, I think the salaries should be realised by rateable contributions from the municipalities concerned, and not by a system of percentage grants paid to the Board for the use of its own servants.

I have several times endeavoured to give more to do to the village panchayats appointed in this province for assessment and collection of the chaukidari tax by sending to them criminal complaints for preliminary local investigation and by endeavouring, in districts where there were union committees, to arrange that the same persons should be appointed to serve on Dispensary or School Committees, union committees and the chaukidari panchayats where possible. I do not, however, expect much can be done in this way. The chaukidari panchayat has not hitherto been held in esteem, and the other offices are frequently held as purely honorary functions by gentlemen who, though by birth natives of the village concerned are actually engaged in professional work in the large towns or in Calcutta itself. An experiment has been made of late years in the district of Dacca by enlarging the panchayat circles and appointing the head or president of the panchayat to exercise certain of the preventive functions of a Magistrate under the Criminal Procedure Code and to control the village chaukidars. The result has, however, not been very satisfactory, chiefly owing to the prevalence of factions in most of the villages, the result of which is that the action of the president, whether justly or not, is almost invariably decried by persons belonging to the opposite faction. For this reason union committees have not been tried in the division. If the extended powers proposed by the Bengal Self-Government Amendment Bill were passed, and at the same time the union committees placed directly under the District Board, it might be possible to do something through them for the improvement of local sanitation and village roads, and when such bodies prove successful in these matters they might be given wider powers to deal with petty civil and criminal cases and in revenue matters connected with Government or temporarily settled estates, but any action of the kind would have to be very gradual. At present the most practicable measure is the sending of complaints for investigation. To make this effectual, power should be given to the Magistrate to compel the submission of the report asked for within the specified period under penalties, as at present there is distinct unpunctuality, if not procrastination.

22549. You have served in the Secretariat in addition to your district experience?—For a short time.

22550. Would there really be a substantial part of the work which could be reduced if these restrictions upon the Local Government were removed?—Yes, there are references about salaries chiefly. Also very often cases come up when rules are broken, and you have to make a reference to the Government of India. In the case of officers drawing over Rs. 250 a month, you have to go up to the Government of India.

22551. Is the number of references very large?—It is not so much the number, but that a case has to be made out in each instance.

22552. The matter itself is trifling, and yet the amount of work involved is very considerable?—I think it is considerable.

22553. If the Government of India received greater freedom from the Secretary of State, would you like to have that freedom extended to the Local Government?—Yes.

22554. You are not in favour of relaxing the present right of appeal, but in some way you think that the difficulty of dealing with appeals might be lessened?—Only in this way; appellants should be required to send up the case complete and not be allowed merely to file the last order. Not infrequently people file the last order, relying upon its not being very complete; there is no reason why they should not send up the case complete.

22555. You want the appellant, as a condition of the right of exercising his appeal, to state the whole case without reserve?—Yes.

22556. But even supposing you make that rule, the appellant might send up the papers as if they were complete; you would have to go into them, and until you have got some answer from the officer concerned you would not know whether the papers were complete or not?—You would know what authorities he has had to go through, and if all their orders are put up together you ought to have a fair idea whether the case is complete or not.

22557. He cannot skip one of these authorities?—No, you would ask him why he has not referred to so and so.

22558. Then you would have to go into the case more or less. Would the condition which you suggest really lessen the work of dealing with these cases?—I think it would. The Under-Secretary would at once say, "This man does not show that he has been to the Commissioner or to the Board," and the appeal would be returned. The appellant would have to complete the link or explain the omission; that is done already a great deal.

22559. Does the appeal then come on again?—Only sometimes; sometimes the man drops it; he sees that it is no use.

22560. Then sometimes you get petitions from people who think they have a claim to a particular appointment?—Yes. I would limit those to the consideration of the provincial Government.

22561. Do they now sometimes go on to the Government of India?—They are generally sent back, but they do try to get in.

22562. Still, the provincial Government has the trouble of sending them on to the Government of India?—Yes; there are limits as to salary; as to people below Rs. 100 we have the power to withhold the appeal.

22563. Is there a system in this province of Commissioners getting a lump sum which they can deal with more or less at their discretion?—I have two grants; one for miscellaneous public improvements and for local Public Works, another for minor Public Works to be executed by the Public Works Department or by Collectors.

22564. With regard to the first, how do you allot that; do you allot it on the recommendation of the Collectors?—On the recommendations of the Collectors, together with my own inspections.

22565. You do not accept the recommendation without yourself going to the place?—I generally go round to the place and see what the requirements are and say, "I will see what I can give you a few months later on, when I have been round to other places."

22566. Do you entirely approve of that system?—For my own division I like it, but I am never quite sure, if you carry it much further, that somebody else would not be a loser. The Chittagong Divisional Commissioner might be wanting money, and, although I wanted it badly, he might be wanting it more.

22567. Apart from that possible defect you think the system is a good one?—I think so.

22568. Would you like to see some money placed at the disposal of your Collectors which they might use entirely at their discretion?—Yes, if the finances could afford it.

22569. With regard to these minor Public Works, what do you use your allotments for?—Small additions to the courts; occasionally making a small road between public buildings.

22570. What is your total allotments for Public Works?—Rupees 8,000.

22571. Can you use that all upon one particular object?—I am not supposed to do that; that would be beyond the limit of my powers of sanction.

22572. You are limited in this particular allotment by the general rule that applies?—Yes.

22573. Would you be in favour of extending the Rs. 2,500 limit?—I think it might be extended, say, by Rs. 1,000; it is rather low for the high prices here.

22574. Are you of opinion that there is such clashing of jurisdiction between the Board of Revenue and the Commissioner as would make it desirable to get rid of either the one or the other authority?—No.

22575. You think that both are necessary?—Yes.

22576. But would you, at all events so far as the Board of Revenue was concerned, not delegate many of their functions to the Commissioner?—Only in sanctions within financial limits. I should keep a general control of the Board on all matters of principle and on very big cases—district settlements and things of that kind.

22577. Why must you keep the control of the Board of Revenue and not delegate some of the larger powers to the Commissioner?—Especially with regard to our permanently settled districts, there is a danger that if you remove the control of the Board in matters of principle the zamindars of one area would find themselves treated differently from those of another area, and it would considerably upset the value of landed property and the rights which the zamindars are supposed to have.

22578. Do the Board of Revenue show any flexibility in their decisions upon these sort of points?—If you mean as to individual cases, certainly.

22579. As a matter of fact do the Board of Revenue have identical treatment in these cases all over the province, or do they have to take into consideration certain local customs?—You have certain local customs coming in, because the land tenures vary a good deal from district to district as well as from division to division; but the zamindars' title comes under the same law, and it is the same as regards the Government.

22580. That being so, since there is some difference of custom, may not the necessity for uniformity which you have suggested to us as one of the reasons for keeping the control of the Board of Revenue not be so strong a reason as you would have us to believe at first sight?—I do not think you could risk the zamindars feeling that they were treated differently in one district and another; as between themselves and Government I certainly think they would consider that their rights under the permanent settlements were being infringed, if they found one Commissioner treating them differently or applying a different standard.

22581. But I understand the Board of Revenue do now apply a different standard?—That is in dealing with the tenants, not when they are dealing with the zamindar direct.

22582. With regard to the Court of Wards you would like to see Government delegate many of its powers to the Board and the Board to hand on many of its powers to the Commissioners?—Yes.

22583. You were Secretary to the Board in the Court of Wards for some time, and therefore you have a very considerable knowledge of their proceedings. Are the powers of the Commissioner to go outside a scheme practically nil, and may they be very conveniently and advantageously extended?—Yes.

22584. You want to draw the relations of the Head of the province with the Board of Revenue closer?—Yes. There is a chance of friction sometimes; letters are written by the Board on an important proposal, and they are addressed to the Secretary to Government; they come back in consequence of the Board not having the full amount of information which is in the possession of the Secretariat. I should like the Board to have full knowledge of all these matters, just as the Secretariat has.

22585. Where is the headquarters of the Board of Revenue?—At present in Dacca. The members go up with a small establishment for a few months to Shillong.

22586. That is to say, they move with the Government?—Not altogether; a part of the office goes up—the Secretary, and I think about six or eight of the clerks.

22587. What is to prevent the Secretary of the Board of Revenue going to the Secretary to Government before he writes, and saying, "Here is a question which I am going to refer to you; let us talk it over"?—It is not only the Secretary but the members themselves; the Secretary of the Board is a junior and not always an experienced officer. I should like the members of the Board to have full power of seeing the records, and seeing all the criticisms that the Secretariat clerks could make.

22588. In Bengal the Secretary to the Board of Revenue has become a sort of Deputy Secretary to Government?—Yes.

22589. You say "he has to deal with the papers both in the Board's Office and in the Secretariat, and finally puts up the case to the Revenue Secretary to Government"?—Yes.

22590. Practically the members of the Board of Revenue are to work through their Secretary, under your proposal?—Through their Secretary and the Revenue Secretary to Government.

22591. What is to prevent their Secretary at the present moment going to the Revenue Secretary and saying, "Here I have a difficult case which I am going to refer to you, let us talk it over"?—He does that pretty often now.

22592. Then how, if he was Deputy Secretary to Government, would his position be better?—He would have control over the Secretariat clerks.

22593. Is he to walk into the office and say, "I want file so and so"?—Yes. Ultimately I should like to see the two office establishments amalgamated; they are doing that in Bengal.

22594. The Revenue Secretary being Secretary to the Board of Revenue?—Not the Secretaries; but you might amalgamate the clerks altogether. Whenever a letter issues downwards it would be from the Secretary to the Board, and he would almost take the place with regard to the Secretary to Government that the Under-Secretary holds now.

22595. Would the Board of Revenue like the arrangement?—It was started in the Bengal Board of Revenue.

22596. Would it detract from the independence to which one member of the Board of Revenue said he attached great importance?—I do not think it did in Bengal; we worked under that system some months before I left. Of course the appeal work would be entirely distinct; the Board would there be more like a Court for revenue questions.

22597. Then when the member and the Revenue Secretary differ in opinion the Revenue Secretary

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is to submit the case to the Lieutenant-Governor?—Yes.

22598. What is the advantage of that system?—You sometimes might get a Secretary and member very near in service, and when the two men are divided on points like that, it might be very often that the difference is upon an administrative point, such as the policy of a particular measure.

22599. At the present moment who decides this doubtful question?—The Lieutenant-Governor, in all such cases.

22600. Therefore there is no difference under your proposal in the final jurisdiction?—No, except of course that if the Secretary and member agreed, they need not go on; it would relieve the Lieutenant-Governor in some cases.

22601. Would your proposal enable the Revenue Department, not the Board of Revenue but the Revenue Secretary in his Department, to have a fuller chance of considering things than they have at present?—I think it would be a great thing to be able to consult with the members in that way fully, to get the benefit of their experience.

22602. You tell us as an important point that "the members feel that as the papers will be seen by them no notes or criticism of a disrespectful nature regarding themselves will find a place on the file"; have you reason to believe that criticisms of this sort are now made?—Certainly not during the time that I have known, but there is a certain amount of suspicion that I have seen, not only from the Board of Revenue but from other departments.

22603. The suggestion is that some of these young gentlemen who are Under-Secretaries air their views at the expense of their seniors?—That is the suggestion made.

22604. You have been in the Secretariat yourself?—Yes.

22605. Have you ever known criticisms of this sort, judging from the papers passing through your hands?—Not when I was responsible for it, if I may say so, but I have occasionally seen them.

22606. May I take it that you think that things of that sort would be a very grave departure from duty, which ought to be brought to superior notice?—Yes.

22607. You do not suggest that this is a general practice?—Not at all; I suggest that it would get rid of a suspicion which does seem to be entertained, I think with no very good reason.

22608. You have nothing to complain of as District Officer in regard to the rigidity of the provincial Secretariat as a whole, but the trouble of over-centralisation and over-work comes, in your judgment, from the inadequacy of the provincial staff?—Very largely.

22609. What is your remedy for that?—Some of the districts might be reduced by division; the number of sub-divisions might also be increased. There should be a Joint or Additional District Magistrate at every important district headquarters (they are provided for already in most cases but they have not yet got them); and a good many powers which the Collector now has to exercise himself he might be allowed to delegate to the Deputy Collector in charge or to the Sub-Divisional Officer.

22610. From your knowledge of Deputy Collectors would you say that they are now officers of such a status that their powers might be considerably increased?—Yes, I think so, and they are steadily improving.

22611. Is that a really noticeable improvement?—Very; I should say they have been getting steadily better ever since I began to hold charge of sub-divisions and districts.

22612. At that point in the period of an officer's career would you make the point of selection begin; would it be promotion to Collector?—Yes, after first grade Joint-Magistrate.

22613. At the present time an officer is not entitled to higher promotion that first grade Joint-Magistrate?—No.

22614. Is that under the general rules of the Civil Service, or is it a rule of this province?—That was a rule passed after the Public Service Commission of 1886 or 1887.

22615. It applies to the whole of India?—I think so.

22616. What would you do with an officer who was passed over, say, after the rank of a first grade Joint-Magistrate; would you retire him or would you keep him on in the Service?—There are men who are quite good Assistants, but whom you could never put in charge of a District.

22617. What happens to them now?—They very often remain at headquarters; they even try cases, and do a great deal of Assistant's work, but you feel that they are men who cannot take the responsibility at the last moment; there must always be some one over them.

22618. In this province is selection a good deal resorted to?—The number of cases are very few, but it has been done.

22619. Is it recognised that a man is really on his trial beyond that point?—I think it is beginning to be realised that a man is on his trial; this rule only automatically came into effect a few years ago.

22620. Would you tell us the number of officers who have been superseded?—At the present moment there are one or two, and there was another who recently retired.

22621. Each of the two officers who have been thus superseded has been allowed to continue in his former appointment?—Yes.

22622. With regard to the question of transfers, you have been transferred 22 times in 21 years' service. Most of those transfers took place when you were a junior officer?—Yes.

22623. Within limits, you think that the transfer of a young officer is not a bad thing for themselves, but what about the Service?—Of course, there is a certain amount of experience that an officer gains which is useful. On two or three of those occasions I went on special duty.

22624. But what about the district?—As a rule, I think you should avoid transfers as far as you can; a transfer is an evil in itself.

22625. If you could lessen transfers, would you go so far as to confine the service of officers either, we will say, in this particular province, to Assam or to Bengal, making two clearly marked divisions in the province?—On the whole I think not; they would get too narrow.

22626. How long could you keep an officer in his district before removing him?—Certainly three years; if you can, five.

22627. Beyond five?—Beyond five, I think ordinarily not—not in a district.

22628. In a division?—In a division, yes.

22629. Would you bring an officer on return from furlough back to the same district or division, within the limit of years that you have suggested?—Yes.

22630. Would it be very difficult to adopt that system?—No; it is being done in the province.

22631. With regard to the Public Works Department you lay some stress upon the Executive or Superintending Engineer being also an Inspector of Local Works?—I think the importance of general supervision over local works has not been fully recognised; it has been put as an extra duty on to the first Public Works Officer who was handy. The Public Works establishment has always been very low in Bengal; generally only one in each Commissioner's division, and that officer has been saddled with the local work; the result has been that the District Engineers have not been sufficiently looked after, and the work has not been passed on; it has been too much for the one man, and we ought to have a man specially on this work, as an Inspector of Local Works purely.

22632. Has the system which you have described been expensive?—No; it stops a great deal of

work. Besides the District Board works we have a large number of works which the Collector does; he is allowed a certain proportion of the income of his Government estates and a certain proportion of the income of the Court of Wards estates; this he is supposed to spend; for all this he has no special agency at present; therefore the tendency is to throw it on to the District Engineer; the District Engineer is very apt to take up as much of that work as he can, and to let his own proper duties slide.

22633. What is your remedy?—To have the district more closely looked after by a special Inspector, and to let that Inspector also supervise these other works and see that they are fairly attended to.

22634. Would you give the Collector any authority over the Public Works Department Sub-Divisional Officer?—I think, within limits, he should have it.

22635. With regard to municipalities, have you anything to tell us about them?—There are so very few real towns in this province. They have a very small income, and most of the work that is done in them is done by Government grants. You also have a great deal of difficulty in getting a body of really energetic Municipal Commissioners; it ends in your selecting, either by election or nomination, the same respectable inhabitants; they are taken time after time, and they get very much into a groove.

22636. Is the connection of the Collector with the District Board a satisfactory arrangement?—I think it is.

22637. Would it be impossible in most of your District Boards to find any one to take his place?—I could not think of any one in this province at present.

22638. Therefore practically you would have to come back to the Collector for the superintendence of the district in all respects?—I think so.

22639. In municipalities of a small size do you find it difficult to get men of ability to serve upon them?—It is not so much that; it is that there is nobody living in these places; we have a very small resident population in the towns here.

22640. Do you get members of your municipality who are non-resident?—No, because they are not eligible for election.

22641. Then you do not get capable men as a rule upon municipal committees?—No, decidedly not, in the case of the smaller municipalities.

22642. And for that reason you think it is undesirable to grant them any extended powers?—Any very largely extended powers.

22643. But you would like to see these municipalities divided into two or three grades with a continuance of power to the first and second grade, and some diminution to the third grade?—Dacca is the only one that I would put in the first grade. As soon as the town is thoroughly equipped, we might give more powers to the municipality; we might put it more on the footing of Howrah in Bengal. Second grade municipalities might get a little more in proportion; for example, greater freedom in small appointments, and so on. The third should remain where they are.

22644. You would like to see an Advisory Council created for the Collector, with certain power in respect of road improvements, water-supply, and sanitation?—Merely of being consulted and giving opinions.

22645. With powers to consider these questions in consultation with the Collector?—Yes.

22646. Suppose the Collector refused to accept their views; if they were all unanimous in favour of a particular policy, do you not think that that would soon become known, and would render the Advisory Council a thing not to be sought after, but to be avoided by the local notables?—You would have to risk that.

22647. But even with that risk you would like to try it?—I would. It is so difficult to get opinions on any subject now.

22648. Would you make that a sort of statutory committee or would you give the Local Government a general direction to tell its District Officer to consult local opinion?—I would make it compulsory on him.

22649. And he would have to show that he was obeying orders in that particular?—Yes.

22650. Then with regard to village Government?—We have not yet tried union committees in this division, and I think they have been very little tried in the province. Their powers are very small. The Government of Bengal proposed in an Act to increase them, and perhaps they might be tried, if one is quite sure that they will not be divided by factions, which are a great feature in village life.

22651. In Eastern Bengal?—In Eastern Bengal and elsewhere.

22652. Is the existence of a faction, or the power of faction, so powerful in village life that it would seriously interfere with the ability of a panchayat to deal with small civil and criminal disputes and little revenue matters, and so forth?—In villages where the factions are large it would; it is a common question amongst the pleaders when cases come up, "Are there factions in the village"; you generally find that the villages in which factions are acute are known.

22653. You would deprecate any wholesale creation of such village councils?—Yes.

22654. (*Mr. Hichens.*) The Advisory Council is to give advice, you say, on matters of road improvement, medical relief, improvement of water-supply, village sanitation, and kindred matters, as well as legislation dealing with local subjects?—Yes.

22655. Those subjects as a matter of fact are dealt with now by the District Boards?—Yes.

22656. Is it advisable to have them dealt with twice over?—The District Board, of course, cannot deal with the municipal part of it.

22657. But apart from that, the schemes that would come before the Advisory Council would already have come before the District Board; therefore you would have the thing discussed twice over by the same class of persons, more or less?—Yes, but you would have them discussed informally, and in the way of arguing and taking up suggestions, instead of having them at monthly meeting, where there is a big *agenda* paper to be got through.

22658. That objection could be met by having a meeting of the District Board, if you wanted it formal?—Yes, it might be.

22659. One does not want to multiply bodies; what I wanted to know was whether you intended to let them advise about matters which were outside the scope of the District Board; you have not mentioned them here; the matters you have mentioned are mainly those which do concern the District Board?—I do not know that I would give them any powers at all.

22660. Powers of discussion I mean?—The difficulty I have often found is this; you get a letter from Government asking for opinions on a certain subject; you send copies to various people, who you think can give an opinion; very often the opinions do not come back, and others are written in a hurry; you do not get a chance of getting hold of the people who write them and talking things over and finding out what they mean by each other's suggestions.

22661. A Collector now has power to appoint an *ad hoc* committee?—He could always invite help and call people in.

22662. They would probably give him their advice?—I am not very sure of that always being very punctual.

22663. In the same way with regard to plague or any kindred matters the Collector does avail himself to the full of the local experience of the people in the place?—Yes.

22664. My difficulty is, what is there left for the Advisory Council to do?—There is difficulty in the

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case of a new Collector going into a district; he does not quite know who are the responsible people to consult.

22665. That would be met to some extent by the outgoing Collector leaving behind him a list of the people who should be consulted?—Yes, that is done to a great extent.

22666. You refer to the rigidity of the rules governing financial matters; is it not inevitable that, dealing with a large empire such as that of India, and dealing with such a number of subjects, rules must be more or less rigid, and for that reason departure from those rules will be necessary in a substantial number of cases?—Yes.

22667. Broadly speaking, when it is a question of departing from the rule is the Local Government more likely to know where the shoe pinches, or the Government of India?—If it is a personal case, probably the Local Government knows the facts best.

22668. If it was merely a question of interpreting the rule, whether it was personal or administrative, would not the Local Government be more able to say what amendment was necessary to suit their particular circumstances or what exceptions ought to be made in a particular case?—Where the expenditure is to come out of provincial funds it might be left to the Local Government.

22669. If matters of that sort went up to the Government of India would you get undue rigidity?—I have not enough experience of the working of the thing to say.

22670. You would say that exceptions ought to be made in particular cases fairly freely?—I think so, if it does not involve you in "outrunning the constable."

22671. But it is important that there should be a large amount of elasticity?—Yes.

22672. With regard to the Board of Revenue your ultimate proposal is that the revenue work which is now under the Chief Secretary should be taken away from him and combined with the work of the Secretary to the Board of Revenue; that there should be one staff for the whole work—one department instead of two as there are practically at the present time?—Yes.

22673. So that you would have really two members of the Board of Revenue at the head of one department below them?—Yes.

22674. They would have a sub-department under each of them?—They have that at present; they correspond with two of the Secretaries to Government, and they would continue to have those two Secretaries with them.

22675. Practically speaking you would have two departments each under one member of the Board?—That does not cover the whole of the Chief Secretary's work or the Financial Secretary's work; those are the two Secretaries affected.

22676. You would take away the work with regard to revenue?—No, the Secretary would continue to do that; he would submit it through the Member instead of to the Lieutenant-Governor direct.

22677. I thought ultimately your plan was to take away the work?—No, simply to abolish the two sets of clerks, and to have one set only.

22678. Do you think there is an advantage in having a Board of Revenue as opposed to separate individuals to deal with the work that the Board does?—I think so. In the first place a Commissioner is sure that he cannot be over-ruled unless both members of the Board disagree with him; also in this province at all events, people have more confidence in the Board as an appellate tribunal.

22679. They think that two heads are wiser than one?—Yes.

22680. A proposal has been put forward that the members of the Board should become practically advisers to His Honour on all matters connected with the Government?—May I ask what you mean exactly by "advisers"?

22681. As I understand, the suggestion is that, as far as their present powers as appellate officers are concerned, they would not be touched, but in other matters they would be advisers; as to how closely they would be connected with the Lieutenant-Governor, that was left vague?—There is a custom here for Commissioners specially to deal, as to many things, with the Lieutenant-Governor personally, and I do not know that we should not feel it a change which we did not understand if a new body was set up with co-ordinate powers.

22682. If they were made Members of an Executive Council, and so colleagues of His Honour, you would not view it with favour?—I would not view it with favour; I do not say I would object.

22683. You think that the influence of the Commissioners would be somewhat impaired?—It is not so much that, but I think they would not feel themselves quite so much in direct touch with His Honour.

22684. Have you any other objection to urge to such a scheme?—It might tend to delay in getting orders passed through.

22685. On the other hand, you recognise the advantage of the deliberation of two or three heads as against one?—Yes; I believe the Lieutenant-Governor thinks that he secures that end now; I know for a fact that the members are constantly consulted on important matters, even outside revenue work.

22686. Have most of the municipalities in your division or province unofficial chairmen?—I should think most of them have, certainly in my division; it varies, they sometimes elect an official.

22687. Do they show a substantial amount of independence in their judgment and in their deliberations?—Undoubtedly.

22688. With regard to municipalities, would it be true to say that the lack of interest in their work, if it exists, is due to the fact that they are controlled too much by Government?—I do not think so.

22689. Would you say that there is a lack of interest in their work?—In some cases, yes, in others no; it depends so much on the men you happen to have in office.

22690. What would you put it down to?—Very often to want of funds; secondly to not knowing exactly what they are to do with their funds. Many members of the municipalities here have no idea of what you can make a municipality into; their idea is a village, and consists only of adding a half mile of road or a few oil lamps to the place.

22691. Speaking generally, do you think the income of municipalities is inadequate, that is to say, their taxing power?—It is very difficult to assess taxes on an area with so few permanent houses in it.

22692. Cannot they collect enough revenue to effect any important improvements?—Not at the present time.

22693. At the same time, you say that one of the most important ways of getting interest in the work is to give them the means of carrying out improvements?—Yes.

22694. Therefore would you advocate that, if possible, the Government should come to their assistance and give them grants?—Yes; we do already.

22695. Government gives them what one may call *ad hoc* grants; for specified works?—Yes.

22696. They do not give them a definite grant of so much per annum which they can use in, their own discretion?—No.

22697. Would you advocate that?—I should like to try it.

22698. There is a special grant given to District Boards by the Government of India?—Yes.

22699. Is that supplemented at all by the provincial Government?—The provincial Government makes over certain revenue, pounds and ferries.

22700. The Government of India grant is limited to a quarter of the Road Cess?—Yes.

22701. Would you give the same sort of grant to municipalities or more?—I should have to work it out in figures; it might mean so very little in some cases.

22702. Would it have to be a fairly substantial grant?—Yes.

22703. That is one reason, as I understand, for this lack of interest; apart from that, would you say is there anything in what we have been told from time to time, that the subjects with which they have to deal do not interest them; for instance, we have been told they do not really care about sanitation?—In many of the sub-divisional municipalities half the Municipal Commissioners go away every year to their homes; I do not do them injustice when I say that they have not a very high standard of comfort for the rest of the year, and the main object is to keep down the rates. In that way what one might call the flitting members are not keen, but where you get hold of say a zamindar who has a house in the town, you very often find that he is very keen.

22704. Is there any other way that you can suggest in which one could kindle interest more?—I think if the District Board was able to keep up a special staff there would be more interest taken.

22705. There is no other way you can think of?—No; I think the best thing is a few object lessons; if you could turn a place into a really clean, healthy, well turned out town, it would attract the attention of other places.

22706. Therefore it boils itself down very largely to a question of pounds, shillings and pence?—Very much.

22707. (*Mr. Dutt.*) You have said that there should be a large amount of elasticity in the working of rules, owing to the varying conditions of different parts of the country; when the rules are laid down by the Government of India in their codes, and it is found necessary to vary or alter them, would you give that power to the Local Government or would you obtain the sanction of the Government of India to do it?—That is rather a wide question. As a principle I should like elasticity, but if you ask me how it should work, I am not qualified to deal with financial questions.

22708. Suppose an exception had to be made in any rules, would you give that power to the Local Government, or would you keep it in the hands of the Supreme Government which framed those rules?—Within limits, you might allow it to Local Governments.

22709. To make exceptions in the rules?—I was thinking of a case which came up while I was Chief Secretary. An Assistant Surgeon was put in visiting charge of the college and an allowance was passed; it was found that by a mistake the wrong man had been put in, that is to say, a man whose pay was such that when he drew the allowance his whole salary was more than Rs. 250; he had to be taken off, but we had to make a reference in order to get the allowance already drawn passed. I think it would be a good thing if we had power to condone in a case like that.

22710. The rule having been laid down, should the Local Government have power to make an exception to the rule without reference to the Government of India?—In a case like that.

22711. In any case?—I would not allow them to break the rule after they had discovered the infraction of it.

22712. You make a distinction; if it had been broken by mistake, then you would leave the Local Government to condone that mistake?—I think so.

22713. Would you allow that in the case of any of your subordinates or any of the local bodies? Suppose the Commissioner laid down a body of rules for their observance, and the District Board by mistake violated one of those rules, would you not expect the District Board to come up to you for sanction?—The Commissioner is not in a position to bind the District Boards quite in the same way; he cannot lay down a code of rules for general application; he can only say, "In certain cases my orders are" so and so.

22714. But in any other cases in which you have the power to lay down rules would you allow your subordinate, if he violated the rule by mistake, to condone it himself, or would he have to come up for sanction?—I think in ordinary circumstances I would, when good cause was shown for breaking it.

22715. On the analogy of that case, would you not expect the Local Government to keep the Government of India informed?—That is already done in some cases.

22716. You have recommended that some of the executive sanctions which are given by the Board of Revenue might be delegated to Commissioners, and in other matters also certain powers might be delegated to them. That would relieve the members of the Board of Revenue of a large amount of work?—I am not sure that it appreciably relieves them of much work; most of the cases have been threshed out, and it is merely a question of agreeing.

22717. So that, after all this, the work of the Board of Revenue would remain practically as it is now?—The important work done by the members themselves would remain much the same.

22718. You said that you did not quite approve of the idea of the members of the Board being colleagues of His Honour the Lieutenant-Governor in matters of administration. If the Lieutenant-Governor had the power to act on his own responsibility where he differed from his colleagues, would you still have the same objection?—I must begin by saying that I have not seen the thing in working order. My feeling is that in provinces that are under a Lieutenant-Governor we have, especially of late years, got into complete touch with the Lieutenant-Governor, and both the Divisional and District Officers have been receiving much more personal attention, and we are not quite sure whether we want to put anyone in between; our tendency has been rather the other way.

22719. Do you find generally that work has been too much centralised in the Public Works Department or the Educational Department?—I should be inclined to say that it is rather that the establishments are inadequate. Instead of having one Executive Engineer in a division, you frequently want two; instead of one inspector of schools you require almost an inspector to every district, in the case of some of the large districts.

22720. What kind of authority would you recommend for the District Officer in reference to Public Works executed within his district?—We might make him a sanctioning authority up to Rs. 500.

22721. With any kind of supervision over the works executed within the district; I am speaking of provincial works, not District Board works?—Only of minor works.

22722. Certain changes have been made in the Police Department according to the recommendations of the Police Commission. Has the general result of those changes been to weaken the control of the District Magistrate?—That is just what I am not able to say. As a Commissioner in former days appeals came up to me through the District Magistrate; they do not now, and I have not been able to judge how the administration is carried on.

22723. Has the control of the Commissioner in some respects been weakened over the police administration?—I understand the Commissioner has ceased to be an authority in police matters; that is one of the recommendations of the Commission.

22724. Do you yourself think that that is a move in the right direction?—Yes; in so far as it puts the men more under their own officers and gives a better incentive to the Deputy Inspectors-General, whose number has been increased, it is a good thing; it has improved the Service, as a Service. Whether those officers will be able to do the work it is perhaps too early to say, the system has only been at work two years.

22725. You have suggested larger powers being given to the Sub-Divisional Officers and the delegation of more revenue work to them. Might

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some of this work be done by local officers posted in smaller circles inside the sub-divisions?—I would rather see the number of sub-divisions increased.

22726. The idea is that junior Deputy Magistrates or senior Sub-Deputy Magistrates should be placed in small circles of one or two thanas taking petty criminal work and some miscellaneous work within their own areas. Would a plan like that commend itself to you?—I prefer more sub-divisions.

22727. Are the Deputy Collectors now recruited by nomination entirely?—By limited nomination—nomination subject to conditions.

22728. Would any kind of educational test, or competition combined with nomination be of advantage?—We already have a test; they are required to be graduates.

22729. You do not want anything more than that?—No, we practically get as many men as we want.

22730. With regard to Advisory Councils, should the Collector consult them upon large important administrative measures which the Government propose to introduce and upon which public opinion is invited?—Yes, I thought I had made that clear.

22731. Should they also be consulted on all proposed matters of legislation upon which Government wants the opinion of the public?—Yes.

22732. Suppose some change was wanted in the educational system, or the foundation of a school or college; in those matters would the Council be of use to the Collector?—Those are the objects of the Councils.

22733. Sometimes it is necessary to explain properly the objects and the policy of the Government to the people, on such occasions would you find the members of the Advisory Council useful to the Collector?—That is what I hope to obtain.

22734. So that in a large number of matters besides those which are taken up by the District Board, the Collector would find the Advisory Council useful?—Of course it is all in the future; I hope so; it depends on the spirit in which the thing is taken up.

22735. Should there be periodical meetings of such Councils?—Yes, that would be convenient.

22736. Should orders be passed by Government that the Collectors should consult them in these matters?—I think Government should do it in the form of a Resolution.

22737. You said that possibly the inspection or supervision over smaller municipalities might be left to the District Board. Could a small Committee at the headquarters of each district, consisting of the Collector and a number of non-official gentlemen, suitably undertake the task of supervising the work of small municipalities within the district?—You must bear in mind the want of an establishment; the District Board has got an establishment, and can keep on adding to it, and can do the work of supervision cheaper in that way.

22738. (*Sir Frederic Lely.*) Would you say that it is easier to get an Indian opinion in a formal gathering with set speech-making than in informal conversations and interviews?—Of course, you would have to go on with your interviews and conversations. I get about 20 visitors a day. When I say that I would like to get a regular discussion started, I would not have it in substitution of interviews and conversations.

22739. You would not dispense with private intercourse?—On no account.

22740. Or consider that the Advisory Council took the place of that?—No.

22741. You mention that the Advisory Council is to concern itself with questions of local improvement, medical relief and so on, and also questions of large policy as proposed or intended by Government. In the case of smaller matters the Collector is guided by general orders of Government, but occasionally he has to consider whether or not to take action of his own motion. In cases like that would you wish him to take the previous opinion of the Advisory Council if he could get it?—I would leave him free to do so; I would not tie his hands.

22742. But would you encourage him to do so?—If he thought he ought to have public opinion to guide him, certainly.

22743. Would you induce him to consider that Government expected him to do so when there was no special objection?—I think so.

22744. In a case like that, suppose the Advisory Council recommended him to follow some course which was distinctly against his own judgment, would you have him follow the advice of the Council?—No, he must be perfectly free.

22745. Then it is difficult quite to see the object of consulting the Council in matters of that kind?—Only for the sake of getting more opinions.

22746. But if he over-rode the opinion of the Council it would only make them sick?—He must chance that.

22747. There are matters in which the Collector's own personality is alone concerned; should he be hampered in those matters by the necessity of having to consult the Advisory Council?

22748. Not of necessity; I would leave him able to do it if he liked, but not oblige him to do it.

22749. You would not put him in such a position that if a mistake was made he would be able to shelter himself under the opinion of his Council?—He would not be fit for his place if he did that. We are told that sometimes people want to come in and give their advice, and I should like to give them the chance to do so.

22750. Even now there is no difficulty in doing that?—It is very hard to get discussions on definite proposals.

22751. Would you approve of an order allowing the Collector to pay the expenses of any gentleman he called in to consult?—Yes.

22752. I understand you say that the municipal towns in Eastern Bengal scarcely represent the average municipalities of India?—No.

22753. They are smaller and less public spirited than you would usually find perhaps?—So many of them are not towns at all.

22754. They want funds, and they also want an ideal?—Yes.

22755. Many of these good citizens never have had an opportunity of seeing what a modern town is?—That is so.

22756. (*Sir Steyning Edgerley.*) As regards this system of the Board Members coming behind the Revenue Secretary, would you retain the direct access of the Secretary to the Local Government?—Yes.

22757. You laid stress on the fact of the Board preventing differential treatment of zamindars and so affecting the rights of property. Would you lose that at all under the scheme; the members of the Board would be still there to maintain that?—Yes, they would continue to deal direct and of their own authority, just as done now.

22758. If the Board wished to differ with the Commissioner do you say the papers would have to go to the Lieutenant-Governor?—Not if it was a matter within their own competence.

22759. But if it was not a matter within their own competence, it must go any way?—Yes, but I am speaking of appeals provided by law.

22760. Can one member over-rule the Commissioner?—Yes, in an ordinary case.

22761. Then, of course, you would have them still holding their Court for the hearing of appeals?—Yes.

22762. If the Lieutenant-Governor disagrees with a member of the Board would he be able to overrule him absolutely?—Quite.

22763. It would not go to the other member of the Board to decide the difference?—No.

22764. Certain witnesses in Calcutta and here have suggested to us that one risk of the Lieutenant-Governor system is a certain want of continuity; is there anything in that?—I do not think so.

22765. So far as the argument has any validity at all, it would be to some extent met by a three-men Government?—Yes, I suppose they would hardly all be going out at once.

22766. You said you would not have officers appealing as regards a refusal to promote. Suppose it is decided to pass over an officer for, say, the Board of Revenue; must he be silent, or would you let him go to the Government of India?—I think I should allow a single appeal, ordinarily.

22767. In that case you would allow a representation?—I think he might make a representation.

22768. Would the Local Government be bound to forward it?—They always would forward a thing of that sort.

22769. They would not forward it surely if an order was laid down that there was no appeal in matters of promotion?—You can often get round a rule of that sort; it is sent up as a memorial, or as a petition to the Crown.

22770. Evidently you do not wish to have a rule of that kind?—You cannot carry it quite so far as that.

22771. You say that, though you have not had much experience of Directors and Inspectors-General, occasionally, you think you have noticed that officers of the provincial Services, do rather look to the Imperial Heads for assistance as against their Local Governments?—I have come across a few cases.

22772. Is that not a danger which has to be guarded against in the case of these officers?—I do not think they get much out of it.

22773. I do not suggest that they do, but does it not weaken their sense of discipline?—Yes.

22774. One has heard a sort of proverb that "two or three transfers are as bad as a fire." Are the allowances paid by Government at all adequate to cover the expenses of transfers?—I should say not, especially if you have to travel by steamer or road.

22775. Is that true also of the subordinate officers like Superintendents of Police and so on?—Yes.

22776. Would it be possible to have a scheme of defraying the cost of actual moves?—I should like to try and see if it could be done.

22777. Subject to the countersignatures of the Controlling Officer?—Yes.

22778. We have been told that owing to the expense of travelling in Eastern Bengal and Assam the rates of daily travelling allowance are also inadequate to cover the cost of touring?—In the case of officers who get less than Rs. 5 it is difficult.

22779. Take the case of the District Superintendents of Police; do they not get Rs. 5 daily?—Yes; I should not have thought it was very inadequate; of course the witness you are quoting must have spoken from his own knowledge.

22780. So far as your experience goes, you have not heard the complaint?—No, except where they are hiring boats; that has to be done in this division very frequently; some of the District Superintendents of Police in this division have launches.

22781. If you hire a boat do you hire it by the month or by the day?—In practice you very often have to take a boat by the month; the people will not take you for shorter periods.

22782. So that, where an officer has to use a boat much, possibly a permanent travelling allowance would be more convenient?—He runs into Rs. 100 a month for the hire of a boat; you cannot do it on less than that.

22783. If his duty requires him to spend that money, ought he not to be reimbursed?—In this division we give 50 per cent. extra allowance.

22784. However, on the whole that is not a matter of complaint?—It is not a very strong one; it is a matter of detail.

22785. Then about the Advisory Councils and village unions; you might want legislation to have a full experiment of that kind?—I would rather try it without legislation for Advisory Councils. As to the unions, the first thing would be to bring them under the control of the District Board; then there might be certain extensions of their powers.

22786. How would you proceed—by a specific Act, or by a general Act with power to make rules?—In this case it would involve the amending of the Local Self-Government Act, the existing Act, which is coming under review; we could do it easily in the course of the periodical revision.

22787. You spoke about power to make exceptions to rules. One suggestion that has been made to us is that you might have a very free delegation of power to make exceptions, subject to quarterly returns of the use made of the power, so as to admit of the Government of India maintaining control and stopping tendencies that they considered undesirable; would that work?—It has worked in some cases.

22788. As between the Local Government and the Government of India would it work?—I do not see why it should not; it has worked between the Government of India and the Heads of Departments, and the Government of India has permitited it in the case of Local Governments.

22789. It has been said that the system of administration by the Board of Revenue leads to delay and duplication of work; would you endorse that?—I do not think so. After all you always know what is going to go through and what is doubtful.

22790. Suppose you have more selection, ought you to have as a corollary anything in the shape of a proportionate pension scheme?—It would very likely follow; if we are going to weed out men more rigidly it must come to that.

22791. I suppose some men would go on in a suitable position quite well, but in other cases it would be most inadvisable that they should go on; in those cases you think the power of saying "You must go" is practically necessary?—I think so; we have had to keep on some men under the old rules for some time after they had ceased to be any good.

22792. How far does the inspection of the Board of Revenue by touring cover the province as a valuable means of inspection?—I think the Board has inspected every Collectorate in this division certainly within the past year.

22793. Inspected, or visited simply for their own information?—They have inspected the whole revenue side. Not the Magistrates' offices.

22794. There is other work that does not fall within their subjects, Local Self-Government, for instance?—That is so; they do not touch that.

22795. So that their inspection is not very complete?—It is very complete on the revenue side, and the senior member who is President of the Sanitary Board goes into sanitary matters pretty frequently.

22796. Sufficiently frequently?—I would not like to say that.

22797. If these village unions were created, or if you had some system of sub-circles, would they be valuable as a counterpoise to the influence of the police?—It is difficult to tell without seeing them working.

22798. Is the influence of the police at present somewhat injurious to our relations with the people, and in need of a corrective?—One would like certainly to have some other agency, in Bengal particularly; there are a good many things in which we have to depend on the police.

22799. Another suggestion that has been made is, that the Collectors should be relieved of all work which does not bring them into contact with the people; for instance, the responsibility for the

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treasury; would it be a good thing if that could be arranged?—Yes, I should like to have that done.

22800. How could it be arranged?—I would put the treasury directly under the Accountant-General, and I should have the Treasury Officer responsible for that part of his work to the Accountant-General, and be inspected by the Examiners of Local Accounts and the Local Auditors. The Collector would be responsible for seeing that the treasury was properly housed, and that there was proper access, and a proper guard, and he probably would have to appoint the officer to verify the balances from time to time.

22801. Would it be a good thing to extend to the Executive Service a rule which they have in the Judicial Service, that nobody should hold a superior appointment, such as that of Secretary or Commissioner or member of the Board of Revenue, unless he has put in three years' service as a District Officer?—You might cut out a good man now and then. That is more or less the idea, but I should not like to tie the hands of Government in that way.

22802. Should you say generally that Local Self-Government is progressing, or that it is stagnant, or that it is retrograde?—I think we are making some way.

22803. Do you see any expectation of more complete non-officialism in the local bodies?—I think so; the people are better educated, and there are more local residents.

22804. Do you think a half-way house towards non-officialism would be the possibility of electing a Chairman to a District Board, who should be a paid official?—That might be tried.

22805. Suppose that were tried, and that it succeeded, do you think that a further step could be taken to associate two or three representatives of the various local bodies in a district with the Collector as a sort of Local Self-Government Council, and there centre the whole of the outside control?—We would have to go a bit further before we could dispense with the Government officer.

22806. The Government officer would be there on that Council; is that a little further than you care to go?—Yes, I would rather see the non-official Chairman tried first.

22807. If you had a free hand, what is the first thing you would now do to develop Local Self-Government in a district?—The first thing I would do would be to set them down to work out their programmes of what they are going to do for the next 20 years.

22808. Is that not rather asking them to run before they can walk?—I think a great part of the trouble is that they live from hand to mouth; the yearly budgets come up, and there is fighting as to who is to get a grant.

22809. A witness yesterday suggested to us that there was work for the next, 10, 15, or even 20 years in thoroughly establishing village communities as the basis of all Local Self-Government; he spoke of restoring village communal authority; that was his idea of the best thing to be done; would you begin at that end?—I should very much like to do it, but it is a very big thing to do in Bengal.

22810. His theory was that that was the problem demanding all our energies for the present?—I think there are so many pressing physical wants.

22811. You would rather go for pressing physical wants that the municipalities and District Boards can supply?—Yes.

22812. Another suggestion he made was, that Government should recognise a certain amount of failure in local self-government efforts so far, and definitely provincialise primary education and medical relief, withdrawing the grants and allowing the Local Board to concentrate on other matters; the theory was that those two subjects do not in themselves interest the local bodies, and they are too tied down by rule or technicalities to arouse any interest. Is there anything in that?—I do not quite see the agency, if you take it away from the District Boards and Local Boards.

22813. It is suggested that primary education is practically already run by the Educational Department, and that the Boards really only supply the funds and look on?—I do not think that is always the case; I have had very good Education Sub-Committees.

22814. You do not agree with the suggestion?—No.

22815. (*Mr. Meyer.*) With regard to the rigidity of the rules in the Civil Service Regulations and elsewhere—to a large extent they are rules laid down by the Secretary of State?—I believe they are.

22816. And they bind the Government of India as much, or almost as much, as they bind the Local Governments?—No doubt.

22817. The Secretary of State has recently made a very considerable relaxation in those rules as regards the creation of appointments, &c. Assuming that that delegation could be handed on to the Local Government, that would in itself do away with a lot of the references that now have to be made?—Certainly.

22818. With regard to the amending of a rule by a Local Government; assuming that, rightly or wrongly, the Government of India have laid down a general rule which is to bind the Local Government, and the Local Government find a number of cases in which that rule causes practical inconvenience, is it not open to them to go up to the Government of India and say so?—Yes.

22819. Have you known of cases in which that has been done?—Yes.

22820. On the other hand, if the Local Government are to make exceptions at their own will, what is the use of having a rule at all?—I have answered that question with a good deal of hestitation.

22821. Is there any use in having a rule, if the authority intended to be bound can dispense with the rule at its own pleasure?—Not if you put it in that form.

22822. Another suggestion was made that the Local Governments might have discretion, to be checked by the Government of India by the perusal of their proceedings later on; you said the Government of India had allowed an analogous course to be taken by local authorities here; to what were you referring?—The Director of Public Instruction is allowed to fill up appointments up to a small amount per month, and report that he has done so; there is the same power given to the Inspector-General of Prisons, and there are one or two other cases.

22823. But how does the Government of India interfere in filling up petty appointments?—I did not say that; I said it had given the Local Government power checking them by quarterly returns.

22824. You are not speaking of the creation of appointments from a financial point of view; you are merely speaking of filling up appointments already sanctioned?—Temporary appointments.

22825. There is the creation of an appointment, either permanently or temporarily, which of course involves cost to the State, and there is the filling up of an appointment already sanctioned; to which do you refer?—Simply to the creation of temporary appointments.

22826. You say the Government of India permitted the Local Government to delegate that power, subject to report?—Yes.

22827. Was not that report rather meant to keep the Government of India informed of the actual progress of expenditure?—Yes.

22828. Suppose the Local Government is allowed to depart from a rule, and the Government of India only sees what is done on formal proceedings and then intervenes; is that not rather worse, both for the Local Government and for the officer concerned, than if the Local Government had come up at the outset and been refused?—The number of cases going through without any trouble would compensate for that.

22829. At present the Local Government has to go up for sanction to the Government of India on particular points; if the Government of India refuse sanction, it is all done in the office; nobody outside knows anything about it?—That is so.

22830. Under the other plan the Lieutenant-Governor would issue the sanction, it would be publicly known and certain officers would benefit by it; then the Government of India would disapprove, and direct the revocation of the order; would that tend to add to the prestige of the Lieutenant-Governor?—No, certainly not; he would be "let in."

22831. But your argument is that in nine cases out of ten the Government of India would let the action of the Local Government pass, and in order to get your way in nine cases it is worth risking getting a rebuff in the tenth?—Yes.

22832. You say "as regards the right of appeal to the Government of India I am inclined to consider that the present rules have greatly diminished the amount of work under this head." Do you think that every officer should have the charges against him recorded, and an opportunity of putting in his defence?—In this province and in Bengal the proceedings have to be reduced to a regular form of record, which is a very complete form.

22833. The general rule is that a public servant who is accused of any offence for which he may suffer as such is entitled to have the charges against him made out and to answer them; has not that rule been in existence many years?—It has; I was referring to the precise form.

22834. It is merely a matter of office convenience to have the charges on the one side and the answer on the other?—Yes, that is what I referred to.

22835. You did not refer to a rule introduced some years ago as to cases in which the Local Government might stop an appeal?—I am putting the whole thing together.

22836. The Government of India, some years ago, said that the Local Government might withhold memorials against the action of the Local Government itself, on appeal by an officer drawing not more than Rs. 100 a month; has that caused a very considerable diminution of work?—Yes, I think it has.

22837. Then, the Local Government in turn has done something similar as regards its own Heads of Departments, making a limit of Rs. 50?—Yes.

22838. Therefore, if it could be done equitably, if you made the limit in regard to the Government of India Rs. 250, you would reduce a great deal more work?—Yes, in that sense, but then you would be coming to another class of officers.

22839. You do not think it is expedient?—No, I am not in favour of it.

22840. Although you would allow an appeal to an officer who has been passed over for some appointment, you would not allow an appeal to an officer who wanted to get something that the rules did not allow him?—No, but that is so now, surely.

22841. Suppose an officer put in a memorial to that effect, if the Local Government has not already power to stop it, would you give it summary power to do so?—I think so.

22842. It has been suggested to us that you might break up a large part of the provincial civil works budget into divisional budgets, and that the Commissioner might have power to give sanction for all Public Works that are not of first class importance; would you be in favour of such a course?—I should be glad to have it in my division, the Government having power if necessary to withdraw the sanction.

22843. You have yourself suggested one possible objection, and that is that lapses would occur in one particular year; if you know that lapses are going to occur, you can always surrender them and get a re-grant for the next year, if you apply in time?—Yes, but it is a temptation to an officer very often to take up things which might really wait.

22844. No doubt if you had these five smaller budgets, say, instead of one big budget at headquarters, there would be more lapses; but might not the disadvantage of that be counterbalanced by more careful local scrutiny of the relative advantages of different works?—Yes.

22845. It has also been represented that at present not a single permanent appointment in the Government can be created except by the Local Government; do you think that some delegation might be made as to that?—I am rather afraid of giving people the power of making those small appointments.

22846. You think there is not sufficient financial responsibility, and prefer to have the Local Government as a safeguard?—Yes.

22847. You are in favour of the adoption of the system of disposing of work between the Board and Government which is now in force in Bengal. Suppose the Board's Secretary and the Revenue Secretary agree on a matter, is it not possible that orders might go out without the member of the Board, who is concerned, seeing them?—Of course, even in the Board of Revenue now, a great many orders go out which the Board of Revenue Member never sees.

22848. Still, the Board's Secretary would send any case of importance to his member?—Yes.

22849. Supposing that the Board's Secretary is fortified by the opinion of an officer senior to himself, that is the Revenue Secretary to Government, might he not tend to issue orders straight off, without bringing the member of the Board in at all?—To a certain extent, that tendency arises now; the two Secretaries agree, and send off things that the Lieutenant-Governor never sees; you have to watch against that, and you have the weekly tables partly for that purpose.

22850. Take a further step. A case has gone to the member of the Board and he agrees with the Revenue Secretary, would it ordinarily go to the Lieutenant-Governor in that case at all?—I think practically all cases have to go to the Lieutenant-Governor, except absolute routine cases.

22851. But otherwise it would not go to the Lieutenant-Governor, assuming that the member of the Board and the Revenue Secretary concurred?—No. It is difficult to say at present what the rule is. In the undivided province it worked out very much to sending as much as the Lieutenant-Governor could manage, and you had to decide which were the important cases; you would have to make out a list of cases, and consider them.

22852. There is the possibility of the Lieutenant-Governor being ignored more than he is at present?—He might be; there would be that possibility; I do not know that it came about in Bengal.

22853. Then you say that the logical corollary of this system is the amalgamation of the Board of Revenue with the Secretariat; is it not also the abolition of one of the junior Secretaries?—I think the Revenue Under-Secretary will probably disappear; in fact he practically disappeared in Bengal.

22854. He was put on to other work?—Yes.

22855. If it were possible and desirable to largely increase the powers of the Commissioners, would it be necessary to have two members of the Board?—I still prefer two members for the Appellate Court.

22856. You are aware of course that in several provinces there is only a single member, a Financial Commissioner?—I know, but my point is, if you abolish the two members, even though they do most of their work well, you would probably create a good deal of scare amongst the zamindars; they would look upon it as an attack on the permanent settlement. You must always remember that in Bengal, and I think that a final Appellate Bench is better composed of two men rather than one.

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22857. We were given to understand that they hardly ever sat together?—They can sit together; they do not overrule the Commissioner unless they agree.

22858. Do they both sit, or does A sit and take a case and give the papers over to B?—He sends the papers over to B, and gets his judgment too.

22859. B, not having heard counsel—just having seen the record?—Yes. I have known cases of course where the Board consisted of both members sitting together.

22860. You want to adopt the same position as that discussed in the case of the Board as regards noting upon cases dealt with by Heads of Department. I will take Education, and suppose you to be the Chief Secretary; in that case what would happen?—Suppose the Director wants to start a scheme, he would probably come over to me and say, for instance, "I want to take up the question of provincialising sub-inspectors, I have made out a note; I want this examined, and I want the Secretariat to note on it fully." The Secretariat clerks would note on it and get out the Government of India instructions on the subject and make a complete case; it would be called "Secretariat proceedings"; then the Director of Public Instruction would ask his Assistant or the Under-Secretary to note on it for him; then he would go into it and take it up, and then he would send it up and say, "such and such a proposal is to go to His Honour"; that would go through the Chief-Secretary. The Chief-Secretary would either agree or disagree; if he disagreed it would go on to the Lieutenant-Governor.

22861. But in the case of the Board the final word below the Lieutenant-Governor rests not with the Revenue Secretary but with the Head of the Department; in this case the final word rests with the Chief-Secretary?—Yes.

22862. You recognise the material difference?—Yes.

22863. On the Board analogy, the case would first be noted on by the assistants, then by you, then by the Director and then go to the Lieutenant-Governor unless the Director agreed with you and passed his own proposals; that would not do at all?—No.

22864. There, the Secretary, being an officer superior in status, or at least equal in status, to the Head of the Department, and more conversant with the general work of Government should surely have the last word?—Yes.

22865. You know, perhaps that, with a Council Government such as you have in Madras and Bombay, any member who gravely dissents from the ruling of the majority can record his minute of dissent?—I believe that is so.

22866. Therefore, when a question goes up to the Government of India, upon which such a dissent has been recorded, they know that the matter admits, even from the local side, of two points of view. On the other hand, it is quite possible for a Lieutenant-Governor to be at variance with his Board and Chief Secretary or any of his principal advisers for the time, yet there is nothing in the letter to the Government of India to show that; the letter goes as usual giving His Honour's opinion that this, that, or the other should be done?—It is quite possible.

22867. Have you ever known a Lieutenant-Governor's letter in which he says that "I must say, however, that my Chief Secretary, who is an officer of great experience, thinks that I am wrong here, and takes a different view"?—I have never heard of the Lieutenant-Governor mentioning the Secretary; I have known cases where he has mentioned that the views of the Board are different.

22868. But apart from the Board, take the case of education; the Director of Public Instruction and the Chief Secretary on the one side, and the Lieutenant-Governor on the other; the Lieutenant-Governor over-rules his two most experienced advisers in that Department; would the letter generally say so or not, assuming that the matter has to go up to India?—I think it would say so if there was a difference of that kind.

22869. One or two witnesses have suggested that the Court of Wards should have powers to take up the management not merely of estates which pay revenue direct to Government, but of holdings which pay rent to zamindars; would you approve of that?—Would that not take us rather too far. I think the motive for taking up estates is the security of our land revenue, and when we do not deal with the land revenue paid to Government we are going beyond the province of Government.

22870. You do not want to make the Court of Wards a general Court of Chancery?—No.

22871. It has been suggested that if Commissioners are to survive and to exercise their full utility in the State machinery, they should be more Sub-Governors than they are now, and less post offices?—I do not think the Commissioner is a post office.

22872. Can you as Commissioner appoint a Sub-Deputy Collector?—No.

22873. Can you post him?—Yes.

22874. Can you post a Deputy Collector within your division?—No, but he generally goes where I asked that he should be sent.

22875. Can you invest with even third class magisterial powers?—No.

22876. Can you do anything in the way of sanctioning the acquisition of land under the Land Acquisition Act?—No.

22877. When you have confirmed the decision of a Collector on appeal, cannot the appellant go up to the Board again?—The Commissioner is final on many appeals; he is final in dealing with certificate cases, and, where he concurs with the Collector in land revenue cases, there is no appeal.

22878. If you and the Collector are in agreement, the matter ends?—That depends again on the particular Act; it varies. Some Acts give the Commissioner final powers, others do not.

22879. In the generality of cases have you final powers of confirming the Collector's decision?—In a good many cases.

22880. In the Court of Wards you have told us you have not nearly as much power as you think you ought to have?—No.

22881. Speaking generally, might you not get a good many larger powers in the directions I have mentioned?—I agree, of course, that in a great deal of legislation which we have had, especially revenue legislation, the tendency has been to overlook the Commissioner, and to go straight up to the Local Government or even to the Government of India. That has been done, so to speak, in Committee in the Legislative Council. When a proposal was objected to on such and such grounds, they have said, "Very well, to get over that, power shall only be exercised by the Local Government." Perhaps there has been some bargaining about it; one member has urged that it should be exercised only by the Government of India; the member in charge of the Bill has objected, and they have said, "Very well, we will take it to the Local Government." So often far the effect is that the Commissioner is not fully recognized in the Acts, and he has to depend a good deal upon his general power of supervision and control under the old Bengal Act of 1829.

22882. Is that satisfactory?—No, I think it is not.

22883. Then speaking generally, the Commissioner should have considerably larger administrative powers than he now has and be recognised as a distinct link in the chain between the Collector and the Board?—Yes.

22884. You are in favour of the extension of the sub-divisional system. Does that mean the supersession of your present system of crowding all the revenue work at district headquarters?—As far as you can go, remembering that you would have to continue paying land revenue in at headquarters.

In the first place, I think, the zamindars would object to any change, it would involve their keeping up more establishment.

22885. If the zamindars live near sub-divisional headquarters they would not object to a change?—Very few zamindars do live near headquarters; they are very largely non-resident, and the large zamindaries extend over several districts.

22886. What you think is that the collection of land revenue should be taken in the district headquarters. However, with the permanent settlement, is not that rather a mechanical process?—It is just for that reason that you most keep the payment of land revenue at headquarters; the zamindar likes to have his one authorised agent, who makes his payments for him, looks through everything, and assures him that he is not getting into arrears. From that also follows the keeping up the records at headquarters, the commutation cases, the record room, and the partitions; you have a complete set of records, and if a zamindar wants any one of these cases his agent is able to look up all these cases for him.

22887. Could not partition work and so on be done by the Sub-Divisional Officer, who would send in all past records to district headquarters, current records being kept in the sub-divisional office?—In districts where partitions are common we generally find that it is a whole-time officer's work, and that he does his best if he is given a special establishment and does nothing else.

22888. Are not Sub-Divisional Officers now concerned almost entirely in trying cases?—They may also have Court of Wards work; the supervision and inspection of Government Estates very often is made over to them, sometimes income-tax, in districts where there is no special Income-Tax Deputy Collector. The bulk of the work is certainly done at headquarters.

22889. Is that good training for a young officer; by the time he comes to be Collector, what experience has he had?—Of course he is sometimes wanting. He generally gets a good deal of knowledge when promotions run in the normal periods. A man may have had a couple of years at headquarters as Assistant to the Collector and in charge of the office.

22890. But as Joint-Magistrate he is doing criminal work too?—He distributes the case work, but he also does most of the revenue correspondence; he works at it when the Collector goes on tour.

22891. That is at intervals; a Collector is not on tour for more than two or three months a year?—That is so.

22892. Is a man likely to take much interest in work to which he is switched on for two or three months in the year?—Still, he does get a great deal of knowledge.

22893. In Madras the man in a sub-division does all the general work of the Collector; consequently when he comes in to act as Collector he is familiar with the work; he is only taking up on a big scale, and with one or two special matters added, what he has already done for years; is that not much better training?—As a training I suppose it is a better one.

22894. For the sake of what you call efficiency in Bengal, you would continue your subject Deputy Collectors, and if possible add to them?—I think that with a big establishment and more sub-divisions you will be able to give the Sub-Divisional officer a good deal more power than he has now.

22895. But you do not propose to reduce any of the subject Deputy Collectors?—Road Cess, I think, would have to remain; your Treasury Officer might keep the *tauji* and accounts; it would reduce their numbers.

22896. You have said that you think the treasury work should be placed under the Accountant-General. Whom would you have in charge of the treasury?—A Deputy Collector.

22897. But if the Accountant-General is to assume the direct responsibility for the treasury work, will he not reasonably claim a voice in the appointment of the Treasury Officer?—Certainly.

22898. Might he not say, "I do not want an effete or a raw Deputy Collector; if you intend to entrust me with the work and to give me the direct responsibility for the treasury, I desire that you should appoint men I know and whom I can send out of my own office"?—Yes, he might. Treasury Officers are already required to have three years' service before they are appointed. The Treasury Officer also has the *tauji* work.

22899. You would have to relieve him of that; it is always unsatisfactory for a man to be serving two masters?—The *tauji* fits in so much with the treasury work.

22900. What is the *tauji* work?—It is receiving payments of land revenue and writing up the accounts.

22901. Then again, if your Treasury Officer belongs to an outside department, will it be at all so easy for the Collector to get his bills and establishments sanctioned?—After all, they now go up to the outside authority, the Accountant-General, who examines them. Instead of that, objections will be taken at the treasury.

22902. As regards travelling allowances on transfer. You say you are in favour of the Government paying up to a man the total amount that he has incurred in moving his domestic establishment when he is transferred from one place to another?—I did not mean to go quite as far as that; I think the rules on transfers might give latitude to allow more than is allowed under the ordinary allowance rules.

22903. The rules would still lay down some fixed rate of mileage or something of that sort?—The case I was thinking of particularly was that of the officers, horses, ponies, and carriages. I would like more liberty to be given in that respect. I think when a man travels in a steamer some allowance ought to be made for the baggage he has to carry; all he gets at present is the bare single fare.

22904. Suppose a man says, "It has been a loss to me, and I can assure you on my word of honour that I have spent more than Rs.150 more than I got"; would you give it him?—Of course, you cannot go so far as that.

22905. You are acquainted with the old system under which the District Board Engineer did most of the provincial Public Works in the district?—Yes.

22906. That was done away with here on the formation of the present province?—Yes.

22907. Does it still continue in Bengal proper?—I am not sure that it was not abolished there also.

22908. Was it a good thing to abolish it?—I think it tended to make the District Engineer give too much time to his provincial work; the District Board work was apt to lose.

22909. Could not the Collector have held the scales even?—When it is a question of getting the cutcherries in which you work every day into fair order, you are not a good judge.

22910. Are not the provincial Public Works relatively small here in importance—outside buildings?—Yes.

22911. You have no irrigation?—No.

22912. And the bulk of your roads are Local Fund roads?—Yes.

22913. Would it not be economical to amalgamate the agencies—to strengthen them if you like; but is it necessary to have a Board Engineer, and a Government Engineer, in the same district?—I am not quite sure that you would have men of the same professional standard. Your building work means perhaps a higher standard of man than the ordinary man who will do for roads and village bridges.

22914. Are the District Board Engineers of too low a standard?—The present men, I think, would not be up to the big things we have.

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22915. But suppose the District Board Engineer were really competent and of the same professional capacity as an Executive Engineer in the Public Works Department, do you think the Inspectors of Local Funds Work would be necessary?—Even in Bihar we found it was necessary, and we had very good District Engineers there.

22916. Would it not be possible for the Government and the district to share the expenses, and for the Government to have a voice in the selection of the District Board Engineer and possibly to lend him to the Board?—To do that you would have to make him a Government servant. Then you would have trouble with the District Boards; they do not want to lose their own servants.

22917. You mean as a Government servant he might not be quite so obedient to the District Board as if he were the servant of the District Board?—The Board would think so.

22918. Do you want to increase the powers of Local Boards in Eastern Bengal?—I think not.

22919. You pass the budgets of District Boards and municipalities? Suppose the Director of Public Instruction, or it may be the inspector of schools, is dissatisfied with the allotment proposed by the District Board or municipality, does he represent the matter to you?—Yes.

22920. And you call on the Chairman for his version?—Yes.

22921. Then who passes the order?—If it is a matter in which there is a Government order, of course, Government would have to do so. Government fixes the limits in certain cases and the proportion to be borne.

22922. Then naturally you have to comply with the orders of the Government, but outside that, suppose there is no percentage, or that the minimum percentage has been worked up to, and the Director of Public Instruction says, "I think you ought to spend Rs. 3,000 more than you do now," and the local people say, "We think we can spend that Rs. 3,000 better in other ways," what would you do?—I am supposed to decide and pass the budget.

22923. A witness gave us to understand that in such a case you could over-rule the District Board President on your own authority, but if you took the other side and wanted to over-rule the Director of Public Instruction, you would have to go up to Government; is that so?—In practice I should give my own opinion, but he would probably appeal to Government.

22924. So that practically the Director of Public Instruction has two shies against the one shy of the District Board President?—Yes.

22925. Do the Director of Public Instruction and the Sanitary Commissioner and the Director-General of Civil Hospitals actually intervene much in regard to these matters?—Only the Director of Public Instruction. He makes his remarks on the education budget; generally speaking, he has nothing to say.

22926. We have had it that the Boards are very closely tied in the matter of education; is that your opinion?—The education grant is given under restrictions; it is Government money, and they have got to follow the lines laid down.

22927. The Government looks on the Board not as a responsible body to which it has given additional means, but merely as an agent to spend money in certain directions?—As regards education, I think that is so.

22928. Is the same attitude taken as regards sanitation or medical work?—No, there they are more independent.

22929. Mr. Kershaw explained to us a plan of local self-government consisting of a Central Board which would deal with all District Boards and municipalities, setting the Collectors and Commissioners more or less on one side; would you be in favour of such a plan?—No, I have not heard the proposal before, but I do not like it.

22930. You have spoken of what you call third class municipalities as being really villages and not towns at all?—Yes.

22931. Might they not be reduced to the position of Local Fund unions?—If the unions were a little developed perhaps they might be, but they would not like it, and I am not quite sure that the advantage would be worth the difficulties which would arise from the objections.

22932. Have you a Local Fund union in this division?—Not in this division.

22933. Have you any in the province?—In Tippera, and, I think, in the Rajshahi Division.

22934. You are in favour of having them?—I would like to try them; I had them in Howrah.

22935. Were they satisfactory there?—I had not time enough to judge; I was only there two years. I thought something might be made of them.

22936. Have they any power of taxation?—They are supposed to be able to levy a rate up to Rs. 100 altogether. It is really a poll tax—something like the chaukidari tax.

22937. Would it not be possible to let the chaukidari unions be a Local Fund union also?—That is what I was trying to do there.

22938. It is proposed, I understand, to put them, not under the Local Board, but under the District Board; is that what you desire?—Yes.

22939. Is that not again centralization?—I am afraid it is, but the reason is Local Board's establishment is not really good enough to help them.

22940. If the Local Board is such a feeble body that you do not want to increase its powers in any way, would it not be preferable to abolish it?—It is really only a local committee of the District Board.

22941. Then why not recognise that frankly instead of having elections for the Local Board?—That means doubling the system of election for the District Board; that is really the main point of it.

22942. The Advisory Council you propose is to be purely advisory, but at the same time it is going to be elected. Is it expedient to have election; if you are going to have a Council purely advisory, that might be over-ruled at any time, is not an elected Council likely to be too impatient of that situation?—I do not attach very much importance to the way in which the members are chosen; but I thought if the Advisory Council was to enjoy the confidence of the people it should be elected.

22943. It might be better, if you are going to keep it advisory, to have it nominated?—Yes.

22944. Do you propose such a Council for the Commissioner?—No. The Commissioner deals with four or five districts, and he would have to call in people from a long way off. Then the Commissioner's work is much more checking what others have done than acting on his own initiative; he is better left with his hands free. He is able, of course, to see a great many people as it is.

22945. The Commissioner having several districts, would it not be advisable that he should be in touch with some outside opinion from each of them?—He gets that when touring; he could go down and see the Collectors' Council if he wanted to, and talk with them.

22946. You do not think it is advisable that he should have a small Council, which he should summon himself, who would sit with him at intervals and on which each of his districts should be represented?—I think it would be making the thing too elaborate.

22947. Commissioner's conferences, such as have been started in Bengal, have not been applied here yet?—Not yet.

22948. In Bengal the senior member of the Board generally presides at the conference?—Yes.

22949. Would it not be better, and bring the Head of the province more into touch with his provincial officers, if the Lieutenant-Governor himself presided?—It is a very big undertaking; these conferences take a full fortnight; the Lieutenant-Governor of Bengal has presided at some of the more important sessions, lasting for some hours.

22950. Might the Lieutenant-Governor not preside at some of the more important sessions; would he not get a more direct access in that way than if he had merely reports from the senior member?—Of course if the Lieutenant-Governor could come it would be all to the good.

22951. And it would be desirable that the conference should consist not merely of Commissioners, but of the Heads of other Departments and of the Secretaries to Government?—Yes. *The Hon. Mr. H. LeMesurier.* 10 *Jan.*, 1908.

22952. And possibly some non-officials whom the Lieutenant-Governor might desire to see there?—That is also provided for.

22953. Would you have similar conferences for divisions?—That has been suggested.

(*The witness withdrew.*)

Adjourned.

THIRTY-SECOND DAY.

GAUHATI. *Wednesday*, 15*th January*, 1908.

PRESENT:

Sir FREDERIC LELY, K.C.I.E., C.S.I., *Presiding.*
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Major D. HERBERT was called and examined.

22954. (*Sir Frederic Lely.*) You are the Deputy Commissioner of the Kamrup district?—Yes. *Major D. Herbert.* 15 *Jan.*, 1908.

The right of appeal to the Local Government in administrative matters may be curtailed to the extent of allowing no appeal unless accompanied by a certificate from the authority passing the order appealed against that reasonable grounds of appeal exist. The right of appeal to Heads of Departments and to Commissioners now granted in respect of administrative action should not be curtailed, neither should the right of appeal of officers. It is most highly valued, and gives to Government servants a sense of security that it would be unwise to touch.

In all revenue matters the Court of the Commissioner should be the ultimate Court of Appeal. Under the existing system an order regarding settlement passed by a Sub-Deputy Collector as an Assistant Settlement Officer in a sub-division is subject to appeal in turn to the Sub-Divisional Officer, the Deputy Commissioner, the Commissioner, and the Board of Revenue. Numerous appeals are unduly favourable to the man with the longest purse; and in revenue matters the Commissioner should be sufficiently experienced to pass a final appellate order. Either the Commissioner should be the ultimate Court of Appeal in revenue matters, or else Commissioners might be abolished and the Board of Revenue be enlarged, as in Madras.

I do not think it possible to vest Commissioners and Collectors with increased control regarding expenditure in their divisions or districts.

The Public Works Secretariat regards matters too much from a purely departmental standpoint, but this is not so in the case of the other branches of the provincial Secretariat. The Secretary to Government in the Public Works Department being, unlike other Secretaries to Government, an officer of the Public Works Department, is as a rule inclined to deal with cases too much from the view of his own department and profession, and not sufficiently from the view of the necessity or convenience of the public.

The position of the Commissioner and the Deputy Commissioner is sufficiently strong in matters outside the Land Revenue Department, except in matters relating to the Public Works Department, with regard to which it should be strengthened. The Executive Engineer, for instance, is supposed to be the professional adviser of the District Officer in matters relating to Public Works, but he should be under the authority of the District Officer in Public Works Department matters which do not require expert knowledge.

In most Assam districts Executive Officers have sufficient opportunities for personal contact with the people; but in some districts their work is too heavy, even during the touring season, to allow of their getting into real touch with the people.

Executive Officers as a rule have a sufficient knowledge of the vernaculars.

An increase of the Administrative staff of districts is necessary to secure efficient administration. District Officers are over-worked, and some proof of the fact lies in the number of pending cases in the Courts. Moreover, certain departments are understaffed. The Public Works Department is so understaffed in this province that Executive Engineers can spend little time on the actual supervision of works being executed. The Police Department *cadre* should be so strong that all large districts should have an Assistant as well a Superintendent of Police, whereas at present very junior officers are in charge of some districts. Collectors of districts would be relieved of much routine work, and have more opportunity for personal contact with the people, if a senior Assistant were placed in charge as Sub-Divisional Officer of the headquarters sub-division of every district.

Municipalities and Local Boards cannot be granted independence of the authority of the District Officer. I do not think extended powers can be given to these bodies.

I am not in favour of the creation of District Advisory or Administrative Councils. Such bodies would be of no use, and it is my custom to consult the leading gentry of my district on all matters.

Major D. Herbert.

15 *Jan.*, 1908.

in which I think they may be interested, and on which they can give me useful advice or assistance. Village panchayats might be usefully employed in the disposal, under Local Board control, of matters relating to the repair of village roads, tanks and drains, village sanitation and lower primary education and in the settlement of petty criminal and civil cases sent to them by a Magistrate. They should not be vested with judicial powers.

22955. You express the opinion that the Court of a Commissioner should be the ultimate Court of Appeal, that is, I presume, assuming the Board of Revenue was abolished?—Not necessarily; I realise it would leave very little for the Board to do, but it would still have supervision and inspection.

22956. Would that be enough to justify its existence?—The Board's inspections that I have seen are shorter than I would desire. The inspections of such senior officers are most valuable.

22957. If you enlarged its work of inspection, would there be enough for it to do?—There have been very few revenue appeals in the districts I have had experience of.

22958. The Board of Revenue has been only lately introduced into Assam. Is it appreciated by the people?—To the extent that it takes the place of the Chief Commissioner and is the ultimate Court of Appeal, I think it is.

22959. Does the fact of its being a Board give it additional importance in the eyes of the people?—I think so.

22960. On the whole has the change been popular?—I do not think it makes any material difference to the people.

22961. You say that you do not think it necessary that the Secretary of the Public Works Department should be a man belonging to that department. Does not a great deal of the business that comes up to Government in the Public Works Department consist of projects, plans and estimates?—Yes.

22962. Could that be dealt with by a non-professional man?—No; that should be dealt with by the Chief Engineer, but not necessarily as Secretary to Government.

22963. Would you have such matters go up from the Chief Engineer as Head of the Public Works Department to a Secretary who might be a non-professional man?—Yes. They go up at present from a Secretary, who is a Public Works Department man, to a non-professional man, to wit, the Lieutenant-Governor.

22964. But the final adviser of the Lieutenant-Governor in Public Works matters is a professional expert?—The final adviser from a Public Works point of view in every case would be the Chief Engineer, though he might not be a Secretary to Government.

22965. Would it not be ill-advised to have work of that sort going through a man who was not an expert in the matter?—I think it would be beneficial, and it would not affect the technical view in each case. Moreover, no Chief Engineer or other officer of the Public Works Department is an expert in every branch of engineering.

22966. Should the Executive Engineer be under the authority of the District Officer?—In matters which do not require expert knowledge.

22967. That is to say, he should occupy the same position as a forest officer?—Yes; may I quote an instance. There is an old road built by the Assam Rajas in this district—a portion of the trunk road—which is very wide, and without consulting the District Officer at all, the Public Works Department proceeded to reduce the width of it, although much money was spent in making it its original width. It is metalled in the centre and on the sides it is unmetalled, but the sides are very useful for bullock traffic, and the reduction in the width of the road caused considerable inconvenience.

22968. You propose that a Collector should have a senior Assistant in charge as Sub-Divisional Officer. What exactly should be his work?—He should have responsibilities of his own as the Sub-Divisional Officer has at a sub-division.

22969. Not with reference to work pertaining to the whole district?—No, with reference to the work of the *sadar* sub-division, which is at present in charge of the Collector specially.

22970. You consider that municipalities in Assam should not be granted independence of the authority of the District Officer. Would you differentiate between the municipalities at all?—I think not; the only municipality in Assam Proper of which I have experience is Gauhati which is the largest municipality in Assam.

22971. How many municipalities have you in your district altogether?—Two—Gauhati and Barpeta. I think the Municipal Commissioners are not capable of managing their own work by themselves entirely. The other day we had a proposal with regard to the formation of Advisory Councils, and the enlargement of Legislative Councils; the Vice-Chairman of the municipality begged me to attend a meeting, but I said it was a matter on which the opinion of the Commissioners was wanted, and not that of an official, and I thought it better not to attend. He tried to hold meetings, but the attempts were abortive, and then he asked me to be present merely because he thought if I was present it might induce the people to come and remain there.

22972. Have you had experience in other parts of Assam?—I have been Deputy Commissioner in Cachar and Shillong.

22973. Are the municipal towns in your district small?—Yes, very small.

22974. And the municipal spirit is not so advanced as it is in other parts of India?—Yes; I speak only from my very limited experience.

22975. You are not in favour of District Advisory Councils?—I am not. I invariably consult local opinion, and I have practically an Advisory Council on any subject I want information upon.

22976. Is there any record of the members of this Advisory Council of yours?—No; I consult such of the leading men as I think have knowledge of the particular subject I want information upon.

22977. But have you no record with regard to these men which you would leave for your successor?—I should leave a record for my successor, as I have always done in the past.

22978. Would you see any objection to paying the expenses of gentlemen whom you might have occasion to call together for any special purpose?—I have never called in anybody from a distance. I have always found advisers at my headquarters.

22979. But that might be advisable?—Yes, they should certainly be paid any expenses incurred, and it is also advisable that Vice-Chairmen and members of the Local Boards who travel about for the purpose of doing Local Board work should get travelling allowance.

22980. Have you any village unions in Assam?—No.

22981. To what body do you refer when you speak of village panchayats?—There is a very excellent old indigenous system in Assam, under which disputes are settled by arbitration, by the village community. Each party to the dispute summons the men of the village to assemble for an arbitration; they sit in solemn conclave, and the friends and supporters on either side get up and talk, and on the arguments of these men, who are called *melki* or arbitrators, a decision is arrived at by the whole of the community. Every decision that I have known of, I think, has been a sound one. The system might very well be revived of giving them official sanction, because at present it has no official sanction and the party who loses cannot appeal against the decision.

22982. It is a general assembly of the residents of the village at which every householder has a right to be present?—Yes.

22983. As a matter of fact, is a vote generally taken from all the persons in attendance or only from a selected number?—From all of them, I think.

22984. Is there any inner circle as a rule which is recognised as leaders?—No, there is no circle of leaders, but there are certain men who acquire a reputation, and they lead the village opinion in other matters as well as in arbitration.

22985. Then they would form an inner circle?—Yes, they would.

22986. But generally the basis of the village arrangement is entirely democratic?—Yes, such as could be settled by arbitration.

22987. Would you refer to such a body the settlement of petty criminal and civil cases?—Yes.

22988. But you say that they should not be vested with judicial powers—what do you mean by that?—I mean that they should not be vested with the powers of a Munsif or any magisterial powers.

22989. Then how would you entrust to them the dealing with civil and criminal cases?—They might be referred to them in the way of arbitration for decision and report as to the proof of an allegation or claim, but not for final settlement. The ordinary Court should pass a final order on the report.

22990. You have here a raiyatwari system?—Yes.

22991. Are the villages in Assam much more developed than they are in other parts of India?—I have no experience whatever of Eastern Bengal, but the villages here are certainly developed. The opinion seems to be that the village community has died out in Eastern Bengal, but it certainly has not in Assam.

22992. You have only a Local Board and no District Board?—Each sub-division has its own Local Board.

22993. And even the Local Board is not on a statutory basis?—No.

22994. If a law of Local Self-Government was passed in Assam, would you propose a District Board as well as a Local Board for each *taluk*?—I am afraid I have not considered the question.

22995. A district in Assam is divided into sub-divisions? Is there an Assistant or a Deputy in charge of each sub-division?—Yes.

22996. Has he full powers in his sub-division?—Yes.

22997. Is he in a minor degree to the sub-division what the Collector is to the district?—Yes, all matters being liable to appeal from him to the Deputy Commissioner; otherwise he is practically the Deputy Commissioner.

22998. And his credit stands or falls by the administration of his sub-division?—Yes.

22999. It has been suggested that a young Assistant soon after he arrives should be sent under a Settlement Officer to learn the language; do you consider that that would be advisable?—It would help him to learn the language, but it would interfere with his other studies, such as law for instance, and as the Settlement Officer's work is practically in the open all day, the Assistant would not have sufficient time to devote to his studies.

23000. Would that be a serious objection?—I do not think it would be a serious objection.

23001. It would be a great thing to be able to avoid the interruption which often occurs owing to having to send an Assistant away to settlement training after once taking charge of a sub-division?—Yes, if he were appointed to a sub-division, it would be a great interruption; but if he were working as an Assistant at district headquarters, I do not think there would be very much interruption.

23002. (*Mr. Dutt.*) If the work of the Board of Revenue were lightened by delegation, would you propose that the members should be constituted general advisers to the Lieutenant-Governor in other than revenue matters?—I think their experience fits them for giving general advice, but I have never considered the point as to whether they should form a sort of Council.

23003. As they are the most experienced officers in the province, would they be qualified to give the Lieutenant-Governor advice in other than mere revenue matters?—Yes.

23004. At present the Executive Engineer does not only Government work, but also Local Board work?—He is supposed to supervise to some extent, and does supervise Local Board work, but I have never known him do so unless it was work which has been specially made over to him to do.

23005. Does the Local Board pay him for that kind of work?—No; the Local Board pays a certain proportion towards the establishment which is kept up in the Executive Engineer's office, because the Local Board accounts pass through his office.

23006. So that when the Executive Engineer does any work for the Local Board his services are given gratis?—Government takes a proportion, I think it is 10 per cent., as its charge for doing the work for the Local Board.

23007. Have Local Boards other engineering servants under them such as supervisors and overseers?—Yes, they are ordinarily entrusted with the works done by Local Boards.

23008. And it is only in the case of important works that the Executive Engineer is asked to supervise?—Yes, which it is thought the Local Board subordinates are not capable of carrying out.

23009. With regard to the work which the Executive Engineer does, that is to say Government work, has the District Officer any control or supervision?—No, that is the Executive Engineer's own work, and the rule in Assam is that while the Executive Engineer is the Deputy Commissioner's professional adviser in matters relating to Public Works, he is not under the Deputy Commissioner's orders or authority.

23010. If a requisition for erecting a new building or an alteration to an existing building is sent by a District Officer to an Executive Engineer, does the latter consult the District Officer as to the lines on which he wishes the new building or the alteration to be made?—Yes.

23011. In the case of a big provincial road being made through a district, would the District Officer have any say in the matter?—He would not be consulted in the matter; if he had any say he would have to say it to the Commissioner, who would communicate with the Superintending Engineer, who would issue orders or not to the Executive Engineer—a very roundabout way of doing things.

23012. Do occasions like that arise frequently?—There has been no provincial road made in my experience through a district.

23013. If a District Officer had more immediate control generally over the work of the Executive Engineer, not in technical matters, but in other matters, would it facilitate the work?—Yes, it would conduce to the convenience of the public.

23014. What is the population of Gauhati approximately?—About 10,000, and the other municipality is only about 4,000.

23015. Who is the Chairman of the Gauhati municipality?—I am, *ex-officio*. The Sub-Divisional Officer is Chairman of the other.

23016. Are the Vice-Chairmen in both places non-official gentlemen?—Yes. They are elected.

23017. Is a good deal of the routine work performed by the Vice-Chairman?—I have delegated all the work in Gauhati to the Vice-Chairman, but he brings before me any matter with which he does not feel competent to deal.

23018. With regard to the smaller matters, does he dispose of them and in that way is he a great help to you in the work of the municipality?—Yes.

23019. Would the same remarks apply to the Barpeta municipality?—No; I think the Sub-Divisional Officer, when he is in the station, keeps a very close hand over the work.

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23020. Have you seen any other advanced municipalities in districts of which you have been in charge?—No; Silchar was the most advanced, and there the Vice-Chairman had full power; I delegated my powers entirely to him, and he did everything very well indeed, and the work was most satisfactory—nothing could have been more satisfactory—and the interest taken by the Commissioners was everything that could be desired.

23021. Have Local Boards been created by Government Resolution?—Yes, I think so.

23022. Would you recommend that there should be a law passed giving them a legal status?—I do not see any particular necessity for it. As they are at present, some Local Boards, in want of funds get more assistance by grants than they would get if they had legal power to borrow, and so forth.

23023. What is the usual source of income of a Local Board?—The local rates, the revenues from ferries, and so forth.

23024. What are the local rates?—Assessments on the land revenue, over and above the land revenue, at the rate of one anna in the rupee.

23025. Is it levied all over the Assam and the Surma Valleys?—Yes.

23026. Does the whole of it go to the Local Boards, and beyond that have they any revenue from other sources and from Government grants?—Yes.

23027. Are they in charge of roads and bridges and also education?—Yes.

23028. Do they get a specific grant from Government for education?—They get assistance.

23029. Is the grant sufficient?—More than sufficient; I find it difficult to spend the money that is allotted very often.

23030. Is the Local Board practically in charge of all primary education within a sub-division?—Yes.

23031. Is primary education fairly well advanced in Assam?—Yes.

23032. How do you subsidise primary education?—We pay the village teachers a small monthly stipend of Rs. 5 to Rs. 8 and also give them a capitation allowance; we pay a grant towards the building of the school-house, and we try to get the villagers to do something on their own account. Lower primary education is free.

23033. Does the teacher also get assistance from the villagers?—Probably, I think.

23034. Do you sometimes get the villagers to contribute towards a school-house?—Yes, frequently; they take an interest in their schools.

23035. Is the supervision work done through sub-inspectors?—Yes. They belong to the Education Department. The Director of Public Instruction has control over them.

23036. You simply hand over the money, and the whole of the administration work is done by them?—No, the Local Board administer the schools. The deputy inspector proposes the expenditure, and then it goes to the Board.

23037. Supposing you found a school was not being conducted satisfactorily, or that the teacher neglected his work, and you thought his stipend should be withdrawn, how would you proceed?—The sub-inspector reports to the deputy inspector, who reports on his proposal to the Chairman, and the Chairman passes the final order on the advice of the deputy inspector, but not always on the advice of the sub-inspector.

23038. Supposing the Chairman did not agree with the deputy inspector, who would have the final voice in the matter?—The Chairman would refer to the inspector of schools.

23039. So that the withdrawal or granting of a stipend is entirely in the hands of the Chairman?—Yes.

23040. Does the Chairman alone exercise that power, or is it exercised by the Local Board collectively?—It would be exercised by the Local Board collectively.

23041. And the Chairman does it as representing the Local Board?—Yes.

23042. Village headmen are called *gaonburas* in Assam?—Yes.

23043. Supposing they could settle cases amicably, would you allow them to do so?—If the parties would come to a compromise, and the *gaonbura* reported that they had done so, I should certainly accept that.

23044. Could a great deal of good work be done in that way if they could get the parties to come to terms?—Yes, I think so; in fact, it would prevent a number of petty disputes and false disputes coming into our Courts at all, if the *gaonbura's* position was improved, and he was *de facto* Head of the village community.

23045. Would you delegate more powers to the Deputy Commissioners, some of which are now exercised by the Commissioner himself?—I cannot think of any.

23046. Would you delegate some of your own powers to some of your Sub-Divisional Officers?—No; the Sub-Divisional Officers' powers are quite adequate.

23047. What is the ordinary area of a sub-division in Assam?—They vary very much; it depends very much on the density of the population. I should think about 1,000 square miles.

23048. Is the population sparse?—No.

23049. Have the raiyatwari settlements in Assam been quite finished, or are they still going on?—They are still going on.

23050. What is the term of the settlement?—Twenty years; it was 10 years for two settlements, and now it is 20 years since 1904-05.

23051. (*Mr. Hichens.*) On the whole you think the Deputy Commissioners have too much to do, and you suggest that a senior Assistant should be placed in charge as Sub-Divisional Officer of the head-quarters sub-division of a district. Would that give you all the extra assistance you require?—All. It has been suggested that there should be an Additional Deputy Commissioner, but that would not be so effective; it would mean divided control, and in case of any difference of opinion a Deputy Commissioner would be too senior a man.

23052. Would the effect be to relieve you of all detail work?—A great deal.

23053. Your idea would be that the Deputy Commissioner should have his hands comparatively free to deal with important matters, and to delegate the more routine and unimportant work to other officers?—A great deal of the routine work is very important, but it can be done perfectly well by a senior Assistant.

23054. Inspections, for example, might be done by him?—No, by the Deputy Commissioner, who, under present circumstances, has not sufficient time to devote to inspection.

23055. It has been suggested that inspections should be delegated to other officers; for example, it was suggested that treasury inspections should be delegated to an officer under the Accountant-General; would you agree to that?—That might be done, except that the Deputy Commissioner is personally responsible for the treasury, and for his own satisfaction he should inspect. The inspection might very well be done by others, but the verification of the cash and the stamps should certainly be done as at present, twice a year, by the Deputy Commissioner himself, because he is personally responsible.

23056. What is the area under a Local Board?—It corresponds to the sub-division.

23057. How many members are there on your Local Board?—Ten, excluding *ex-officio* members. They are partly nominated and partly elected.

23058. How are they elected?—The members are elected, one by the trading community at the headquarters station, one represents mercantile interests, and the majority are chosen by village headmen. I think the system of election requires a change. The men who are elected by the village headmen are often useless, and secure their elections by means which should not be employed.

23059. Do they attend the meeting pretty regularly?—Yes, except those in very distant parts of the district who have real difficulty in attending, particularly during the rainy season.

23060. Do you delegate to them the care of works in any particular area?—We sometimes ask them to undertake that, but they do not all appear to interest themselves much, though they certainly do try to improve the village water-supply.

23061. Are the funds at their disposal adequate for the work they have to carry out?—The funds at the disposal of the Local Boards generally are not adequate for the work, as compared with the funds placed at the disposal of the Public Works Department for roads and provincial improvements.

23062. What is the Government contribution?—It varies with the requirements of each Board. I do not think there is a fixed scale. Government apportions the money.

23063. That is to say, you get an indiscriminate dole each year?—No, it is a contract for a term of years.

23064. And it bears no definite proportion to the income you derive from the land cess?—No, it is entirely in relation to the length of roads and the requirements of each jurisdiction.

23065. Is that a good system?—Yes.

23066. Would it not be better if you knew exactly how much money you could count upon?—No, because the roads in each Local Board area vary so much; for instance, in a district where there are many tea-gardens there are necessarily more roads than in a district where there are very few of them, and the income of the one Board may not be any greater than the income of the other.

23067. Does not an increase in agriculture involve greater payments to the Local Board?—It depends on the settled area of the district; there is the same local rate per rupee of land revenue.

23068. On what kind of land is cess paid—on cultivated land?—No, it is paid on land under settlement. All estates whether revenue-paying or held free of revenue are assessed to local rates, and the whole of these rates are made over to the Local Board to meet expenditure that may be incurred. Every estate pays—not the cultivation only.

23069. Are the funds produced in that way inadequate?—Yes.

23070. How would you propose to supplement them?—As they are at present; by grants from provincial funds.

23071. Does none of the money collected locally go to education?—We are bound to pay a proportion of our local income for education, but in addition to that we have a very handsome grant.

23072. What is the percentage, roughly speaking?—I think it is about 20 per cent., which is ear-marked for educational purposes.

23073. It was suggested that it would be desirable to remove education from the scope of the Local Board, and hand it over to the provincial Government—what would you say to that proposal?—There would have to be a larger number of inspectors of schools, if that were done. The inspection done by Chairmen of Local Boards would then be done by the inspecting staff under the Director of Public Instruction.

23074. The view of one witness was that the Local Boards wanted more money, and that they could get more money if they were relieved of educational charges?—I like the plan of the local bodies managing education; I think it is sound.

23075. Do they take an interest in it?—Yes.

23076. What can the Board do in the way of controlling it; is there a syllabus laid down by the Education Department?—Yes, we cannot interfere with that at all. The Local Board members can only encourage the establishment of schools where they do not exist.

23077. Once schools are established the Board has practically no control?—They have practically no control; they can inspect and can close unsatisfactory schools.

23078. In disciplinary matters have they any powers?—With regard to the teachers they have: they control the appointment and dismissal and punishment and so forth of the teachers acting on the advice of the deputy inspector of schools.

23079. Can you dismiss or fine or punish a teacher without reference to the Government?—Yes.

23080. Can he appeal?—Yes, but I have never known a case.

23081. Do your Local Board members in practice go round and inspect the schools?—Yes, not very frequently; the work of inspection of lower primary schools is done by the Chairman more than by the members of the Board, but the sub-inspectors and deputy inspectors do the greater amount; they are supposed to inspect every school three times a year.

23082. Would it be desirable for the Local Board to have larger powers of controlling the studies of these primary schools?—No, the Education Department is the best body to control the studies.

23083. Would not the Local Board know enough about it, even under the guidance of the Sub-Divisional Officer?—I think not, and there would arise a variety of difficulties.

23084. Does not the present system tend to too much rigidity and uniformity?—No, I think uniformity is sound.

23085. Is the relation of municipalities to education much the same?—Municipalities have the power of establishing schools; in fact, the schools within the municipalities have to be partly supported by municipal funds.

23086. Do the same provisions apply and do they have to ear-mark a certain proportion of their income?—They are desired to devote 3 per cent. of their local income to primary and middle education.

23087. At any rate they have to make some provision?—Yes, if a school is started in a municipality, the municipality has to provide at any rate a portion of the funds.

23088. Is their control much the same in regard to schools as the control of a Local Board?—Yes.

23089. Are the Municipal Commissioners partly nominated and partly elected?—Yes, and they elect their Vice-Chairman.

23090. Is there any keenness to stand for election?—Yes.

23091. There is no difficulty in getting men to come forward?—None whatever.

23092. Do the more influential people come forward?—Yes.

23093. We have been told that it was considered derogatory on the part of an important person to stand for election; what do you say with regard to that?—We have no people here who would be considered important from that point of view.

23094. Do the municipalities get any Government grant?—Yes.

23095. On the same basis?—Yes, they have a fixed grant, and for special works they have also grants given them; for instance we had a very large grant given us for water-works at Gauhati.

23096. But have they a fixed annual grant, based on the requirements of the place?—Yes.

23097. Including the Government grant, are the municipal funds adequate?—Yes.

23098. They have enough to make a few improvements from year to year?—Yes, to be constantly improving from year to year.

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23099. Has it been your experience that you have made recommendations which you considered to be of great importance, or which you considered would have assisted you very much if carried out, and found they have been overlooked by the Secretariat?—No; no such thing has occurred in my experience.

23100. Has due consideration always been given to your representations?—Yes.

23101. (*Mr. Meyer.*) What are the sort of matters on which you get revenue appeals here?—Matters of boundary disputes, mutation cases, claims to settlement—settling waste land as between several applicants.

23102. Who deals with these matters in the first instance?—The Sub-Deputy Collector.

23103. To whom does the appeal go from him?—To the Sub-Divisional Officer in a sub-division, and to the Deputy Commissioner in the *sadar* sub-division.

23104. And after that?—From the Sub-Divisional Officer to the Deputy Commissioner, from the Deputy Commissioner to the Commissioner, and from the Commissioner to the Board of Revenue.

23105. Do all appeals go through that channel?—Yes.

23106. Might you have appeals on such a petty matter as whether A or B is to have an acre of ground?—Yes.

23107. Is that necessary or desirable?—No, I think the Commissioner should be sufficiently experienced to be the ultimate Court of Appeal.

23108. Even that would make three appeals?—Yes.

23109. Might not the Collector block a number of these appeals?—I think he might.

23110. In cases of this sort, is it necessary that there should be more than one appeal?—I think, at any rate, an appeal should go as far as the District Officer.

23111. Might the District Officer be the final authority in cases of appeal to him, whether it is a first or a second appeal?—Yes, at any rate in matters where a small area is concerned.

23112. And, would you add, when it is a mere question of fact, and not of interpretation of law or policy?—Yes.

23113. Suppose you differed from your Sub-Divisional Officer, and upset him, would you allow a further appeal?—It depends so very much on the experience of the District Officer. I think it would be better to allow an appeal to the Commissioner, because District Officers are very often juniors.

23114. Then your principle would be that where two people agree, that is to say, you and the Sub-Divisional Officer, the thing should go no further; but, where you differed, the appellant might take it on further to the Commissioner?—Yes, I think that would be a very good thing.

23115. When the district is re-assessed for land revenue, do you have a separate settlement?—Yes.

23116. You speak of orders regarding settlement passed by Sub-Deputy Collectors and Assistant Settlement Officers; what sort of work is that?—The Sub-Deputy Collector is empowered as an Assistant Settlement Officer to continue the work left undone by the Settlement Department. The Settlement Officer's operations do not cover the whole of the district. In the district in Assam there is a considerable area of land in which the villages are not sufficiently established to be included in the survey, and they have to be included in the course of time, during the period of settlement. In order to deal with these cases, Sub-Deputy Collectors are made Assistant Settlement Officers, and also given power under the Land and Revenue Regulation to deal with a number of revenue matters, such as settling plots of land between one party and another.

23117. In the first case you mentioned, do they assess the land in accordance with the settlement principles?—Yes, subject to confirmation by the Deputy Commissioner and Director of Land Records.

23118. In the other case, what you call settlement work is really disposing of vacant land?—Yes, and recording changes in the title.

23119. But that is really part of the ordinary district work?—Yes.

23120. Then you have a Land Records establishment. Who is in charge of that?—The Deputy Commissioner; the Sub-Deputy Collectors are Land Records Officers.

23121. Then you have *mandals*; are they under the Sub-Deputy Collector?—Yes, and over them is a supervisor *kanungo*.

23122. It has been suggested that the *mandals* and the Land Records establishment should be more directly under the Land Records staff; do you agree with that?—No, I think the present system is better. Any orders of the Director of Land Records are invariably carried out, and the District Officer's supervision of the work of the *mandal* is closer than would be the case where a Director of Land Records is in immediate and sole control of the work.

23123. You mentioned as a possible alternative the abolition of Commissioners and the enlargement of the Board of Revenue; in that case would you increase the powers of Deputy Commissioners considerably, or would you merely propose that the powers now exercised by the Commissioners should vest in the Board?—I recorded that opinion without any knowledge whatever of the system, but merely from the fact that there are no Commissioners in Madras and there is an enlarged Board of Revenue.

23124. Speaking of your province you have the Board at the top, then the Commissioner, and then the Deputy Commissioner. If the Commissioner disappeared, what would become of his functions; would they go to the top authority or to the bottom authority, or would they be divided between them?—I should think they would be divided between them.

23125. Do you ever see a Public Works budget for provincial roads?—No.

23126. Would you be in favour of the allotment for provincial Public Works being largely split up among divisions, while the Commissioner might sanction projects?—Yes, that would be very beneficial.

23127. Would you take it a step further and give the Deputy Commissioner any grant?—I do not think so. The expenditure on Public Works in a district would be so small that there would be no useful purpose gained by giving Deputy Commissioners a grant.

23128. It has been suggested that the Deputy Commissioner might have a special grant to make a temporary increase in his office in times of pressure, or to meet some contingent expenditure; is that necessary?—It would be better that he should not have that, but that it should be done under the control of the Commissioner.

23129. Assuming that Commissioners are retained, does their position apart from appeals require improvement?—Only in regard to Public Works. The position of the Commissioner and the Deputy Commissioner is sufficiently strong, except in matters relating to Public Works.

23130. Might the Commissioner have larger powers in connection with land matters?—He might have larger appellate powers, but otherwise I cannot think of anything.

23131. Not for instance in the matter of posting officers?—He is invariably consulted as it is at present, and so far as can be, his opinion is given due weight to.

23132. Does the Sub-divisional Officer, as a Magistrate, take appeals?—No, the magisterial powers of a Sub-Divisional Officer are those of a Magistrate of the First Class, and sundry powers with regard

to the disposal of property and certain disputes, but not appellate powers.

23133. Who takes the second and third class cases now in a sub-division?—The Sub-Divisional Officer, unless he has an Assistant to whom he gives them.

23134. What sort of Assistant?—An Extra Assistant Commissioner—a Deputy Magistrate.

23135. The Sub-Divisional Officer may himself be an Extra Assistant Commissioner?—Yes.

23136. Therefore you may have two men, one a senior Extra Assistant, and the other a junior. In that case is the junior under the orders of the senior?—Yes.

23137. Would the junior take the second and third class magisterial cases?—Yes; as a rule he takes the civil work and a proportion of the magisterial work.

23138. In that case would appeals from him go to the Sub-Divisional Magistrate or to the District Magistrate?—If he is a Second or Third Class Magistrate the appeals go to the Deputy Commissioner, as District Magistrate.

23139. Do you deal with civil work here?—Yes, the Deputy Commissioner is a Subordinate Judge.

23140. But you have no regular Civil Courts?—No.

23141. How many Extra Assistant Commissioners have you at headquarters?—Generally three here. One for charge of the treasury and the civil work and two Magistrates.

23142. In Eastern Bengal revenue work is usually done at headquarters by Deputy Collectors, one taking one thing for a whole district, and another taking another thing—do you do that here?—Yes, that system has been recently introduced; we have placed one or other of the Assistants in charge of certain departments in the *sadar* sub-division.

23143. Have you officers called Circle Sub-Deputy Collectors?—Yes. They are the Assistant Settlement Officers to whom I have referred, dealing with land records work. There are seven circles in this district.

23144. Therefore each sub-division consists of two or more of these circles?—I have two in the Barpeta sub-division, and five in the headquarters sub-division.

23145. Do the Circle Sub-Deputy Collectors do any civil work?—No.

23146. Would it be possible to give them magisterial powers, with general territorial jurisdiction?—Yes, if their number be increased.

23147. Would that be a good plan?—No; I should not be in favour of it, because I do not think, as a class, they could be trusted to exercise magisterial powers satisfactorily away from the vicinity of the Sub-Divisional Officer or Deputy Commissioner.

23148. Are all your Sub-Deputy Collectors employed in that way as Circle Officers?—Yes.

23149. Have you what you called *tahsils* here?—We had *tahsils*. They have been broken up. Now we have gone back to *mauzadar*. They are contractors appointed by Government who collect the money and take a percentage of the collections.

23150. What percentage do you give them?—It is 10 per cent. for the first 6,000 rupees, and 5 per cent. afterwards.

23151. Have they any summary powers in the matter of enforcing their demands?—No; they have to do that through the Deputy Commissioner or the Sub-Divisional Officer.

23152. What sort of villages have you here?—They are very scattered and the houses of one village often join up with the houses of another.

23153. Is a village a real unit, or is it merely an artificial administrative entity?—It is a real unit.

23154. Do the people discriminate and know which village they belong to?—Certainly.

23155. Do you have such a thing as a headman?—Yes. They are elected by the people, subject to the approval of the Deputy Commissioner or the Sub-Divisional Officer. They have no powers in the matter of collection. They report vital statistics, they are supposed to assist the police, and as payment they are given a remission of land revenue to the extent of Rs. 8 in the year.

23156. Have they any hereditary land?—No.

23157. Have they any criminal or civil jurisdiction?—No.

23158. Would you be prepared to give them some definite powers if necessary?—No; I should like to be able to send cases to the chief men of a village for settlement by arbitration.

23159. Suppose a party is dissatisfied with the result of the headman's arbitration, what would you do?—Unless fraud or collusion is alleged, we ought to accept the arbitration, and make it binding on the parties.

23160. Would it be still optional to an individual to go to the headmen for arbitration, or to go to the nearest Court and have his case decided regularly?—Yes; I think so, and the Court, if it saw that the case was one that would not be difficult of decision, might send it back.

23161. Would you say that cases below a certain value should always go to the headmen in the first instance?—No; I think that would come automatically.

23162. How do you realise arrears of revenue?—Demand notices are issued, and if the arrears are not paid within a certain time movables are attached, and, finally, an estate is liable to be sold.

23163. You use the term "annulling settlement"—what does that mean—simply that a man loses his land?—Yes.

23164. In that case are the arrears cancelled as well?—Yes, as a matter of course. The annulling of a settlement generally takes place when all prescribed means fail to recover the arrear. The annulment of the settlement requires the sanction of the Commissioner in the case of a periodic settlement, but not of a yearly settlement.

23165. I suppose you first proceed against a defaulter's moveables?—Yes, and next against his estate, and after that against any other estate he may hold.

23166. Have these annulments of settlement which are practically small, to go to the Commissioner for confirmation?—Yes, except in the case of annually settled estates; I think the Deputy Commissioner should have the power to annul settlements. I doubt whether the Commissioner himself looks into any of those cases. It is a pure formality.

23167. Who passes the order in the first instance?—A Sub-Divisional Officer in a sub-division. It would go through the Deputy Commissioner to the Commissioner.

23168. Would you have it confirmed by the Deputy Commissioner or leave it to the Sub-Divisional Officer, subject to appeal?—I think annulments of settlement might be done by the Sub-Divisional Officer.

23169. Is it necessary for the Sub-Divisional Officer to be *ex-officio* Chairman of the municipality?—In the present state of things yes; the work would not go on otherwise; it all depends so very much on the non-official Vice-Chairman. If he is a competent and energetic man, he can manage the municipality splendidly.

23170. Is a recurring grant from Government to municipalities always given?—I think so.

23171. Is it made for general purposes or for the upkeep of some particular thing, such as a drainage scheme?—My impression is that there is a regular grant.

23172. If you had the Sub-Divisional Officer you want at the headquarters sub-divisions he would necessarily take charge of the headquarters Sub-Divisional Board?—I do not think so, because that

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would entail touring on him to a greater extent than would be necessary.

23173. You do not want him to be a Sub-Divisional Officer like other Sub-Divisional Officers then?—Not to the same extent; I want him to be in a position to relieve the Deputy Commissioner of routine work at headquarters.

23174. But could you not relieve the Deputy Commissioner as effectually by taking over the Local Board duties from him?—I do not think the senior Assistant at headquarters should be a touring officer. At present the Deputy Commissioner goes on tour, and a large amount of his routine work has to be disposed of by the senior Assistant remaining at headquarters, and if the Deputy Commissioner and the Sub-Divisional Officer were both touring officers it would mean that all the routine work would have to be done by another officer.

23175. Could an officer dispose of the work of his sub-division properly if he never toured?—He could dispose of revenue work and the bulk of the correspondence.

23176. Could he dispose of it as efficiently by merely staying at one place, as if he went round and made himself acquainted with the circumstances of the country and examined the police-stations and so on?—That is not quite my idea of the use an Assistant should be as Sub-Divisional Officer at headquarters.

23177. But is a second Sub-Divisional Officer the most efficient method of running a sub-district?—Not of running a sub-district, but yes, if his duties are to relieve the Deputy Commissioner.

23178. Is he to relieve the Deputy Commissioner first and then look after the sub-division?—The Deputy Commissioner would be looking after the district as a whole, and in the course of his touring he would be able to do that part of the Sub-Divisional Officer's work.

23179. You say that the election of Local Board members by village headmen is unsatisfactory—what would you substitute?—Election by an electorate of the leading landholders of the district on a basis of the revenue paid. I have made a proposal to that effect officially with regard to Advisory Councils.

23180. You have told us that Local Boards mainly deal with primary education by aiding private schools?—By maintaining Local Board schools, not by aiding private schools; they do aid private schools, and then take them over.

23181. Do they first aid a private school, and then take it over altogether?—Both systems are in force. If a village wishes to start a school and it is doubtful whether it really requires it, they are told to first start it as a private school, and if they find within a few months or a year that it is doing well, it would be taken over by the Local Board.

23182. Why should not the school go on as a private school and be assisted?—Because the control is better if it is a Local Board school.

23183. Once it is taken over as a Local Board school, it is subject to all the restrictions of the Educational Code?—Yes.

23184. And you have so many masters for so many pupils, and the pay of the masters is regulated?—Yes.

23185. Would there not be more liberty if you had a system of assisting private education?—Close control is beneficial to primary education.

23186. What is the position of the Collector in regard to the outlying Local Boards; has he any special control over them?—Yes, he inspects the Local Boards of his sub-division, and all proposals made by the Local Boards through him to the Commissioner.

23187. But, as a Deputy Commissioner, he has no powers of his own?—Under the Commissioner he controls the proceedings of the Sub-Divisional Local Boards.

23188. But he has to report to the Commissioner; he cannot do anything himself; if he thinks a Sub-Divisional Board is doing something wrong or is not spending its money on the best objects, can he, as Deputy Commissioner, intervene and advise?—Yes, he can; he is in immediate control over the Local Board both at the *sadar* and also in sub-divisions.

23189. Do you mean that the Chairman of the Local Board, being your subordinate, would be written to by you privately not to do such and such a thing?—No, one would pass orders on the Board: the Deputy Commissioner has the power of controlling Local Boards.

23190. What does he pass on to the Commissioner?—The Local Board send copies of their proceedings and their budget to the Commissioner through the Deputy Commissioner.

23191. Does the Commissioner interfere much?—No.

23192. He passes the budget and reviews the administration report?—Yes.

23193. Who gazettes the members?—The Government.

23194. Is that necessary?—I think it is valued.

23195. Would it not be popular if the Commissioner gazetted them?—I think it would not be popular.

23196. Is there any co-ordination between the work of the Sub-Divisional Boards; do you have any conferences between them so that they may work on the same lines?—No, I have never known of any conference, but with regard to the matter of establishing veterinary dispensaries, we had some correspondence between certain Boards and endeavoured to get all their members to contribute towards one veterinary system.

23197. Would it be any use to have conferences presided over by the Deputy Commissioner to consider matters common to the work of the Local Fund for the whole district?—I remember no case in which a conference would have been of any use.

23198. You give out a good deal of your road work to tea-planters?—Yes. We have very few of them in this district, but in other districts there are a good many.

23199. Have you found that system work well?—Very well indeed.

23200. If you dismiss or punish a Local Board clerk, has he an appeal to the Commissioner?—He appeals to the Deputy Commissioner first, and then to the Commissioner. If his pay is more than Rs. 15, and less than Rs. 50, his dismissal is subject to the Commissioner's confirmation.

23201. The person who deals with him is the Chairman?—Yes.

23202. Is there an appeal from the Chairman to the collective Board as there is in Madras for instance?—No, the Chairman has no executive power under the rules at all: only the Board can dismiss a servant.

23203. In the case of a smaller punishment, such as a servant being fined or having his pay reduced, would the Board do that, or would the Chairman do it as Executive Officer?—The Board has to do that.

23204. Do you find that the Director of Public Instruction interferes at all with your Board's educational grants?—No.

23205. Do you send much sanitation work to the Sanitary Board?—The Sanitary Board help us very much with regard to water-supply, but there is very little done in the way of sanitation.

23206. How do they help you in regard to water-supply—by advice?—No, by funds; in order to encourage the digging of tanks they are making a grant of a third of the cost if the Local Board will give a third and the villagers will contribute the other third in labour or amount.

23207. Is that a special contribution from Government revenues?—Yes.

23208. Is there any rule which obliges you to send up sanitary projects for the criticism of the Sanitary Board in the matter of estimates?—No, I think not.

23209. (*Sir Steyning Edgerley.*) You said that a charge of 10 per cent. was levied by Executive Engineers; is that for works done?—For supervision.

23210. Is that the highest charge made?—Yes.

23211. Is not the supervision very small?—The ordinary supervision is very small.

23212. Is your Executive Engineer establishment adequate?—No, it is very inadequate; the men cannot possibly do their work; there are only two in this valley at present, and the one for Gauhati is supposed to live at Shillong.

23213. Is there no superior officer of the department in each district?—No. I think there should be.

23214. Is anything being done to supply that deficiency?—I do not know. We were better off until the partition, but there were so few officers in Eastern Bengal that four Public Works divisions in the Assam Valley were made into two.

23215. What effect has the recent police reorganisation had on the Deputy Commissioner and the Commissioner?—The police re-organisation has had no effect, I think.

23216. Have the Commissioner and the Deputy Commissioner the same powers as they had before over the force?—Yes, so far as I remember.

23217. Where do appeals go to?—Appeals that used to go to the Commissioner go to the Inspector-General now.

23218. You have not felt any weakening of your hand over the police owing to the re-organisation?—No, not at all.

23219. Do you think the slight change in the matter of appeals has affected the feeling of the police towards you?—I have not noticed anything of the kind.

23220. There was a proposal made with regard to the treasury that the Deputy Commissioner should be entirely relieved of responsibility, and that things should be administered from the Accountant-General's department, the theory being that the control of the treasury does not bring the Deputy Commissioner into touch with the people, and it was argued that one might easily relieve him in that direction in order that he might have some leisure to go out into the district and have more time for intercourse with the people; do you think anything of that sort is feasible, or is it obligatory that the Deputy Commissioner should remain responsible for the treasury?—There is not very much of the Deputy Commissioner's time taken up by treasury work, except in the case of having to interrupt one's touring to come in for the monthly verification of the cash; that is the great trouble, and it is a constant worry during the touring season.

23221. Do you travel on a daily travelling allowance?—Yes.

23222. Has there been any great rise in the cost of travelling lately?—I cannot say that there has. My first district in civil employ was Cachar, where we had to pay our coolies six annas a day; then it was raised to eight annas, but then there were no cart-roads, and the same thing applies to the Khasi hills, where coolies had to be employed. Here, in Kamrup, we travel with carts, so that travelling is cheaper.

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23223. Complaint was made at Dacca that the cost was much higher, and that the ordinary rates were inadequate to cover expenses?—The ordinary travelling rates do not cover expenses. An officer who tours from day to day and is travelling all the time is certainly out of pocket to a considerable extent, and it is only when one halts for inspection, &c., a few days here and there that one is enabled to make the allowance meet the expenses.

23224. Have the police here much authority over your village authorities?—We have a village headman called the *gaonbura*, who is supposed to report to the police, but he does not consider himself under the police.

23225. He is more under the Deputy and Sub-Divisional Magistrate?—Yes.

23226. Are the Deputy Magistrates permanent officials?—They are; they are members of the Provincial Civil Service.

23227. Could they not be converted into territorial officers?—No.

23228. Have you ever endeavoured to see whether you could get sanction to empower your Sub-Divisional Magistrates to hear criminal appeals?—No.

23229. Supposing that your *sadar* sub-division was under a Sub-Divisional Officer in the same way as the rest of the district, and he took over your Local Board and municipality, could not the Deputy Commissioner, with the help of one or two people elected from the different Local Boards, carry out the whole of the outside control of Local Self-Government in his district, irrespective of the Commissioner?—Yes, I think so.

23230. That is to say the Deputy Commissioner would not be on any Board himself, but would take elected members from each of the Boards as a small council, which would absolutely dispose of the Local Government work of the district; would that be practicable?—Yes, but it would depend entirely on the personality of the District Officer. I am afraid that men elected from the Local Boards would not be of any very great assistance to him.

23231. Has Local Self-Government during your term of service advanced or is it stationary—I think it has advanced; there is greater interest taken in it than there was.

23232. If you had an absolutely free hand to do what you liked, what would be the next thing you would do to develop it?—I would abolish the official Chairmanship, but I do not think the country is ripe for that yet.

23233. Would you do that before developing the village autonomy?—Yes, I do not think that the development of village autonomy would help very much in increasing the efficiency of Local Boards.

23234. Would you try to make the existing bodies as non-official as possible, and simply have outside control?—Yes.

23235. (*Sir Frederic Lely.*) Has the Commissioner any control at all over the police now?—No, none except his personal influence and the influence of his position.

23236. You said that the villages were very scattered in Assam?—I said the houses of each village were scattered.

23237. In those villages, therefore, is sanitation regarded as a matter of minor importance?—Yes.

(*The witness withdrew.*)

Mr. N. D. Beatson Bell, C.I.E., was called and examined.

23238. (*Sir Frederic Lely.*) You are Director of Land Records?—Yes.

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The Board of Revenue should be retained for historical reasons in East Bengal, and because of Lord Curzon's pledge in Assam. I consider, however, that the administrative functions of the Board are altogether superfluous and are derogatory to the dignity of the members. *All* the present administrative functions of the Board can be delegated to Commissioners, Heads of Departments, and District Officers. The functions of the Board should be those of a Board of Advice to Government in all revenue matters, and a Supreme Court of Appeal in revenue cases. The members of the Board

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should also tour throughout the province and should inspect local offices.

Commissioners should be retained, but they should exercise their control by local inspections rather than by correspondence and returns. The appointment of Deputy Collectors as "Personal Assistants" to Commissioners is an official and social solecism. If a Personal Assistant is really necessary, he should be a young Civilian.

Many of the districts in this province are far too large. No district should have a population of more than a million inhabitants. In each district there should be *three* responsible officers of the Indian Civil Service—a Judicial Officer in charge of Civil Courts, a Judicial Officer in charge of Criminal Courts, and an Executive Officer. In districts where judicial work is light, one Judicial Officer might suffice. The Judicial Officers should take the important cases on their own files and should distribute the other cases to the subordinate Courts. The Executive Officer should work, as far as possible, through "village councils." He should be constantly on tour, and his official correspondence should be cut down to a minimum. He should have a free hand to spend money within the budget allotment of his district, and he should have a special grant of Rs. 10,000 (£666) to spend at his discretion each year. He should be in close touch with all branches of executive work in the district. Two of the most important branches of work have, so far as East Bengal is concerned, gone almost entirely from the control of the Collector, namely, settlement and education. These are the two branches of work in which an officer is brought into closest touch with the people. It is a very grave mistake to take up settlement operations in any district upon such a scale that is necessary to appoint a special Settlement Officer with a special staff working independently of the Collector. The evil is greatly aggravated in East Bengal, where there is no existing village agency, and where is it necessary to recruit, as a temporary measure, a subordinate and menial staff of strangers to carry out the operations. The temporary settlement establishment in Faridpur district at present consists of 3,000 or 4,000 men. It is useless to expect the Collector to supervise these men in addition to his own duties, and to put them in the district outside the Collector's supervision, is a serious political error. I should like to see 100 square miles, or even less, as the annual unit, with the Collector in real personal charge of the work. If this were done, it would be possible to begin settlement operations in every district in the province.

From what I have seen of the work of panchayats in Backarganj, and from my knowledge of the peasantry throughout the province, I am a firm believer in Government by, and through, village councils. Generally speaking, I would constitute the "village" so as to contain about 300 households. The president of the council should be the "village headman." The village recorder, whose duty it would be (like the *mandal* in Assam) to make surveys and records-of-rights, would be *ex-officio* a member of the council. His post would be hereditary, and he would be remunerated for his work. The other posts upon the council would be honorary, but so long as a chaukidari tax is assessed and levied (as in Eastern Bengal) by the village council, the member who works in this connection should receive a fair remuneration. I should much prefer, however, to see the chaukidari tax abolished, and to see the watchman remunerated by a grant of land. The members of the village council, other than the hereditary village recorder, should be appointed by an informal election like that which now takes place for the post of village elder (*gaonbura*) in Assam. I would entrust them with all the petty criminal and civil work of the village; with the management of the village school; the construction and maintenance of village roads, wells, and tanks; the control of a village bank, the supervision of the local excise shop; the collection of vital statistics; the maintenance of a marriage register; and so on. There should be a notice board (as in Assam) at the homestead of the village headman for the publication of public notices, as well as a pillar letter-box at which the postman will periodically call. As a safeguard in the matter of criminal and civil work, the Executive Officer should have power to withdraw any case from the village council and to refer it for disposal to the Judicial Officer concerned. The villages should be grouped into circles, and there should be a resident officer like the "Circle Sub-Deputy Collector" in Assam in charge of each circle. He would supervise and assist the village councils in every branch of work. In short, I would build up a system of village government based on the existing systems of East Bengal and of Assam.

23239. You were nine years in one district, Backarganj. Will you explain why that was?—It is unusual, but I was fond of the place and no one else wanted to go there. I was first Collector, and when settlement came on I asked that I might be appointed Settlement Officer, to which Government agreed; otherwise I should not have remained so long.

23240. You consider the administrative functions of the Board of Revenue to be altogether superfluous, but you say that the members of the Board should tour throughout the province and should inspect local offices; is that not administrative?—I did not mean to exclude inspections; I was referring to the sanctioning of appointments and all similar administrative matters which go to the Board at present.

23241. Should the main portion of their duties be inspection?—Yes, and hearing appeals and giving advice to Government.

23242. Would you have them tour about together or individually?—Individually.

23243. Is it not the main duty of a Commissioner also to inspect?—If the Commissioner inspects and each member of the Board also inspects, have you not two authorities covering the same ground?—Yes, but not more so than in the case of the Collector and the Commissioner at present.

23244. I am assuming that the Deputy Commissioner is all the better for a little inspection; but would you also assume that the Commissioner is an officer who needs to be kept up to his duty by inspection?—When the members of the Board make tours of inspection, they give useful advice to Commissioners.

23245. Do you not think that suggests distrust and setting one man to watch another?—I do not think that is how anyone would regard it—at least they should not, considering how senior most of the members of the Board are, compared with the Commissioner.

23246. You say that the Deputy Collector as Personal Assistant to the Commissioner is an official solecism?—Yes, taking it officially he disposes of a great many things from the Collector. The Collector has to send up things which are examined and picked to pieces, and either sanctioned or not sanctioned, by a man who is a Deputy Collector, and who a few months before was perhaps his own subordinate.

23247. Is it any part of his duty to decide important matters?—It should not be, but many matters of considerable importance come in the first instance before the Personal Assistant who makes his marginal remarks; the Commissioner may be busy and pass those remarks as a matter of course, so that the actual resolution coming to the Collector is the resolution of the Personal Assistant, and not of the Commissioner.

23248. But where there is no Personal Assistant, is not that very often done by a head clerk?—It should not be.

23249. Supposing a Commissioner had not got a Personal Assistant, notes of that sort would be made by the head clerk in the office?—It might be so.

23250. Should the Personal Assistant be a member of the Civil Service?—Yes, if there is one at all, but it would be only in a heavy division that one would be required.

23251. Do you propose that the Collector should take the place of the special Settlement Officers?—I would not have a special Settlement Officer, but I would have a few Assistant Settlement Officers of experience working under the Collector who himself would be the Settlement Officer.

23252. Would there be no difficulty in that owing to the want of special expert knowledge on the part of the Collector?—Probably the work at first would not be so well done, but I would rather see it badly done by a Collector than well done by a Special Officer.

23253. You propose that village watchmen should be remunerated by a grant of land? At whose expense should the land be given to him?—Where it is a Government estate, by the Government, or the Government should acquire land for the purpose and pay for it out of provincial revenues.

23254. You propose to entrust a great many matters to the village councils, and amongst others the management of the village schools; do you mean full management even to the appointment of teachers?—I certainly would allow them to nominate the teachers.

23255. Would you entrust all other details to them?—I would have inspection to see that the schools were kept in good order.

23256. Would you leave it to them not only to build, but to pay the cost of a school-house, if they wanted a school?—It might not be a bad arrangement; I remember in Backarganj, when establishing dispensaries in the villages, we made it a condition that the villagers should provide the building, and then we took it over and paid for the doctor; there might be something analogous to that in regard to schools.

23257. Is that not a very economical and also congenial method of carrying out public matters like schools and dispensaries?—Yes; we find it worked well as to dispensaries, and it probably would as regards schools, because the villagers can do it much cheaper than Government can.

23258. Are the villagers entrusted with the management of local affairs?—In certain districts of Bengal, we have made great use of the panchayats.

23259. You also have village unions in Bengal?—Yes, in some districts.

23260. We have heard that these village unions are unpopular, because the people associate them with extra taxation; what do you say as to that?—Certainly with regard to panchayats and village unions the taxation is the unpopular part.

23261. In Bengal if a tank is dug, may not the cost up to Rs. 100 be added to the chaukidari cess, and be collected as if it were a chaukidari cess?—That may be so; I have had very little experience of districts where there are village unions under the Local Self-Government Act; we did not have them in Backarganj.

23262. Would it be feasible, when entrusting villages with the execution and management of works, to allow them to make rules so that, in the case of digging a tank, instead of imposing on themselves a tax for the purpose, they could impose on each householder the obligation of doing a day's work at the tank?—I think that would be unpopular, and it would be inadvisable except perhaps in the case of very backward hill tribes.

23263. Would there be any objection to giving a village power to impose on itself a rule like that if it chose?—No, if it really chose to.

23264. Or if instead of a conservancy rate, they were empowered to make a rule obliging each householder to keep a certain amount of area round his house clean?—I am not in favour of imposing any such rule as that, because the less you interfere in those matters the better.

23265. I am not proposing any interference; I am only asking your opinion as to giving the power into their hands?—I do not think they would take any action, and I think they would be right not to. I would leave every man to his own discretion to do as he liked; they are naturally a cleanly people.

23266. Provided Government enforced sanitation at all, what would you think?—I do not think Government should attempt to enforce sanitation outside municipalities.

23267. Then should sanitation in villages not interest Government at all?—Not in Eastern Bengal. In my experience each house is self-contained, and each man looks after it in his own way, and I would not interfere with him.

23268. Having had experience of Bengal, and to some extent of Assam, can you mention any notable differences between the two?—Of course the most noticeable thing is that the bulk of Bengal is permanently settled, and Assam is temporarily settled. As regards the administration, the police are much less in evidence in Assam than in Bengal.

23269. Is that an advantage?—It is a great advantage. Then in Bengal we have the chaukidari system and in Assam we have not; we have the headman of the village system in Assam.

23270. Is that hereditary?—It is partially hereditary and partially elective. Generally, when a headman dies, his son succeeds him, but it is not necessarily so.

23271. As to the powers of the officer under the sub-divisional system, have you any preference between the systems of Bengal and Assam?—I approve of the Sub-Divisional Officer having as much power as possible, but it varies greatly in different parts of Bengal.

23272. Does the Sub-Divisional Officer in Assam live in his own sub-division?—Yes, and also in Bengal; in Bengal he gets a house rent-free, and I believe it is the same in Assam.

23273. (*Sir Steyning Edgerley.*) What do you refer to when you speak of Lord Curzon's pledge?—I understood when he came down to Eastern Bengal and made public speeches, he assured the people that in the new province there would be a Board of Revenue.

23274. Would you make the Board of Revenue a Board of Advice to Government in all revenue matters?—Yes, and in any other matters in which the Government chose to consult them.

23275. Would you allow them to cover the whole administration?—Certainly in all important revenue matters, but all other important matters should be left to the discretion of the Lieutenant-Governor whether he took the opinion of the members or not.

23276. You propose to devolve the whole of their administrative functions on Commissioners?—Yes, on Commissioners and Heads of Departments.

23277. And you do not think that they should take up a wider sphere in the matter of advice?—In other matters the Government might consult them very usefully, but it should not be compulsory on the Government to consult them. I have not considered the question very closely, but it is probable the system would grow.

23278. In the scheme you suggest I understand that you would put your district in charge of a Civil Judge and a Criminal Judge, and an officer to whom you refer as an Executive Officer?—Yes.

23279. Would you remove all Sub-Divisional Officers?—If a district were made small enough we should not need sub-divisions. Under my scheme there would seldom be any sub-division.

23280. Is the Executive Officer to whom you refer a Collector without his magisterial powers?—Yes, he should retain his police powers, but in any district in Bengal that I know of the civil and criminal work of the Judicial Department is each quite enough for one man.

23281. Would he have time to do the amount of settlement work you propose?—Yes, if the districts were reduced as I suggest.

23282. Is not great part of the settlement work current revenue work?—In Eastern Bengal at present we do not maintain the record at all, but in

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future it is proposed that we shall. I was particularly referring to the initial settlements in Eastern Bengal, and the revisional settlements in Assam. In Assam the District Officer already maintains the record, and grants new leases during the currency of a settlement.

23283. In developing a scheme of village councils, you say that Executive Officers should have power to withdraw any case from a village council and refer it for disposal to the Judicial Officer concerned; who would the Judicial Officer be?—In a civil case the Civil Judge, and in a criminal case the Criminal Judge.

23284. Would those officers try cases down to second and third class magisterial cases?—The Criminal Judge would personally try some first class cases, and under him there would be other officers—Deputy Magistrates—who would be appointed according to the necessities of the case; but as far as possible I would have all petty work done by the village council.

23285. What is exactly the object of the pillar letter-box you suggest?—As a matter of convenience for the people, because post offices are very much scattered.

23286. Then you suggest that villages should be grouped in circles, and that there should be a resident officer; would he become a regular district official?—Yes, he is at present in Assam a regular district official under the Deputy Commissioner.

23287. Would he, within his own circle, cover the whole sphere of administration, or would he be limited?—I would give him a good deal of work outside revenue matters.

23288. Would you make him a Magistrate?—According to my scheme the magisterial staff would be separate from the executive staff; but if that is not carried out, I would make him a Magistrate.

23289. Your last settlement here was in 1904-5?—There was one which was finished about two years ago.

23290. But in Assam generally was not the date 1904-5?—Yes, I think so.

23291. Was there, in that settlement, a great deal of minute classification of soil?—Yes, in some districts it was more minute than in others.

23292. Was there a great enhancement of revenue under it?—No; on the contrary in many places there was a large decrease. I got a report the other day with regard to an important group showing that the decrease had been 16 per cent.

23293. What share of the produce do you take as a standard of revenue?—We do not try to take a definite share of the produce, but my recollection is that the revenue is from 10 to 20 per cent. of the gross.

23294. That is not excluding cost of cultivation and so on?—I think so, but we do not as a matter of fact try to work on any mathematical percentage.

23295. About what percentage do you think you actually take?—I think it is about one-fifth or less of the gross.

23296. Have prices and wages risen?—Yes.

23297. Is the margin of profit to the landholder under the new settlement larger or smaller than it was before?—The landholder has not much to pay in wages, speaking of Assam where he is the cultivator, and generally consumes his own produce; so that a rise in prices on the whole benefits him.

23298. Is it true to say that your rates are so high as to deter people from taking up land?—I do not think so, but I would be in favour in many parts of Assam of having a system of granting land free for the first few years.

23299. In addition to being Director of Land Records, you are Commissioner of Land Settlements?—Not officially, but I perform the duties which in other provinces are performed by the Commissioner of Settlements.

23300. The settlement reports are submitted through you and you make your remark?—Yes.

23301. There are definite instructions as to the principles on which the Assam settlement is based?—Yes.

23302. Do you mean to say that you work your settlements in proportion to the gross produce?—No; we do not work them according to any proportion of produce; that is not the standard by which we try to work. I have always understood that by the instructions of Lord Curzon, we should not work up to or down to any percentage of produce, either gross or nett.

23303. Are you speaking of the resolution of 1902?—Yes, in which he deprecated the taking of any percentage.

23304. Did not that resolution expressly condemn the principle of fixing the assessments with reference to the gross produce as being unfair to poor land, and is not the present principle of the Government of India not to take more than 50 per cent. of the nett produce?—As I understand the instructions, the 50 per cent. rules relates to cases in which there is a middleman between Government and the cultivators.

23305. Do you do your settlement from hand to mouth?—No.

23306. Do you not take the expenses of cultivation into account?—Certainly, we take that into consideration.

23307. You first of all consider what the soil will yield?—Yes.

23308. Then you have to consider what the cost of raising and bringing the crop to market is?—Yes.

23309. Then you have to consider what the crop will fetch?—Yes.

23310. And upon that you consider what the Government will take?—It is not worked in that way, but the result may be the same.

23311. Then you are dealing with the nett produce?—Certainly, it is the nett we look to, not to the gross, when we assign the relative factors to classes of soil.

23312. Then what is the use of telling us that something represents a fifth of the gross; cannot you give it on nett produce?—No, I cannot give you any figure; we do not do it in that way. If necessary I can furnish you with the figures, but that is not the basis on which it is done.

23313. With regard to the functions of the Board of Revenue, is it necessary to have two members of the Board—would not one Financial Commissioner do in this province?—I should think so, very probably, and in Bengal probably two, but it is a matter which could only be decided as we try the system. One might be appointed in the first instance.

23314. You would have a larger number of districts?—Yes.

23315. And yet the Commissioners are only to be inspecting officers and the Board of Revenue is to be advisory; could the control of this larger number of districts be properly taken over by the Secretariat?—It is not my intention to increase the powers of the Secretariat.

23316. Even if you do not increase their powers they would have to deal with at least 50 per cent. more districts than they do now?—They would.

23317. Would not that largely increase their work?—It would, but of course not proportionately; sending out a circular to ten men is not much more labour than sending it out to five.

23318. But considering the reports and returns of 10 men means much more labour than considering the reports and returns of five men?—It might be so in that way.

23319. You desire to have in your district three separate officers, and one of the Judicial Officers is to be Sessions Judge and also Magistrate?—Yes, that is the idea.

23320. Who is to try the appeals from the First Class Magistrates?—He would.

23321. Would he try appeals from his own decisions?—No.

23322. How are you going to provide for that?—Appeals from him would go to the High Court.

23323. On matters he dealt with as a First Class Magistrate?—Yes.

23324. Do you think the High Court would like that?—He would not take many of the First Class Magistrate cases—only the important ones.

23325. Nevertheless, he would take a good many?—But there would be Deputy Magistrates under him who would have first class powers.

23326. Then you would necessarily have to increase the number of Deputy Magistrates as well as the Civilian Officers?—No, the present staff of Deputy Magistrates might be divided; you might divide the Deputy Magistrates and the Deputy Collectors, the Deputy Magistrates going to the Judicial Officer. I do not think it would mean much increase of staff.

23327. As you propose largely to increase the number of districts, must you not also largely increase the number of Deputy Collectors and Magistrates, or are there enough to go round?—Not quite enough to go round perhaps, but I do not think an increase in districts would make much difference to them; of course it would mean an increase in the number of Civilian Officers.

23328. You propose that a Civilian Officer should be employed exclusively on civil work, but what training is he going to get for it?—I have already recommended that I should like him to be a Barrister if possible. A scheme was circulated for our opinion, and I then suggested that the officer in charge of civil work should go home and pass as a Barrister,

23329. Practically, you desire very largely to increase the strength of the Civil Service?—I do.

23330. And to break it up into three Sub-Civil Services?—Where the work is heavy; in some districts both branches of judicial work might be done by one man.

23331. Would that be an economical or desirable scheme?—It would be desirable, but not economical.

23332. Would it not be possible, assuming you want an increased staff, to obtain what you want by increasing the Provincial Service?—I do not mean that these men should always be Civilians; under the present scheme a certain number of District Officers and Judges belong to the Provincial Service, and I should like to see that continued and extended.

23333. Is the Settlement Officer who takes up a re-settlement in Assam, or a large revision of record of rents in Bengal, now assistant to the Collector in any way?—No, not in big operations.

23334. In Madras, for example, when there is a special Settlement Officer, he is gazetted as special assistant to the Collector, so that the Collector may exercise as much control over his operations as he desires; do you consider that a good plan?—Not in the present state of affairs. For instance, when I was Settlement Officer at Backarganj, the Collector was an officer who used to be my own assistant, and he had no experience of the district, while I had four years' experience.

23335. In that case might it not have been possible to leave you as Collector and make him Settlement Officer?—I tried to do both duties for a few months, but it was almost impracticable.

23336. Your remedy is to abolish special Settlement Officers, and let the Collector do the work?—Yes, on a much smaller scale.

23337. Would not that cause very unnecessary delay in the carrying out of a settlement?—In Eastern Bengal where we were dealing with permanent settlements there is no great hurry.

23338. But in Assam would it not cause delay?—It would be much slower, but I do not know that any great harm would be done.

23339. Are not these settlement operations in any case rather harassing to the people?—They are.

23340. And you would prolong the torture?—No—one would move more slowly through the district, that would be all. In each village the duration of the work would be as at present.

23341. Would the Collector have time to do the work?—Yes, if the districts were smaller.

23342. Would there not be a lack of uniformity in the settlements?—Not if the Director was maintained.

23343. How long do you imagine settlement operations would last in the Assam districts if this was done?—In Assam you would probably get through it in six years, instead of in three.

23344. How many Collectors have you had in that time in a district under the present method?—I do not know exactly, it might be two or three, but there should not be two or three; I would keep every man five years in a district.

23345. At any rate you would have a settlement carried out very probably by more than one Collector, and you think that that would be as efficient as a settlement done by a single Settlement Officer specially detailed *ad hoc*?—No, I do not think it would be so efficient, but it would be more desirable.

23346. Where does the Director of Land Records come in; is it necessary to keep him?—On the whole it would be desirable, in order that we might compare the work of one district with another and maintain some uniformity.

23347. But is he to intervene, or, like the Commissioner, is he to be made an inspecting officer?—He should be chiefly an inspecting officer.

23348. Therefore the whole control is to rest with the Collector or Deputy Commissioner, subject to the final control of the Local Government, with a number of inspecting officers in between?—Yes, it comes to that very much.

23349. Is that a much better plan than the present?—I think more things would be disposed of locally.

23350. Do you think that is a better plan than giving the Commissioner considerable administrative powers?—A Collector is Head of the district and the Divisional Officers are his subordinates. Would it not be possible to make the sub-division a real entity, and make a Commissioner a sort of Sub-Governor in the Division with the Collectors under him, though of course in larger matters, as Sub-Divisional Officers are under the Collector?—I propose that certain duties of the Board should be delegated to Commissioners and Collectors. For instance, their functions with regard to appointments and numerous things.

23351. In Eastern Bengal, is the revenue work done by Deputy Collectors for special subjects?—Yes. The reason of it is that the criminal work is so heavy at present in Bengal that the Sub-Divisional Officer has little time to devote, say, to land acquisition work, so that a system has grown up by which a special officer working under the Collector disposes of it.

23352. Is that a good system?—No; it is desirable that it should be done by a Sub-Divisional Officer as far as possible; but I should like to see districts so small that sub-divisions were unnecessary.

23353. Does it give any adequate training to a young Civilian in the branches of a Collector's work before he becomes a Collector?—As a Sub-Divisional Officer there are many things he does not deal with before becoming a Collector.

23354. Before starting to split up districts in this way, might it not be better to re-arrange your work within the district so that you should have more Sub-Divisional Officers, and that each Sub-Divisional Officer should be performing the duties of a Collector on a small scale?—I would rather go for small districts at once than increase the sub-divisions.

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23355. You have told us that the police are much less in evidence here than in Eastern Bengal; might that not be largely due to the fact that you have these circles with Sub-Deputy Collectors scattered about?—Circle Sub-Deputy Collectors are only a very recent institution.

23356. Do you ascribe it to the sub-divisional system, or is there any special reason which alters the atmosphere?—Crime is much less in Assam, and it is a raiyatwari settlement; the people have got to look to the revenue officials rather than to the police as the administrative agency.

23357. Have you not a great deal of registration work in Bengal? The Collector is the District Registrar with Sub-Registrars under him?—Yes.

23358. Might you not have a full-time District Registrar—in the heavier districts at any rate?—That is a question which I have not considered.

23359. (*Mr. Hichens.*) Are you in favour of Advisory Councils for a Collector?—In Bengal the Advisory Councils and District Boards would overlap very much, and I should not at present recommend them.

23360. Would the District Board serve as an Advisory Council on matters outside Local Fund matters, or would you simply leave things alone?—I would not embark on Advisory Councils in Eastern Bengal at present.

23361. Nor in Assam?—I have never been a District Officer in Assam, so that my opinion would not be of very much value.

23362. Your Local Boards in Eastern Bengal and Bengal generally have very little power?—It varies; in some districts they have more power than in others.

23363. Might they not get larger powers, and might not the people take more interest in them, if the Local Boards did more and the District Boards less?—I certainly think, if the Local Board is to be retained, it should be made of more practical use than it is at present.

23364. But you are quite prepared to abolish them?—I would.

23365. That, of course, is because of your suggestion as to small districts?—Yes.

23366. We have been told on more than one occasion that there is no village organisation left in Bengal; is that your experience?—No, it is not altogether my experience. The villagers at present decide a great many matters among themselves. The man who is called the *matabar* in Eastern Bengal is a well-known man and he decides a great number of petty social cases.

23367. Are the villages scattered?—Yes. The houses are not in a clump.

23368. But are they sufficiently compact to be recognised by the villagers themselves as a unit?—Yes; they are rather sketchy, but we could, and have, cut out areas, which are the legal areas under the Chaukidari Act.

23369. A man would know which village he belonged to, for example?—Yes, especially where we have had a survey.

23370. Is it possible to develop organisation there?—Yes.

23371. You think they should be of a size to contain about 300 households. Would a number such as that be practicable to deal with?—I think so, if the districts were somewhat smaller.

23372. What sort of machinery would you suggest to start it; could it be done by the existing staff?—It could be done slowly, of course; it could not be done by a stroke of the pen, but a Collector could tour in one part of the district one year, and in another part the next year.

23373. You would not advocate a system of appointing special officers in these districts for the purpose of developing the system or giving it a fair start?—No, I would rather have the Collector do it slowly; I think everything should be done by the Collector himself.

23374. But how could he deal with that large number?—At present in Eastern Bengal we have to deal with a great many panchayats. My recollection is that in Backarganj we had 700 odd panchayats which we dealt with.

23375. I understand in Backarganj alone, there are some 1,500 villages; would not that be an unmanageable number for the Collector to deal with?—Taking a district at this present size, yes, but if it was divided into two or three it would not be an unmanageable quantity. The Collector would have people like Circle Sub-Deputies who would be immediately dealing with them.

23376. Would they be the people who would be primarily responsible?—Yes. I would institute the system in each part of the district, and the Sub-Deputy Collectors should be left behind to work it.

23377. Would they be capable of giving it the necessary encouragement and assistance?—If they were carefully selected, yes.

23378. We were told it frequently happens that villagers are under the thumb of one or more zamindars; what would you say as to that?—That is frequently the case.

23379. Would they not rather over-shadow the village councils?—There would be a tendency that way, which of course the Collector and Sub-Deputy would be there to guard against.

23380. A point was made by some one that if you had village councils they ought to be somewhat large, consisting of several villages, so that you would have them of such a size that two or three zamindars would be concerned, and the influence of one might counteract the influence of another; what do you say as to that?—The zamindars in Eastern Bengal often own very large tracts.

23381. At any rate, the point does not appeal to you?—It does not.

23382. In most of the parts with which you are acquainted, might some system of that sort be worked out?—Yes. Where the people are addicted to party feeling, it would mean failure, but on the whole it might work well.

23383. A very great deal would depend on the personal supervision which was given to the matter?—A very great deal.

23384. Do I understand you to say that the place of the chaukidar of Bengal is taken by the headman here?—Yes; he performs very much the same functions.

23385. Supposing you had village councils, would you suggest that the chaukidar should disappear?—I should prefer to have a man like the *gaonbura*, who is a more useful man on the whole.

23386. Would your new village council in Bengal have a headman?—Yes.

23387. Might he very reasonably replace the chaukidar?—I am not perfectly certain upon that point; at present we have both panchayat and chaukidar in Eastern Bengal, and the chaukidar is subordinate to the panchayat; if the people desired to retain the chaukidar I would retain him, and remunerate him by granting him land.

23388. Would it be necessary to give village councils power to impose taxation?—I should try to avoid it, because it would render them unpopular.

23389. They might possibly get some small assistance from the District Board?—Certainly.

23390. Would they have anything to do with education?—I would have the village schools looked after by the village councils.

23391. But the expense would be met by the District Board?—Yes, that is to say, by the villagers themselves who pay the local rates.

23392. Would you propose that village councils have substantial representation on the District Boards, or would you have the two completely independent?—A very convenient system would be that the election to the Boards should be from the village councils; at present we have a general election, which is not satisfactory.

23393. That is to say, without going into detail, the village council and the headman of the different villages should form the electorate of the Board?—Yes.

23394. Assuming the Local Boards to be abolished as you suggest, could their functions really be taken over by village councils?—Very largely.

23395. Would it be possible to represent anything like each village on the District Board?—No, there could not be a representative from each, but they could be grouped together, and one could be sent from each circle, that is, from each Sub-Deputy Collector's circle.

23396. But would you not want to give expression to their opinion in some way by resolving them into some form of intermediate Board?—No, except for the purposes of electing the member.

23397. Do you not think they would each look after the affairs of their own locality better?—I would not be opposed to joint meeting, occasionally, if it was found useful.

23398. At any rate your opinion is that there is not too big a gap between the village council, which is something small, and the District Board, which is big?—Not when there is the Sub-Deputy Collector grouping them.

23399. Is it your experience that members of village councils are interested in their work?—Some of them; I found the District Board at Backarganj a most useful body.

23400. Were they interested in their own particular areas, or were they interested in the work of the district as a whole?—Naturally they were chiefly interested in their own areas, and I found they were wanting in general knowledge of the district, because very few of them had been about the district; they knew their own locality, but when it came to the question of the district as a whole, I and one or two others were the only people who knew it.

23401. Do you find that lack of local knowledge destroyed their keenness?—No, I do not think so.

23402. Do you find that the Local Board displayed *pro tanto* more keenness?—The Local Boards were not satisfactory bodies; they had very little to do and took little interest.

23403. Perhaps if they had had more to do, they might have been keener?—Perhaps so.

23404. It has been suggested that Advisory Councils should be appointed particularly for Collectors and Commissioners. Eliminating the work that goes to the District Board, Local Boards, and village councils, are there any specific matters left with which an Advisory Council could profitably deal?—They might be consulted on settlement matters, and on political matters they would be a good deal of help. Those are the sorts of matters on which one would consult them. If there was going to be any bad feeling between Hindus and Muhammadans, you might consult them, and indeed at present we do consult prominent citizens if there is anything of the sort going on.

23405. For instance, in a purely agricultural matter you might not think it desirable to consult local pleaders?—That is so, unless they were also zamindars.

23406. Therefore, if you had not an Advisory Council, you would have a free hand to consult people whose advice was worth having?—Yes.

23407. Would that not be better than having a Board which represented various points of view?—I think so, on the whole, at present; I am not immediately in favour of Advisory Councils.

23408. What period of residence is desirable for a Collector in one district?—As long as possible.

23409. You would not limit it, for example, to five years?—Certainly not. I was only beginning to know the district at the end of ten years.

23410. You did not find you were getting stale in that district?—No, I did not want a change; I would go back to-morrow willingly.

23411. You would attach great importance to permanence?—Very great importance.

23412. Did you find the Secretariat rather apt to treat your proposals with a lack of sympathy and on a uniform plan?—No, not very much; there were one or two cases which have happened recently—one in Assam and one in Bengal—where we sent up a scheme for a provident fund for the recorders in Assam, and similarly in Bengal for the employés of the Settlement Department. The two schemes were sent in quite independently, but they were both very summarily rejected by the Government of India. Broadly speaking, however, I have not much to complain of.

23413. (*Mr. Dutt.*) Are there many landed estates in Assam owned by zamindars?—No, there are in Sylhet, but very few in the Assam valley.

23414. The last witness told us that local cess was levied on all estates; what does "estates" mean?—In Assam the word "estate" includes both permanently-settled estates and what we call holdings in Bengal.

23415. What is the general extent of a holding?—It is very difficult to say. The villages in Assam are rather artificial, and cut through a man's holding very often.

23416. But what would be the area which a man actually cultivates?—About five acres.

23417. Are you settling all that land under the *raiyatwari* system?—Yes.

23418. Are there no middlemen in Assam Valley?—No; broadly speaking there are none; there are people who hold on half rates and they sub-let, but they are the exception.

23419. Is the cultivator directly under the Government?—Yes.

23420. On what principle do you proceed to fix your assessment?—It is done by the unit rate system in Assam.

23421. Is that the same system as is adopted in Madras and Bombay?—It is the same as was adopted in the Central Provinces.

23422. It involves rather elaborate calculations?—It is fairly elaborate.

23423. What proportion does the revenue bear to the nett produce?—I should not like to give figures.

23424. When did the present settlement begin—was it in 1904-5?—It was about then; the previous one expired in 1904-05, but that was before I came to this province.

23425. Have you finished any of the Assam districts?—Yes, two.

23426. Can you tell me what the general result has been?—In Kamrup the demand is practically unchanged, and in Sibsagar there has been a slight increase.

23427. The period of the last settlement was 15 years, and the period of the present settlement is 20 years?—Yes.

23428. During those 15 years was the revenue increased year by year, according to the extension of cultivation, as has been done in other provinces?—There were increases in some districts and decreases in others.

23429. Does the Settlement Officer's report go through the Deputy Commissioner to the Government?—It comes to me and I forward it to the Board, and then the Board take the opinion of the Commissioner and the Deputy Commissioner before passing orders.

23430. So that it comes from the Board of Revenue to the Commissioner and Deputy Commissioner invariably?—Yes, sometimes the Settlement Officer sends copies of the reports simultaneously, but that is immaterial; they are consulted and I am consulted.

23431. Have the cultivators a chance of knowing what rates are recommended before they are sent to the Board for sanction?—Yes. They are posted up on a notice-board in the village; objections are

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called for and they are forwarded to the Board for disposal.

23432. Might not your proposal of cutting down districts lead to a great increase in the number of districts?—Not in Assam so much; in Bengal most of the districts would be made into two.

23433. Do you not think the object would be fulfilled if instead of cutting up the districts the number of officials was increased in order to meet the extra work?—No, it would not be so satisfactory as having each Executive Officer with a smaller compact district.

23434. There are certain Deputy Collectors who now do both revenue and criminal work. Would they be subordinate to the Collector or to the Criminal Judge?—Those doing criminal work would be on the staff of the Executive Officer; I would divide the work.

23435. Were very few unions created under the Local Self-Government Act in Bengal?—Very few.

23436. The other unions, which have been created under the Chaukidari Act, have been created mainly with the object of realising the tax and paying the chaukidars?—Yes; that was the primary object.

23437. So that practically no endeavour has been made within the last 50 years or more to organise village communities in the way you recommend?—It might not have been done on any legal basis, but in Backarganj we made very great use of the panchayats.

23438. But there has been no legislation on the subject?—No, although by individual action the Collectors have in many districts made great use of the panchayats.

23439. But there has been no consistent policy followed to create village unions?—No, not to give them a legal basis.

23440. Is it desirable that this should be done now?—Very desirable.

23441. Would you recommend that there should be a Sub-Deputy Collector in each thana or in a circle consisting of two more thanas?—I should think the circle should be smaller than the present thanas; the thanas, however, have been altered lately; they have made all the outposts into thanas.

23442. Supposing there are 23 thanas in Backarganj, would you also have 23 Circle Deputy Collectors?—I am not perfectly certain; I should like to work it out.

23443. Would the limit you would assign to a Circle Sub-Deputy Collector be that of a thana or would it be larger or smaller?—I should think it would be about the size of the new thanas which used to be called outposts, but it would be different in different districts; in Backarganj, for instance, a man would need a smaller area than in some other districts.

23444. But the thana limits are very well known amongst the people, so that there would be an obvious advantage in making your new limits coincide with the thana limits?—Certainly, where the thana is not too large.

23445. Is it your idea that Circle Deputy Collectors should be created, who would be the general Executive Officers within their own limits?—Yes; I would not necessarily call him a Circle Sub-Deputy Collector; I would give him some better title. If my whole scheme be accepted, the Circle Officer would be purely executive, and would not have judicial powers as a Magistrate.

23446. Is the only link between the Government and the people now through the police officer?—No, it is through the panchayat.

23447. But above the panchayat?—I did not correspond with the panchayat through the police; I always correspond with them direct.

23448. Is that the usual rule in all parts of Eastern Bengal, or was it a practice you adopted yourself?—It was especially so in Backarganj.

23449. At any rate if you had Circle Officers, you would have a link between the panchayats and the District Officer?—Yes.

23450. Would you entrust those Circle Officers with the duty of organising and supervising the work of panchayats?—Yes.

23451. Have zamindars very much influence in villages away from their own headquarters in Eastern Bengal?—It depends on the zamindar; some of them have very much influence, but of course it is greater just around their residence than it is further away.

23452. Is the influence so great that it is likely to endanger the work or the independence of the village panchayats?—In many places it would be. Generally speaking, if we had Circle Sub-Deputies, and the Collector were free to tour about and use his personal influence, we could counteract any bad influence of that kind.

23453. With regard to Public Works executed in districts, should the District Officer have more control?—We tried it in Eastern Bengal where the Public Works were made over to the District Engineer, and I found the system worked well, but perhaps that was because I had a very competent officer.

23454. Supposing the work is done through the Executive Engineer of the Public Works Department, should the District Officer have more control or supervision over it?—It would be difficult to work it.

23455. Would you leave the Executive Engineer under his own superiors?—After a thing was sanctioned, I would leave the execution of the work to him.

23456. Is there only one Executive Engineer, generally speaking, in a whole division?—I think that is so.

23457. (*Sir Frederic Lely.*) You would not enforce modern rules or laws or any other vexatious arrangements on the villagers?—I would not, but of course I would like them to have good drinking water.

23458. I am speaking with regard to cleanliness. Do you see any objection to a law sufficiently elastic to enable them to secure cleanliness in their own way?—I would not make any law on the subject.

23459. Not even a permissive law?—I do not think it is called for in the districts that I know. I would not interfere with them.

(*The witness withdrew.*)

Srijut MANIK CHANDRA BARUA was called and examined.

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23460. (*Sir Frederic Lely.*) You are a pleader of this place?—No, I am the Vice-Chairman of the Gauhati Local Board and the General Secretary of the Assam Association. Also a Municipal Commissioner and an Honorary Magistrate.

Assam is more highly taxed than almost any other province. On the other hand, Assam contributes to the imperial exchequer one-third of her revenue. Notwithstanding this extraordinary high rate of land revenue being a little more than double of that in Bengal, she has been left entirely in the shade; she has not received even one-tenth of the facilities for education as Bengal has received. A first grade college has not yet been started, while the second grade one was started anew only five years ago, after the abolition of the old one in 1872. In the face of these drawbacks, we are asked to compete with Bengal in the matter of appointments.

The great problem of working out the potential assets of the province by reclaiming vast areas of culturable waste land has not had a fair trial. Sir Henry Cotton's colonization scheme, which after some modifications would have proved a most excellent measure, was simply shelved. The supply of cheap local labour to the tea-gardens has not yet been tried. Instead of affording facilities to the Assamese for entering in the different branches of

23510. How many students would there be in the first year class?—I should think 50, and in the second year 25 or 30.

23511. And if you had higher classes for the B.A. examination, you would have a larger number of students?—Yes.

23512. How many, 10 or 15?—Yes.

23513. Is the present system of settlement bringing waste land under cultivation?—I do not think so. Of course, with the increase in population, cultivation is gradually increasing.

23514. Would not any other scheme involve the bringing in of large numbers of people from Bengal and Bihar into Assam?—Yes, that would be part of the scheme. I would not object to that.

23515. You would not be in favour of keeping out outsiders?—Certainly not.

23516. You say that rules have been framed which deprive the people of the advantages and privileges they enjoyed before—to what rules do you refer?—The Service rules.

23517. One of the Service rules you refer to is the age limit of 25 years; is not that the rule for all India?—It was formerly 30 years here as regards pleaders; I do not know what it is for all India. I believe as regards Bengal, it is 30 years for the Judicial Service.

23518. Supposing it was 25 years for other provinces, would you make it 30 years in Assam in consideration of the backward state of the province?—Yes. That would enable the better qualified people of Assam, the B.L.'s, to enter Government Service.

23519. You say that formerly the Provincial Service was almost a monopoly of the members of the Subordinate Civil Service; do you mean it was recruited from Sub-Deputy Collectors?—Yes.

23520. Previously Sub-Deputy Collectors were almost invariably promoted to the rank of Deputy Collectors—is that a good system?—It is not a good system.

23521. Would it not be better to take better educated and better qualified men and to appoint them directly as Deputy Collectors?—Quite so.

23522. So that you would not leave the Provincial Service a monopoly of Sub-Deputy Collectors?—Certainly not; I think there should be a fair proportion reserved for them.

23523. What proportion would you fix?—About half and half.

23524. Is that not done now?—No, only two appointments are left open to the Sub-Deputy Collectors, and the rest are filled up by direct appointments.

23525. You spoke of 26 direct appointments to the Provincial Service. Was the fact that only one has been given to an Assamese due to the absence of a sufficient number of qualified Assamese?—There are sufficiently qualified Assamese.

23526. Do you not think, other things being equal, the Government here would show due consideration to the claims of the local people?—I do not agree with "other things being equal," because whenever an Assamese is found capable he should be given the appointment.

23527. You say that during the year 1904-05 reclassifications of land were made; were all the lands re-classified?—Yes.

23528. And were the classifications more minute than at the time of the previous settlement?—Yes.

23529. Do you speak from your own personal knowledge?—Partly from personal knowledge and partly from impression.

23530. You say that that has led to further considerable enhancement of revenue?—Yes.

23531. Which are the districts which have been settled since 1904-05?—Two districts.

23532. Has there been any large enhancement in the Sibsagar district?—I have been told so; Sir Bamfylde Fuller told me it was 7 per cent.

23533. And in Kamrup?—It is minus 2 per cent., because land has been thrown out of cultivation.

23534. And therefore considering the rate per acre you say there has been enhancement?—Yes

23535. You speak of the great calamities through which Assam has passed. What you really want is a larger amount of help and contribution from the Government of India, rather than independence in the management of your finances?—Yes.

23536. Your Local Boards are based on a Government Resolution; what is the date of that?—It was in 1882 during Sir Charles Elliott's administration.

23537. Has that Resolution been modified since?—It was modified by Sir Bamfylde Fuller.

23538. Has that improved the state of things?—I do not think so. The only material alterations made were with regard to the elections, but I do not think that is good enough.

23539. Ought there to be a legislative basis for these Local Boards in Assam?—Certainly.

23540. If a law was passed, would you follow the system which prevails in Bengal, and have a District Board in each district with Local Boards under it in different sub-divisions?—Yes, and I would give the Deputy Commissioner general control over all the Local Boards in his own district.

23541. At present do you get an income from the local rates?—Yes.

23542. Is that income sufficient for your purposes with regard to roads and bridges?—Yes, for ordinary expenditure, but we want more contributions for extraordinary and original works.

23543. You also get special contributions from the Government for educational purposes?—None for educational purposes, but I think we get a contribution from Government.

23544. You do not spend any part of the rates on education?—Certainly, we do; we spend about 40 per cent. of our income on education including the contributions.

23545. Is all the income which you derive from local rates spent on roads and bridges only?—And on education and medicine.

23546. One source of income is the local rates and another is the contributions which you receive from Government?—Yes, and there is a third source—the revenue from ferries, etc.

23547. Does the amount you spend on roads represent the whole of your income from local rates?—As a rule all the figures are mixed up together.

23548. Can you say generally whether the amount you spend on education is not entirely covered by the contributions you get from Government?—Certainly not; there is a large amount drawn from local rates.

23549. On that ground you would suggest that you ought to get a larger sum for educational purposes from Government?—Yes.

23550. Is the Local Board entirely in charge of primary education?—Yes; not of secondary education.

23551. Are the schools managed by sub-inspectors?—Yes, by sub-inspectors and deputy inspectors. They are officers of the Education Department; they are called the professional advisers of the Board.

23552. Would you suggest any change in regard to the inspection and supervision of these schools?—No.

23553. You are quite satisfied with the present state of things?—Yes.

23554. Are your panchayats based on any kind of legal basis?—No.

23555. Should some sort of legislative measure be passed, recognizing the panchayats?—That would be better.

23556. Are not the villages in Assam scattered?—Yes.

23557. Are there any recognized villages in Assam, or are there homesteads simply scattered

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all over the country?—There are villages with headmen. There are large villages and small villages.

23558. Would you like each village to have its own panchayat?—I should like it for groups of villages where villages are small, because it would be more workable.

23559. Would you recognise the *gaonburas* as members of the panchayat?—It would depend on their qualifications and standing in the village.

23560. Would you give the panchayats any further powers besides disposing of petty civil and criminal cases?—No, I would give them no other powers.

23561. Supposing the Local Board made over a certain amount of money for excavating a tank within the limits of a village, would you give the panchayat some sort of authority with regard to the carrying out of the work?—The Local Board might trust them if they thought fit.

23562. In sanitary matters, would you entrust the panchayat with any duties?—I am afraid the headman would not understand sanitary matters.

23563. You do not propose that the panchayats should be in any way subordinate to the police?—Certainly not.

23564. Do you propose to give them any sort of power to tax the villagers?—Certainly not.

23565. (*Mr. Meyer.*) Have you studied the last financial settlement between the present province and the Government of India?—No.

23566. You mentioned the 25 years' age rule as being prejudicial. Do you think it is a rigid rule?—Yes.

23567. And you have never heard of it being relaxed, and the Head of a Department allowing a man to come in after that age?—Of course the Lieutenant-Governor has power to relax the rule.

23568. The population of this new province is about 32,000,000?—About that.

23569. And the number of people who speak Assamese is about one and-a-half millions?—About two millions.

23570. So that one appointment of an Assamese out of 26 appointments to the Provincial Service is not after all such a bad proportion?—If you take it by population, of course it is not—but then population is no test.

Mr. N. BONHAM-CARTER was called and examined.

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23571. (*Sir Frederic Lely.*) You are Inspector-General of Police?—Yes.

The question of decentralization depends not on a change in the system of administration, nor in the alteration of petty rules for the delegation of authority, but simply on a change in the spirit of the administration, and particularly on the manner in which District Officers are regarded. The essential points to secure decentralization are:—That the District Officer should be a man fit for his responsibility; that he should be left in his district sufficiently long to obtain a thorough knowledge of his district; that he should have sufficient leisure to obtain such knowledge; that he should be trusted and left alone to run his own district in accordance with existing orders. From these propositions the following consequences flow:—Officers unfit for responsibility should be more freely passed over; transfers should be avoided, local allowances being given to compensate officers for remaining in bad districts; a second officer should be posted in every district to relieve the District Officer of some of his work, particularly that which confines him to headquarters, and to act for him when he goes on leave; transfers on personal grounds should not be allowed; and Commissioners and higher authorities should not interfere with District Officers on grounds of expediency but only on grounds of necessity.

Directors and Inspectors-General under the Government of India should be merely advisers to the Government of India. They should not interfere directly with the departments under Local Governments.

In regard to information about the recent agitation, the demands of the Government of India have been excessive. Government ought certainly to have full information of what is going on, but immediate telegraphic information and immediate detailed reports on individual occurrences ought not to be required of Local Governments, nor by Local Governments from Local authorities. One monthly report to the Government of India dealing with all matters should be sufficient. As a matter of fact, the Government of India does not take action on these reports. They are required, because it is thought to be a reproach that information should be given to the public through the newspapers before it has reached the Government of India from its own officers. But it is paralysing to the man on the spot, whose whole energy should be devoted to dealing with the situation, if he is required to submit reports sometimes in cypher of what is going on. Apart from distracting his attention, there is a chance of the Local Officer committing himself on insufficient information to an opinion, and there is also the fear that the action which he takes is not what he considers best, but what he believes his superior officers will think best. Much of this information was called for at the instance of the Secretary of State.

The Board of Revenue is a fifth wheel in the coach of the Administration, and should be abolished.

While I consider that Commissioners should possess extended powers to be exercised in emergency, it should be understood that their powers should not be exercised except when interference is necessary. They should not be exercised merely on the ground of expediency. The test of the need for interference should not be whether a given course of action taken by a District Officer is, in the opinion of the Commissioner, the best possible, but whether that course of action will lead to disaster or trouble. The further delegation of powers is not a matter which seriously affects the question of decentralization. Here and there some small powers might with advantage be delegated, but the essence of the problem of decentralization depends more on the spirit in which existing rules are applied than in any change of rules.

The powers of appeal if properly exercised are a protection, and a necessary protection, against injustice due generally to unconscious prejudice.

Executive Officers have not sufficient opportunity for personal contact with the people. The obstacle is generally the excess of office and inspection work. I was for 2½ years in charge of the Mymensingh district; the office work was overwhelming, and when I got away from my office, I hardly ever got off the main roads, and wherever I went I had inspection to do in the day time and a heavy dâk at night.

Sub-Divisional Officers have generally a good knowledge of the vernacular, but District Officers owing to their doing all the work in English and coming little in contact with the people usually forget the language, or are transferred to a district where a different language is spoken, and for the reasons mentioned above never learn the new language thoroughly.

In all districts besides the District Officer, there should be an officer of the standing of a Joint Magistrate, who would relieve the District Magistrate of his routine work and of many of his less important duties, especially those which keep him at headquarters. Also when the District Magistrate goes on leave, the Joint should act in his place until his return.

Several of the districts of the province are too large. In Eastern Bengal generally the districts should not exceed 2,000 square miles with less thickly populated districts, or 1,500 square miles in the thickly populated. The population of a district should not exceed 1½ millions. An officer should be able to get a fairly good grasp of the

local conditions of his districts in, say, four months' touring.

Appointments should be made more by selection. My idea is trust the District Officer and leave him alone. It follows that the District Officer must be an officer who can be trusted. I do not think that larger powers should be given to Commissioners.

Transfers of officers are far too frequent, and this more than any other fact is the obstacle to decentralization. I would suggest the appointment of a second officer in each district who would act whilst the District Officer is on leave; the grant of local allowances in districts which are specially unpopular owing to unhealthiness, loneliness, excessive work; the recognition of the principle that a District Officer must stay in the district to which he is posted for at least five years exclusive of leave, and particularly that on return from furlough he will be posted again to that district if his five years are not complete. (This would of course be facilitated if there is a permanent Joint Magistrate in the district, and the local allowances will afford some compensation to officers who are kept in a bad district.) Lastly, that claims of seniority and personal consideration other than fitness for the administration and genuine ill-health should not afford a ground for transfer.

I am very much opposed to the creation of Advisory or Administrative Councils to assist District or Divisional Officers.

District Boards should not be given power of supervision over smaller municipalities.

Every effort should be made to devise some scheme by which greater power in the disposal of petty civil and criminal cases should be made over to village authorities or some other local unpaid authority.

23572. You think that Directors and Inspectors-General under the Government of India should not interfere with the Departments under Local Governments. In your experience have they ever so interfered?—No; they have not; the Director of Criminal Intelligence has only recently been appointed.

23573. Have you had any experience of his influence upon the Local Government?—Very little; only in one branch of work.

23574. Has he been in this province at all?—Yes, he has visited here.

23575. You refer to the tax upon officers in times of agitation having to telegraph information and send detailed reports; what are the matters to which you refer?—The orders are that if any occurrence or any rioting which has a political aspect should occur, it shall be reported at once by telegraph; the orders are simply executive.

23576. The telegraphic reports which you are required to send are not necessarily long?—No.

23577. Is it understood that you must send a subsequent detailed report?—Yes.

23578. At once, or are there any explicit orders about it?—Except with regard to specially reporting on crime, I do not think there are any detailed orders.

23579. Is that not reasonable?—It is quite reasonable if the insistence on the immediate report is not adhered to.

23580. But is that insisted upon?—I am under the impression it is.

23581. You say that it is paralysing to the man on the spot whose whole energies should be devoted to dealing with the situation and so on; do you speak from actual experience?—I have in my mind one case.

23582. Was it a case when the necessity of an immediate report resulted in evil effects?—No, I cannot say that definitely.

23583. Had it a bad effect?—The general effect is bad.

23584. Have all cases of collisions between Europeans and Indians to be reported?—Yes.

23585. Is that unnecessary?—In many cases it is unnecessary; an inelastic rule brings in a lot of cases which need not be reported at all.

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23586. Are you satisfied with the position of the Commissioners?—I think sometimes there is a tendency to interfere too much with the District Officer; it depends a good deal, of course, on the man.

25387. Would you agree that it is more important for a police officer than for an administrative officer to be able to speak the language well?—Yes, I should think so.

23588. As a matter of fact, do you know whether there is any record kept of a man's power to converse easily with the people?—He has to pass examinations. There is nothing more that I know of.

23589. Does Government lay much stress upon such knowledge?—No; in making transfers and things of that sort I do not think it is considered to any extent.

23590. Have you ever known a case where Government has conveyed an intimation to a man that they understand he makes no effort to learn the language?—Not apart from the examination.

23591. Are you satisfied with the rules for examination?—Under existingg circumstances they are as much as can be expected.

23592. But as a test of a man's efficiency are they all that can be desired?—Yes, I think so.

23593. Do they lay enough stress on colloquial knowledge?—I cannot say; they have just revived the rules in this province, and they have laid more stress on colloquial knowledge.

23594. Does the Examination Committee as a rule apply the test with sufficient severity?—As far as I know they apply it fairly severely.

23595. You suggest that a District Officer must stay in a district to which he is posted for at least five years, and that particularly on returning from furlough he should be posted again in that district, if his five years are not completed; but would that not mean disturbing another man who might have been put in his place for a year?—If there is a second officer on the spot, that would not apply.

23596. But if a man goes home, say for a year or a year and a half on furlough, and another man is put in his place, when he returns, would you have him turn out the man who has been for a year and a half in the district?—Yes.

23597. But would that be of any advantage?—Yes, I think it would. Furlough does not often last for a year and a half, and a man who might be going on furlough would have a junior to fill his place who would revert to his original position on his return; it would be better for a man after his leave to go back to his district, otherwise you cannot be sure of ever keeping a man in a bad district for more than three years; if he wants to go, he has only to apply for leave, and he goes away.

23598. Then would you make this rule as a check on a man too freely applying for leave in order to get out of a particular district?—Yes. That is part of the reason certainly; otherwise in an unpopular district you would never be able to get a man to stay more than three years, because he has simply to go on leave in order to get away from it.

23599. Would you approve of a rule that a vacancy in the post of Head of a district or a Superintendentship of Police should be filled up ordinarily by a man on the spot, if there is anyone competent to fill it?—Yes.

23600. For how long?—It depends on the class of man you have there, but I should like to see, taking the general administration, a Joint Magistrate who might be put into the position for a year even.

23601. But if he was a very junior man, you could not override the rights of a senior for too long?—No.

23602. What limit would you place?—I think I should say for a year.

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23603. (*Mr. Meyer.*) You speak of passing over officers for promotion, but what would you do with a man if you found him unfit for the Collectorship; would you keep him on indefinitely?—Yes.

23604. Do you think he would do much good afterwards as a Sub-Divisional Officer?—Probably not.

23605. Would you be prepared to let him take a proportionate pension and go?—Yes, that would be very sound if you could do it.

23606. When a Collector is passed over for a Commissionership, would you apply the same rule?—No, I should not, because there would not be the same grievance, as it is already understood that those appointments are made more or less by selection.

23607. Do you mean that a Commissionership should be a selection appointment?—Yes, the idea exists at present.

23608. Has it been carried out in practice?—I think so.

23609. Taking Bengal as it was, would you say that the Commissioners as a whole were men of the best stamp?—I should say the Commissioners chosen are usually fit for the post: I would not say they are absolutely the best; that is to say, I think a man who is fit for the post is got; I do not mean to say that there are not junior men who are as good as he is.

23610. How long have you been Inspector-General of Police?—Just over two years.

23611. Have you had a good deal to do during that time with the Director of Criminal Intelligence?—I have not had much to do with him. He corresponds direct with the Deputy Inspector-General as to crime and so on, and I have not had much correspondence with him myself.

23612. Is his correspondence with your Deputy Inspector-General with regard to the movements of inter-provincial criminals?—Yes.

23613. Do you see that correspondence?—I do not see all of it.

23614. But you could if you wanted to?—Yes.

23615. Is there anything in that correspondence that is liable to undermine your authority in the province?—I think there have been perhaps two cases, one in which he asked why a certain course of action had not been taken in a matter which was entirely for the provincial Government to deal with.

23616. We have been told that the instructions of the Director of Criminal Intelligence are not really orders—do you agree with that?—That is so.

23617. He does not issue orders direct as to a subordinate?—No.

23618. When he comes here, do you find his visits of use, or do you find that he is too inquisitive?—Not in the least.

23619. On the whole, is he of assistance to you?—Yes, I think so; he certainly has not interfered.

23620. If you had the power, would you have a Director of Criminal Intelligence, or would you do without one?—I do not think from the point of view of those below he is of much use.

23621. Do you mean that from the point of view of the provincial Government, it does not matter whether he is there or not?—Yes. As adviser to the Government of India, probably he is very useful; but from a provincial point of view, I do not see that he benefits us very much.

23622. Do you consult him on points of discipline or organisation, or would you consult him if in doubt?—I have not done so.

23623. Have you completed your police reorganisation scheme?—We have not finished it.

23624. Have you had any interference in regard to that?—Very little.

23625. With regard to reports of occurrences which are of a *quasi*-political character, there are questions sometimes asked in Parliament?—Yes.

23626. Is it not desirable that the Government of India should know about those things at the outset here?—If they have to answer them, of course it is desirable.

23627. Are there not also frequent rumours in the native press?—Yes.

23628. Is it not an advantage that the Government should have your side of the case as well as what may be a distorted version from some one else?—I am not aware that it is any advantage, and I think the dangers outweigh the advantages very largely.

23629. Have you never been called upon by your own Government to make report upon press extracts?—No, that would be left to the District Officer.

23630. You would abolish the Board of Revenue?—I think both the Board and the Commissioners are not required, and I do not know that it would not be better to abolish the Commissioners and maintain the Board.

23631. You do not care which goes?—No, I do not think we want both.

23632. Assuming you abolished the Board, would you give the same powers as the Board now possess to the Commissioners?—Either to the Commissioner, or Government should absorb the powers.

23633. Taking your first alternative of abolishing the Board, do you contemplate any material strengthening of the Commissioners?—Some of the duties now performed by the Board would have to be done by the Commissioners.

23634. Would you make over the rest to the Government?—I would.

23635. If you abolish the Commissioners, would you propose to strengthen the position of the Collectors?—I do not think it is necessary to strengthen a Collector's position by giving him more power, but he ought to have a freer hand.

23636. A Commissioner discharges certain functions at present; for instance, he deals with local budgets and so on, and he deals finally with a certain amount of revenue work. If he disappears, who is to do the work—the Government or the Collector?—I cannot say to what extent it should be left with the Collector or to what extent it should go to the Government; I have never thought out the details of any scheme.

23637. Do you regard the Commissioner as a person who ought merely to be a peripatetic gentleman giving advice?—Yes, and who inspects.

23638. But with no definite administrative powers of his own?—I do not mind the definite administrative powers, but there is constant interference outside his legal powers with the District Officer.

23639. But if you do not give him definite administrative powers it is bound to happen that he will either do nothing or he will become fussy and meddlesome. Might it not be better to make him a sort of Sub-Governor, and give him definite powers of administration?—You cannot stop the power of interference; if he wishes to interfere he can interfere simply by the authority he has over the Collector. If he says, "You must refer to me before taking certain action," you cannot prevent him.

23640. But if you give him some important work to do, he is less likely to interfere with the Collector in petty matters than if he has not important work?—Probably.

23641. Would you be in favour of giving the Commissioner, say, some larger position—giving him a budget, for instance, to dispose of in Public Works grants, and giving him various powers and work to perform?—I should not be in favour of that.

23642. The Sub-Divisional Officers in Eastern Bengal are confined to magisterial work as a rule?—Yes.

23643. And even there they do not take appeals in second and third class cases?—No.

23644. Everything else, including the work of the headquarters sub-division, is put on the District Magistrate with the help of Deputy Collectors all concentrated at headquarters and dealing with subjects for the whole district; do you regard that as a satisfactory system of administration?—No, I do not think it is.

23645. Does it give the junior Civilian the training which will qualify him to act as a Collector when he becomes one?—Of course in a sub-division he get good training.

23646. He will have done magisterial work, but will he have done any revenue work?—No.

23647. Therefore he would become a Collector without having done any revenue work; do you approve of that?—No; in Bengal there is very little revenue work; there is a certain amount, but of the Collector's work in Bengal so much must be done at headquarters.

23648. But what about stamps and income-tax; would it not help the people if they had their own local man who could deal with those matters?—But neither stamps nor income-tax involve very much travelling to headquarters.

23649. You think the existing state of things is good then, except that it does not give a good training to Civilians?—I think a Sub-Divisional Officer at headquarters would be a good thing.

23650. But he would still be a mere Magistrate, and there would still be the group of Deputy Collectors doing the subject's work?—Yes.

23651. Your Local Boards in Eastern Bengal do very little; do you think they might do more, or would you prefer to abolish them?—I think on the whole I would rather abolish them; I do not think you can get good men both on the Local Board and on the District Board.

23652. Then is your general idea centralisation within the district?—Yes.

23653. You want to elevate the position of the Collector and to protect him from the interference of Commissioners and so forth, but you do not want him to delegate any powers to Sub-Divisional Officers?—Yes, I think so.

23654. You have a good deal of registration work in your Eastern Bengal districts, and you have Special Sub-Registrars while the Collector is the District Registrar?—Yes.

23655. Is there not work enough to have a full-time Registrar?—The Sub-Registrar is practically a full-time Registrar, and he does almost all the Registration work.

23656. Do you see no reason to alter the present position?—No, I do not see any very great reason for doing so.

23657. What has the Collector to do with the treasury exactly; is not the ordinary every-day work done by the Treasury Officer?—Yes. The Collector practically only has to count the balance every month.

23658. If he is at headquarters—or has he to come into headquarters?—He cannot leave it undone for two months.

23659. Are there large balances in some of the treasuries?—Yes.

23660. There are currency chests in some of them, with two keys, of which the Collector has one?—Yes.

23661. The chief burden on the Collector is having to come in from tour to examine the treasury?—Yes.

23662. Apart from that, would you relieve him of treasury work and put it directly under the Accountant-General as some people have suggested?—It would be a good thing.

23663. I suppose the Accountant-General might then reasonably claim to nominate the Treasury Officer?—Yes.

23664. Would you gain anything special by that?—I think you would gain in efficiency: the accounts would be much better done, and I do not see what you would lose by it.

23665. Some people assert that Audit Officers are rigid and make objections to bills; might you not find your bills would be less easily passed?—I do not think it would make any material difference, because after all the Deputy Collector is bound by the rules, and he applies the rules, and very seldom goes outside them.

23666. Having regard to the way in which men have to leave by reason of ill-health and private affairs and otherwise, would it not be sufficient to aim at keeping a man three years in a district as a minimum?—That would be too short a time.

23667. As a matter of fact, does the ordinary District Officer stay anything like three years in a district now?—No, he does not.

23668. So that if you could get him to stay for three years it would be a considerable improvement?—Yes.

23669. You spoke of letting a man go upon leave and sending him back again to his district, but would not the simpler plan be to make him serve out his time in a district before he took leave?—Yes, unless the medical certificate comes in. I do not think three years really would be long enough.

23670. Police appeals used to go by two channels, one to the Deputy Inspector-General and the other to the District Magistrate and the Commissioner?—Yes.

23671. Now does everything go departmentally?—Yes.

23672. Have you had any complaints from District Magistrates as to their influence being sapped by that alteration?—I have not yet; it has only been working for a comparatively short time. I think not more than a year.

23673. Is it still open to a District Magistrate to represent that a particular sub-inspector ought to be transferred, for instance?—Yes, he has that right.

23674. Who posts sub-inspectors?—The Superintendent of Police.

23675. Supposing a District Magistrate wants a sub-inspector removed from a district, who does the posting to another?—The Deputy Inspector-General.

23676. Is there an instruction to your Deputy Inspector-General to take cognizance of anything a Magistrate may have to say about the posting of all Police Officers?—There is no order to that effect. I do not know what happens in practice, but I should imagine that the Superintendent writes to the Deputy Inspector-General.

23677. But the view of the Superintendent might differ from the view of the Magistrate?—They would not be likely to differ.

23678. Supposing they did?—There is nothing to meet that.

23679. And a Magistrate has no redress, but has to put up with an officer who might be a possible source of danger?—No, he could write to me, or he could write direct.

23680. Have you ever had letters of that sort?—I have had a considerable number of letters objecting to men being taken away from a district.

23681. But not the converse?—No.

23682. In Bengal proper a system has been initiated by which the police have been very much dissociated from their connection with the chaukidari panchayats, but that has not been followed in Eastern Bengal except in two or three districts?—Particularly in Dacca.

23683. Have you followed the working of the system so far as it has been tried here?—To some extent.

23684. From a police point of view, have you any reason to regard it with dissatisfaction?—I complain rather that the chaukidars do not give the police the information which they used to, and the police cannot get the information they used to, practically owing to the fact that the chaukidars have no longer to attend parades at the police-station.

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23685. Is that a serious evil?—Yes, I think it is.

23686. On the other hand, it was alleged that the police really ruled the country before, and that there was no chance for the development of these panchayats until they were emancipated from the control of the thana?—That is true. What I mean is that we cannot afford to dissociate the chaukidar from the police, because he is an important source of information.

23687. Is he appointed by the police?—I think the police ought to have a say in the appointment certainly.

23688. (*Mr. Dutt.*) Has not the Board of Revenue certain statutory powers?—Yes.

23689. If you abolish it, to whom would you delegate those powers?—I should say that the majority of them would go to Government.

23690. And some probably to the Divisional Commissioner?—Yes.

23691. It has been stated that in certain matters of appeal the people have more confidence in the decision of the Board, as a Board, than in the decision of a single Commissioner. Would you be of the same opinion?—I should not have thought so.

23692. We were told in Dacca that in many matters in which zamindars carry their appeals to the Board, they would have more confidence in the decision of the Board sitting as a Board, than in the decision of a single Commissioner?—That is possible, but I have not studied the matter.

23693. Do you propose to curtail the present rights of appeal?—No.

23694. Are those rights a necessary protection against injustice which might be due to unconscious prejudice?—Yes; a man in a district may get a wrong impression of his subordinate, and might be apt to be influenced by bias.

23695. Do you say that none of the powers now exercised by the District Officer could with advantage be delegated to the Sub-Divisional Officer?—I certainly think some of the powers might be delegated.

23696. Might the revenue work done at headquarters be delegated to sub-divisions?—In Bengal the revenue work is so little, apart from excise and income-tax, and so on, that I do not quite see what powers could be delegated: there might be some small things here and there.

23697. Would you delegate income-tax and excise to the Sub-Divisional Officer within his own area?—Perhaps income-tax powers might be delegated; as to excise I should say it had better be worked from headquarters.

23698. If you delegate those powers to the Sub-Divisional Officer, ought he to be strengthened by the appointment of officers under him?—Certainly; in some of the sub-divisions in Bengal the work they have already is too heavy for them.

23699. If you gave him assistance by the appointment of some officers, would you appoint them all to the sub-divisional headquarters, or would you place them in charge of smaller circles within the sub-division?—I should be inclined to keep them at sub-divisional headquarters.

23700. Is the Sub-Divisional Officer now in sufficiently close touch with the village panchayats and the villagers generally?—There is no reason why he should not be.

23701. You have been in the district of Mymensingh where the sub-divisions are very large. Is the Sub-Divisional Officer there as closely informed as to what is going on in distant villages as he ought to be?—No. He spends the whole of his time in one place.

23702. By creating smaller circles and placing men in the position of Junior Deputy Magistrates in charge of them, could he be brought into more intimate touch with the people?—The same result would be attained if he had the assistance at headquarters to enable him to tour about, my point being that, generally speaking, the sub-division is not too large a unit for one man to know thoroughly; I got to know my sub-division quite thoroughly.

23703. You propose that in Eastern Bengal the districts should not exceed 2,000 square miles?—If they are larger than that, they become more than a man can get to know within a reasonable time.

23704. If you made that the limit, would it not be necessary to largely increase the number of districts?—I have not worked it out, but I suppose it would be.

23705. Taking Mymensingh, for instance, you would have to divide it into three districts?—Yes.

23706. That would largely add to the expenditure?—Yes.

23707. Would it not be cheaper in the long run to keep the districts as they are except one or two very heavy ones, and add to the number of officers in those districts?—It would certainly be cheaper.

23708. With regard to the recommendation to give greater powers in reference to the disposal of petty criminal and civil cases to village panchayats, is it your idea that their position should be fixed by some Act of the Legislature?—I have not thought out a scheme, but legislation would probably be necessary.

23709. Would you take the existing chaukidari unions as village communities?—Any community in Eastern Bengal would be an artificial community, and the chaukidari unions might form a basis. It would be experimental, but we have them already, and to work on experimental lines with them might be as good as trying to start something entirely in the air.

23710. If you take that as your basis, when you had given them civil and criminal powers and other things to do, would you still entrust to them the duty of realising the chaukidari tax?—Of course that duty is a very unpopular one, and I daresay, as long as they have that duty, you will not get as good men as if you took the duty away from them.

23711. So that, in order to ensure the success of your new scheme, would you take that duty away from them?—Yes, I think so.

23712. And make them entirely independent of the police altogether, and directly subordinate to the Sub-Divisional Officer?—Yes.

23713. (*Sir Steyning Edgerley.*) With regard to the matters which you have to report to the Government of India, do you ever find yourself committed to double reporting?—Yes, only recently a case occurred.

23714. The District Magistrate reports to the Home Department and also reports to the Director of Criminal Intelligence?—The Director of Criminal Intelligence asks for information from the District Superintendent of Police and at the same time the District Magistrate is reporting to the Commissioner.

23715. With regard to the instances you mentioned in which you thought the Director of Criminal Intelligence was a little inclined to interfere, is your criticism that instead of asking why you had not done something, he might have suggested the possibility of your doing it and left you to act or not, and that he ought not to have called for an explanation?—I do not think he did call for an explanation. I do not remember the exact circumstances, but I know we thought it was a matter entirely for the Local Government.

23716. You do not suggest that as regards the Bureau of Information as to crime and criminals outside the province the Director of Criminal Intelligence is of no use?—No; some central office is necessary.

23717. As long as he does not interfere with you?—Quite so.

23718. How far have you got with your police reorganisation; is the *cadre* settled?—Yes, the whole *cadre* is settled, but it is not quite worked up to.

23719. Have you attempted yet to make all your new police-stations?—No, we have not done that.

23720. So that you have practically no idea at present whether your *cadres* will suffice or not?—I am pretty sure it will not suffice, if we increase the police-stations.

23721. Is practically all you have done then to turn your existing force into a force with a new nomenclature?—Practically; we have increased their number and raised their pay; we have not done much beyond that.

23722. Have you increased the number of constables and head-constables?—We have increased the number of head-constables, but we have not added many constables.

23723. What is the increase in the head-constables?—What we have done is to promote what we used to call writer-constables to head-constables.

23724. That simply means that you have translated an establishment you had before into the terms of the Police Commission; you have not yet gone in for any increase of establishment except in the higher grades?—That is so.

23725. So that you have had no correspondence at present as to your police-stations and the men necessary to man them?—No.

23726. We were told at Dacca that you have an order by which the Superintendent of Police has to come into headquarters at the beginning of every month; is that so?—Yes, I think it is an order in the Bengal Code; I do not know what the authority is outside that.

23727. In the new province, who could modify it?—I could modify it with the sanction of Government.

23728. Does it interfere with the district work much?—I should not think it did very much. It does occasionally.

23729. Is it so essential that they should come in, that the order is worth keeping up?—No, I should not say so.

23730. We were told in Dacca that the cost of touring had considerably risen; is that true?—It has risen lately, but I should not have thought very largely; boats are more expensive than they were.

23731. Is there any difference in that respect between the Assam and the Eastern Bengal districts?—In Assam I should not think there had been any change, but in Eastern Bengal there might have been a slight increase.

23732. Has the increase been such that an officer can no longer travel on his allowance?—No, I should not say so.

23733. Have you any system of guards?—Yes, there are some frontier outposts held by the Military Police, and guards for treasuries, etc., from the Civil Police.

23734. How do you relieve them?—At headquarters, the guards are relieved from the reserve, and they are supposed to be relieved weekly. In sub-divisions, they are supposed to be relieved every three months from headquarters.

23735. How does a guard manage to stay on duty for three months at a time; is it double strength?—No, but it does remain on duty.

23736. Are the men able to be away from their duties at all?—No, they are supposed to be on guard during the three months.

23737. I mean during the twenty-four hours?—Yes; of course they are not on guard individually for twenty-four hours; there are five men for each guard, one head-constable and four constables.

23738. How long is their turn of duty?—Six hours with four men.

23739. What is the head-constable's duty?—He is supposed to be present every time the guard is relieved, but I do not know that he is.

23740. Then the system is not really very strict?—No, I take it, it is not very strict.

23741. Are they guards of treasure, or what?—There are magazine guards and treasury guards in Eastern Bengal and Assam, and in Assam there are also jail guards.

23742. Does the jail guard stay on for three months?—I think so, except at headquarters, and then they are supposed to be relieved weekly.

23743. How do you arrange for the convoy of prisoners?—From the reserve.

23744. Do they have to come in from sub-divisional headquarters?—Men are requisitioned from headquarters.

23745. Do you ever use chaukidars for that duty?—No.

23746. (*Mr. Hichens.*) We have been told that the police in Assam do not exercise quite such an evil influence over the villagers as they do in Eastern Bengal—could you say whether that is so or not?—I should not have thought there was any difference.

23747. It has been stated that the villagers in Eastern Bengal are somewhat terrorised by the police, and that it is not quite the same in Assam; would you say there is anything in that?—I should say it is rather the opposite; I think the police could do things in Assam which they would never dare to do in Bengal.

23748. We were told in Dacca that if an appointment fell vacant the senior sub-inspector on the list always got it regardless of local conditions; what do you say as to that?—Probably promotion does go too much by seniority.

23749. Is it within your power to alter that?—At present promotions are made chiefly by the Deputy Inspector-General of Police, who is in charge of a range in which there are a very large number of sub-inspectors, and he has not the knowledge of the man; he is in charge of too many men.

23750. Is it a regulation of the provincial Government?—No, it is not; it is simply the way the thing is worked, and the Police Commission recommended that the promotions should rest with the Superintendent; we are trying to carry that out, but there are difficulties in the way, and I do not know whether it will work or not.

23751. Then will more attention be paid to individual merit?—Yes.

23752. And also to the avoidance of transfers as far as possible?—Yes.

23753. You recommend in regard to civil appointments that the Deputy should, as far as possible, be made to act while his senior officer was away. Would you apply that to the Police?—Yes.

23754. You are opposed to the creation of Advisory or Administrative Councils, what is your objection to them?—I do not object to the advice, but I object to the Council, because if you have a Council and they are only to have the powers of advising they will not be content with that, and you will not get good men to sit on a Council which is only an Advisory Council; as long as the Head of a district is the Head of a district, and his view has to prevail, you would not serve any useful purpose by having a Council to assist him. If you want him to consult people, and most officers do consult freely, you might lay down a rule that he should do so, but it would be a mistake to create a formal Council, because it would give them a claim to vote, which you apparently do not intend ultimately to grant them.

23755. Would the individual members of any Advisory Council be more ready to give their advice if they were constituted formally than they are to-day?—No, I do not think they would; you would very often get less of a real expression of their wishes than you would if you consulted them informally either by letter or by interview.

23756. Is it your experience that they are always ready enough to give their advice if asked?—Yes.

23757. Is it not the fact, especially in Eastern Bengal, that the police are often employed on duties which are not properly police duties?—It is a good deal less so than it used to be.

23758. I understand that they are employed in the collection of vital statistics, for instance? Is that a legitimate police duty?—Of course it is not a police duty, but it is not one I should very much object to.

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23759. Are they employed in collecting the chaukidari tax?—They are not now. I will not say a Magistrate never gives an order to the police to assist, but it ought not to be done.

23760. Are they employed in executing process in cases of default in paying Government revenue?—No; in Assam they are employed in executing warrants for coolies under the Labour Law.

23761. Are they employed on any other matters which might be called extra police matters?—I cannot think of any for the moment.

(*The witness withdrew.*)

Colonel D. WILKIE, I.M.S., was called and examined.

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23762. (*Sir Frederic Lely.*) You are Inspector-General of Civil Hospitals?—Yes.

As the Indian Medical Service, the Military Assistant Surgeon Service, and the Military Hospital Assistants Service are imperial, the supervision of the Director-General, Indian Medical Service, is necessary. But it is also necessary in the case of Civil Assistant Surgeons and Civil Hospital Assistants who are purely provincial, with regard to such matters as preliminary education, medical education, pay, rules for promotion, rules for examination for promotion, certain allowances, &c., and this supervision is at present exercised by the Director-General, Indian Medical Service. In the absence of such supervision, candidates would flock to the province, offering the easiest terms, and this might result in provinces bidding against each other for men. I am quite satisfied with the supervision of the Director-General, Indian Medical Service, as it stands.

It would tend to expedite the business of my department if in certain matters appointments and postings, punishments, buildings, sanction to new dispensaries, &c., I dealt more directly with the Lieutenant-Governor. In the matter of postings of the Indian Medical Service officers, I have nothing to complain of as to the ultimate result of my recommendations. But it is an unnecessary waste of time that when I have made a recommendation, noting should be taken up by various Secretariat clerks, then by the Under-Secretary, and then by the Secretary before the case goes to His Honour. Again, in these matters of postings it is very common for some unforeseen obstacle or information to crop up unexpectedly by telegraph or otherwise. I could make the change at once, but have to wait till the regular Secretariat routine has been gone through, and this sometimes results in officers not getting their orders till the very last minute. In such matters I ought to hold the position of a Secretary to Government with direct access to the Lieutenant-Governor; or at least of an *ex-officio* Deputy Secretary, having only the departmental Secretary between me and the Head of the Administration.

Grants for necessary improvements in buildings or in equipment can sometimes not be got because the expenditure cannot be met from the current year's budget provision. At present I receive an annual allotment of Rs. 5,000 (this year Rs. 10,000) from the Public Works Department for minor works, but this money is intended for expenditure only on buildings in the charge of the Public Works Department, or which can be undertaken by the Public Works Department. The Rs. 5,000 can, of course, be expended only on construction. But there is a great need for better equipment such as aseptic surgical instruments, not only in Government institutions, but in those of the Local Boards. At present each case has to be taken up separately. It would save a great deal of correspondence and would not result in extravagance if I had placed at my disposal annually a lump provision of, say, Rs. 25,000 for a special grant to objects unforeseen and not budgeted for, and to include the Rs. 5,000 mentioned above. Knowing what is wanted and not being hampered by the delays of correspondence, I could effect great improvement with comparative rapidity.

I have no change to propose as regards appeals.

The demand for returns has not increased—rather diminished.

I find by experience that the reserve of Hospital Assistants at 20 per cent. is not sufficient.

Medical Officers have great opportunities of personal contact with the people. When they have been some time in the midst of a people, they acquire a very fair acquaintance with the vernaculars. But in this province the difficulty is that there are so many vernaculars. There are two good ways of coming more in contact with the people and of improving in the language which I have found Civil Surgeons employing—to make a point of attending at the *Sadar* dispensary and seeing all the out-patients personally on market days, and to go into the villages and hunt up the sick, and prescribe or operate there and then.

23763. You suggest that for the purposes of your department you should act as Secretary to the Lieutenant-Governor, so that you might have direct access to him and so escape the circumlocution of the Secretariat; would not that require a considerable strengthening of your office, and the hunting up of precedents and the preparing of cases for submission to the Lieutenant-Governor?—I do not think so.

23764. Are all the matters you send up so simple that they need no preparation?—They need preparation, but we have them prepared when we send them up now; all the Secretariat work is extra.

23765. You speak of having received this year an allotment for Public Works of Rs. 10,000, and that it would be much better if a lump allotment of Rs. 25,000 was made to you to distribute at your discretion. Is the grant made to you for medical purposes insufficient?—It is spread out too much; we have to take up every separate case and fight it through.

23766. This year did you get anything for equipment besides the Rs. 10,000?—No, I did not ask for anything this year.

23767. Is not a grant for equipment and instruments and such like things usually made?—No. there is a regular grant which the dispensaries get, what is called the civil store grant, for the purchase of medicines and instruments, but it is very small. Formerly all the dispensaries had to supply the equipment in a place, but Government now gives a grant to cover that.

23768. You would like a larger grant, against which you might frame a departmental budget?—Yes, it would not be very big ultimately, but it would be somewhat large to begin with, because at present the equipment is behind the times, and buildings also are required.

23769. If you wish to get any special instrument, have you to get it through the India Office Stores?—No, a large number of the dispensaries buy their own instruments.

23770. But suppose it is to be paid for out of a grant from Government?—The difficulty is that they are too poor to replace the old instruments with modern ones.

23771. Are the civil hospitals kept up by Government?—There are certain hospitals entirely kept up by Government, such as those in the hill districts, but most of the plains dispensaries are only partly kept up by Government; some of them are entirely under the Local Boards, aided by the Local Government, and that is the most usual thing.

23772. In the case of a hospital kept up by Government or in the case of instruments which have to be paid for by Government, can you get them from a private dealer, or from the agent of the patentees?—The Government dispensaries must get their instruments from the Medical Store Depôt.

23773. Does that ever lead to inconvenience or delay?—No, I have never found any.

23774. How many dispensaries are there in the province; is there one in every considerable town?—No.

23775. Is there one in every sub-division?—They are only placed where the people petition for them, and the Local Board and the people together can afford them.

23776. Does that practically mean in every centre?—No, there are lots of centres which have no dispensaries, though large towns have, of course.

23777. But in the gross there are a large number of them?—Yes.

23778. Are they in charge of Hospital Assistants?—Some are in charge of Hospital Assistants, and some are in charge of Assistant Surgeons. Many of the dispensaries are also in charge of local native doctors, who are not Government servants.

23779. With whom does their appointment rest?—The appointment of a Board doctor rests with the Local Board, but the man's diploma must be approved by me.

23780. Even if he is a native Medical Officer, have you to approve of him?—Yes, they send up his diploma to let me see whether he comes from a recognised school, and subject to that, they have a right to appoint him, and also the right of dismissal without reference to me.

23781. Do they pay him?—Yes.

23782. How is his pay regulated; is it at the discretion of the Board?—Yes, many of the Boards have recently made new regulations improving the pay of the local native doctors. Formerly a man might go on for his whole life drawing Rs. 25 a month, but I think it was the Dacca District Board which made the first change and instituted grades, so that men who did well could rise a little, up to Rs. 45, in the course of their career, and some of the other Local Boards have adopted that principle.

23783. When they make promotions, do they consult you?—They consult the Civil Surgeon.

23784. Have you any control at all over these Medical Officers?—Not over the Local Board officers. If there is a disagreement between the Local Board and the Civil Surgeon the matter is referred to me, and I pass it on to the Local Government.

23785. What is the connection of the Civil Surgeon with them?—He is supposed to supervise them; he is responsible for the dispensaries being in good order and for the men doing their work and being professionally efficient.

23786. Then the professional adviser to the District Board is a Civil Surgeon?—Yes, and up to very recent times they always accepted what he said, but there has been a little trouble lately; the District Board of Tippera have just passed a resolution that in future they are going to take all the power away from Civil Surgeons and do the work themselves.

23787. Under the Act as it stands in Eastern Bengal, are they not bound to carry on their dispensaries under rules framed by the Lieutenant-Governor?—The rules say that the Civil Surgeon is to be their adviser, but they are not bound to have him.

23788. Do you consider that Hospital Assistants as a class are reliable?—Hospital Assistants are Government servants, but they vary very much; there are some very good men amongst them, but there are also a number who are not very good.

23789. Is the average man fit to be entrusted with the performance of a *post-mortem* operation?—No, and he is not entrusted.

23790. What is done in the case of a suspected death?—It is always sent either to the *sadar* headquarters or to the sub-divisional headquarters.

23791. What class of men would be found there?—Either an Assistant Surgeon or an Assistant who would be qualified to conduct *post-mortems*.

23792. (*Mr. Dutt.*) Are a certain number of men in the Indian Medical Service sent to this province?—Yes.

23793. Do you make recommendations, upon which Government acts, for posting them to different districts?—Yes.

23794. Has the Government of Eastern Bengal and Assam any power to direct any of these officers to go back to military employ supposing they did not give satisfaction here?—The rules are all laid down; the military rules are very strict as to the procedure to be adopted in sending a man back to the army. He cannot be sent back as a punishment.

23795. Supposing a man has not given satisfaction and the Local Government wants to get rid of him, is it easy or difficult to do so?—It is not at all easy, but I do not think it has ever been done: it would be an extremely rare thing. It is made difficult on purpose, because the Army does not want men who are not considered good enough for civil life.

23796. Once a man is sent to this province, has he to remain here during all his career?—No, he could possibly get exchanged to another province.

23797. How are Assistant Surgeons appointed?—They are appointed by me; all the candidates send in their names to me; I keep a register of their qualifications and ages, and they are not appointed now unless they are natives of the province. We have given up appointing natives of the old Bengal province, and they must be within a certain age laid down by the Government of India.

23798. I suppose they are generally men passed from the Calcutta Medical College?—Yes, all of them. Then I put forward their names to the Local Government and they gazette them.

23799. Do you ever consult the Principal of the Medical College in Calcutta in making your selections?—No, the candidates nearly always produce certificates from the Principal or professors with regard to their qualifications.

23800. Are vacancies notified, or have you always applications before you from which you make selection?—I have at present 50 men on my register, and when a vacancy occurs I look it over and pick out the man I think most suitable; if there are several men, and one is very near the age limit, I perhaps give him the preference.

23801. Do you usually find them fairly well qualified for their duties as doctors?—Yes.

23802. How do you appoint Civil Hospital Assistants?—First, the men who have the preference are the bonded students at medical schools and men who have scholarships, and I generally write to the Superintendent of each school and ask for a list of all the bonded and scholarship students who have just passed.

23803. What do you mean by bonded?—They sign a bond to serve Government for five years if they pass, and on that understanding the Government pays a certain amount of their expenses.

23804. Then you make your selection, and the appointments are made accordingly?—I get the Superintendent to tell me the order in which he recommends the men, partly according to the order of passing the examination, partly as to their physical and moral qualifications, and also whether they are bonded.

23805. What is the pay of these Assistant Surgeons?—The lowest pay is Rs. 100 and they go up to Rs. 300.

23806. What is the pay of Hospital Assistants?—They begin at Rs. 25 and go up to Rs. 70.

23807. Is there a Sanitary Board for this province?—There is.

23808. Are you on the Board?—No.

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23809. Who are the members of the Board; is the senior member of the Board of Revenue one of them?—I think so, but I am not quite sure who the members are.

23810. In each district is the Civil Surgeon supposed to be also the Sanitary Officer?—Yes.

23811. On sanitary questions, does he correspond direct with the Sanitary Commissioner?—Yes.

23812. There are many other departments such as Education and the Police—do you think it would be practicable that the Heads of all those Departments should be Secretaries to the Government?—I do not know; they might be Deputy Secretaries.

23813. Would that not cause inconvenience?—I do not think so. I would suggest a Deputy Secretary just as the Military Accountant-General is *ex-officio* Deputy Secretary, or used to be in the Military Department.

23814. You speak of references from you having to go to the Secretary's office, and of some clerk having to make notes, and those are matters which you desire to do away with?—I have no objection except that it wastes time.

23815. Is not the same procedure followed in your own case?—Suppose a Civil Surgeon was in communication with you, would your clerk not make a note before putting the matter before you?—Yes.

23816. Does not the same argument apply in the other case?—I do not think so.

23817. A Civil Surgeon is a man superior to your clerk; would he not be justified in objecting to any remarks of your clerk?—A clerk does not make remarks as to anything which should be done; he simply puts the facts before me with the precedents and things of that kind, and there is no hurry, but with regard to these appointments they are urgent; for instance yesterday evening I got a telegram from a Medical Officer who had already been relieved but had had no orders, and I had to wire to Shillong to find out what the orders were.

23818. But those cases are not frequent?—Very frequent in the case of men coming out from home.

23819. So that your objection is that it sometimes causes delay where delay is undesirable?—That is all; I have no objection otherwise, because they always practically accept what I propose.

23820. You do not propose to curtail the existing right of appeal. Do you think the present system works well and does not entail any unnecessarily heavy work upon officers?—It does not, so far as I have seen.

23821. Are appeals frequent in your department?—Not very; occasionally when a man is dismissed he appeals to the Lieutenant-Governor.

23822. (*Mr. Hichens.*) What does your control over the dispensaries and hospitals of the Local Boards consist of?—Hardly any at all.

23823. Is that sound?—No; I want to get more control, and I have sent up a proposition to the Government with regard to it. I propose, and some of the District Magistrates back me up, to have a Government Assistant in all the dispensaries.

23824. Men appointed by you?—Yes, men in Government Service, because at present Government has no hold over them. That is the main proposal, and also to get the financial control away from the Board to the committees of the dispensaries, and to get the Hospital Assistants as much as possible under the Medical Department; that I believe is all for efficiency.

23825. Would you continue the plan whereby the Local Board pay for the hospitals?—Yes.

23826. Does Government pay anything to-day?—Government gives a grant to each Local Board, and the Accountant-General said it could be done by Government diminishing the grant to the Local Board if it gave them Hospital Assistants

23827. Is it your opinion that the Local Boards do not manage their hospitals very well?—Yes, and they are beginning to break loose from us.

23828. Have you any inspectors who visit and inspect their hospitals?—The Civil Surgeons inspect all the hospitals.

23829. Is the Civil Surgeon a member of the Local Board?—He is generally.

23830. Then he has an opportunity of making his voice heard?—Yes.

23831. So that he has every opportunity of using moral suasion, but you think that is not enough?—It is not; it depends upon how many members there are upon the Board, and what the following is; he generally has the opinion of the District Magistrate at his back, but there was a case the other day in which they out-voted the Civil Surgeon and the Magistrate with regard to an appointment. The Civil Surgeon considered a man to be lazy, and recommended his transfer, and the Magistrate said he was of the same opinion, but the Board said he was a good man and had better stay.

23832. Does the same thing apply to municipalities?—Yes, but each municipality has only one dispensary, so that they cannot do anything in the way of transfer or anything of the kind, and they are more under the Civil Surgeon, because a municipality is generally the headquarters of the Civil Surgeon.

23833. Therefore, as far as municipalities go, you have no objection to the existing state of affairs?—I do not think so. What the Civil Surgeons object to is that the Boards transfer men without referring to them, and the first thing the Civil Surgeon knows about it is that he gets a request to appoint a successor.

23834. What does it matter to him if a man is transferred?—It stops the work of the dispensary for which he is supposed to be responsible.

23835. It would be stopped more or less otherwise when a man is transferred from one place to another?—But provision would be made for his place being filled up.

23836. (*Mr. Meyer.*) When you suggest that you should be a Deputy Secretary in regard to certain matters relating to administration, do you include matters of medical policy, such as plague, for instance?—Plague comes under the Sanitary Commissioner.

23837. Supposing you had a project for a considerable increase of expenditure on hospitals, what would you propose?—That must go to the Financial Department.

23838. You recognise that a Medical Officer is an expert, and like all experts he is enthusiastic, and that his enthusiasm might require to be checked by somebody else?—Yes.

23839. You speak of the necessity for uniform pay as regards Hospital Assistants and Assistant Surgeons as being desirable in order to prevent undue competition by the provinces; is there not also another reason, namely, the fact that they are liable to war service?—That is only as to military men; they are already under the Government of India and they have nothing to do with the provinces.

23840. Would there be real competition between this province and Bengal if you had different rates of pay?—There might be. In Burma they have a very great idea of the amount of pay they ought to offer, and you cannot get men to go there.

23841. Then is it your idea that Burma might offer more liberal pay and encroach upon the preserves of Bengal and Madras?—Yes.

23842. You do give extra pay in the form of local allowances?—Yes, but they do not carry pensions.

23843. Speaking generally are you satisfied with the pay and the conditions, or do you think you are too much tied up?—Petitions have been sent in for increased pay, which have been more or less backed up by the Local Governments all over India.

and at present the matter is under the consideration of the Government of India.

23844. So that, therefore, if there is any movement with regard to an increase of pay, it is a general movement throughout India?—Yes.

23845. As regards this province, have you found yourself hampered unduly by these scales of pay?—No.

23846. You speak of a reserve of Civil Surgeons of 20 per cent.; does the Government of India prescribe that?—Yes.

23847. And also for Assistant Surgeons?—Yes.

23848. You have various grades of these officers. Does the Government of India prescribe the proportions that are to be in each grade?—No, except in the case of the senior grade, which must not exceed 10 per cent. of the total strength.

23849. Is it necessary for the Government of India to fix a uniform reserve in each province?—No; I think the Local Government could do it.

23850. Is there any general rule of the sort, or is it a code rule?—I think it is a rule, because I believe the Government of India asked the Local Governments some time ago whether they did not think the reserve should be raised to 25 per cent.

23851. Do you get any portion of the Indian Medical Service reserve?—We do not have any men who are not doing anything; we have no men on supernumerary duties.

23852. Are you in favour of any system by which the reserve should be divided amongst the provinces?—No; I am satisfied, because the Director-General gives men to the various provinces and is in communication with the various authorities from whom he has to get the men to give to the provinces.

23853. Has the Director-General of the Indian Medical Service been here in your time?—No.

23854. Do you have much correspondence with him?—Very little.

23855. As a rule, have your letters to pass through the Local Government, or are you allowed to correspond with him direct?—In certain matters; but when acting as the mouthpiece of the Home Department it has to pass through the Government Secretariat, though in certain professional matters he corresponds with me.

23856. There was a case in Madras where the Local Surgeon-General wrote to the Director-General of the Indian Medical Service direct with regard to some officer who was to be posted, and the Madras Government said it was a breach of etiquette, and that he ought to have written through them; the Government of India said so too, but we were told by the Surgeon-General that he saved much time by corresponding direct; have you known of any similar case?—No; the posting is always done through the Local Government, and I do not see any objection to it.

23857. The Government of India selects the Inspector-General of Civil Hospitals in this province?—Yes.

23858. Does it also select the Sanitary Commissioner?—Yes.

23859. Is that necessary?—Now that the Government of India has a Sanitary Commissioner of its own and a large Sanitary Department it is better that they should select.

23860. Would you say the same with regard to your own branch of the profession, the general medical administration?—Yes; those things are better left with the Government of India.

23861. On the other hand, might you not have the risk of the Local Government getting an officer who was personally distasteful to it?—The Local Government could usually manage to avoid that by correspondence.

23862. Then with regard to these administrative appointments, although the Government of India make them, are the wishes of the Local Government to a certain extent considered?—Do you mean to suggest that they should be made from the *cadre* of the province?

23863. That is a possible solution—that the Lieutenant-Governor should select, and if he had not a fit man within the province he should ask the Government of India to send one?—I do not think that would work; in a large Service like ours, you have to take the men who come up to the top.

23864. As regards sending Medical Officers back to military employ, can you do that within five years of their joining civil employ if they are deemed inefficient for civil work?—I do not know of any rule to the contrary; I think you can send them at any time.

23865. But in some other departments in which army officers are employed, the rule is that an officer keeps a lien on his regimental appointment for five years. Within that time the civil power concerned may send him back, but after five years the military authorities say, "You should have sent him back before if you did not want him, and now you must keep him, because he is too rusty for us"?—I think the rule is three years.

23866. Within that time could you send anybody back, if in your judgment he was not fit for civil employ?—You would have to put it very diplomatically, because the military authorities do not like taking back men who are not fit; they say if they are not fit for civil work, they are not fit for military work.

23867. You mean if a man is not fit for civil medical employ he is not fit for the Army either?—Yes. It is the same thing with both Commissioned Officers and Assistant Surgeons; the procedure of sending a man back is very difficult.

23868. Still, technically you could do it within a certain limit of time?—I do not think there is any limit of time.

23869. With regard to District Boards, has not each District Board to deal with a number of matters,—roads where it comes into contact with Public Works, sanitation, and medical relief where it comes into contact with you and the Sanitary Commissioner, and education where it comes into contact with the Director of Public Instruction; does every Head of a Department think his department could deal with his particular branch of the business better than the District Board?—Naturally.

23870. Therefore, if you applied that argument all round, there would be no District Boards at all?—Yes; there would, because the Executive Engineer of the district possibly has nothing to do with the District Board Engineers, whereas the Civil Surgeon has to do with the medical work.

23871. Does any public body like simply to put forward things and not control them?—The great difficulty is that a Board cannot be expected to give up all authority if they pay, but at the same time with regard to medical work, if it is to be efficient, it should be supervised.

23872. You might think one way of acquiring efficiency would be better, but might not someone else prefer another way?—I do not see how men on a Local Board with absolutely no medical knowledge can superintend a dispensary efficiently.

23873. In England are there not governing bodies of hospitals who have no medical knowledge?—But they do not govern the medical work; they govern the finances only.

23874. Do they not deal with the general administration of hospitals?—No, it is the Medical Superintendent who does the general work of a hospital.

23875. Does not the fact that the Boards are asserting themselves show that they take an interest in these matters? Their action is not out of pure cussedness?—I think it is, and that it is connected with the present state of feeling.

23876. Then your remedy would be to give more power to the Dispensary Committees?—Yes.

23877. That is a Local Committee which contains a member or two of the District Board and the Local Medical Officer?—Very often.

23878. With some outsiders whom the District Board can name?—Yes.

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23879. That Committee is subject to the District Board?—Yes.

23880. You cannot stop that, can you?—It is not altogether subject to the Board in the whole province; it is not so much subject to it in Assam as it is in Eastern Bengal.

23881. Would you prefer to have no Dispensary Committee at all, and to run the whole thing?—No. I would not give up the Dispensary Committee.

23882. You would keep it but make it more independent of the District Board?—Yes. financially, and the District Magistrate and the Civil Surgeon should have more power on the committee—I am speaking altogether from the view of medical efficiency; policy is another thing altogether.

23883. Although these institutions may not have been as efficient as you would like, can you say that they are inefficient, or that they have deteriorated of late years?—No; because the Civil Surgeons are constantly supervising them, and they have had no opportunity of deteriorating.

23884. Still if things were as you wish, they would go on progressing?—I am quite satisfied with the present state of things if the Board will allow the Civil Surgeons to exercise their proper powers, but if the Boards are going to take away all power from them, then they cannot have efficiency. How are non-medical members of the Board to know what medicines to order and what quantities to get, and so on.

23885. (*Sir Steyning Edgerley.*) What are Uncovenanted Medical Officers and how are they recruited?—They were put in direct by Lieutenant-Governors; I believe the idea was to have a certain number of Uncovenanted men in every province.

23886. Are they coming to an end?—Yes, they are to be replaced by Military Assistant Surgeons in order to increase the war reserve.

23887. When you have to get new men, have you any voice at all as to who is sent you?—No; the Director-General selects the men.

23888. Do the Military people know pretty well what the men sent to you are like?—Yes.

23889. Is there any safeguard against their keeping the very good men themselves and sending you the others?—The good men will not stay with them; the most competent men always come to the civil side.

23890. Is the Civil Surgeon responsible for the sanitary work of the district?—Yes.

23891. Does that interfere with his medical duties much?—I do not think so.

23892. Is there very little sanitary work in districts?—Yes; he has to look after the water-supply and things of that kind, and sanitation includes vaccination, the distribution of quinine, and vital statistics.

23893. Are you acquainted with the orders as to medical fees for attendance on individuals of high position?—Yes.

23894. Have you had any cases in regard to that in this province?—We have only had one so far.

23895. Was that within the rules?—It has been sent up; I do not know.

23896. Was it *primâ facie* within the rules?—There are no rules as to amount, but the case was sent up because the charges exceeded the amount laid down in the circular.

23897. Was that long ago?—No, a very short time ago; the decision has not come yet.

23898. Is that the kind of thing which it is necessary to send up to be settled?—It is a thing which would be better settled by the Director-General in consultation with the Government of India. It is rather a delicate matter to deal with.

23899. Are Medical Officers in the habit of charging too heavy fees?—No.

23900. Then why need those cases go up?—I understood you to ask how the thing was to be settled, and I said I thought it would be better to be settled by the Director-General himself rather than in a public way.

23901. Why is it necessary that it should go up rather than that it should be settled on the spot here?—I should think it would be better to have it settled by the Director-General; I know he is thinking a great deal on the point.

23902. Up to 1888 there was no sort of rule at all?—I believe not.

(*The witness withdrew.*)

Adjourned.

THIRTY-THIRD DAY.

GAUHATI, *Thursday*, 16*th January*, 1908.

PRESENT:

Sir FREDERIC LELY, K.C.I.E., C.S.I., *Presiding.*
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

BABU KAMINI KUMAR CHANDA was called and examined.

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23903. (*Sir Frederic Lely.*) You are Vice-Chairman of the Silchar municipality?—Yes, since 14 years. I was also a member for 12 years of the Silchar Local Board. I resigned last year, because I could not give so much time to the work.

The Local Government should have power to spend money on works of a provincial character, without having to obtain the previous sanction of the India Government so long as it does not exceed its budget limits, such budget having been passed by the Council.

Under the present system of division between imperial and provincial revenues the Government of India unfairly participates in all the increase.

The Local Government should have power to borrow, but such loans should be repayable within a definite time, and the Local Government should not go on adding to its debts by indefinitely borrowing.

If there is a definite scheme sanctioned by the Council, the Local Government should have power of making new appointments as well as granting enhancements.

The right of appeal should not be curtailed. To require a certificate of the admissibility of an appeal from the authority whose order is appealed against may result now and then in the right of appeal being denied.

I do not think that any more extended powers should be given to the Board of Revenue, Collectors and Deputy Commissioners, or Sub-Divisional Officers.

There is no need to have both the Board of Revenue and the Commissioner. One of them can be safely abolished, preferably the Commissioner, whose functions in the public estimation do not seem very necessary. In the Surma Valley and Hill Districts Division there was no Commissioner before the partition of Bengal, and the public do not seem to have felt the want at all.

Executive Officers have sufficient opportunities for personal contact with the people, if they are pleased to avail themselves of them. But on the one hand there does not seem to be any anxiety on the part of the Magistrate to utilise the opportunities given him by his tours to mix with the people, and, on the other hand, the police atmosphere, so to speak, in which he lives constantly while on tour, is not at all likely to attract people to his presence, unless summoned by pressing business. The persons who usually try to ingratiate themselves with the Magistrates are those who happen to be in the good books of the police; and an impression very largely prevails now that it is only people who are against *swadeshi*, who can be admitted to the presence of the Magistrate. At headquarters too, it is on business of official matters that an Indian, specially if he is a non-official, thinks of visiting the Magistrate. Very often the Magistrate actually repels all self-respecting persons by his stiff, if not discourteous, treatment towards Indians. I have known instances where gentlemen of position in their society, who came only to pay respects to the Magistrate, were kept waiting in the compound for an unconscionably long time. If one can avoid it, generally speaking, one does not come to see the Magistrate, and for the matter of that, any other high official. Thus it is obvious the District Officer can have no personal knowledge of the men under his charge; his opinion about them is formed on reports submitted by the police and other officers which are not always reliable. Military Officers — both as such and those in civil employ—are, as a rule, more popular than Civilians, and the Civilians whom I have known to be popular have all selected the judicial line. Another obstacle to the free intercourse between Magistrates and the people is the existence of non-official European society, which naturally is more attractive than the society of Indians. There are innumerable difficulties in the way of more free intercourse between the people and the English officials. But it almost seems that the difficulties are exaggerated, and it is the acceptance as a matter of course of the creed, that the European is, and must always be considered, superior to the Indian—socially and otherwise. He takes offence if an Indian travels in the same compartment in railway and on board steamers. The first thing to be done would be to impress upon the young European officer coming out to India that he must not think, and act upon the supposition, that the Indian, whoever he may be, is always an inferior being. It is also necessary to separate the police from the magistracy, and in order to relieve the District Magistrate of his multifarious work he ought to be divested of his work on the municipal and Local and District Boards. At the headquarters of the district there may also be a Sub-Divisional Officer. Clubs might also be formed where Indians and Europeans might meet on a footing of social equality. I have known instances where a popular official has been restrained from indulging in social intercourse with Indians by other Europeans. Lastly the European official should have it impressed upon him that it is one of his first duties to cultivate closer personal relations with the people of this country. Wilful neglect ought to be visited with the severe displeasure of Government, and the officer should be transferred if he is shown to be neglecting his opportunities for this.

I would not fix any definite period, but an officer should be transferred if he is found to be unpopular. A minimum, say, three years, may be fixed during which he should not ordinarily be transferred.

More powers should be given to municipalities and District Boards—specially about the budget.

Advisory or Administrative Councils may be created, but it is absolutely necessary that these bodies should have a fair proportion of elected members.

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The development of village communities may be tried in selected areas, but in that case these bodies should be freed of police control as otherwise it would be harmful.

23904. You think there is no need to have both a Board of Revenue and the Commissioner?—That is my opinion.

23905. In the division to which you belong there was neither Board of Revenue nor Commissioner before the partition—only the Chief Commissioner?—Yes.

23906. Were parties allowed to appear before the Chief Commissioner?—Latterly, yes, but not at first.

23907. Do you consider that a Board of Revenue is preferable to a Commissioner?—I think the Commissioner is not very much wanted, because we find that he has no work to do; he directs and confirms.

23908. Formerly cases went from the Deputy Commissioner to the Chief Commissioner; what is the practice now?—They come from the Deputy Commissioner to the Commissioner, and from him to the Board, then to the Lieutenant-Governor.

23909. Is that not a very roundabout way, entailing much circumlocution?—Yes.

23910. Consequently it takes more time to get through the work?—Yes, and not only that, but petty matters can be dealt with much better by a local authority.

23911. Is there an impression that cases get more consideration now than formerly?—I do not think so.

23912. Is there any advantage on the other side to compensate for the greater time occupied?—No, I do not think so.

23913. What is your ground for saying that there is an impression that only people who are anti-*swadeshi* can be admitted to the presence of the Magistrate?—That is what I have been told by people living in the *mufassal*. They have given instances of people who are supposed to be in favour of *swadeshi* being denied to the presence of the Magistrate on tour.

23914. What ground have your informants for believing that that is the reason for their not being admitted?—The police tell them so.

23915. Is it not a fact that Government has repeatedly declared that it is not against *swadeshi*, but is in favour of it?—I know that, but as a matter of fact the orders are communicated by the police, and the police in communicating them give their own impression.

23916. Is it your impression that the police deliberately pervert the words of Government in communicating with the people?—Yes.

23917. You also say that gentlemen of position have been kept waiting in the compound for an unconscionably long period; have you known of such instances?—Yes.

23918. Would you be prepared to mention them?—Yes.

23919. And you say that if they can avoid it, generally speaking, people do not go to see the Magistrate or any other official?—Yes.

23920. Do you mean that no Magistrates or high officials are courteous and kind to the people?—I do not say that, but they are not very courteous when one goes to see them.

23921. Do you include in your statement officials who do treat callers well?—No, but the impression is so strong that the people do not care to come as a rule if they can avoid it—even in cases where Magistrates are courteous.

23922. Why do they not come?—Because the general impression is that the officials will not be

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courteous, and they know individual cases of discourteous treatment.

23923. Do you mean to say that the general feeling is that, whoever the Magistrate is, if he is a European, he is not courteous?—That is the general impression.

23924. Is it so general that even those who are courteous are barred?—Yes, at first they are avoided. I personally have explained to my friends in some cases that they would receive very good treatment if they come to see some particular Deputy Commissioner, but they will not believe me.

23925. What power should be given to municipalities in addition to what they have already?—I think a municipality should have an elected Chairman. When the Deputy Commissioner is the Chairman, the members may be afraid of giving their opinions freely.

23926. Is there any ground for that impression?—It is because he is the Magistrate.

23927. Is that the only reason?—It is the principal reason.

23928. What other power would you wish granted?—The budget is very severely dealt with by the Commissioner through whose hands it passes. In fact the budget as it sometimes passes is not the budget of the municipality, but one which is thrown upon them.

23929. Can you give any specific instance?—Not in my municipality, but I have known of other cases. It has happened with regard to the Sylhet municipality in 1895, as to the water-works. They wanted to make some tanks, but it was disallowed because the Chief Commissioner was against tanks. I forget whether he would have sanctioned anything else, but he would not sanction tanks.

23930. Would you give a municipality full power over its own budget?—Yes.

23931. Supposing they proposed to spend an exorbitant sum on establishment, for instance, in the interests of their friends and relations, would you give no one any power to interfere in the interests of the tax-payer?—General powers of supervision, of course, should be exercised, but only on urgent occasions. I do not see why it should be supposed that members drawn from different communities should have common friends and relatives, and why they would in a body betray the trust reposed in them.

23932. Who should be the judge of the necessity?—The Government.

23933. Then you would give Government a certain power of supervision?—Yes.

23934. Would you give the Government power to intervene in case of gross default of duty by the municipality?—Yes, if there was gross default.

23935. Would you give the municipality full power to levy any tax it chose?—I think the general power ought to remain with the Government.

23936. Then your position is that Government ought to retain general power of supervision, but that it ought not to exercise it quite so frequently as it does?—Yes, at present.

23937. (*Mr. Dutt.*) You say that the Government of India unfairly participates in all increase of revenue; have you studied the late *quasi*-permanent settlement between the Government of India and the Government of Eastern Bengal and Assam?—No.

23938. You do not know exactly how the revenues are distributed between the Government of India and the provincial Government?—No, my impression was that if there is an increase the Government of India takes it.

23939. But you cannot speak from definite knowledge? You say that provincial Governments should be allowed to borrow provided the loans are repayable within a definite time; can you recall any instance in which there was an urgent necessity for the provincial Government to borrow money?—No, I cannot.

23940. Supposing all the provincial Governments were empowered to borrow money, would it not lead to a multiplicity of loans and add to the indebtedness of the country?—The provincial Government is in a better position to know the needs of its own province than the Government of India is.

23941. Supposing every provincial Government had power to borrow money without the sanction of the Government of India, would not the total amount of the debt of the country increase vastly, and would there not be a multiplicity of loans?—If the debts could be repaid, there would be no evil.

23942. What definite period would you fix for the repayment of loans made by provincial Governments?—It would depend on circumstances —5 or 10 years.

23943. You say that the Local Government should have the power of making new appointments if there is a definite scheme sanctioned by the Council; do you know that there are certain definite rules on the subject by which all Local Governments have certain powers of making appointments, and that the Government of India also has certain powers of making appointments?—I do not know.

23944. Among your suggestions for relieving the Deputy Commissioner of some of his work is one that there should be a Sub-Divisional Officer at headquarters. Would you propose that the *sadar* Sub-Divisional Officer should be in the same position as other Sub-Divisional Officers are with regard to their sub-divisions?—He would be practically the same.

23945. Would you be in favour of delegating some of the revenue work which is now done at headquarters to Sub-Divisional Officers?—I think so, as far as the local institutions are concerned.

23946. Taking, for instance, income-tax work, if that work was made over to Sub-Divisional Officers within the limits of their sub-divisions, would it give satisfaction to the people?—I think so.

23947. Do you think that the work would be carefully done by the Sub-Divisional Officers?—Yes.

23948. Who collects the revenue from the estates of cultivators under the present system?—In Cachar, in certain areas, the *mauzadars*, within their *mauzas*.

23949. Would you allow a municipality to impose any new taxes without the sanction of the Government?—I think I would, with an appeal to the Government.

23950. Should Local Boards be placed upon a legal footing?—I think they should be.

23951. They are now based on a Government resolution—an executive order?—Yes.

23952. In that case would you like to have in Assam the same system which prevails in Eastern Bengal, namely, a District Board for the whole district with Local Boards under the District Board?—I think that ought to be done.

23953. Who is the Chairman of the Silchar municipality?—The Deputy Commissioner is *ex-officio* the Chairman.

23954. As a matter of fact, does he leave the work largely in your hands?—Yes, entirely.

23955. Have you found any difficulties in any work connected with the municipality?—I have not had much difficulty in my municipality.

23956. Does the Act work smoothly?—So far as my municipality is concerned, we have had no difficulty.

23957. And there have been no serious objections on the part of the people?—I think on one occasion we wanted to do something, when Major Herbert was the Deputy Commissioner, in the way of reclaiming an area by acquiring a piece of land, and an appeal was made to the Chief Commissioner, who came down and locally inquired into the matter, with the result that ultimately we agreed to a compromise.

23958. Generally speaking has the municipality worked smoothly?—I think so.

23959. Is your municipal income sufficient, not only for the current expenses of the year, but for making sanitary improvements also from year to year?—Yes, to some extent.

23960. Do you supply the drinking water?—We have asked Government for a loan as our resources are not sufficient for the purpose.

23961. Do you take charge of education?—Yes, primary education. We have two primary schools entirely maintained by the municipality.

23962. Who does the inspection work with regard to those schools?—The Government Educational Officers.

23963. Supposing, as Vice-Chairman, you find that the schools are mismanaged, what power of control have you?—I can do anything I like.

23964. Could you withdraw the grant altogether?—Certainly.

23965. Without consultation with the Educational Officers?—I think I have the power, but if I did so, I do not know what would happen.

23966. Is there a committee of the municipality in charge of education?—No.

23967. Would you suggest the formation of such a committee specially to look after primary schools?—It might be necessary in time, but at present there is no such necessity.

23968. Have you a dispensary in the municipality?—No.

23969. Is there no dispensary in Cachar?—There is, and the municipality makes a grant towards it.

23970. Have you any other supervision over it?—None, except that I am a member of the Dispensary Committee.

23971. And the members of the Local Board also?—Theoretically they are, but not actually.

23972. Does the institution work well?—There has been no complaint.

23973. Is it managed by the Dispensary Committee?—It is supposed to be, but I do not think the committee does much; in fact we had no meeting for two or three years, some time ago.

23974. Might not a little closer inspection improve the working?—It is a Government institution, and we are not required to take an interest in it.

23975. But as members of the committee could you not inspect and make your remarks and suggestions?—Perhaps we could, but we do not.

23976. Are village communities better developed in Assam than they are in Eastern Bengal?—In my part of the country the village communities are not so well organised.

23977. How would you organise them; would you select proper men in each district?—Yes.

23978. When the villages are very small, would you group a number of them for the purpose of the formation of one union?—Yes.

23979. Would you free them entirely from the control of the police?—Yes.

23980. You think if they were subordinate to the police, the plan would not work?—Yes.

23981. What powers would you bestow upon them?—I would give them small powers in petty criminal matters to enquire and report, and they might be called upon to settle small disputes.

23982. Would you also give them power to start some local works?—It would depend on the committee you were able to get.

23983. When the Local Board makes a grant for a small tank, for instance, in a village, would you make over the construction of that tank to the village panchayat?—That might be done.

23984. (*Mr. Hichens.*) Are there any other municipalities in your district besides Silchar?—No.

23985. Would it be desirable to establish more municipalities?—No.

23986. Can the municipality appoint and dismiss all its officers?—Yes, without the sanction of the Government. *Babu Kamini Kumar Chanda.*

23987. Is there any right of appeal?—Of course they have a right of appeal. *16 Jan., 1908.*

23988. Do you think that is right?—I think so. I would not take away the right of appeal from anybody.

23989. Do you mean because the municipality might make a mistake?—Yes.

23990. You would allow Government to retain control in that very important matter?—Yes.

23991. You said you were in favour of the establishment of District Boards; why do you want them?—For the purpose of watching the work of the Local Boards in a district.

23992. Do you imply that the Local Boards do not do their work well?—It would be better to have such institutions, I think.

23993. They are at present supervised, generally speaking, by the Deputy Commissioner?—Yes.

23994. You do not think that a District Board would be an unnecessary multiplication of Boards?—I do not think so.

23995. (*Mr. Meyer.*) You speak of budgets being passed by the Council and of definite schemes sanctioned by the Council—what Council do you mean?—The Legislative Council.

23996. If you abolished Commissioners, would you give larger powers to Deputy Commissioners?—Yes, I would restore the powers the Deputy Commissioners had formerly.

23997. Have they been reduced?—In some respects they have been reduced, because they are contingent on the sanction of the Commissioner.

23998. What former powers had the Deputy Commissioner which he has not now?—He had powers with regard to the settlement of lands, but he cannot exercise them now as before.

23999. You desire to remove the Deputy Commissioner from his position on Boards and municipalities, because you think his position as a Magistrate frightens the people, and you also desire to separate judicial and executive functions. Then if you had your way, the Deputy Commissioner would cease to be a Magistrate?—I desire to have the Deputy Commissioner and the Magistrate unconnected with the Board, so as to give the Board more power and independence.

24000. But if the Deputy Commissioner was only an Executive and Revenue Officer, would not your objection to his sitting on the Board disappear?—It would be better to have the Board free from official control.

24001. You say that officers and others do not mix sufficiently with the people, but if you withdrew them from the Local Board, might you not take away from them opportunities of mixing with the people?—I do not think so, because that does not give them much opportunity of mixing with the people; it only gives them a seat in the room for a short time.

24002. You say that gentlemen have sometimes been kept waiting when they wanted to see the Magistrate; is it not possible that the Magistrate has had to keep them waiting because he has been very busy?—It may have been so, but I think they should be better treated. I know of one instance where a gentleman was kept waiting in the compound for an hour, and surely that kind of thing would not tempt one to come again to see the Magistrate.

24003. If a Magistrate sent word that he was busy and asked the gentleman to wait or come another day to see him, would you consider that discourteous?—It would depend upon the manner in which the message was conveyed.

24004. Do you desire to give magisterial powers to Circle Sub-Deputy Collectors?—In my district they have that power.

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24005. Does that work satisfactorily, speaking generally?—It depends upon the officer, but I think so.

24006. Does your municipality get any grant from Government outside contributions for special purposes, such as water-works?—Yes. They have a fixed grant of Rs. 500 a year, as a general grant-in-aid.

24007. You say your dispensary is kept up by the Government, and that you contribute; is that the general state of things with regard to municipalities here?—I do not know.

24008. You say that you have full power of appointment of officers under the municipality; what is the highest post you have?—Overseers have the biggest pay, Rs. 60.

24009. Supposinig you had a man with a pay of Rs. 200, would you have full power in regard to him or would you have to get sanction?—I think we ought to have full power.

24010. As regards appeals, who passes orders punishing or dismissing any municipal servant?—In my municipality I would pass them.

24011. Is there an appeal from your decision to the Council as a whole?—There has not been such an instance; they might appeal to the Deputy Commissioner in the first instance.

24012. Is there any rule laid down with regard to these matters?—There are no rules.

24013. Should there be an appeal from the Chairman or Vice-Chairman to the collective Council?—Yes.

24014. From the collective Council would you have a further appeal?—Yes, to the Government.

24015. Not to the Commissioner?—No, because I would abolish the Commissioner.

24016. (*Sir Steyning Edgerley.*) Where does the Commissioner of the Surma Valley live?—At Silchar.

24017. Where do the members of the Board of Revenue live?—At Dacca.

24018. Where does the Chief Commissioner live?—At Shillong, and also at Dacca for a time.

24019. Would it not be very much more convenient to you if the Commissioner of the Surma Valley had adequate powers, so that you would be able to get all your business settled at Silchar?—Then there would be no necessity for a Board.

24020. Do you not think it would have its advantages?—Yes, if the Commissioner could pass final orders.

24021. In that case which would you prefer to retain, the Commissioner or the Board?—If the Commissioner had all the powers of the Board, the Board might be abolished.

24022. Would you prefer that; would you like to have the power of final disposal placed at Silchar itself?—Yes.

24023. Does the District Magistrate try criminal cases?—The District Magistrate does not try cases except under special powers.

24024. Has he appeals to hear?—Yes.

24025. If a visitor happened to call when he was in Court, he could not adjourn the whole proceedings to see him?—A visitor does not come to see him at his Court, but at his bungalow.

24026. When visitors are very greatly delayed do you suppose it is due to the exigencies of public business, or that they are kept waiting during the Magistrate's private pleasure?—I think during his private pleasure. I have known cases.

24027. You say that you are not expected to take much interest in the dispensary. How has that been intimated to you?—Because it is a Government institution towards which we only pay.

24028. In whose charge is the dispensary?—The Civil Surgeon's.

24029. Does the Civil Surgeon reside at Silchar?—Yes.

24030. Do you mean that he does not welcome you when you go to the dispensary?—No; I mean we are not required or asked to take any interest in the dispensary beyond giving a grant and attending the meetings which are not held always very regularly.

24031. If you do go to the dispensary and show an interest in it, does the Civil Surgeon show you that he would rather you stopped away?—There has not been such an instance, and I do not know what might happen in that case.

(*The witness withdrew.*)

Mr. WILLIAM SKINNER was called and examined.

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24032. (*Sir Frederic Lely.*) You are Chairman of the Assam branch of the Indian Tea Planters Association?—Yes.

The provincial revenue should be expended at the absolute discretion of the Local Government without check by the Government of India.

Local Governments certainly require powers to borrow; it would admit of a constructive policy for feeder lines of railways and enable the Local Government to give a guarantee to outside or English capitalists, a guarantee being an essential factor to attract English capital even though the guarantee may never be called for. Hitherto the hands of Local Governments have been tied; the formalities and restrictions imposed by the central Governments have choked all such projects, when initiated in Assam. With larger administrative powers and more financial control Assam would have been far more advanced. Colonisation would not have been entirely dependent on the Tea Industry, through railway communications would have been pushed on, the Postal and Telegraph Departments might have been stirred up to better meet public wants; whereas stagnation in every administrative sense has resulted from the restricted powers.

Increased administrative powers should be given, or restored, to Commissioners of divisions and Deputy Commissioners. Formerly they held power, had sufficient time to tour and knew every part of their districts; they mixed freely with all classes, while executive orders were few, initiative was encouraged and the names of these officers live in the villages still. Now, almost all the powers formerly exercised by these officers have been made over to Heads of Departments, which are increasing yearly, sometimes without any expert knowledge and knowing little of local conditions, while Commissioners and Deputy Commissioners are reduced to the expression of an opinion which has no force.

Revenue dominates almost every department to the exclusion of wider issues. Take excise; the increase in revenue has far outweighed the demand for facilities to secure drink. The Forest Department have gradually acquired, outside reserved or even conserved areas, nearly all rights immemorially held by villages; the ordinary necessaries such as cane, thatch, and drift wood are all taxed, while by a late order thatch cut on the Brahmaputra *churs* is being heavily taxed involving extreme hardship on Tezpur town and neighbourhood. In a backward part of India like Assam, its capabilities being immense, every encouragement should be given to extend cultivation and get the land taken up, Government being the landlord, whereas for revenue purposes rents have been consistently raised—between 1866 and 1893, a rise of 150 per cent. on *rupit* and waste, and on high lands useless for rice under 30 years' leases a rise of 125 per cent. is suggested and claimed as a right irrespective of adverse conditions and money sunk in the land during the period of the lease, to swell the revenue, while millions of acres of culturable land lie waste.

The frequent transfers of recent years has long been complained of. In Darrang between 1895 and 1907 eight Deputy Commissioners have held the district, and this district has been fortunate. The

rule used to be five years subject to long furlough to the manifest advantage of the district; now two years is the exception, resulting in arrears of all court work and loss of touch with the people.

District Board might advantageously be substituted for Local Boards in Assam, the members of which in education and interest compare favourably with District Boards in Bengal. The powers of Local Boards are inadequate, and under the larger powers of District Boards much more useful work would be possible than at present.

Assam is not sufficiently advanced for the creation of Advisory or Administrative Councils.

24033. Have you lived in the country for many years?—I have.

24034. Are you intimate with both the natives and Europeans in your part of the country?—I have had a great deal of experience of them.

24035. Is your answer to the question as to the powers of District Officers given from your own personal observation?—Yes, from my own personal experience.

24036. You speak of the excise, and say that the increase in revenue has far outweighed the demand for facilities to secure drink; do you mean that more facilities for securing drink should have been supplied?—No, I meant that consideration for revenue from excise returns had overruled any demand for facilities; for instance I have had experience myself of a grog-shop having been placed at each end of my garden.

24037. In that case would you say the supply was in excess of the requirements?—Yes. I think they were put there merely for the sake of getting the revenue.

24038. Was the only possible reason considerations of revenue?—Yes, I take it to be so; we were not consulted when the extra shop was put there, as we think, quite unnecessarily.

24039. Did you make any representations with regard to it?—Yes, and both shops have been removed since.

24040. Then might it not be probable that the second shop was established under some mistake?—No, I can hardly think that, because it took us a long time to have it removed; eventually we succeeded.

24041. With regard to the Forest Department, would you revert to the old system under which anybody was able to come and cut what he chose?—No.

24042. You admit that a certain amount of control is necessary?—I think the Department is useful in itself, providing it operates in conserved and reserved areas, but I am speaking of where they do not conserve or reserve, but claim rights which are oppressive and an interference with the rights of the people and very unnecessary. It is merely done for consideration of revenue. I am referring particularly to the *churs* on the Brahmaputra.

24043. Are the *churs* Government land?—I suppose so.

24044. Is it not desirable that Government should retain some control over the produce, and that is the most economical method of managing it?—But they do not control it at all beyond taking the revenue.

24045. But there is a check on indiscriminate cutting and taking away?—In this instance it could not hurt anyone, because *churs* are nearly always burnt at the end of the year or disappear under water.

24046. Should land like that be left entirely unaccounted for?—Quite so; it has been always so. As the means of getting thatch go further and further away from a town, the only opportunity the people have of geting thatching grass is from these *churs*.

24047. But is it not fair to say if you take away property, you must pay a certain price?—Certainly not in this case; it should be a public right as before.

24048. You speak of the steady increase in the assessment of land; is that owing to the action of the provincial Government or is it owing to the action of the Government of India?—That I am not prepared to say.

24049. Have you read the general Resolution on the subject of land revenue assessment published by the Government of India?—Yes.

24050. Do you not consider that the policy there laid down for suspensions and remissions in the case of short crops is a good policy?—Quite so; it is perfectly sound.

24051. Would you still after reading that book say that increase of assessment is claimed as a right, irrespective of adverse conditions?—If those conditions were applied to us, I should not say so.

24052. I am speaking now of the Government of India policy as laid down in their declarations?—Quite so; if the Local Government would apply those conditions to us, we ask for nothing more.

24053. In the case of a failure of crops in this province, would not those terms and conditions be applied?—I assume so; but I do not think the Tea Industry and the adverse conditions under which it has laboured are taken into consideration.

24054. You are speaking of tea planting, and not of the raiyats?—Yes.

24055. As a matter of fact has not the value of land in Assam gone up considerably in recent years?—Not in the high land; there is no demand for it whatever.

24056. Have not increased communications and the general improvement resulted in an increase in the value of land?—There is no increased demand whatever, and the value is determined by the demand. I am speaking of land taken up by the Tea Industry.

24057. Is that land on which the assessment is likely to be increased?—It has not been re-assessed, but it is in process of settlement.

24058. Are you speaking of past facts, or what you expect will happen?—I am speaking of the last period of settlement—there has been no great demand since.

24059. Have the assessments on this high land been increased of recent years?—No; it is 30 years since the last assessment, and it is just running out; it is only the Government's suggestion that it should be increased by 125 per cent.

24060. Then you are speaking of what you anticipate, and not as to facts?—Yes.

24061. You advocate the introduction of District Boards as a substitute for Local Boards, but do you not usually find that where a District Board exists, it has alongside of it a Local Board?—We have no District Boards in Assam. My idea was to institute District Boards instead of Local Boards. Assam is peculiarly situated. We have some districts with one sub-division a long way off and cut off from the centre, and possibly it might be very difficult to get good attendance between the two sub-divisions of one district; there I should recommend Local Boards, if possible. My idea with regard to District Boards is that there are more powers held by them than there are in Local Boards. The great idea in having a District Board is that you are able to have a proper supervisor in the shape of a whole-time engineer who can properly supervise the work. At present Local Boards are confined to the supervision of a surveyor, whose salary only rises to Rs. 120 a month. In former days we had five Executive Engineers in the province, and they used to supervise all the Local Board work which was all right, but now those five have been reduced to two: there is only one for the upper districts of the Valley and one for the lower, and their work is so enormous that they can give no time to the supervision of Local Boards, with the result that the work suffers.

24062. But that is rather apart from the question of whether you should have a District Board?—The District Board is a bigger thing and would enable us to keep a whole-time District Engineer.

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24063. Therefore would you recommend a District Board with, or without, the existing Local Board?—Without the existing Local Board, with the powers of proper supervision.

24064. (*Sir Steyning Edgerley.*) When was the diminution in the number of Executive Engineers made?—Within the last two years.

24065. Is it to be a permanent change?—That I cannot say.

24066. You lay great stress on Local Governments being able to borrow; what sort of sums ought they to be allowed to borrow—up to any limit?—I think there should be a fixed limit. I was principally thinking of feeder lines of railways which are very much needed in Assam, and if the Local Government had the powers of borrowing it could guarantee interest.

24067. Have any schemes you know of been stopped for want of that power?—Not exactly, because the Government has never had power to borrow outside the Government of India, and therefore no scheme has been put forward. Schemes have been started in Assam, and it has always been a stumbling block that the Government had not the money, and we could not get capital owing to the want of a guarantee.

24068. Schemes which you think would have paid their way?—Certainly. There was one scheme which I had a good deal to do with, which was run through without Government help beyond some minor concessions, and that scheme has been held up all over India as a model line. One of the Consulting Engineers about 1898 published a pamphlet on the system of feeder lines, and his idea was to use the provincial grant as a guarantee.

24069. Has that line been remunerative?—It has always paid its way, and has been a great boon to the district, as well as opening up a great deal of the country.

24070. Why has it not had the effect of inducing the people to go in for similar schemes?—The difficulty is in attracting capital to Assam. The scheme was carried out through the good offices of a few personal friends in Calcutta, and if we had power to borrow, it might be possible to set aside a certain portion of the provincial revenue as a security and deduct it from the budget heads for Public Works, which in this instance was the department which would benefit by such a railway.

24071. Have you been a member of a Local Board?—I have, for many years.

24072. Have you ever had much margin of revenue to expend?—No; everything is spent as a rule and there is very little surplus.

24073. Then how would you benefit by the creation of a District Board; you would not get more money?—I think so. The principal point is that we should get better supervision.

24074. For the same money?—District Boards would be larger, and would get a bigger grant, and there would be more heads of revenue falling in for them to deal with.

24075. (*Mr. Meyer.*) You say that the provincial revenue should be expended at the absolute discretion of the Local Government; are they never to require sanction from the Government of India about anything?—No, hardly that; I think I am right in saying that the provincial Government cannot give a guarantee for a railway without going to the Government of India, which it should have power to do, providing it does not ask for imperial funds.

24076. Are you aware of the system of provincial settlement between the Government of India and the Local Government?—It used to be a quinquennial settlement.

24077. When there was a quinquennial settlement, the Local Government really had no permanent resources to pledge?—No.

24078. And now there is a *quasi*-permanent settlement?—I have no means of knowing that.

24079. Where do you propose that the Local Government should borrow?—That, of course, is a difficult matter: I should like to see them first have the powers to borrow, and then it would be a question for them to settle how they could borrow: I do not think there would be any difficulty with regard to their borrowing in the open market on a guarantee.

24080. Do you think they could borrow in this province?—They could borrow at home.

24081. That would interfere with the borrowing powers of the Government of India?—Yes, it is a difficult question, certainly.

24082. Do you say that you would like the Local Government to take over the postal and telegraph work?—Not entirely to take it over, but they should have a bigger voice in the matter. Our postal and telegraph arrangements are far from satisfactory, and we cannot complain to the Local Government, because they have no powers.

24083. But have arrangements not been improved of late years?—Not as regards our northern bank; they are rather worse than they were a few years ago. If I want to send a letter which used to take by steamer a day and a half to reach its destination, it now goes to Gauhati right away round and across the river, occupying five days.

24084. Have you tried addressing the local Postmaster-General on the point?—Yes, we have tried many times.

24085. With regard to your remarks on assessment, is it your position that the Tea Industry, unfortunately, has not been so prosperous of late years, and therefore the proprietors should not pay so much for the land?—There should not be any rise; we do not object to the same revenue being demanded.

24086. To take the converse case, supposing the Tea Industry took a great bound upwards and prices rose, would you admit that to be a ground for raising the assessment?—Had it done so during the period of the first settlement, I should certainly say Government would be justified in the policy of raising the demand, but if the value of the produce has decreased by 50 per cent. on the Government's own policy, it should not make any increase, or at any rate nothing like 125 per cent.

24087. Since 1904 there has been some revision of settlements?—Not with regard to these leases; they are falling in; they began to fall in last year, and nothing has been finally settled. I only mention this as an instance of the sort of proposal Government makes. They have asked us to consider the matter, but they lay down a proposal which is based on a literal reading of the clause in the lease.

24088. In fixing the assessment, has not the Government to consider not merely the circumstances of your industry, but what the land might yield if cultivated with other crops?—I do not think the land is suitable for any other crop if taken over; in fact, the Government have never been able to let any of this land, except for the Tea Industry. If there were competition for the land, of course I should have nothing to say.

24089. As regards the District Board, is your view that it would be sufficient to have a sort of general Council for the district, co-ordinating the work and being able to employ an establishment which it might lend to the Local Board?—Not quite.

24090. Do you mean that when a district is compact, a District Board would be sufficient, but where there is an outlying area, there should be a Local Board below it?—Yes.

24091. Are you acquainted with the village organisation in this Valley?—I have more or less mixed with the villagers about my residence.

24092. Have you heard about the *mels*? Are they actual working entities?—I should not like to say definitely, but I do not think so.

24093. You would not be in favour of giving them some small powers?—I rather approve of panchayats: I think it is a very useful system if you can get the people to take the intelligent interest which is necessary. I use panchayats largely myself in my work, and I always try and let the coolies settle their disputes by their own panchayats, because they do it more satisfactorily than I would, as they know their own customs; similarly I think that panchayats in villages might be given certain powers. Altogether I think it would be a useful experiment.

24094. Would you try it as an experiment in a few places?—Yes.

24095. Are planters generally Honorary Magistrates?—No, I used to be; I was for about nine years an Honorary Magistrate.

24096. You speak of dealing with disputes among your own coolies; would it do to make you an Honorary Magistrate to deal with petty matters? I do not think it would work well; there would be a lot of jealousy, if a coolie in another garden came and complained of another. In the old days, when I was a Magistrate, that sort of thing did not arise because the gardens were very much scattered.

24097. But as between coolies on your own particular estate?—It would be very nice for us, but I do not think it would be altogether approved of by Government.

24098. (*Mr. Hichens.*) It has been suggested that education might be taken away from the Local Boards and taken over by the Government; would that be a good thing?—The Boards do not trouble themselves very much about it.

24099. The point of view of one witness was that the expenditure by the Local Board on education was growing from year to year, and was absorbing the money which was required very badly for other purposes?—Yes, that is perfectly true. Government laid down a rule that a certain percentage had to be spent on education out of the Local Board Funds, but it has been gradually going over that mark; we get orders to spend more and more on education every year, and we have nothing to say in the matter, but we have to do it. I quite agree that other useful works are starved on account of the amounts which are taken from the Boards for education.

24100. Is it not desirable, if possible, to make the local people take an interest in primary education?—Certainly, if it could be done.

24101. Is one way of doing it to put the management of it under the Local Board?—I do not think the Local Board takes much interest in it; I mean the native members.

24102. Perhaps they do not to-day, but in time might they take some interest in the matter?—It is possible.

24103. At any rate there is a chance that they will if you leave some control to them, but there is not very much chance if it is put under Government?—Quite so.

14104. Therefore, it might be better to adopt the alternative of increasing the Government grant for the Local Board in respect of education?—Quite so, and keep it apart, as it were, earmarking a certain portion—that would be preferable.

24105. Would it be fair to say that at the present time in Assam the Local Boards cannot afford to pay more than quite a small contribution towards education?—That is true.

24016. And that the balance must be made up by the Government?—Yes.

24107. And that it is desirable to keep it under the control of the Local Board in order to try and educate the people up to taking a definite interest in the matter of education?—Yes, I think that is a very good idea.

24108. Might the Local Board have more power in respect of primary education?—At present they have no powers beyond giving the money.

24109. Then one cannot expect the people to take much interest?—No.

24110. Therefore, if one wanted to interest them, might it not be useful to give them more powers?—Certainly, if possible.

24411. For example, do you think it would be worth while with regard to primary schools to allow them to alter the curriculum if they thought fit?—Yes, it would be a very good thing.

24112. The view might be that with a little experimenting they might find out the kind of education most suited to themselves and their children?—Yes.

24113. Even if they did make mistakes here and there, on the whole it would be worth while to allow the experiment if the upshot of it all was to get a kind of education that really suited them?—Certainly.

24114. It might then become, so to speak, a part of their lives; so that you think it might be worth while to take the risk?—Certainly, I think it would.

24115. Travelling, speaking broadly, is rather difficult throughout the whole of Assam?—It is very difficult, especially in the rains.

24116. Therefore, if you have District Boards, it would be somewhat difficult sometimes for the members to meet?—True.

24117. Also, the members of the various subdivisions do not know very much about the members in another?—No; they are very much apart.

24118. Can one expect them to take much interest, except in their own affairs?—No, only in their own locality.

24119. Therefore, if one substituted a District Board it might have the effect of killing local interest?—Not entirely, but partially it might.

24120. Would you abolish the Local Board in certain cases?—I would in certain cases where the communication was easy.

24121. In those cases might you not rather diminish the interests of the individual members?—I do not think so, necessarily. We used to have District Road Committees for a whole district, and I do not think things have improved under the conditions now; there is a tendency that way, I admit.

24122. But would you not admit that possibly local interest in a Local Board would be keen?—Yes.

24123. One objection to Local Boards, which you mentioned, and which seemed to have a good deal of weight, was that they cannot get sufficient supervision with regard to Public Works?—That is the main point.

24124. Might that not possibly be got over by appointing an officer for the district?—Quite so; a District Engineer for all the Local Boards in a district would suit quite well.

24125. So that your objection could be got over?—Absolutely, provided we got better supervision.

24126. And that being so, possibly it might be better to retain the Local Board?—Yes, I have no objection to that. I think it would suit the conditions of Assam better to retain the Local Board under those conditions.

24127. Are there any communal lands around the village homesteads?—No.

24128. Is there not a certain amount of Government land round the villages?—There is a lot of Government land, enclosed forest, but the villagers all have to get permission to use what they want.

24129. What would you say to the suggestion that, where possible, each village should be endowed with a certain amount of communal land for the purpose of getting firewood, for grazing cattle, and so forth?—It would be a very good idea; there is plenty of land.

24130. Would it interfere with the Government at all?—It would not; the land they would occupy is not marketable at all.

24131. It would give a common interest to the village, and the panchayat might have the control of the communal land?—Quite so.

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24132. Would that in itself be doing something to add to the development of public feeling in a village?—I think it might.

24133. Would you advocate that?—I would.

24134. (*Mr. Dutt.*) Do you know if the money which is spent on education exceeds the amount of the Government contribution, or is less than it?—It is less than the total Government contribution.

24135. Have the Local Boards other sources of income than the Government contribution?—Yes, they get local rates and receipts from ferries and pounds.

24136. Is that all spent practically on roads and communications?—No, not entirely; there are medical and postal expenses, and a certain amount of Public Works and establishment expenditure.

24137. Is the proportion which is now spent on roads adequate?—It is very inadequate for a country like Assam.

24138. You think it would be a good idea to employ a District Engineer for all the Local Boards in a district. Would that not create difficulty by his having to serve many masters?—No; it could all be done through the Chairman.

24139. But at present there is a Chairman for each Local Board?—But in each district one would have the Sub-Divisional Officer and the Deputy Commissioner, who is over the Sub-Divisional Officer.

24140. So that you would have the District Engineer under the orders of the Sub-Divisional Officers?—Yes.

24141. If, instead of having one Board for the whole district, you have three or four Local Boards and one District Engineer to serve them all, there might be a difficulty that he had not one master to serve but many masters?—I do not think that difficulty would arise.

24142. Could he act under the orders of the Deputy Commissioner?—Or the District Officer.

24143. Or if a District Board was constituted he could be placed under the District Board?—I presume so.

24144. Why should works which are likely to pay want a guarantee in Assam?—Because they have to be made, and you have to get the money, but you cannot get money from Calcutta because there they know nothing about Assam or Assam conditions, and unless business people know something about an undertaking they are not content to part with money on a mere statement of figures or a survey which may, or may not, be accurately made, and which although we might think it all right, might not appeal to them. We have tried it. If there is a Government guarantee behind them, that would be the great thing, and it would attract capital where private capital will not come forward simply on the mere statement that some one says a thing will pay.

24145. Is not British capital attracted to all parts of the world without any guarantee?—I am afraid not much to India.

24146. But if a scheme is one which is likely to pay, why should it not attract capital?—The question is, who is to know whether it is likely to pay; we can only make statements and so on. There has been always that breakdown; we cannot get the public to take any interest in Assam.

24147. Do you draw a distinction between India and other parts of the world in that respect?—I think it is difficult to attract capital to India.

24148. Might not the giving of a guarantee sometimes have the effect of launching you into enterprises which are not likely to pay in the end?—It has done; for instance, the Assam-Bengal Railway is one very notable case, but the public have nothing to do with that; that was purely a line initiated by Government.

24149. But there are risks of that kind?—There are risks, of course, and there have been many instances of lines down in Madras where the District Boards raised a special cess, and those lines are now returning very handsome profits to the Boards who supported them.

24150. We had evidence in Madras that some of those projects had to be abandoned because they did not pay?—Of course a great deal rests with the way they are made; you must get a good man to make them, and they should be made on appropriate lines.

24151. Will the Assam-Bengal line ever pay?—I do not think the line will pay for a century.

24152. And there is always that risk, if there is a guarantee?—I do not think so, because our little line, for instance, paid in its second year, and has never gone back, although it has no means of expansion. Moreover, Government has its own professional advisers to examine and certify the soundness of the scheme before giving the guarantee.

24153. You say that Heads of Departments have a great deal of power vested in them, and that Commissioners and Deputy Commissioners are reduced to an expression of opinion and to routine work more or less; would you suggest that Commissioners and Deputy Commissioners should have more control over the work of the other departments within the limits of their divisions or districts?—Within the limits of their divisions or districts they should have very much more power; they are the men on the spot. They know exactly what is required, far better than the Head of any Department, who is unacquainted with local conditions or who is not in the same position to learn them.

24154. For instance, in the matter of Public Works, do you suggest that the Commissioner of a division should have control over the Public Works executed in his division?—He should have control over the budget and the amounts spent; very often we find large sums of money are spent in useless directions, and more crying needs often are neglected.

24155. In making up the budget for the whole province, should it be made up by divisions, and the Commissioner of a division be empowered to fix what works should be done within his division with the money allotted?—I think the Commissioner with his experience and the advice of his Deputies is in a better position to know the needs, and might revise the budgets where necessary.

24156. Would you give the same power to the Deputy Commissioner with regard to his district?—Yes.

24157. Would you give a Commissioner similar powers in respect of the Excise Department, and an important voice with regard to the number of shops to be established in his division?—I think that is a good deal done now; Government recently made a great move in that direction. Every European gets a list of shops and has an opportunity given him of making any objection.

24158. Is the Forest Department under the control of the Divisional Commissioner or the Deputy Commissioner?—Neither; I think it is entirely a separate department.

24159. Should the Forest Department be, to some extent, under their control?—I think so, certainly. In Assam there is very little valuable timber which it is necessary to conserve, but there is a great deal of unclassed forest absolutely useless, which has been reserved, and if for any public purpose a demand for that land arises, there is no getting it; the Forest Department will not budge, and there is a long and tedious procedure to go through.

24160. So far as the convenience of the villagers is concerned, ought the Commissioner and Collector to have a potent voice as to the administration of these scrub jungles?—Yes.

24161. You say that the Forest Department have gradually acquired all the rights immemorially held by villages; were these rights of getting fuel and pasturing cattle enjoyed before by the people without the payment of any sort of rent?—Absolutely.

24162. And have those rights been now restricted?—They have been gradually acquired since the Forest Department has come into existence, and

the villagers have to get permission for almost everything.

24163. So that it is practically taking away from the people a right which they possessed before?—Quite so.

24164. For each village should a sufficient quantity of this scrub jungle be left for pasturage and fuel, and other purposes?—Yes. Villagers are very often hard put to it in getting thatch and so on. Of course, a great deal of it is very often their own fault, because they are very improvident.

24165. A new settlement was begun in 1904-05?—Yes.

24166. Has that led to any large enhancement?—No, the reverse, I think.

24167. Evidence was given yesterday that sufficient endeavours are not being made to bring waste land under cultivation; has tea cultivation indirectly had the effect of bringing some land under cultivation independently of the gardens?—Of course, an enormous area has been gradually put out by time-expired coolies, the country is being gradually colonised by the Tea Industry.

24168. You get your coolies for a number of years?—We did get them for four or five years; at present we get them for four years.

24169. Under the penal clause?—Yes.

24170. Is that still necessary?—Certainly.

24171. After their time expires, do the coolies generally go back to their homes or do they settle down in Assam?—Not one-fifth of them go back; they come really to stay in the country, and they settle down in some capacity or the other, and large areas of land for miles round have been taken up by these coolies. Most of them drift into the villages; some of them become servants to babus and traders, and that sort of thing.

24172. Where do these coolies mostly come from?—A large number of them come from Chota Nagpur and other places, and now a good many of the Central Province coolies come in.

24173. (*Sir Frederic Lely.*) Are you in favour of withdrawing village schools entirely from Government control?—No.

24174. One very important point you mentioned was with regard to the school curriculum, which you said you would allow the people to change; but suppose you had a Muhammadan village, there is no doubt, is there, that the great majority of the villagers would vote for teaching all the smaller children the Koran; should they be allowed to spend public money in that way?—It is very difficult to say; you might have a school for them in that case. *Mr. W. Skinner.* 16 *Jan.*, 1908.

24175. But in the case of a State-supported school, should Government not have a voice in its management?—I do not say that Government should have no voice in the matter, but I do not think the Local Board would change the curriculum of a school if there was not an absolute need for it.

24176. At present it lies with the Government Department to regulate?—Yes.

24177. As a general principle should Government not have a voice in the management of the schools so as to check vagaries of any sort?—Certainly. I did not understand it was suggested that Government was to have no control, but that in simple matters the control ought to be left to the Local Board.

24178. Supposing a school was in the hands of the higher castes in a village and they wished to confine it to themselves and to eject the lower class, what would you do?—The Local Board would have power to intervene.

24179. But suppose they did not intervene, should not Government have the right to interfere?—I should say so certainly; I do not want to interfere with the control of Government at all.

24180. You think that Government should have a regulating voice?—Yes.

24181. In the case of communal lands do you intend to say that Government should make them over to the entire disposal of the villages?—No, but that the villages should have certain rights within certain areas.

24182. Have you any actual experience of villages in which communal lands existed?—No.

24183. Do you know of cases of such land being entirely appropriated by the influential men in the village?—I have no doubt it might be so.

24184. In such a case should Government have a controlling voice in the management?—Quite so.

24185. And the full use of the land should be appropriated to the villagers?—Yes, quite so.

(*The witness withdrew.*)

Major P. R. T. GURDON was called and examined.

24186. (*Sir Frederic Lely.*) You are officiating Commissioner in the Assam Valley?—Yes.

The Local Government should be in a position to guarantee interest to pay dividends of shareholders in Light Railway Companies in the province. The case of the Mangaldai Tramway Company may be referred to as an instance. If the provincial Government possessed the power mentioned above and the necessary funds were forthcoming, and the Government was willing to guarantee, say, 4 per cent., it is understood that a Company to start the Mangaldai scheme, and possibly one in the Nowgong district also, could be formed without delay. The necessity for more Light Railways in the province of the Tezpur-Balipara type is great, and such lines would be useful, not only for opening up backward tracts and for affording facilities for the transport of merchandise, but also as feeder lines to the Assam-Bengal and Eastern Bengal Railway Companies. The rate of interest should not be less than 4 per cent. so as to attract readily investors in this country.

Official correspondence has increased in volume to such an extent, owing largely to the very numerous "opinions" on proposed measures of Government and reports which are called for, that Executive Officers, who should be moving about their charges, are largely chained to the desk, and are consequently unable to come into personal contact with the people. The Deputy Commissioners have far too much petty routine work to do, and in the planting districts their time is too much occupied with the inspection of tea-gardens and with tea-garden business generally. Their tours in consequence are necessarily run mostly along the lines of communication between the different tea-gardens, thus neglecting the villages in the interior of the *mauzas* situated away from the tea-garden roads which do not receive visits from the Deputy Commissioner or his assistants often for years together. Sub-Divisional Officers are tied much by their criminal work of which they should be relieved as far as possible—only the more important criminal cases should be tried by them and those preferably locally. *Major P. R. T. Gurdon.* 16 *Jan.*, 1908.

With the exception of the Goalpara district, I hear from many sources that District Officers cannot speak or understand Assamese as well as the officers of the last generation. This may be partly due to the larger employment of English in the Courts and offices, but it is also due to not sufficient trouble being taken by the officers to acquaint themselves with the language. I think it imperative that the District Officers should not only be able to converse fluently, but that they should also be able to read readily vernacular reports and dictate orders in Assamese, also, if possible, to be able to write Assamese grammatically. It has been recently proposed to confine the examinations of officers in Assamese to a colloquial test of the same degree as that of the Lower Standard in Bengali. I would submit that the test for passing in Assamese should be equally severe as in Bengali.

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Transfers of District Officers in the Assam Valley since the introduction of the new orders have not been unnecessarily frequent.

The legal status of Local Boards should be defined as soon as possible, principally with the idea that they may be able to float loans for the construction of many useful local works. Borrowing powers up to the extent of one year's "local" income might be allowed them subject to the sanction of the Commissioner. Similarly municipal loans might be sanctioned, on the applications of municipalities, by the Commissioner, up to the extent of a year's municipal income from other than Government sources. The security for loans in the first case might be the local rate and ferry receipts, and in the second the house-tax and market receipts. The Assam Local Board system suits this division better than the Bengal District Board arrangement.

Advisory Councils, if properly constituted, might be of considerable assistance both to the Commissioner and the Deputy Commissioner. Taking the District Advisory Council first. For this the existing Local Board system might be usefully utilised. In the planting districts of Lakhimpur, Sibsagar, Darrang and Nowgong, the Local Boards might elect members to represent both the planting community and the ordinary population of the district. District municipalities or stations might also elect one member each to serve on the District Council, and it might be necessary in backward tracts for the Deputy Commissioner, with the approval of the Commissioner, to nominate some members. The Civil Surgeon and Executive Engineer should be *ex-officio* members of the District Council. To the Council opportunities might be afforded of discussing such questions as the temporary suspensions of land revenue on account of local calamities, education, Public Works, sanitation, vaccination, dispensaries, preventive works against flood damage, and other matters of local matters.

For the Commissioner's Advisory Council members might be elected to serve on this body by the Local Boards in the division. One planting member and one Indian member might be elected by each District Council. The more important municipalities might be allowed to elect one member each to serve on the Council. One member each should be elected to represent the Assam Association and the Indian Tea Association. To the Divisional Council might be assigned such duties as assisting the Commissioner in the examination and passing of Local Board and municipal budgets, in advising him with reference to the grant of loans to Local Boards and municipalities, advising him as to the expediency or otherwise of granting administrative sanction to Public Works (but I would raise the limit for administrative sanction in such cases to, say, Rs. 20,000), advising the Commissioner with reference to remissions of land revenue on account of local calamities, education, sanitation, vaccination, light railways within the division, protective works against flood damage, and any other matters of local mportance. The Superintending Engineer, the Sanitary or Deputy Sanitary Commissioner, and the inspector of schools, should all be *ex-officio* members of the Council.

Under the present rules ordinary Indian members of Local Boards are elected by *gaonburas* or village headmen, in the Assam Valley Division. It may be reasonably argued that *gaonburas*, who are practically Government servants, inasmuch as they receive in return for their services certain rent-free land, will be under the influence of Government, and will therefore seek to secure the selection of Government nominees or persons whose candidature may be thought by them to be acceptable to Government. Further, the *gaonburas*, who are as a rule men of no education, will be liable to sell their votes. I would suggest a franchise which in a backward portion of the province, such as Assam, should not be pitched too low at first—probably at about Rs. 100 or upwards.

24187. You think that the Local Governments should be in a position to guarantee interest to pay dividends on light railways. Do you mean that the Government should be responsible for the payment of the full dividends?—Either Government or the Local Boards.

24188. Has not the Government of India entirely abandoned the policy of guaranteeing dividends on new railways?—I was not aware of that.

24189. What is the difference between a periodic estate and an estate?—A periodic estate is an estate which is leased for a term of years; 20 years is the present term: it used to be 10 years; an ordinary estate is let annually. We have annual leases and periodic leases.

24190. Is most of the land let on the periodic system?—The permanent cultivation is so let; all the cultivation which is not fluctuating is periodic, and the cultivation which is fluctuating is annual.

24191. You mean such as *chur* land?—Yes, and lands which are liable to be constantly relinquished.

24192. It has been suggested that Deputy Commissioners should have power to annul the settlements of periodic estates, and that power to annul the settlement of ordinary estates also should be given to Sub-Divisional Officers?—I do not go so far as that.

24193. You would not even give the Deputy Commissioner power to annul?—My idea is that as the annulments of settlements carry with them relinquishments on the part of Government of all arrears, if you grant the power to Deputy Commissioners and Sub-Divisional Officers, they might do too much.

24194. Would you grant the power to annul the settlement of ordinary estates to the Sub-Divisional Officer?—Yes, there is no harm in that.

24195. You would give the Commissioner power to grant remission in the case of a local calamity up to Rs. 10,000?—Yes.

24196. Do you mean Rs. 10,000 in each village?—No, in the particular area affected. There might be a large area affected by flood, and our principal cases arise from flood damage.

24197. You do not refer to remissions rendered necessary by drought?—We have very little drought in this province; flood is the general trouble.

24198. Are you content with the Local Boards as they exist, provided their position is defined by law?—Yes.

24199. Would you advocate the introduction of a District Board also over them?—That is a difficult question. We had a great deal of correspondence about it in the time of Sir Henry Cotton and Sir Bampfylde Fuller. Sir Henry Cotton was in favour of creating District Boards as in Bengal, and all the officers were consulted and we came to the conclusion that the Local Board worked best. The great difficulty in working District Boards in Assam is that it is so difficult for the members to meet because they are so scattered. For many reasons we were in favour of District Boards if we could have got over that difficulty.

24200. In any case, even if District Boards were introduced, would you not concede most of the executive power to the Local Boards?—It would depend on circumstances.

24201. But the considerations you suggest would indicate that the executive power should be chiefly in the hands of the Local Board, and a District Board, if it existed, should exist chiefly for the purpose of taking combined action?—That is so, that of course would fit in with my idea of an Advisory Council for the Deputy Commissioner. On the other hand there is the doubt that it is hard to get the members to come from a distance to meet. That is the objection to District Boards in the Assam Valley.

24202. Still it would be important to get all the interests of the district combined?—I would, if the difficulty could be got over.

24203. Would there be any practical difficulty in getting them to meet once or twice a year?—Meetings are held oftener than that, and that might meet the difficulty. If the budget meeting was once a year, there would be no difficulty about that.

24204. Would your view of the proper function of the District Board be to frame the budget and to distribute the executive work amongst the Local Boards?—Yes.

24205. One of the functions of the Head of the District is to send up any expression of local opinion for the consideration of the Government; in that branch of his duty would you give him the advice and help of the Advisory Council?—Quite so.

24206. Would you give the Advisory Council the right to interfere with regard to any general orders laid down by the Government?—No. It should be a consultative body only.

24207. It is not intended to influence the Collector's action for which he himself is personally responsible?—No.

24208. If its particular function is to be that of ascertaining the popular opinion for the purpose of communicating it to the Government, does not every good Collector do that already?—Collectors call in men whose opinions they value and consult them.

24209. In what do you consider the present machinery defective in that respect?—Because if you could get all the people who are now consulted to meet together at the same time, you would get a better opinion. Sometimes a man when he is alone will tell you one thing, but if he is before a number of people he will not say the same thing at all.

24210. Which is likely to be the genuine opinion?—I think the opinion given in Council.

24211. You think, if you want to get the genuine opinion of an Indian, you would not invite him to your house and talk the matter over in a friendly way, but you would rather put him up at a public meeting to make a speech?—I think it would be better for him to be checked by the presence of others.

24212. Would that be a more likely way of getting at the truth?—I think so, because statements are not always reliable when made to one in private.

24213. Would they be reliable if made in a public assembly?—I think they would be checked more.

24214. Do you not think the present intercourse between a Deputy Commissioner and his leading men is more cordial and likely to be more productive than if formalised in a general assembly to which every man has a right to be called?—I do not think so, because in this division the people are accustomed to panchayats. In the times of the Rajas they did much of their work by panchayats and darbars, where they used to make speeches, and it is a system which is suited to this part of the province.

24215. Have the Deputy Commissioners lists of the leading men in their districts?—Lists of *darbaris* have been made out, but only of late; there used to be informal lists, but now we are making out *darbar* lists.

24216. But would they necessarily include men of all classes?—They would not include men of all classes, but only the most respectable people of the district.

24217. At any rate the establishment of an Advisory Council should not, in your opinion, do away with the necessity of as much private intercourse as possible?—Not at all.

24218. Your districts are divided into subdivisions, and over each sub-division there is an officer of the rank of Deputy Collector or Assistant Commissioner?—Yes.

24219. Is the Deputy an Extra Assistant Commissioner?—Yes.

24220. Does the Sub-Divisional Officer live in his sub-division?—Yes.

24221. Is there a treasury at headquarters?—There is a sub-treasury at the headquarters of each sub-division.

24222. In each sub-division are there Circle Sub-Deputy Collectors?—Yes, they are in charge of circles, but that is not the case in all the districts; it is only in districts where the resettlement has been completed.

24223. Are the Circle Sub-Deputy Collectors usually endowed with magisterial functions?—Not in this division.

24224. Who does the second and third class magisterial work?—Sometimes there is a second Extra Assistant Commissioner if it is a big sub-division, and if it is not a big sub-division the Sub-Divisional Officer himself tries the cases summarily, or sometimes there are Honorary Magistrates.

24225. Where you have a second Assistant Commissioner, does he do all the magisterial work?—No, he does civil work, and he does criminal work as well. The Sub-Divisional Officer is primarily responsible for the criminal work; he is supposed to take up the more important cases.

24226. Has the Extra Assistant Commissioner in charge of a sub-division powers to commit?—Yes he has powers to commit to the Sessions.

24227. Has he power to hear appeals?—Not as a rule; the District Magistrate hears appeals.

24228. Do you consider as Commissioner that you have control of all Government agencies?—I have only been in charge for six weeks, but I have an idea, so far as I have seen, that there is sufficient control.

24229. You do not consider yourself a Sub-Governor?—No.

24230. Do you consider that you have any responsibility in the matter of education?—Yes, a great deal of responsibility.

24231. In the way of inspecting schools while on tour, and keeping yourself acquainted with their tone and management?—Quite so.

24232. Do you deal with excise also?—Excise is not in the Commissioner's province now; it has been taken away altogether, except that with regard to matters of general policy the Commissioner is consulted.

24233. As a matter almost of official courtesy?—The Commissioners were consulted in connection with the carrying out of the proposals of the Excise Commission the other day.

24234. Do you deal with police matters?—To some extent; the Commissioner has not as much power now-a-days as he used to have.

24235. Has he enough power?—In Assam, I think, quite sufficient, because we do not work through the police; we work through the Revenue Officers.

24236. Do you deal with Local Boards?—The Commissioner has a good deal to do with Local Boards because the budgets are examined by him.

24237. Has the District Officer a sufficient interest in the management and conduct of Public Works in his district?—No, I do not think he really has enough, and it would be a good thing if he had more to do with them, so that he might be able to advise as to what work should be carried out. I do not mean that he should interfere in matters of detail or in professional matters, but he should be in a position to say that such and such a road or such and such a bridge was required, and his advice should be listened to.

24238. Should he have power to say such and such a bridge is not being well built?—No, I think then it would be necessary to call in the Superintending Engineer.

24239. Supposing you had good reason for believing that slack work was being put in, could you deal with it?—I should bring it to notice.

24240. Should it be made part of a Commissioner's duty to bring such a thing to notice?—I do not think that would be a good thing; it might lead to friction, and it would not be advisable.

24241. One often hears, rightly or wrongly, that the Public Works Department is the most expensive and extravagant department in the country;

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should the District Officer have no power at all in trying to counteract that, if it is true?—If he sees waste of money going on before his eyes, he ought to report it.

24242. Ought it to be understood that he is not doing his duty if he refrains from reporting it?—I think so.

24243. It has been said that the Deputy Commissioner has no power in regard to forests in Assam; is that so?—He has to a certain extent (but not very much, certainly) as regards any unclassed forests, that is to say, all forests which are outside the reserve. The terms "forest" is a misnomer; it means all those areas which are covered with grass and weeds, and so on; they are called unclassed State forests.

24244. With respect to reserved forests, has the Deputy Commissioner enough power?—It all depends on whether the Forest Department is to be retained as an Imperial Department; it would not be advisable to allow the Deputy Commissioner then to interfere with the work of the Deputy Conservator in respect to a reserved forest.

24245. Are you aware of the system in vogue in most other parts of India under which the forest officer is the subordinate of the Head of the district, save in respect to the technical portion of his duties?—To a certain extent he is in Assam, but not entirely; he is not in the same position as the Police Officer, for instance.

24246. Ought he to be?—No, I do not think so.

24247. (*Mr. Hichens.*) If a new municipality is constituted or if one is abolished, has the consent of the Local Government to be obtained first?—Yes.

24248. Do other local matters connected with municipalities have to go up to the Government, or can you settle all the rest?—Some matters can be settled by the Commissioner, but the more important matters have to go up. The Commissioner submits an annual report, and he notes the important matters.

24249. Might you have power to settle all matters except those two?—More power might certainly be given to the Commissioner with regard to municipalities; for instance when the boundaries of a municipality are extended, it does not matter to how small an extent, the consent of the Local Government is required, and it has to be gazetted. Those are matters which might be dealt with by the Commissioner.

24250. Is there anything else which the Commissioner should be able to decide?—As a rule the Commissioner ought to be able to decide most questions in connection with municipalities.

24251. Does not the Government distribute a grant of a certain fixed sum annually to the Local Boards?—Yes, a certain grant is made every year to all the Local Boards for different purposes, for communications, for education, and for sanitary and medical purposes.

24252. Are those grants specific amounts?—I cannot speak from memory.

24253. You are not aware whether the Commissioner receives a globular sum and distributes it?—It is automatically distributed; it has been laid down in some Resolution, and the Commissioner does not have a hand in the distribution of it; the distribution has been done by Government before.

24254. Is there a separate contribution in respect of education?—Yes, we have grants for education by the Local Government outside the 25 per cent.

24255. Apart from the educational grant, do the municipalities get any annual grant?—Yes, they get different sums; the different municipalities get varying sums; they do not get the same amount; it all depends on the size of the municipality.

24256. Do they get globular sums for improvements or do they get an annual contribution?—They get an annual contribution, but it is not laid down how they are to spend the money.

24257. Is the amount based on anything in particular?—It is based on their income. The Government looks to see what the local income is, and if a municipality has a good income it is not given such a big grant, but if it has a small income it gets a bigger grant.

24258. It is a charity dole?—That is so to a great extent.

24259. Is that a desirable system?—It is necessary in a place like Assam where there is so little money that the municipalities could not get on without assistance.

24260. That is to say a municipality which taxes itself up to the hilt and up to the full limit prescribed by law, and has a comparatively big income would get a small grant from the Government, whereas a municipality which did not do that might get a larger one?—That is not quite so, because even when a municipality is taxed up to its maximum it sometimes gets a very good grant from Government as well.

24261. Would it not be desirable to lay down a fixed contribution which the Government should give, and reserve power to Government to make special grants in special circumstances to all municipalities?—I think the Government ought to regulate the grants according to circumstances; the Government should be able to see which municipalities needed it most, and to give accordingly.

24262. Do the municipalities often make *ad misericordiam* appeals to the Government for assistance?—Sometimes they apply for loans and as a rule they are necessary; it is true they may be called *ad misericordiam* appeals.

24263. Would not their financial responsibility be further developed if they knew exactly what their income was?—They do know what their local income is, and they do know what the Government grant is; they do not get a different sum each year.

24264. Is it fixed for a certain number of years?—It is not laid down that it should be fixed for a certain number of years, but, as a matter of fact, it has been going on for some time without alteration.

24265. Certain evidence has been given to the effect that it would be desirable to remove education from the control of Local Boards on the ground that they have not enough money for it; what would you say as to that?—I do not agree; I think primary education should be charged to the local rates, and the local rates, being part of the Board's income, it should be part of the duties of the Board to look after primary education. It would not be a good thing to take it away and it would be rather an unpopular thing, because in some places the people take an interest in education.

24266. Is the income of the Local Boards adequate?—Yes; it is very fair for ordinary purposes, but sometimes there are special purposes. Take for instance the case of a Board which wants to build a large new bridge; more money is required, but as a rule the income is adequate.

24267. Is it adequate for a certain amount of improvement each year?—Yes, to a certain extent.

24268. One witness said that the finances at the disposal of his Board would not cover the works that were urgently required within 20 years; would that be an extreme case?—I should think a very extreme case.

24269. Are you in favour of granting borrowing powers to Local Boards?—Yes, under certain conditions.

24270. Would you allow them to borrow in the open market?—No, the idea is to borrow from Government under the supervision of Government. A certain proportion of the budget should be set apart by Government for the purpose of lending to municipalities and Local Boards.

24271. If you had District Boards as well as Local Boards, would the effect be to diminish the interest taken by the people in their Local Board work?—I do not think so; the only reason why I do not like District Boards is the difficulty of their meeting; in all other respects I am in favour of District Boards.

24272. Are the members of the Local Boards keen and do they work?—Yes; in Assam they work well.

24273. Would you not be taking away some of their responsibility by the establishment of District Boards?—Yes, but on the other hand you would be creating other responsibilities, and they would be taking a wider interest in other things.

24274. Are they likely to benefit by the wider view; will they all know anything about the district as a whole?—Certainly, in the planting districts the tea-planters know a good deal about the district, and some of the Indian members too.

24275. Would it not be exceptional for a man to be acquainted with a district as a whole?—I should not say so; in many cases they are acquainted with the whole of the district, in others they are not.

24276. If you started a District Board, would you pool the funds?—Yes, you would have to do so.

24277. And allow the District Board to dole them out to the Local Boards?—If I could work it in with the Advisory Council I should be in favour of the Local Board, because the two would work together.

24278. Do you mean that you would like to have a District Board and an Advisory Council in one?—That I think would be a good idea.

24279. Apart from the Advisory Council, are you personally in favour of a District Board?—No, I am not altogether—not for Assam.

24280. Speaking from the point of view of Assam, would there be any objection if you had a Central Board where all the funds were pooled and doled out to the Local Boards?—I do not care for that arrangement.

24281. Might it lead to bickering and perhaps to an undignified scramble?—Yes, it might.

24282. If you had an Advisory Board might it possibly be advisory with regard to local affairs as well as general affairs?—Yes, certainly.

24283. That is to say, it need not have the direct control over a Local Board which a District Board would have, but might be merely advisory in regard to general local matters?—Yes.

24284. Is it desirable that the Sub-Divisional Officer should remain as Chairman of the Local Board?—If the Local Board can get on without him, I would not have him, but as a rule they cannot get on without him.

24285. There is another point of view, namely, that it is the best way of keeping the Sub-Divisional officer in touch with what is going on in his district; do you agree with that?—But the Sub-Divisional Officer ought to be in touch with his district if he does his touring.

24286. Then that point of view does not appeal to you?—No.

24287. The last witness said he thought it might be a good thing if certain jungle areas round villages were set apart for communal grazing lands, and for the purposes of firewood and so forth; would you favour a proposal of that sort?—As a matter of fact some lands are set apart for grazing grounds; they are not settled by Government—that is to say, they are not leased out, and in the vicinity of large villages there are such lands already. It is a good proposal.

24288. You say that there are certain lands in the neighbourhood of large villages which are not leased out?—Yes, in some places. They are not handed over at all; they belong to Government.

24289. May the villagers go there and cut wood?—They are allowed to graze and cut wood without payment.

24290. If you had a panchayat or a village council, would you hand over the management of such lands to them?—Yes, it would be a good idea.

24291. It has been suggested that that might lead to the land getting into the hands of one or two powerful people; is that likely?—I do not think there would be that danger in Assam, because it is a raiyatwari system and so many of the people are equal; there is no big man in the village, and the status of all the people is much about the same, and each would look after his own interests.

24292. Even if there were a big man, there would be a certain number of Government officers who would keep an eye upon what was going on?—Quite so, besides the *mauzadar* could be instructed.

24293. Then there is no reason why the collective sense of responsibility should not be developed in that way?—No, it would be a good thing.

24294. You think an Advisory Council would be a sound thing both for a Deputy Commissioner and Commissioner?—That is so.

24295. Your electorate is to be the Local Board?—Yes, that is to be the basis of it; each Local Board will elect the district Advisory Council, and the district Advisory Council will elect the Commissioner's Advisory Council—that is my idea. Of course, that is only a sketch, and would require a good deal of working up.

24296. Would you have other members as well on the Collector's Advisory Council, or would the members be simply drawn from the Local Board?—No, I would have some nominated members as well, say the Civil Surgeon and the Executive Engineer, if there is one, who might be *ex-officio*.

24297. But you would not tap any other source, municipalities, for instance?—Yes, the municipalities should send some one; they might elect one member to serve on the District Council.

24298. So that it would be really only representative of, what one might call, Local Government interests in the narrower sense?—Yes. It could be made more representative later on, but that would have to be thought out.

24299. Is it your idea that collective advice is better than individual advice?—I think so.

24300. Would you take the expression of opinion of that Board as being the general public opinion of the district?—No, not necessarily.

24301. But is that not the object of an Advisory Council?—Yes, but I would not care to bind myself by it, because it might be inaccurate, and one would like to be able to consult other people as well if necessary.

24302. If you constitute a body and call it an Advisory Council, you imply, more or less, that it is a Council which is representative of the opinion of the district?—That is so.

24303. It is an important step in that sense, and it is an implication that it is a representative body of the district, and therefore its opinion is, by implication, the opinion of the district; consequently one has to be very careful to see that it is so in fact as well as in theory?—I think so.

24304. That being the understanding with regard to it, do you think they would long be satisfied to remain in the position of an advisory body?—Do you mean to say that the District Council would want to run the district after a time?

24305. Yes, they would say "We want more power"?—Of course they might say so, but I do not see why they should get it.

24306. In that case might not the Advisory Council sink into an insignificant body?—I think they would value the position and that they would consider it a position of honour, and by degrees they might have some say.

24307. Would they value the position as members of a municipality if all they could do was to talk?—I think so.

24308. Is there nothing in the objection which is sometimes raised that the most representative and able men do not go on to District Boards and municipalities because they are too much run by the Collector and because they have not sufficient power?—I do not think so in this part of the world.

24309. (*Mr. Dutt.*) Is it advisable that the Government should continue to guarantee interest to local enterprises in all cases or only with regard to special work?—I should say in all cases, but

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in all cases of special political or military importance it ought to be left to the Government to decide.

24310. Do you mean works for facilitating communication generally?—Yes, and opening up backward tracts.

24311. Should the finances of the Government be hypothecated for that purpose?—Yes, a certain proportion of the budget should be set apart for that purpose.

24312. Till now the Government of India have guaranteed interest to local railway companies in many cases?—Only to one in this province.

24313. But they have in other parts of India, and you want to extend that power to Local Governments?—I do.

24314. Would it not involve the danger of incurring too many financial obligations if all the provincial Governments had the power to stake their revenues in guaranteeing interest on local works in different parts of India?—Only to a certain extent; there would not be such a very large sum placed at their disposal.

24315. Would that not lead to guaranteeing interest in cases which were not likely to pay?—I do not think so if matters are carefully watched.

24316. Would the watch and control be kept by the Government of India or by the Local Government?—By the Local Government.

24317. You would not have any control left to the Government of India in the matter?—It would not be a grant, but a portion of the provincial revenues, and the Local Government might be left to look after that portion of its business itself.

24318. Do you recommend that local bodies should be empowered to guarantee interest for works?—No, I do not mean that, and I do not think I said that.

24319. At present has not Government the power to lend money to local bodies on interest?—It has power to lend to municipalities, and it does do so, but it cannot lend money to local Boards because they are not based on any Act.

24320. In cases where the settlement rates fixed by the Local Government appear to the Government of India to be too high, would you prevent the Government of India from suggesting an alteration in those rates?—No, certainly not, because there are experts in the Government of India who deal with those matters.

24321. Is not the soil unit calculation a very elaborate one?—It is very difficult; it is a new arrangement in Assam.

24322. Do the people who do that work really understand it?—I do not know.

24323. What is the class of officers entrusted with the making of the soil unit calculation?—I do not know the details.

24324. Do you agree with the suggestion with regard to the transfer of *mandals* from one place to another, that it should not require the Commissioner's sanction as at present?—The suggestion has been made that appeals from *mandals* should lie to the Director of Land Records; I am against that. I think there should be concurrent jurisdiction.

24325. Who makes the annual revision of the land revenue now in Assam, village by village?—The *mandal*; the *mauzadar* is only a revenue collector and has nothing to do with land records work.

24326. Is the *mandal* a paid officer?—Yes. I think they get Rs. 8 or Rs. 10 now.

24327. Is he an officer of a sufficiently high class to be entrusted with the work of the annual revision of the Government demand?—If he is properly supervised; he is a low-paid official and requires a great deal of supervision.

24328. Would you entrust that supervision to the Sub-Deputy Collector?—He is supervised by the Sub-Deputy Collector.

24329. So that the Sub-Deputy Collector is responsible that the annual revisions are properly made?—And the kanungo also.

24330. Are the records filed in the Sub-Deputy Collector's office for his own circle?—Yes, and there is a copy in the Deputy Commissioner's office, too.

24331. Before sending it on, is it the duty of the Circle Sub-Deputy Collector to examine these revision demands?—Yes; a certain amount of test is laid down, and he has to do so much.

24332. So that he is a Land Revenue Officer in his own circle?—He is the Land Record Officer for the circle.

24333. Would you be in favour of investing the Circle Sub-Deputy Collector with certain executive powers?—Yes, I am not against that; it would be a good thing.

24334. So that he would be practically an Executive Officer within his own circle?—Yes; I wish to give him more powers.

24335. In that way might the administration be brought more into touch with the people?—Yes.

24336. What control has the Circle Sub-Deputy Collector over the *mauzadars* who collect the revenue?—He has only indirect control, and they work directly under the Deputy Commissioner; every now and then Sub-Deputy Collectors are ordered to report about certain things they have done, but those are special cases.

24337. Would you be inclined to give them more systematic control over the *mauzadars*?—No, because the idea of Government is to keep the *mauzadar* as the revenue collector, and to keep the land records men separate.

24338. Would you not allow the Sub-Deputy Collector to have a special hand in the collection of revenue?—No, we have just abolished the tahsildari system which we found did not work well and have gone back to the old *mauzadar* system.

24339. I understand that there are certain estates which are permanently heritable and transferable as distinguished from periodic estates; what exactly are those estates?—No. An estate, the holder of which possesses a permanent heritable and transferable right, *is* a periodic estate; see sections 8 and 9 of the Assam Land Revenue Regulation. Formerly these estates were called "decennial," because they were ordinarily settled for 10 years, but since the settlement they have been settled in two districts for terms of 20 years. The estates were then called "periodic."

24340. Such estates are not very numerous?—Yes, they are.

24341. Is cultivation extending in Assam under the present system of land settlement?—In places it is extending, at a fair rate of progress.

24342. You probably heard the last witness say that many of the time-expired coolies had settled down in this country?—Yes, that is correct.

24343. Is the present system of recruiting garden labour necessary?—Certainly at present, but I do not say that it will always be necessary.

24344. We have been told that it gives some extra work to the police; what do you say as to that?—The police serve warrants, that is all.

24345. With regard to unclassed forest or scrub jungle and grass jungle, have not cultivators in some villages the right to graze their cattle and take fuel without payment?—That is so.

24346. Would you, where possible, extend that right to all villages?—I would like to do so, if possible, and where land is available.

24347. In those cases would you like to keep such land under the control of the Deputy Commissioner as distinct from the forest officer?—Certainly; I would put it under the village panchayat.

24348. Generally speaking would you suggest that the forest officer should be in some respects subordinate to the Deputy Commissioner?—I have said already that I do not wish this.

24349. (*Sir Steyning Edgerley.*) To whom do municipal appeals lie now?—It is not laid down, but the Commissioner hears them.

24350. Is that satisfactory?—Personally I would rather not interfere with municipal matters except in the case of a dismissal of an old officer or in some exceptional case; ordinarily speaking, municipalities might be left to manage their own affairs.

24351. Who sanctioned the settlement rules?—They were sanctioned by the Local Government.

24352. Are amendments within their own discretion if they choose to make them?—Yes.

24353. We have been told that sufficient was not done to meet the cholera distress and the earthquake disaster; do you know what was done?—Remissions of revenue were made. A large remission was made in the Nowgong district, and there was a remission also in this district on account of the damage done by the earthquake; but it was not made till some years after it occurred—I think in 1901.

24354. Was it a remission of assessment or of outstandings?—It was a remission of the assessment; the assessments were lowered and the classification was lowered.

24355. Was that on account of the earthquake?—It was on account of the earthquake and *kala azar*.

24356. Was that sufficient?—I think a little more might have been done, and it should have been done earlier.

24357. Then there is something in the complaint that the requirements were not adequately met?—There is none now; at the time there was.

24358. You heard the evidence of Mr. Skinner on the subject of *churs* and so on. Do you agree with him?—Yes, the villagers have always been accustomed to take firewood and reeds for thatching from these places.

24359. It has been suggested that Deputy Commissioners and Assistant Commissioners might remit apparently without limit; do you agree with that?—No, I doubt if Government would be prepared to grant unlimited powers to Commissioners to remit in cases of local calamity.

24360. But do you approve it as a principle?—No, it is giving too much responsibility.

24361. What amount have the remissions come to?—I believe in this district there was a fairly big remission of about Rs. 5,000 or Rs. 6,000 two years ago.

24362. Is that amount too much for a Commissioner to sanction?—No, I would agree up to Rs. 10,000.

24363. Supposing a remission of a couple of lakhs of rupees was felt to be just, would you allow the Commissioner to give it?—No, it ought to go to Government or to the Board.

24364. With regard to the suggestion of enlarging the number of Commissioners and doing without the Board, what is your opinion?—I do not agree with it; the Board of Revenue is very useful as a consultative body and as containing officers of long service and matured opinions.

24365. It has been suggested that the Commissioners should receive the Public Works grant and allocate it to certain works; do you agree with that?—The Commissioners are consulted now. There is what is called a forecast of works, which is issued by the Chief or Superintending Engineer, and which goes to the Commissioner. That forecast contains all the roads, bridges and other works for the ensuing year; the Commissioner looks at it and sends it to the Deputy Commissioners who make remarks as to whether anything is urgent, very urgent, and so on, and the Commissioner then writes to the Chief Engineer with his opinion.

24366. Suppose one Commissioner marked all the wants in the division "very urgent," and another Commissioner only marked them "urgent," money might go where it was not so much needed?—The Government would be able to correct that.

24367. Another suggestion has been made, namely, that the Deputy Commissioner might be relieved of the charge and actual responsibility for the treasury; do you think that is feasible?—As long as the Deputy Commissioner is responsible financially and the balance at the treasury is to his personal debit, he cannot be relieved. If he is relieved altogether of that responsibility, so much the better, if it is possible to do it. It remains to see who is to take his place.

24368. Has the police re-organisation weakened the position of the Commissioner at all?—No, I do not think so.

24369. As to Advisory Councils, you think you might have a District Committee and work it in with an Advisory Council?—That was the idea.

24370. Do you mean that that committee might be a sort of agent for the general business delegated by the different local bodies, as a sort of federal committee for joint works?—Yes; that might be tried.

24371. Could the committee gradually be entrusted, under the presidency of the Deputy Commissioner, with the outside control of the local bodies?—It is to be an Advisory Committee, and I would not give them administrative powers yet.

24372. What is the area under the charge of a *mandal*?—It varies with the amount of work he has to do. If there is a great deal of survey work it is smaller, but if it is all settled and the cultivation permanent, he has a larger area; roughly speaking it would be 8 or 10 square miles.

24373. How much has a kanungo to deal with?—He has a circle and would have a number of *mandals* under him—he would have about 20 or 30 *mandals* under him.

24374. Does the *mandal* prepare the revenue accounts for his area?—He prepares the *dagchitta* as it is called and then he prepares the *jamabandi*.

24375. In villages where they have certain privileges and unclassed forests, is there any record kept of those privileges?—No, there is no record, but there ought to be.

24376. Is there no public notification in a village of what they are permitted to do?—No, there is not.

24377. So that there is some uncertainty about it?—There is considerable uncertainty.

24378. You are in favour of a considerable development in the duties of the Sub-Deputy Collector?—Yes.

24379. You refer to certain difficulties with regard to agricultural loans. The Collector of Backarganj said that he had started a system of sending an officer out into the villages with money and making the loans on the spot, and that he had facilitated collection very much in the same way; have you ever tried anything of that kind?—No; it is what I would like to do, and I do not see why the Sub-Deputy Collector should not do it.

24380. As regards village tribunals, are you quite decided in the view that if the parties are dissatisfied with the decision of the *mel* they should be able to come to the Courts?—It is rather a difficult matter to decide. There might be no appeal from him, and his decision might be made final in regard to small matters, but in the Khasi hills they have a system by which cases are decided by village panchayats, and if the parties feel aggrieved they can come to the Courts, and the case is tried again *de novo*.

24381. Would you not lose a great deal if you allowed that?—I am not very anxious for it, certainly. If it could be done, I would rather give them power to decide these petty cases altogether.

24382. Unless you make the decision final would you not lose the chief element of the communal system in a village?—Yes, that is so.

24383. (*Mr. Meyer.*) Do you desire that the Local Government should borrow directly, or merely that it should guarantee interest to private enterprise?—They should guarantee interest on these railways.

24384. Do you desire full powers in that direction?—Yes, within certain limits placed in the budget.

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24385. Then the Local Government would be restricted and could not guarantee more than a certain aggregate sum?—Yes.

24386. Has the establishment of a Board of Revenue curtailed your powers as a Commissioner in the Assam Valley at all?—I have had very little experience of the working of it, but, of course, it must have curtailed them to a certain extent, and probably to a considerable extent, because a great deal of work used to be done by the Commissioner which is done now by the Board of Revenue.

24387. Is it not possible that the Board might simply have taken the place of the Chief Commissioner, and that the Commissioner had the same powers exactly as he had before?—I do not gather that that is so.

24388. As Deputy Commissioner you have had occasion to notice whether things which were formerly dealt with by the Commissioner now go to the Board?—Yes.

24389. Is it your opinion that the status of the Commissioner has been reduced?—That is my impression.

24390. Would you say that the Commissioner of the Assam Valley might be as big a man now as he used to be, and that there is no reason why the Board should take over any powers that he formerly possessed?—I think so.

24391. We were told by a witness that the establishment of a Commissionership in the Surma Valley had taken away powers from the Deputy Commissioners—is that so?—Before the partition there was no Commissioner in the Surma Valley, the Deputy Commissioners used to work direct under the Commissioner, and that is what I think the witness meant. I think the Local Government gave them more power.

24392. He also said that by the establishment of an intermediate authority they had lost some of the powers they formerly had when they were under the Chief Commissioner; is that so?—No, I do not think it is so.

24393. At any rate if it were so, you would not approve of it?—No.

24394. Such matters as suspensions and remissions are governed by rules under the Assam Land Revenue Regulation?—Yes.

24395. That is an Act of 1886?—Yes.

24396. Are not those rules subject to the control of the Governor-General in Council?—I think so; I think the Chief Commissioner has to submit them for sanction to the Government of India under sections 151 and 158 of the Land Revenue Regulation.

24397. Have the words "subject to control" been interpreted in practice that any alteration in these rules should be sent up to the Government of India?—I believe so.

24398. Are there definite rules as to the way in which suspensions and remissions are to be made?—Yes, they are contained in the Assam Land Revenue Regulation; an inspection of the area affected is made by the Land Records Officer.

24399. Is a general scale laid down?—Yes. Supposing a flood has carried away the whole of a crop except 4 annas, there is 100 per cent. remission; from 4 up to 6 annas, 50 per cent.; from 6 to 8, 25 per cent., and above 8 annas nil.

24400. Then these remissions are really the application to actual facts of the rules and principles which have been already issued?—Yes.

24401. That being so, can there be any reason why the Commissioner should not settle the matter definitely?—In cases of small calamities, I do not see why he should not, and when the area affected is not very large.

24402. In the case of a big calamity it merely means that there are (say) 100 holdings affected instead of 10; but the principle is the same?—If the area affected is very large, it would be desirable to get the orders of Government.

24403. As a matter of fact the Government would have to take for granted the report of the District Officer as to the amount of the loss?—The Government might order an enquiry by another officer—the Director of Land Records, if the remissions seemed to be very large ones.

24404. Are your Circle Sub-Deputy Collectors under the Director of Land Records?—Yes, they are under him; they are also the Deputy Commissioner's subordinates.

24405. Is the whole Land Records' establishment under the double control of the Director of Land Records and the Deputy Commissioner or Commissioner?—Yes.

24406. And yet they are doing what in other provinces would not be called settlement work at all, but only the ordinary applications of conditions of settlement already laid down?—They are keeping up the records.

24407. But they are not doing a fresh settlement?—No, but we call it a settlement.

24408. What you call settlement is merely the month to month, and year to year, application of the existing settlement?—That is so.

24409. Are not the establishments strictly district establishments?—They are.

24410. Might not the Director of Land Records be very well divested of authority in these things and made a purely inspecting officer?—I am not prepared to go as far as that; I rather like the control of the Director of Land Records, because he is an expert officer and knows how to manage the *mandals* and kanungos.

24411. Do you mean that he is more expert in dealing with men?—Not in that way, but he knows the ins and outs of the work of the *mandals*, and he is better qualified to see if there is anything wrong than the Deputy Commissioner is. The Deputy Commissioner would have a good deal of additional work thrown on him if the Director of Lands Records' influence was removed.

24412. Do you find that the Circle Sub-Deputy Collector looks upon the Deputy Commissioner or upon the Director of Land Records as his real chief?—He looks upon both really, but I think he is rather inclined to look to the Director of Land Records than to the Deputy Commissioner.

24413. Would you have a similar control of your Sub-Divisional Officers by a Judge, seeing that they are doing a lot of judicial work?—No; because it is rather a different thing; it is executive work which is quite different.

24414. Is not the system of putting before you, as Commissioner, Public Works projects for the year a new one?—Yes; so far as I am aware.

24415. Does the Deputy Commissioner have anything to say to it?—Yes; we send the portion referring to his district to him.

24416. But in former years, when you were Deputy Commissioner, it was not done, and the Public Works were entirely independent?—Yes.

24417. Is the new system a mere experiment, or has it come to stay?—I do not know under what orders it rests.

24418. You are not in favour of having a budget in your own hands as Commissioner?—No; I think the Commissioner has enough to do with the Local Board and municipal budgets.

24419. Various officers have told us that they would do away with the Commissioner; do you agree with that?—I prefer not to express an opinion.

24420. The Commissioner being there, might he have a considerable increase of powers?—In some matters he might be given more power, but I would not turn him into a Deputy Governor as someone suggested.

24421. Would you give him larger powers over the original appointment of Sub-Deputy Collectors, for instance?—I think as the Sub-Deputy Collectors are members of the Subordinate Civil Service, it is better that the appointments should be in the hands of the Government as being more in a position to judge.

24422. How far does the Subordinate Civil Service go down?—It goes down as far as Sub-Deputy Collector.

24423. What do you call clerks and other people?—Ministerial officers.

24424. And kanungos?—Kanungos are ministerial officers.

24425. Should the Subordinate Service remain with the Local Government?—I am inclined to think so.

24426. Who does the posting of these Sub-Deputies?—The Secretariat.

24427. Should that continue?—The Commissioner, of course, is consulted.

24428. Is the Commissioner's advice generally followed?—I think so; I have seen it done in two or three cases already since I have been in charge.

24429. Would you not go a step further and give the Commissioner the final say?—I would not be prepared to say that; from my short experience I think it would be better to leave it as it is.

24430. You would not, therefore, give the Commissioner any power of posting Assistant Commissioners and Extra Assistant Commissioners?—No; he might be consulted as he is now.

24431. Would you give him, as has been suggested, the power of granting magisterial powers?—No, I would not.

24432. Would you give him larger powers in regard to the grant of agricultural loans?—Yes, I think so.

24433. What power has he now?—A certain allotment is made by the Board to him, and he distributes it to the different districts.

24434. Is there any limit to the amount he can allot?—Yes; the amount is too small; I think the allotment is only Rs. 10,000 for the whole division this year.

24435. Could you grant the whole Rs. 10,000 to one man, or is there a limit within which you grant a loan to any individual?—There is nothing laid down in regard to it.

24436. You have full discretion, subject to your budget allotment?—Yes, it is a question of how much is available.

24437. You speak of some instructions of 1898 with reference to the distribution of these agricultural loans; are you aware of the Government of India orders of 1905, which expressly enjoin greater power in the granting of these loans, and that they shall be granted on the spot as far as possible?—Yes.

24438. Are they acted up to?—I do not think they are sufficient. In some districts the Deputy Commissioners have been distributing loans, but I have not heard of Sub-Deputy Collectors doing so.

24439. Has the Local Government issued instructions following out the general policy of the Government of India?—Yes, there is a circular.

24440. So that if those instructions have not been acted upon, the fault really lies with the District Officers?—One would have to look up the matter and see.

24441. Have you any power now to grant a pension?—No, I believe all the recommendations for pensions go up to Government.

24442. It has been suggested that, subject to the certificate of the Accountant-General, that a pension is all right according to the rules, a Commissioner might grant a large number of them, in the case of Non-Gazetted Officers at any rate: would you agree with that?—There does not seem to be any objection.

24443. Then there are certain sections of the Civil Service Regulations which give the Local Government power to extend the ordinary rules in such matters as joining time and travelling by the shortest route, and so forth—it has been suggested that Commissioners and other Heads of Departments might be given those powers, or at any rate, a considerable portion of them; do you see any objection to that?—I do not see any great object in it, but I do not see any objection.

24444. What is the position of a Commissioner in regard to a fresh settlement in his district?—He is consulted about the rates.

24445. The Director of Lands Records told us that he sent in his report and it went to the Commissioner and the Deputy Commissioner for their views, but does the Local Settlement Officer never consult the Deputy Commissioner and the Commissioner with regard to rates?—I believe he does, but I have had no experience of it yet.

24446. We were told yesterday that there was an enormous number of appeals from all sorts of petty subjects, beginning with the Circle Sub-Deputy, and going up to the Board of Revenue; are those necessary?—There seems to me to be too many appeals in all revenue matters.

24447. Would you say that it was enough to have a single appeal on a question of fact—I am speaking with regard to administrative matters and not with regard to the punishment of officers?—Yes, I think so.

24448. When there is a question of interpretation of a ruling or of revenue law involved, what would you do?—If there is a question of law involved, the appeal should go to the Board.

24449. With regard to the punishment of Government officers, how far would you carry an appeal?—The Deputy Commissioner's order to the Commissioner, and the Commissioner's order to the Board, practically one stage.

24450. Would you make any exception in the case of a dismissal or would you treat it the same as any other punishment?—I would make an exception in the case of a dismissal.

24451. Have your Sub-Divisional Officers any power of dismissing a clerk?—No, the Deputy Commissioner passes the order.

24452. Have they any power of appointing clerks?—No.

24453. What sort of clerks has a Sub-Divisional Officer?—He has a head clerk on about Rs. 70 or Rs. 80, and a second clerk on about Rs. 30; then there is a nazir on about Rs. 30 and revenue clerk on about Rs. 40.

24454. Might the Sub-Divisional Officer not appoint clerks below Rs. 50 at any rate?—No, it would be better to leave it in the hands of the Deputy Commissioner.

24455. Has the Deputy Commissioner power to appoint his own ministerial establishment?—Yes.

24456. What does his highest paid clerk get?—He draws from Rs. 120 to Rs. 150.

24457. Can the Collector appoint him, or has he to get the Commissioner's sanction?—I think he can appoint him.

24458. Has the Deputy Commissioner power to dismiss his own clerks?—Yes.

24459. Supposing a settlement *mandal* had to be dismissed, who would dismiss him?—Either the Deputy Commissioner or the Director of Land Records, because he is under both of them.

24460. Would it require the concurrence of both?—If there was an appeal the Commissioner would be consulted. There is a rule about that in the Land Records Regulations. I think they both have to be consulted, and both have to concur.

24461. If they differ, is the Commissioner called in?—He would be, in practice.

24462. And in the same way as to punishments?—Yes, but not as regards fines or suspension.

24463. In the case of suspension, can the Deputy Commissioner act himself?—I think so.

24464. We were told by a witness that in his municipality a dispensary was not a municipal institution, but was kept up by Government, and the municipality merely contributed; is that the general position of affairs in this province?—Yes.

24465. Direct medical relief, then, is not a function of the municipalities?—They give grants.

24466. But they do not keep up any establishment?—They do not keep up any establishment.

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24467. Is it the same with regard to Local Boards?—No, it is different; the Local Board supplies the dispensary and keeps it up, and the Government contributes a Hospital Assistant.

24468. Does it give his services free?—Yes, on certain conditions.

24469. You do not have the system which Colonel Wilkie told us about in Eastern Bengal, under which the District Board can get its own Medical Officer entirely?—I think that used to be the old system.

24470. But that has been superseded by the free loan of a Government Hospital Assistant?—Yes.

24471. Have you any Local Board institutions in charge of higher persons than Hospital Assistants?—No, I think not; I think they are all Hospital Assistants.

24472. Again, Colonel Wilkie said that in Eastern Bengal he thought the Boards were neglecting the Civil Surgeon too much in the matter of medical work; has there been any complaint of that sort in Assam?—No, I have not heard of it.

24473. As regards municipalities, has the Chairman the power of appointing the staff, or are there any posts for which he has to get the Commissioner's sanction?—He has complete power, as far as I remember.

24474. However highly paid the officer?—The officers are not very highly paid in these municipalities; the overseer gets Rs. 70 or Rs. 80 a month.

24475. Then is there no definite rule?—There may be, but I am not conversant with it.

24476. Have you had many appeals from the *personnel* of municipalities?—I have one appeal pending.

24477. Supposing the Chairman, or the Vice-Chairman acting for him, punished a municipal servant, does an appeal lie to the Municipal Council as a whole?—I fancy a man can appeal under the Municipal Act, but I have never heard of it being done.

24478. As a general principle would it not be better that the first appeal should lie to the Council as a whole, rather than to an outside authority?—Yes. I feel rather doubtful about the Commissioner dealing with these appeals.

24479. As to your remarks with regard to loans by local bodies, does not the remedy lie very much in the hands of the Local Government; if the Local Government passed registration recognising the existence of these Local Boards, they could then borrow under the Local Loans Act?—I suppose they could.

24480. Do you attach special importance to having Advisory Councils elected, seeing that they are to be advisory only?—It would be a good thing to elect them, but, of course, in some out-of-the-way places it would be necessary to nominate them.

24481. Do you not think from your study of history that an elected body always demands more powers and brings pressure to bear on the Executive?—They might ask for more powers by degrees, and as the people became more educated and more advanced, there is no reason why they should not have them.

24482. So long as you think it expedient to make then purely advisory, would it not be desirable that they should be nominated?—They might be nominated at first and elected afterwards.

24483. You mentioned remissions as a matter which an Advisory Council could deal with—do you refer to individual remissions?—No; I meant large remissions in connection with calamities.

24484. Would it not be a little risky to start them on the details of remissions?—Certainly not on the details; I was referring to the general question whether there should be remissions in a certain area.

24485. A Council of that sort would not be financially responsible in any way?—No.

24486. And at the same time it might be inclined to be benevolent?—It might be inclined to be, but then there would be the Deputy Commissioner to keep it in check.

24487. Would it not be a little invidious, if the Deputy Commissioner was held responsible by Government?—If he gave good reasons for acting against the advice of his Advisory Council, the Government would presumably back him up.

24488. Since this province was joined with Eastern Bengal, have many of the officers who had served their time in Assam been removed to Eastern Bengal?—No, they have not: separate transfers have not been very frequent, and not so frequent here as in other parts.

24489. Have you not had Eastern Bengal officers sent here and Assam officers sent to Eastern Bengal?—Yes, we have had some.

24490. Do you regard that as desirable?—No, because the conditions are quite different and the Eastern Bengal officers only know Bengali and do not know Assamese and *vice versâ*.

24491. As regards your proposal that a village community should get communal grants of land for grazing purposes and fire-wood, probably you are not aware of what has happened elsewhere, and that in certain provinces they simply cut down the wood and appropriate the grazing?—But in this case it would not be so much cutting down the wood as the thatching grass which grows there.

24492. Before making these grants to village communities, might it not be advisable to enquire what had happened in other provinces?—Yes, but it was not my suggestion; I said I did not see any objection to it.

24493. (*Sir Frederic Lely.*) What exactly is your suggestion with reference to the communal land? If it was handed over, would there be supervision by Government?—Of course; the area would be fixed; it would be common grazing ground, and it would have to be available and at the disposal of the Government. I would not take up land which was already under settlement.

24494. It would always be subject to observation by Government officers?—Certainly.

24495. You would not allow the people to cut as much wood as they liked and carry it away until there was nothing left?—The rules of forestry would hardly be needed here, because it is only jungle.

24496. But there is sylvan growth, I suppose?—The trees are very poor and of no value.

24497. Are there no trees that might become of value?—No, not in the area I contemplate. The area I am referring to is where thatching grass and reeds grow. There might be a few poor trees, but they would never be of any value worth thinking about.

(*The witness withdrew.*)

Mr. GYANENDRA NATH GUPTA was called and examined.

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24498. How long have you been connected with Bogra as Collector?—Three years.

24499. Have you previously had experience as a Sub-Divisional Officer?—Yes, I was at Khurda for three or four years. I have 14 years' service altogether.

Much greater use should be made of the important office of Commissioner than is now the case, and both he and the District Officers in subordination to him should have much larger powers of initiation and action than they have at present. The position of the District Officer may still further be strengthened, since he, as District Magistrate, is primarily responsible for the administration of his district. I would, as a rule, fetter his executive authority as little as possible with hard-and-fast rules and circulars.

In large districts, the District Officer should be relieved of such miscellaneous duties as the control of the local treasury, which in such cases may be managed by a special officer under the Accountant-General. He may also be relieved of some responsibility in revenue matters by delegation of some of his powers either to the Sub-Divisional Officer or a competent Joint or Deputy Collector at headquarters.

Larger executive and statutory powers should be given to Sub-Divisional Officers. They should have greater control over the rural police and to some extent of the regular police of their sub-divisions. At present the Sub-Divisional Officer has very little authority in such matters. The excise and income-tax administration of the sub-division may also be vested in him subject to the general control of the Collector. Such special departments as the Court of Wards, *Khas mahals* may be made over to the control of the Sub-Divisional Officer. He should also look after the work of the registration officers of his sub-division.

With regard to the District Board, although the time has not yet come when the District Officer should be supplanted by a non-official as Chairman of District Board, yet in all District Boards where there are no Local Boards, half the numbers of members should be elected under rules similar to those which now govern the election of members by Local Boards. The district should be divided into a certain number of circles which may correspond with the thana boundaries, and different members be associated in some definite manner with each circle. The members should be authorized to inspect all District Board institutions, roads and other works within that circle and to draw travelling allowance for doing such work. Small municipalities may also be conveniently placed under District Boards. At present the Divisional Commissioner can hardly have time to inspect and exercise personal control over the numerous municipalities which have sprung up. The District Magistrate now does most of the work of supervision; and if the Board be constituted as the immediate controlling authority, then the Magistrate, as Chairman, will be able to make fuller use of his personal knowledge of the requirements and resources of the municipality, and also relieve the Commissioner of this part of the latter's present duty. Finally, the District Boards should have far larger powers of initiating and carrying out projects than they have now. The present practice by which control is supposed to be exercised by the Public Works Department has been a failure.

In municipalities where there are town police, the Chairman of the municipality should have the authority to inspect their work and suitable notice should be taken of his remarks by the District Officers.

The formation of District Advisory Councils has my hearty support. At first the members should all be nominated, but as time goes on some scheme for the appointment of a certain number by election may be adopted. Such Councils ought to be specially valuable in settling by arbitration disputes between powerful rival zamindars, about any disputed boundary or property; between co-sharers of the same family of zamindars about a share of the zamindari; or between a zamindar and his raiyats. Disputes between different sections of the community which may develop into a racial feud may also be referred to this body. The District Officer may also usefully consult this body in connection with administration orders affecting either the religious or social sentiments and prejudices of the people. In Bogra I have established a "District Improvement Committee." The leaders of both the Hindu and Muhammadan communities, the Government Pleader, the Chairman of the municipality, the Vice-Chairman of the District Board, the Secretary of the Bar Library and some leading zamindars belong to it. During the recent agitated condition of public feeling the members of this Committee were of great assistance in allaying unrest and informing the public of the attitude which Government meant to adopt during the crisis. With this Committee I also discussed such subjects as the need for the creation of a separate judgeship in Bogra, the extension of the district boundaries, the rules for the maintenance of the public park, and other questions relating to the public weal.

It is more important that the District Officer should be in close touch with the people of the district than that of the Head of the province should be in close personal contact with the District Officers. And it is far more important than either that the complicated machinery with which the work of administration and government is actually carried on should be within easy reach and access of the great mass of the people. That the foundations of our system of administration are weak and that "a vacuum has been forming between the Government and the people" has not failed to attract the notice of thoughtful administrators. To fill up this void, schemes have been proposed for re-organising the remnants of the autonomous institutions which are still left in the country and to give larger powers and responsibilities to village panchayats. The experiment appears to have succeeded in some Native States, such as Patiala and Baroda, and there is no reason why, in time, a moderate amount of success will not attend the recent efforts of the Bengal Government in this direction. I have always made free use of panchayats in making enquiries into petty criminal complaints, and in Khurda in the district of Puri the village bodies were of the greatest assistance in maintaining and improving village roads and tanks, and in carrying out elementary sanitary improvements of villages. In Malda too I followed the same policy, but the success attending my efforts was much more limited, as I had not the assistance of a trained body of public servants like the village *sarbarakars* of Khurda in every village.

Accepting the thana as the first important unit of our administrative system, it is necessary to make it a real centre of both criminal and civil administration. In each thana I would place a Gazetted Officer who would be the administrator of justice in the local thana Court. The same officer with such assistance as may be deemed necessary should—

(1) Indirectly control and check the work of the thana police.
(2) Organise and supervise the work of the circle panchayats and the rural police under them.
(3) Try all criminal cases for which he may have powers under the statute.
(4) Try all civil cases for which he may have powers.
(5) Be in charge of the registration office of the thana.
(6) Keep and maintain all settlement records appertaining to his thana.
(7) Be the Chairman of his own Local Board, and with the assistance of the members administer funds which may be set apart for his local institutions—schools, dispensaries, roads, &c.

On an average the proposed centres should have an area of 200 or 250 square miles, but no strict uniformity appears to be necessary.

The control of the work of the thana police should be one of the most important duties of the proposed Thana Officer. Control by a local Gazetted Officer, of the rank of a Deputy Magistrate, is the only possible means of effectively checking the dishonesty of the subordinate police. The real root of the difficulty has not been removed by the reforms of the Police Commission. The day that it is ordained that first information reports of all important cases must be recorded in the presence of the Thana Magistrate and under his signature, half of the corruption in the ranks of the subordinate police will disappear. People will cease from offering bribes to the police because it will not be worth their while to do so any longer. But before this arrangement can be expected to work satisfactorily in practice, the relations of the Thana Magistrates and the thana police, and of both with the Superintendent of Police must be clearly and definitely settled. I do not apprehend that there will be any difficulty or confusion if the

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District Magistrate be in substance, as he is still in name, the final controlling authority of the district police. A great blow, however, has been struck at the authority of the District Magistrate by the adoption of the recommendations of the Police Commission by which the District Magistrate has been deprived of all powers practically of either punishing, protecting, or rewarding the Police officers of his district. The department has been centralized, and the Inspector-General of Police is now both the Head of the Department and of the district police.

The Thana Magistrate should have no direct executive control over the thana police, but the District Magistrate should be expected to uphold any reasonable recommendations that he might think it necessary to make. All cognizable police cases should be divided into two great classes—important and unimportant. Except for purposes of annual reports, and I am even doubtful of that, no statistics should be prepared by thana officers of unimportant cases. The panchayats should have authority to record the first information in such cases, sending a copy at once to the Thana Magistrate. He should pass orders whether the Thana Police officer is to supervise the investigations in a particular case or whether it will be completed by the panchayat concerned. Final orders on all C forms of unimportant cases should be passed by the Thana Magistrate. Of cases to be classed as "important" the first information would be recorded, as now, by the thana officer, but with this proviso that the first information of all "special cases" (specially important cases) must be recorded in the presence of the Thana Magistrate under his counter-signature. The first information reports of all "important" cases should be sent to headquarters as now, and orders will be passed as to the supervision of the case from headquarters. As a rule, the Thana Magistrate should take no part in the investigation of any cases, but if under the orders of the District Magistrate he does supervise the investigation of any case, ordinarily that case should be transferred by the District Magistrate to the file of a neighbouring Thana Magistrate for trial.

Reference has been made to the powers of panchayats to hold investigations into such unimportant cases in which, under ordinary circumstances perhaps, no inquiry would be held, or in which, regard being had to the petty nature of the offence, an inquiry by the thana officer will only result in unnecessary harassment of the parties concerned. This investigation should only be made by the chief panchayat or the president of the panchayat, who should be given legal powers and be specially selected for such work.

Among other duties of panchayats I would encourage the practice which obtains in many districts of getting panchayats to make enquiries into petty complaints under section 202 of the Criminal Procedure Code. Such complaints, specially if they refer to petty land disputes, can best be settled by the village panchayats.

Some selected panchayats may also conveniently be given the powers of Honorary Magistrates and help the Thana Magistrate in disposing of criminal cases either in the thana Courts or in other Courts to be selected for the purpose. The Courts of the panchayat Honorary Magistrates should be practically "Arbitration Courts," where cases will be decided without any formal proceedings. All cases in which the parties concerned themselves have no objections may be made over to these Arbitration Courts.

Chaukidars should be appointed by the panchayats, with the approval of the Thana Magistrates, but daffadars should be appointed direct by him on the recommendations of the panchayats. The appointment of panchayats and daffadars should be approved by the District Magistrates. The assessment of the union by the panchayats for the chaukidari tax should be submitted to the Thana Magistrates and carefully checked by him. The scrutiny now supposed to be exercised by the District Magistrate is only nominal. It ought to be possible for the Thana Magistrate and his assistants to exercise a careful and real supervision over this important work. It is most important to constantly supervise the work of panchayat by competent officers if they are to be entrusted with larger powers. The Thana Magistrate should make a personal local enquiry before the appointment of panchayat is made, and a constant supervision of their work should be an integral part of his duties.

The Thana Magistrates should also take petitions and try criminal cases, both those sent up by the police and those brought to trial directly by the Court. The District Magistrate, who will get a daily list of the cases in the file of the Magistrate, will no doubt transfer any cases from the file of the Magistrate to that of another neighbouring Magistrate or to that of the *Sadar* Magistrate, either on account of the importance of the case concerned or for any other sufficient reasons. Both the parties in the case and their witnesses will find it more convenient to attend their own thana Courts than distant Courts at the headquarters of either the sub-division or in *sadar*. The disposal of cases too ought to be more expeditious, and the Magistrate is likely to have more personal knowledge of the real facts of the case. Lastly, we should be able to a great extent to get rid of the present mischievous interference of middlemen, such as *mukhtears* and touts, if we have our Courts closer to the homes of the people and make it possible for them to deal more directly with us.

Along with the Criminal Court, a Civil Court should also be located at each centre, and if need be, the same officer should dispense justice in both Courts. I do not see any great objection to the same officer trying both classes of cases. It is done in the Non-Regulation areas, and in Orissa a fair amount of civil work is done by the Revenue Officers. After the completion of the survey and settlement proceedings now going in the different districts, it will be still more easy for Revenue Officers to try civil cases. I propose that the following classes of civil cases should be tried by the thana Civil Courts:—

(1) All money suits up to the limit of Rs. 100 triable by a Small Cause Court procedure.

(2) Possessory suits under section 9 of Act I. of 1877 (Specific Relief Act).

(3) All rent suits, limit of Rs. 100, or at least those rent suits in which the plea of payment is made.

(4) Claims to attached property (section 278 of the Civil Procedure Code).

(5) All cases relating to resistance to execution (section 331, C. P. C.).

The Court should also have power to accept deposits of rent under sections 61 and 62 of the Act. Selected panchayats may be given powers to try petty civil disputes. They are likely to have personal knowledge of the real facts of the case, and an arbitration by them will be the speediest and most efficient form of dispensing justice in such cases.

All the presidents of panchayats should be members of the Local Board, *ex-officio*. As a rule there are between 20 to 30 collecting panchayats for each thana, and as all will not be able to be present at every meeting, this number will not be too large for the Local Board. All the local roads (as distinguished from the district roads), dispensaries, schools, and other local institutions should be under the management of this Board. Inter-village paths and roads which are being entirely neglected at present, and are being gradually swallowed up by unscrupulous villagers should be the object of the special care of the Local Board. Maps for each union showing all village paths should be prepared and kept up. Another object to which the special attention of the Board will have to be paid is the preservation of the existing water reservoirs of the villages. Similarly, the important question of the sanitation of villages should be one of the chief concerns of the Local Boards and the local unions under them. While in charge of the sub-division of Khurda, in Puri, I found that under adequate supervision the people not only took a good deal of interest in such matters, but also willingly paid small subscriptions for the excavation of their tanks and improvement of village roads.

The scheme proposed will probably entail a substantial increase in expenditure, but the increase will not be so great as might at first be anticipated. In the Bogra district, for instance, at present, besides the District Magistrate, we have three Deputy Magistrates, three Sub-Deputy Magistrates, one Superintendent of Police, two Inspectors and five Munsiffs, and five sub-Registrars and one Special Sub-Registrar. Excluding the *sadar* thana, we have eight thanas in this district. For the Courts at headquarters I should keep two Deputy Collectors, one Munsiff, one Special Sub-Registrar and the Superintendent of Police, or even a Deputy Superintendent of Police. If the scheme I have advocated is given effect to, a Superintendent of Police will not be required in every district. For a small district like this a Deputy Superintendent or even a senior inspector ought to be sufficient. The eight thanas of the district may quite conveniently be agglomerated into five, with areas of about 200 square miles. Even if we have two officers for each thana, we will have one Deputy Collector, one Munsiff for the post of first officer. Three more officers, either from the Provincial Executive or Judicial Service will be required to fill the post of first officers. For second officers we have already three Sub-Deputy Collectors and five Sub-Registrars and one Inspector of Police, and no more officers would be required to fill up this post. When the Sub-Registrar is relieved of some of his responsibilities and clerical duties, he will have a fair amount of time for general duties, including criminal and civil work.

Besides at least two Gazetted Officers, I should also attach a kanungo to each thana, half of the pay to be paid from Government and half from a Local Board. This kanungo, besides making all miscellaneous outdoor enquiries, should be the engineer and supervisor of village works. The District Officer, too, will require a Joint or Assistant to help him to do the increased amount of supervision and inspection which the ampler system will require. The District Judge may also be vested with powers to inspect these thana offices, and the "officers" themselves should be placed in some form of subordination also to the Judge.

The advantages to be gained may be summarized as follows:—

(1) The changes now proposed will be a noteworthy advance in the direction of bringing the Governors and the governed into closer touch with each other.

(2) The administration of justice, both civil and criminal, will be made much simpler and more accessible, and will be attended with a minimum of harassment to the parties concerned.

(3) An easily accessible refuge will be found for the masses of the people from the exactions and tyranny of either an unscrupulous police officer or a far too powerful zamindar.

(4) However humble, these outlying posts in the chain of the administrative system will be centres of civilization for the people of the locality, and the District Officer will no longer be solely dependent, as hitherto, on the village chaukidar and the sub-inspector of the thana for communion with the great mass of the people. The civilizing forces of the Government will thus have a far greater chance of working out the slow but certain regeneration of the people.

(5) The last and perhaps the most important gain will be the support and protection which this scheme will afford for the germination and growth of elementary institutions of self-government amongst the mass of the people, as distinguished from the infinitesimal minorities in towns on whom our attention has hitherto been too exclusively fixed.

24500. You recommend that the District Officer should be relieved of the control of the local treasury. Is that practically the monthly or bi-monthly counting of the cash?—Yes; that is only for very large districts; I would not do that in all districts, because in smaller districts it is hardly worth while making a change.

24501. In the larger districts should he retain the supervision of the local currency?—Some sort of control should be left to the Collector. What I meant was that he should not be held responsible for the actual balance at the treasury.

24502. Would you retain the staff of the treasury on the Collector's general list?—No, because if some one else was responsible for taking stock of the treasury and for the balance, he should have control of the staff also. We generally select the staff according to the honesty of the men, and unless the man directly in charge knew that the officer selected was a proper man, it would not be fair to make him responsible for him.

24503. Then would you have the staff on an entirely separate list?—Yes.

24504. Confined to that district only or would you combine several districts together?—I would confine the subordinate staff to that district only. But the officer who would take the Collector's place might belong to the Accounts Department, and be placed over five or six selected treasurers. He could go round to each of the treasuries once or twice a month and be held responsible to the Accountant-General.

24505. Although not residing in the district?—Yes.

24506. So your chief object is to relieve Collectors in large districts of the trouble of counting the cash balances?—That is so; if this could be managed in any other way by making over the treasury to a senior Magistrate or a Joint-Magistrate, I do not think it would be bad.

24507. You think that excise might be more under the control of the Sub-Divisional Officer subject to the general control of the Collector. Is that not already the case in Assam?—I do not know about Assam. I am speaking of Eastern Bengal, and Bengal, where the excise is under the control of the Collector and the Sub-Divisional Officers has very little to do with it.

24508. You speak of the control which is exercised over Local Fund works by the Public Works Department, which you say has been a failure; will you amplify that a little, please?—Under the old rules, the Collector, as Chairman of the District Board, had large powers; he could pass schemes up to Rs. 2,000, but recently that power has been reduced, and anything above Rs. 500 has to go to the Inspector of Local Works for sanction.

24509. Do you mean for administrative sanction?—Yes, for administrative sanction also. The District Board cannot undertake, for instance, to make a road, or construct a dâk bungalow, or take up any scheme which will cost more than Rs. 500 without getting the previous sanction of the Inspector of Local Works. That is unnecessary, one reason being that the Inspector of Local Works is not in a position to know the exact requirements of the district, and it causes a great deal of delay, so great that it really takes away from the efficiency of the District Board work. It takes six months to pass an ordinary estimate, for instance, and after all the departmental supervision is not of such a kind that it could not be exercised by the District Engineer if he was a competent man.

24510. Cannot the Collector sanction it, if it is put into the budget, and the budget is sent to the proper authority?—It cannot be put into the budget unless it is sanctioned by the Inspector of Local Works.

24511. What course would you propose?—I would leave the Chairman of the District Board to deal with these things up to Rs. 5,000 at least.

24512. What security would you have for the correctness of the estimate?—The District Engineer is there.

24513. Would it be sufficient to trust to him and to the professional reliability of the plans and estimates?—Those could probably be sent up to the Inspector of Local Works for general supervision.

24514. You think there ought to be some supervision as to the professional value of proposals, and that those could be settled by the District Engineer?—The professional control of the Inspector of Local Works might also be retained, but what I object to is the power of the Inspector to sanction the initiation of such schemes.

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24515. You think Advisory Councils might act with great advantage as Arbitration Courts? Would not that depend upon their obtaining the confidence of both sides?—They would have to be selected.

24516. Would they be more likely to obtain the confidence of both sides by being elected?—They ought to be selected in such a manner as to represent both sides to the dispute. They should represent all classes of the community, and then it is very likely that they would represent both sides

24517. Do you propose that the Advisory Councils should be elected?—I think they should be appointed at present.

24518. You mention a case of what you call a District Improvement Committee—was that nominated by you?—Yes.

24519. How did your intercourse with the Committee differ from your ordinary intercourse with leading people?—They had a more formal existence; they had a minute book of their own.

24520. But it depended on your selection; it had no rights of any kind?—No, I did it entirely on my own responsibility; there was no order to that effect.

24521. You did what any good Collector would ordinarily do, only in a somewhat more formal manner?—Exactly.

24522. Then you elaborate a scheme for the creation of thana centres and Magistrates. How many thanas are there in an ordinary sub-division?—Seven or eight; it depends on the size of the sub-division.

24523. How many Thana Magistrates would you propose for an ordinary sub-division?—One Magistrate for each thana, but if the thana area was very small, I would lump two together.

24524. Would there be nearly enough work for them?—I should think so, if they were given both civil and criminal work.

24525. I understand you are referring to Eastern Bengal and not to Assam in your evidence?—That is so.

24526. In speaking of first information reports, you think they should be recorded in the presence of the Thana Magistrate. That would only be possible in the event of there being a Magistrate in each thana?—Yes, it would not be possible otherwise; the delay would be too great.

24527. Ought the Magistrate to be in substance, as he still is in name, the final controlling authority of the district police?—Yes.

24528. Should he have power to punish, protect and reward the police officer?—Yes.

24529. Is that all you want?—Certainly that.

24530. But would that be sufficient?—Yes, it would, except probably that a Commissioner might also have the power of transferring officers in his own division.

24531. I am speaking of the relationship of the Magistrate of the district with the police; would you give him that power collaterally with other officers?—It might be collateral, because the Superintendent of Police should also have the same powers. When a Superintendent wanted to punish an inspector, he had to get the consent of the District Magistrate, but that has been done away with, and I would revert to it. Then when a District Superintendent punished a man, the man could come to the District Magistrate and appeal; that also has been done away with, and he goes now to the Deputy Inspector-General or the Inspector-General of Police. I would revert to that also.

24532. And give the Magistrate a collateral right to hear appeals, or the sole right?—The first appeal should be to the Magistrate and then to the Inspector-General.

24533. Where would the Deputy Inspector-General come in?—It would depend; if the Inspector-General wanted to delegate some of his powers he might do so.

24534. In that case would you allow a Deputy Inspector-General to hear appeals above a Magistrate?—In the old days the Commissioner had the power, it did not go to the Deputy Inspector-General at all; and if the officer concerned was not satisfied, he could go up to the Inspector-General or to the Government.

24535. Then the Deputy Inspector-General who has come in now is rather a disturbing element?—I think so. It would probably not be the proper thing for a Deputy Inspector-General to hear appeals from the Magistrate, and I do not know that he knows enough of the district to deal with the cases. It may be all right on paper, but he only judges of what he sees on paper, while the District Magistrate knows not only the particular officer concerned, but all the facts of the particular case, and as a Judicial Officer he knows more about the police than the Departmental Officers do. At present he has practically no power at all.

24536. Then do you think that the chief disturbing element as the result of the recent Police Commission report is the creation of the Deputy Inspector-General?—And also taking away powers from the District Magistrate.

24537. Then you speak of the panchayat and certain powers which you would commit to them; how is that panchayat to be elected?—The panchayat at present is the agency employed for collecting the chaukidari cess.

24538. Is the constitution of that body satisfactory?—Yes, it is satisfactory, but greater attention would have to be paid to the appointment of the men. At present they are supposed to be appointed after local investigation, but in fact that is not very often the case; very often the names are simply sent up by the police and accepted by the Magistrate.

24539. Would you propose any changes in the method of their selection?—Yes, I would propose in each case that the Thana Magistrate should go himself to the villages concerned.

24540. But I am afraid we cannot assume the Thana Magistrate?—Even without that, there ought to be more local enquiry made, and some officer outside the police ought to be responsible for selecting these men.

24541. That is rather a big business?—It is, but a very important business if we are going to give them any powers.

24542. Have you any more definite suggestions to make with regard to their selection?—No. If we cannot get a Thana Magistrate, we ought to have a Deputy Collector specially for that work.

24543. Would you accept that panchayat as the basis for your village tribunal?—Yes.

24544. Would you propose to give them power to try petty civil suits?—Yes.

24545. As a matter of fact is the village system scarcely in existence in Bengal?—I think there is more of it than we know of: a lot of cases never come up to the Courts at all, but are decided probably, not by formal panchayats, but by what they call the village elders.

24546. Do you take that as indicating that there is still a large amount of village life which might be utilised?—Yes; I have seen it stated that there is nothing left of it, but I do not think that is right: a great many disputes are settled by informal panchayats, and when they fail the people come to the Courts.

24547. Do you agree that most villages in Bengal are rent with faction, which would seriously militate against the success of a village system?—Yes, unless they are properly looked after; I would be very chary of giving them any powers unless there was some machinery to look after the work.

24548. (*Mr. Meyer.*) You desire to give larger powers to the Commissioners. What is the character of the powers you would give them?—Things ought to be settled finally by Commissioners more than they are at present. For instance, in regard to the police, a Commissioner might very well transfer the police of his division.

24549. Do you include the District Superintendents?—No, I think not.

24550. With regard to Sub-Deputy Collectors, has he not power to post them now?—I believe there is some sort of understanding that he can suggest their transfers, if he cannot post them himself.

24551. Would you give him power to appoint Sub-Deputies?—Not finally, but he should be allowed to nominate as he does now, with probably larger powers.

24552. A Commissioner now nominates and the Local Government appoints?—The Commissioner might with advantage be given some appointments also, because after all he has more frequent opportunities of seeing the nominees, and has more time to study them.

24553. It has been suggested that Sub-Deputy Collectors should be split up into divisional lists, and that each Commissioner ought to be allowed to appoint his own Sub-Deputies; are you prepared to go as far as that?—I do not think it would do any harm.

24554. As regards the posting of Civilians and Deputy Collectors, would you allow Commissioners to post them in their divisions?—Not Civilians, because they would have to be distributed throughout the province; it will not do for a Civilian to have experience only of one division; he must have experience of different parts of the province.

24555. Granted that, the system would then be that the Local Government would post a Civilian to a particular division and leave the Commissioner to determine where he would be employed, but Collectors, of course, stand on a different footing; would you permit the Commissioner to post junior civilians within his division?—Yes, this arrangement might do for junior civilians, but in emergencies Government might be called upon to appoint additional officers.

24556. And similarly with regard to Deputy Collectors?—Yes.

24557. Would you allow Commissioners to give leave to a Deputy Collector or an Assistant Collector if they did not want a man to replace him?—Yes.

24558. Would you allow them to grant magisterial powers, subject to any conditions as to fitness which the Local Government might impose?—Yes.

24559. Would you give them fuller powers in dealing with Local Boards, District Boards and municipalities?—The Commissioner has fairly full powers now; he passes the budget, and he might have absolutely full powers in those matters.

24560. Would you extend it to the abolition or constitution of a municipality?—Not to the abolition of a municipality.

24561. Or of the calling of a municipality into existence?—Yes, he might do that.

24562. Outside that, would you give him all the powers of control which Government think it expedient to exercise?—Yes, I think so.

24563. Would you give him powers under the Land Acquisition Act and allow him to put it into motion?—Yes, it would save a lot of time, because matters have now to go to him, then to the Board, then to the Government, and that is an Act under which we want very prompt action very often. Now we have often to ask people to allow us to make use of land before we acquire it, simply because a scheme is so urgent that it will not wait. If the Commissioner had power it would save a lot of time. There might be exceptional cases in which the interests involved are very important, but I would leave it to the discretion of the Commissioner to make a reference to the Government, if he wanted to.

24564. Would you confine him as regards money value?—No.

24565. If a Commissioner was prepared to take the responsibility, would you let him take it?—I suppose so; of course, there is always an appeal.

24566. In the meantime the land has been taken up?—I would have some sort of provision that in cases in which land is taken before a proper formal acquisition by the authority of the Commissioner there may be an appeal to Government.

24567. Would you give the Commissioner as full powers as possible under the Court of Wards Act?—Yes.

24568. Would you distribute the provincial Public Works budget and give the Commissioner a portion from which he might sanction allotments for Public Works?—I do not know much about Public Works, but it would be a good thing if some of the powers as to Public Works were given over to the Commissioner.

24569. Would you give the Commissioner the power of making temporary, and possibly permanent posts in the Public Service?—He makes appointments now.

24570. But he cannot create an appointment?—No. The case is so rare, and that may go up to a higher authority.

24571. Is it on rare occasions; are not people always asking for extra clerks?—He might appoint temporary men, but any permanent addition might well be limited; he might have power up to a certain limit of pay.

24572. Would you give him larger powers with regard to dealing with temporarily settled estates?—The Collector now consults the Commissioner before sending his final report.

24573. Would you give the Commissioner any power which the Board now exercises?—It all depends on what additional staff the Commissioner will get for all the additional work. These things might very easily be done, and it will save time if they are done on the spot. A Commissioner must have more knowledge of his division than the Board have.

24574. Would you give finality to his orders on appeal in revenue and administrative matters?—Yes, he might have some powers, but at the same time the interests involved are very important, and the parties concerned would like to have more than one appeal.

24575. Taking appeals of Government servants generally, would you give the Commissioner finality if he confirmed the orders of a Collector?—Yes, except in the case of dismissal. In most cases the orders of the Commissioner should be final.

24576. You would help him by giving him a Civilian as a personal assistant instead of his present Deputy Collector?—Yes, and also his Deputy Collector.

24577. Would you give him the two?—Yes, it is very necessary. I have seen the way in which Commissioners work when they come to my district, and I certainly think even now with the work they have, they find it very difficult to get through it all. They ought to have a touring assistant also, because when they come out on tour they have practically no staff at all, and depend on the Collectors to help them to some extent.

24578. Having elevated the Commissioner so far, what would you leave to the Board?—I think I have gone far enough. I leave the Board and the Commissioners to decide that between themselves.

24579. What is your opinion; do you think the present Board will be necessary when you have Commissioners all exercising large functions?—No, I should not think so.

24580. Do you think one member would do, or would you have none at all?—It would depend on what powers you gave them in revenue matters; probably there ought to be an intermediate authority between Government and the Commissioners, but it would do no great harm if there was none, and the Commissioner had all the power.

24581. Would there be no risk of divergence?—Is it not desirable to have an authority to keep all Commissioners more or less on the same lines in matters of policy?—The Government would probably have to have one more Secretary, or something of the kind.

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24582. Might Collectors have larger powers too?—Yes, I think so in most matters.

24583. Speaking generally, are they matters of relatively small importance, or is there any big matter you would make over to the Collector?—They are more or less small matters chiefly relating to things, which would save a lot of time if the Collector had the power to deal with them, because he has all the materials before him. With regard to large matters, there are the powers as to the police, which are most important; the District Boards, and he might also have a little more power in the matter of education.

24584. Secondary or primary education?—Both; over primary education he has almost as much as is necessary as Chairman of the District Board, but in cases like the conversion of a school from a primary to a secondary school, the power lies entirely with the department, and that is a question which the Collector is in a better position to judge of than the department.

24585. Are you speaking of a Government school or an aided school?—I am talking of aided schools. The schools in Bengal are divided into lower primary, upper primary, middle vernacular and middle English, and it is the constant aspiration of most of them to be converted either into middle vernacular, or, chiefly, into middle English schools. For some reason the department does not favour the conversion of the schools from primary to middle schools, but as the people are anxious for it, and when they also go to the length of subscribing funds, and the District Officer thinks there is need for such a school, he should have certain powers of helping them to get it.

24586. Speaking generally, a secondary school, whether it is maintained or aided, costs considerably more than a primary school?—It costs somebody more, but not necessarily to the District Board or Government; as a rule we never encourage people to ask for a middle school unless they are asked to subscribe more.

24587. It is possible, if you give the Collector power to declare that secondary schools should be maintained or aided, that the expense will fall on the budget of the Education Department?—No, the entire thing is maintained by the District Board.

24588. But I thought Government dealt with secondary education generally?—Not as regards money entirely; it is only the higher education which is maintained by Government.

24589. Are you speaking of lower secondary schools under the District Board?—Yes.

24590. Has not the Collector, as Chairman, considerable say there?—Not in the matter of the conversion of schools; he has in the matter of granting any stipends or aid, but even then, of course, the inspector's sanction is necessary, but that one does not object to, because an inspector might point out certain things which might escape the notice of the Collector.

24591. You wish the existing Deputy Collector to remain in charge of the treasury, but that he should be supervised by some official belonging to the Accountant-General's office?—That is only with regard to very large districts, but that scheme may create some difficulty, because the Treasury Officer, under those circumstances, might think he is independent of the Collector, and occasions might arise when there might be a little friction. There might be urgent payments which might have to be made, and which probably the rules might not be clear about, and the Collector now takes the responsibility and passes the necessary orders.

24592. Apart from the question of cash balances and stamps, does the Collector have much treasury work now?—It is not the work so much as the responsibility. He is entirely responsible for any defalcations; in fact for everything in the treasury.

24593. There are lakhs of rupees sometimes in the treasury and large currency balances?—Yes, there are sometimes as much as 5 or 6 lakhs.

24594. Is it not a sound precaution that even a Deputy Collector should not be trusted exclusively with regard to those balances?—Yes, but over the Deputy Collector there should be an expert officer to travel round and deal with several treasuries.

24595. Assuming a Deputy Collector ready to take money from the treasury, could he not take it before the Collector arrived?—Yes, but that might be done now. I do not think there has been a case found of a Deputy Collector taking money.

24596. You spoke of excise powers being given to Sub-Divisional Officers; do you refer to sales of shops and things of that kind?—Yes, annual sales of shops and control over excise sub-inspectors.

24597. As regards sales of shops, who does that now?—The Excise Deputy Collector; it has been recently recommended that the Collector should do it himself.

24598. Is it not contemplated to have an excise superintendent to deal with technical work?—Yes.

24599. Do you propose to do away with him?—No, he is only a departmental officer.

24600. Would you give a great deal of the work now done at headquarters to Sub-Divisional Officers?—Yes.

24601. Would you also have a separate Sub-Divisional Officer in charge of the headquarter subdivision?—Yes.

24602. We have been told that that would not work in regard to revenue collections in Bengal, and the zamindars prefer to make their payments at headquarters; what do you say as to that?—That is a matter of very little importance, because it is merely routine work.

24603. So, you think, it does not matter whether they pay at headquarters or not?—Yes, I think the convenience of the payees should be consulted.

24604. Might all the registration and certificate work, at any rate, go to the sub-divisions?—Yes.

24605. Would you reduce the number of Deputy Collectors you now have at the district headquarters dealing with specific subjects?—Yes, naturally, because they would have less work.

24606. Your Collectors in Bengal are also District Registrars?—Yes.

24607. Do they do much work in connection with that?—It depends on the officer; I do not think they do much; they inspect the head offices once a year and also the sub-offices.

24608. Are not some districts sufficiently advanced in the way of registration to have a separate Registration Department, as in Madras, for instance?—Yes, it would do no harm.

24609. With regard to thana officers, are they to be Deputy Collectors?—Yes, or a Munsiff or Gazetted Officer.

24610. Not Sub-Deputy Collectors?—Not as a rule, unless the thana centre was a very unimportant one.

24611. What do you propose to do with your present Sub-Deputies?—Place them under them.

24612. Is the Thana Magistrate to have all powers, revenue, magisterial and civil?—Of a limited nature.

24613. What magisterial powers should he have?—He should exercise those powers for which he has statutory power; if he is a Second-Class Magistrate those of a Second-Class Magistrate; if he is a First-Class Magistrate, he should have the powers of a First-Class Magistrate.

24614. Is he to be subordinate to the Sub-Divisional Officer at all?—Yes, because it would be impossible for the District Magistrate to exercise control in a large district.

24615. Is it practicable under present conditions to revert to the heaping of different functions on one man?—I think it would be very popular among the people.

24616. It would not be very popular among the people who write in the newspapers?—Even they will probably see the great disadvantages the

people now have to suffer under in bringing witnesses 40 miles, and then be told that the case is postponed and they must come again, and then when they come again, find the Magistrate is out on tour.

24617. Is not the general cry from what is known as the educated class in Bengal rather the other way?—I am dealing with minor matters really, relating purely to petty criminal cases and loans of Rs. 100. The objection chiefly centres round the power of the District Magistrate; popular criticism would also be disarmed if these thana officers were supervised and inspected by the District Judge. There would be no reason why the Judge should not go round and be held partly responsible for the work.

24618. Are you aware that in other provinces they have *tahsils*, which are in charge of tahsildars who are below the Sub-Divisional Officer? But you propose to have a thana as the area, which is smaller than a *tahsil*, and at the same time for each thana to have a Deputy Collector. Is that not expensive?—Yes, but the tahsildar's work is entirely revenue; he does not do any criminal work.

24619. Your scheme is a great deal more expensive and substitutes a Deputy Collector for a Sub-Deputy Collector?—I am not keen on the officer; I want a thana centre, where the people might get elementary justice instead of having to go to headquarters.

24620. And you see no special objection to having a lower agency?—No, but it would be better done by a Deputy Collector, as I suggest.

24621. You say your District Board has to refer every work which costs Rs. 500 to the Inspector of Local Works. At the same time you employ District Board Engineers?—Yes.

24622. On what pay?—Rupees 200 to Rs. 500, and Rs. 700 in very large districts.

24623. Till lately the District Board Engineer also did the Government work?—I think it still holds in Bengal. Some District Boards were given the option of taking up the Public Works work and many of them elected to do so, but in Eastern Bengal it has been done away with now.

24624. Have you any experience of the old system under which the District Board Engineer did such Government work as there was?—Yes.

24625. Has he to send up his estimates in the same way?—He has to send up everything.

24626. The Inspector of Local Fund Works is really the Executive Engineer?—That is his other title; he is called Inspector of Local Works only so far as the Board's work is concerned.

24627. Can he pass any work, however great?—No, his limit is up to Rs. 5,000, and it has to go to the Commissioner after that.

24628. But the Commissioner is not a Public Works expert?—It goes to the Commissioner to sanction the scheme, and to see whether it is a scheme which is desirable or not, and whether certain works should be taken in hand.

24629. If it costs over Rs. 5,000 it goes to the Commissioner to sanction as an administrative proposal, and if it costs over Rs. 500 it goes to the Executive Engineer in the capacity of Inspector of Local Works to sanction professionally?—Yes, and also as a scheme.

24630. Your limit is Rs. 5,000 for both. Do you think works over Rs. 5,000 need go to the Commissioner for administrative sanction?—Yes, because cases of that kind are very rare, and in the case of a large sum of money it should go to the Commissioner.

24631. Would you increase the powers of Local Boards?—I think they have most of the powers they want.

24632. We have been told that they have very little powers; that they can only deal with local roads practically, and that education is mainly in the hands of the District Boards; what have you to say as to that?—There is not a Local Board in my present district, but I think that is right; Local Boards only have powers as to roads and such things.

24633. Would you give them a definite share in the Road Cess?—I should give them a minimum, but it would have to vary with the demands of different parts of the district.

24634. For instance, in Madras, the District Board and the *taluk* Board divide the cess half and half; would you approve of any such division?—I would fix a minimum; that Local Boards should be entitled to so much, but if there is any saving after that, at a meeting of the District Board where the Local Boards are represented, they should share the residue.

24635. Are you hampered much by the provisions of the Education Code?—There may be a certain amount of check, but the present Director and I have always got on very well. I have had some cases in which the department objected to changing the status of schools.

24636. Have you to give grants-in-aid according to the scales laid down by the Education Code?—No, not exactly according to scale; each case has to go up to the inspector of schools for his opinion, and he has to certify that it is fair, and it is passed by the Board.

24637. Can the Board differ?—Yes, if the inspector does not pass it, then it can go up to the Commissioner.

24638. We were told yesterday by the Inspector-General of Civil Hospitals that in Eastern Bengal the Boards were beginning to start medical work on their own lines, and that they rather ignored the Civil Surgeon; is that your experience?—I do not think so, because after all the Board is the Collector, and it is seldom that the Collector would take action without consulting the Civil Surgeon. I have had complaints from Civil Surgeons that we are not giving them enough support; even in the question of collecting subscriptions they want us to do it for them.

24639. In the management of these institutions, does the Civil Surgeon ever complain that he is ignored?—In all technical matters his recommendations are acted up to as far as funds permit; if they want things which the Board cannot afford, as they very often do, the Board cannot meet them.

24640. Are there many District Boards in Eastern Bengal which have no Local Boards under them?—Very few; all sub-divisions must have a Local Board, but there are a few districts which have no sub-divisions.

24641. Do you desire that the District Board members, or part of them, should be elected?—Yes.

24642. Generally speaking, is the present elective system satisfactory?—It is as good as we can get.

24643. Are not a large number of your municipalities in Eastern Bengal really mere villages?—I do not know about Eastern Bengal, but a very large number are in Western Bengal.

24644. Is it expedient to retain them as municipalities; would they not be better as Local Fund unions or something of that sort?—It would certainly probably get rid of a lot of formality, but is necessary that they should have some funds, and provided that, it is not very important under what name they go.

24645. As regards Advisory Councils, are they to be purely advisory and might the Collector overrule them if he differs from them?—Yes.

24646. When the Collector is dealing with matters that he has power to dispose of finally, is he to be obliged to consult the Advisory Council at all, or is he to consult them quite at his own option?—It depends upon the Collector; it is to his advantage that he should consult them: I have done so myself.

24647. Do you mean that he should generally consult them, but if, as Collector, he has power to

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pass a final decision, then he must act according to his own judgment, though he may be materially helped by what he has heard from the Advisory Council?—Yes.

24648. Supposing it is a matter in which he cannot act himself, but has to get the confirmation of the Board of Revenue or the Government, and he disagrees with the Advisory Council, should be mention this?—If he has consulted it, it is just as well probably that he should, and also give his reasons for disagreeing with the Council.

24649. Would you also allow a member of an Advisory Council, in such a case, to ask the Collector to send up his minute of dissent along with the Collector's own report?—It would be a good thing, and the members of the Council would know that they were doing some good and that they were there for a definite object.

24650. As regards police, you think it just as well to abolish Deputy Inspectors-General altogether?—I do not mind a Deputy Inspector-General, and I have no concern with the departmental work, but I refer only to the diminution of the authority which Magistrates exercised before.

24651. There are a great many matters connected with discipline and the efficiency of the police force: is the District Magistrate necessarily a good judge of those things?—No, but they are quite subordinate to the main duty of the police, which is the keeping of law and order in the district, but the tendency of the present scheme will be that the important part of the duty of the police will be subordinated to questions of departmental discipline, and matters to which probably the Superintendent of Police and the Deputy Inspector-General might attach more importance.

24652. Supposing a District Superintendent wished to reduce a head constable because he could not drill his men properly or let them get slovenly, is that a matter which ought to go to the District Magistrate on appeal?—It cannot do much harm, because he would not interfere in a case like that.

24653. Has a District Magistrate who allows these things to go to him any right to complain that he is overworked?—I think so, because as long as he is held responsible for the administration of the district, including police administration, he might legitimately ask for assistance to enable him to discharges his duties properly.

24654. First of all he is to get work which he is not properly qualified to deal with, and then he is to get assistance to deal with it?—What I said was that the Magistrate is held responsible for the criminal administration of the district, and the police are placed under him with the object of helping; if the power of punishing these men is entirely taken away from him, I fail to see how he can be considered to be Head of the district police.

24655. Is there anything now to prevent a District Magistrate getting a police officer punished if he has been guilty of any offence? Cannot he make any representation he desires to the District Superintendent?—But it should not be necessary for him to do so.

24656. Are you speaking strictly from theory or from practical experience?—I have had one or two cases in which I have experienced some difficulty, but not many.

24657. Have you ever had a case in which the District Superintendent ignored your view in the matter of the peace and order of the district?—The District Magistrate would hesitate before putting forward his view, because he knows there is a chance of the District Superintendent ignoring him. I have known of cases where the District Superintendent has punished the police where the District Magistrate, if he had power, would have interfered.

24658. Could you not in that case have referred the matter to the Deputy Inspector-General, or to the Inspector-General?—It would hardly do, because if these powers have been taken away deliberately, and still the Magistrate interfered in such matters, his action might be constructed as encouraging insubordination among the police. If, for instance, a man appeals to the Inspector-General of Police, and I took up his case and said he ought to be treated more leniently, I do not think that is what would be expected of me, but if the officer could appeal to me, as District Magistrate, and the matter came to me officially on appeal I should do what I thought necessary.

24659. Are not the chaukidari panchayats being gradually dissociated from the control of the police?—In name only, not in substance.

24660. Have you had any experience of what has been done in Bengal proper in that respect?—No, I have never been in charge of a district where the new scheme has been tried.

24661. Have not orders issued there that the thana officers should have nothing to do with the nomination of the panchayat and chaukidārs?—I do not think practically much has been done in that direction.

24662. In your district are they practically nominated still by the police?—My district is a very small one, and I go round as far as possible and see that the panchayats are appointed after local inquiry.

24663. You desire to have a special officer for the supervision of panchayats. Supposing there is an officer with local jurisdiction, is it not his duty to look after the panchayats; would it not be one of the most important things he would have to deal with?—Yes.

24664. Do you want a Deputy Collector for the whole district for the purpose?—Yes.

24665. Supposing you had your thana officer, he would look after it?—Yes.

24666. If you had your scheme, with these thana officers having civil jurisdiction, would you be prepared to reduce the number of Munsiffs?—Yes, there are two now in my district, and one could be dispensed with.

24667. Then you speak of the thana officer and his Local Board; would you have a Local Board for each thana?—Yes.

24668. How many would you have in a district?—About 8 or 9 in each sub-division. In the district, from 15 to 20.

24669. Would they be directly under the District Board or a Sub-Divisional Board?—Those that are in a sub-division might be placed under a Sub-Divisional Board.

24670. You desire that there should be sub-divisions all over the district, and you have told us that there is to be an officer in charge of the headquarters sub-division—if you had such a Sub-Divisional Officer would you give him a Local Board?—It is hardly necessary. It would be an advantage to have them under the Sub-Divisional Board because otherwise the Chairman would probably have too much to look after.

24671. Then would you have Local Fund unions?—No, I would dispense with them altogether.

24672. We have been told that at present zamindars or their local agents do a great deal practically in the way of settling disputes amongst their tenantry, and, some people have even put it, in the way of coercing their tenants to accept their arbitration; is that so?—There may be instances of that sort; people will not take the trouble to travel a distance to fight the wishes of their landlord, and there may be cases on the other hand in which a lot of good is done in that way.

24673. Would you recognise that position by making the zamindar an Honorary Magistrate, or Honorary Munsiff, and let him deal with a certain number of these cases?—Yes, but of course I would select the man. In some cases you might have zamindars to take up the duty and look after a thana if they would.

24674. Would you make a zamindar an honorary thana officer?—Yes.

24675. (*Sir Steyning Edgerley.*) As to the police, is your position that the District Magistrate must

have the real authority of punishing the local police if he is to be respected by them?—Yes, that is the exact position, because the police will come to know by and by, no matter how good their case work is, they will have very little chance of preferment, unless they please their departmental superiors.

24676. With regard to punishments, can the Police Superintendent punish a sub-inspector?—Yes.

24677. Can he dismiss him?—Yes.

24678. Can he dismiss an inspector?—No.

24679. Then practically the sub-inspector is the senior local officer with whom he can deal?—Yes. The inspector has a division; the sub-inspector is in charge of a local thana.

24680. Is the inspector's division as big as a district?—No; each sub-district has probably two divisions.

24681. Who punishes an inspector?—A Superintendent or even a Deputy Superintendent can suspend him, and they can always report him to the Deputy Inspector-General or to the Inspector-General.

24682. (*Mr. Dutt.*) Really the authority lies with the Inspector-General?—Yes.

24683. Deputy Collectors now belong to the Provincial Service?—Yes.

24684. Under the present rules are all members of the Provincial Service transferred under orders of the Government?—Yes.

24685. Would you change the present rule and give Commissioners the power of transferring them within their divisions?—Yes.

24686. Would you also keep up the power of the Government to transfer Deputy Collectors from one division to another?—Yes.

24687. So that there would be two authorities to transfer them?—The one will ensure more efficient and quicker work within the division, and the other will ensure the proper training of the Deputy Collectors concerned.

24688. Would the grant to Commissioners of these powers be likely to lead to the more frequent transfers of Deputy Collectors?—No; if it was recognised that it was not a sound thing to have frequent transfers, the Commissioner is as likely to carry out those instructions as the Government.

24689. You do not think the Deputy Collector would be likely to be transferred on the suggestion of a Collector for slight causes?—If the Commissioner had a suggestion from a Collector, it would be a rather good thing that the Deputy Collector should be moved.

24690. You do not see any harm in that?—No, I do not, because very often a Collector wants to keep his Deputy if he is a good man, and get rid of him if he is of no use.

24691. Would it be likely to lead to more frequent transfers in a division than take place at present?—It might.

24692. You have suggested that the income-tax administration might be made over to the Sub-Divisional Officer within his own sub-division, do you suggest that the Sub-Divisional Officer should himself make the assessment or that an officer should be appointed under him?—An officer should be appointed under his direct supervision.

24693. Is a Sub-Divisional Officer, who has knowledge of the sub-division, likely to be able to arrive at the truth better than an officer from headquarters?—Yes.

24694. Should the income-tax be collected also in sub-divisions?—Collection is not a matter of any very great importance.

24695. Would it be convenient for the assessees to pay in the money at the sub-divisional treasury, rather have to go to headquarters?—As far as travelling is concerned, it would.

24696. You also suggest that the work of the Court of Wards might be transferred to the Sub-Divisional Officers?—To selected officers only; if a man is very capable, the Collector might make over some of the work to the Sub-Divisional Officer.

24697. Would you in that case prescribe a limit as to the annual revenue of the estate within which the Sub-Divisional Officer should have the power of administration?—It would be a sound thing to do that, or to limit the revenue of the setate of the management of which the Collector can divest himself and make it over to the Sub-Divisional Officer.

24698. I did not quite understand your answer with regard to the Inspector of Works having the power of giving administrative sanction as well as technical sanction?—It is not called administrative sanction, but in fact it amounts to that. If the District Board decide to construct anything, and if it costs more than Rs. 500, it has to go to the Inspector for sanction.

24699. Even supposing it is included in the budget itself?—You cannot include it without its being previously sanctioned; that is an executive order.

24700. Are you aware that there are certain definite rules now with regard to appeals by Government officers to higher authorities?—I have not studied those rules.

24701. Supposing those rules allow a person an appeal from the Commissioner to the Board of Revenue, would you restrict that appeal to the Commissioner?—I think too many appeals are probably unnecessary, but in cases of dismissal those appeals might be allowed. The rules might probably follow the status of the officer concerned. If it were the case of an officer drawing more than Rs. 100 pay, I might allow another appeal. In petty matters appeals should not go beyond the Commissioner.

24702. You have suggested that larger powers should be delegated to the Divisional Commissioner than they at present enjoy; in that case the work of the Board of Revenue would be greatly lightened? It is possible to conceive that the members of the Board of Revenue would not then have sufficient work to do?—As I have said, probably one member might be sufficient.

24703. Might the members of the Board in that case become advisers to the Government in other matters than purely revenue matters?—Yes, you could utilise them for general administration.

24704. They are men generally of great experience?—At the same time I think the Lieutenant-Governor should be the final authority and that they should be his advisers, but that he should not be in any way handicapped by the Board of Revenue.

24705. Among the duties which you suggest for village panchayats is the holding of investigations into unimportant cases. That would be transferring to them a part of the duties now performed by the police; would that be desirable?—The cases I had in view were mostly petty matters into which at present no enquiry is made under section 157 of the Criminal Procedure Act, either because the value of the property stolen is less than Rs. 5 or because the parties do not want an enquiry.

24706. Supposing there is a case of theft of property valuing Rs. 10 in a village, would the panchayat make enquiry into that?—If the panchayat was selected, it would be a good thing.

24707. If police duties were entrusted to them, would you not to some extent make them subordinate to the higher police authorities and would not the higher police authorities insist upon passing orders on the panchayats who made the police enquiries?—Not in my scheme; in such matters the order of the Thana Magistrate should be final.

24708. Supposing your scheme was not adopted, under the present circumstances, would you entrust police enquiries to the village panchayats?—It would probably complicate matters if it was done, and there would be no harm in leaving it out.

24709. If the panchayats made enquiries into cases, would they not thereby be unfitted to be judges of the same cases and to decide them?—Not exactly, because we are not unfitted to be judges of cases into which we make enquiries. The High

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Court have held that the making of an enquiry into a case does not necessarily make a person unfit to try the case. It is only where some positive interest is taken in one of the parties that the disability would apply. On the other hand, the panchayat would probably have more knowledge of the real facts of the case.

24710. The Magistrate, as a matter of fact, does not make the same kind of enquiry that the police do?—It depends on the case.

24711. Then you do not see anything inconsistent in panchayats making enquiries into cases and trying them also?—No, unless the parties object. My object is to cause the villagers the least amount of harassment and trouble which object would be secured if these things could be settled as quickly as possible.

24712. You suggest that thana officers should have special duties delegated to them, including the duty of trying civil cases?—That would place them under the District Judge, so that these thana officers would be subordinate both to the District Magistrate and the District Judge?—Yes; I have also suggested that the District Judge might inspect their work if necessary.

24713. Would that not complicate matters?—No, I think it would be a good thing, because there is a demand that these functions should be separated, and that would satisfy the people who advocate that theory.

24714. Supposing a District Magistrate wanted to transfer a thana officer, could he do it without the concurrence of the District Judge also?—I suppose the District Magistrate will have to have that power. When I said the District Judge also might inspect the work, I did not mean that he should directly exercise any executive authority. If he wanted any action taken, he might refer either to the Magistrate or to the Commissioner.

24715. But who would have the final power in regard to the transfer of these thana officers?—The Commissioner, under the recommendation of the Magistrate.

24716. Without consulting the District Judge?—He might be consulted.

24717. And supposing he did not agree?—Then the Commissioner would have the final voice.

24718. So that if the District Judge wanted to keep a man in a particular place, and the Collector wanted to transfer him, the Commissioner would decide?—Yes.

24719. Is it your idea that village chaukidars should be subordinate to the police or to the village panchayats?—To the village panchayats mainly; but some authority must be left with the police.

24720. Should they still be compelled to attend the fortnightly parades?—Yes, otherwise all the local information which the police want will be denied to them.

24721. Supposing a crime is committed in a village, should it be the duty of the chaukidar to report direct to the police or to the panchayats?—He ought to inform his panchayat and also the police.

24722. You do not think it would be the duty of the panchayat, but of the chaukidar, to inform the police?—I think it would be safer to make it the duty of the chaukidar.

24723. You said that you would have a District Board, and a Sub-Divisional Board, and a thana Board if you had a thana officer. Is that not rather complicated?—The Sub-Divisional Board would be a Local Board, and its place would be taken up really by the smaller Board which I recommend.

24724. So that your suggestion is that there should be only two classes of Boards?—I suggest two, the District Board and the smaller Local Boards—the thana Boards.

24725. Would you abolish the Sub-Divisional Boards?—Yes, because they would be taken up by the Local Board; the two would overlap.

24726. Then the whole work for the district would have to be divided among the thana Boards in the district?—Yes. The important works—the District Board works—would be provided from the centre, but a lot of money which depends on the requirements of the particular areas should be given to the other Boards for looking after dispensaries, village roads, and so on.

24727. Would there not be a necessity for a Local Board for each sub-division if your scheme was carried out?—No, because each thana centre would have its own Board and its own money.

24728. Supposing your scheme was rejected on the ground of its expense, would you accept the idea of having smaller circles within a sub-division, each circle including two or three thanas, presided over by an officer of the rank of a Sub-Deputy Collector?—Yes, it would be the second best thing; but I should prefer to have an officer at each thana, even of the rank of a Sub-Deputy Collector; otherwise it would be impossible for the important first information reports to be recorded in the presence of a Magistrate. There would be no harm in increasing the area of a thana if it was too small.

24729. You said that the average number of thanas in each sub-division was about eight. Is it not more like four or five?—In my sub-division, a very big sub-division, we had eight.

24730. Were they not practically outposts?—We have mostly done away with outposts, but I speak under correction.

24731. (*Mr. Hichens.*) Do you think your Advisory Councils will tap a source of information which you do not get hold of to-day?—It all depends; it may be that the Collector is consulting the very same men, but the proposed scheme ought to give them a more formal standing.

24732. If the Collector only consults the same men as he does at present, do you carry him any further forward?—It depends upon what men he consults, and it is not every Collector who does it.

24733. But the trouble is that you leave it entirely optional with the Collector to take advice or not?—I am afraid we shall have to start with that.

24734. The Collector who is not ready to consult people would probably be the man who would not take their opinion when he got it?—Do you mean after these bodies had been started? If the wishes of the Government were made express upon that point, I should always leave the option with the Collectors, and most Collectors would consult the Council, especially when they know they are not bound to adopt their suggestions.

24735. If a Collector did not adopt the suggestions, there would be a certain amount of friction?—I eliminate all grounds for friction, because he is not bound to act on their advice.

24736. But would they not feel hurt if their advice is not taken?—Yes, if they find that they are simply kept there and no notice is taken of what they say; then no doubt they would not attend, and there is always the danger of these things dwindling into paper things without any actual existence, but it will all depend upon the Collector and what use he is prepared to make of them.

24737. Would it be open to the public to attend their meetings?—No.

24738. Then they would meet *in camera*, so to speak?—Yes, certainly.

24739. Do you not think that general public opinion would say that was rather a hole and corner way of discussing public affairs?—They might say that now, but it will be conceding a good deal to them.

24740. Supposing the Council happened to differ from the Collector, might they ask to be allowed to publish their opinions to the world?—There is no harm in that; it would only probably systematise the ordinary criticisms which we now get; we get enough criticism now as it is, and there would be no harm in that.

24741. Would you not mind their afterwards going to a public meeting and recounting what had been said in Council?—Of course a great deal would depend on the men you get. I think the great

advantage would be that if you could convince these men that what you are doing, and what Government is doing, is sound, there would be very great chance of their getting over hostile criticism and stating that what was being done was with their consent and knowledge.

24742. Would they look upon themselves rather in the light of popular representatives?—Yes, and probably it would be a good thing to encourage them to do so.

24743. Would they not really think that they represented the public as against officialdom?—There is that unfortunate element.

24744. Therefore, would there not be rather a tendency on their part to play to the gallery?—There might be.

24745. Supposing something unpopular were proposed, might they not feel if they supported it, although possibly it was the soundest thing to do, that they would bring themselves into odium with their constituents, and would there not be the temptation under these circumstances to say "The Collector can do it anyhow; why should we support him in the matter"?—To begin with, if the Collector is tactful, and it is a very ticklish matter, he would not bring it before them unless he thought it absolutely necessary to do so, but if he did do so, he would probably find out some means of convincing them all, that what was proposed was necessary. A great deal is done by talking to these men at first, and telling them that they have some power and could help the District Officer.

24746. Then at first is he only to bring before the Board things which do not much matter?—It will depend on the circumstances of the case and the matter with which you are dealing.

24747. It has been suggested that in addition to, and possibly in place of, an Advisory Council, there should be an Administrative Council, that is to say, that the Collector should be a sort of miniature king with an Executive Council round him—what do you say to that?—That will never work.

24748. Would it be too elaborate?—Yes, and these men must have some powers, and the Collector would have to be bound in some way by what they say.

24749. Would you have an Advisory Council for the Commissioner?—There is no harm, but the Commissioner might probably dispense with them if he got the opinion of all the Collectors and their Advisory Councils. These administrative orders do not directly emanate from the Commissioner as they do from the Collector, because he has to carry them into practice, and that is where the friction comes in.

24750. The Commissioner would be in rather an awkward position supposing the Collector said, "My Council, which represents the public opinion of the whole district, recommend so and so"?—No Collector would say that.

24751. He might not put it in that way, but at any rate he would have public opinion behind him, and it would be a very difficult position for the Commissioner unless he had a rival Advisory Council whose opinion was contrary to that of the Collector?—I think the Commissioner would attach the amount of importance to it which was due to it.

24752. From where would you get your members?—They must, of course, be more or less men of the town.

24753. Then they could hardly be said to represent the great voice of the people, could they?—Not in the sense that they had been elected, but they would probably be able to put before the Collector things which he might not know, and the great point would be that if the Collector got them to accept his views it would save a lot of trouble. For instance, in the case of a difference between Hindus and Muhammadans with regard to a mosque, I got together representatives of one side and the other and settled the matter without much difficulty, whereas it might have gone on for many years.

24754. You can do that kind of thing to-day?—Yes, that is the sort of thing which we can do now, and I think we could do more by putting it into a more formal character.

24755. Then would you introduce a certain amount of rigidity where there is elasticity to-day?—I do not think there would be much rigidity about it, because we are not bound to accept their views, nor are we bound to consult them in every matter.

(*The witness withdrew.*)

Adjourned.


सत्यमेव जयते

APPENDICES.

I.—Note on the organization of the Government of Eastern Bengal and Assam, filed by the Honourable P. C. Lyon, Chief Secretary.

II.—Letter from the Chief Secretary to the Government of Eastern Bengal and Assam, to the Secretary to the Royal Commission on Decentralization, No. 411T., dated 13th December 1907, submitting a general statement of the views of that Government on the subject of Decentralization.

III.—Letter from the Officiating Secretary to the Government of Eastern Bengal and Assam, in the Public Works Department, to the Secretary, Royal Commission, Decentralization Scheme, No. 1446G., dated the 16th November 1907, on the subject of Decentralization as affecting the Public Works Department.

IV.—Schedule of the detailed proposals of the Government of Eastern Bengal and Assam on the subject of Decentralization.

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APPENDIX I.

The organisation of the Government of Eastern Bengal and Assam.

THE administration of the province of Eastern Bengal and Assam is entrusted to a Lieutenant-Governor, assisted by a Legislative Council appointed to make laws and regulations, consisting of 15 members, in addition to the Lieutenant-Governor, who is its President. Of the 15 members of Council, nine are nominated by the Lieutenant-Governor himself, and six are nominated by him on the recommendation of various elective bodies. The number of official members of the Council is limited to seven, one of whom, the Superintendent and Remembrancer of Legal Affairs, acts as its Secretary.

The Lieutenant-Governor is assisted, in addition to his personal staff of a Private Secretary and an Aide-de-Camp, by four Secretaries. Of these Secretaries, the Chief Secretary is in charge of the Revenue, Appointment and Education Departments of the Secretariat, another Secretary is in charge of the Financial and Municipal Departments, and a third Secretary controls the Judicial and Political Departments. The fourth Secretary, who is the Chief Engineer and Head of the Public Works Department, deals with the affairs of that Department.

Under each of the Secretaries is an Under or Assistant Secretary, who has below him a Registrar and a large staff of clerks dealing with the different branches of work which come into his department.

The accounts work of the province is divided into Civil Accounts under an Accountant-General, and Public Works Accounts under an Examiner. These officers are members of independent Imperial Departments, and control separate offices, being themselves responsible to the Government of India for the proper performance of their duties. They work in constant communication with the Secretariat offices of the Local Government at headquarters, and are freely consulted demi-officially and unofficially by the Secretaries to that Government.

The following departments are imperial and answerable to their own departmental chiefs, who are themselves directly under the Government of India :—The Postal, Telegraph, Ecclesiastical and Archæological Departments. The Lieutenant-Governor is frequently consulted as to the affairs of these departments, and of himself, or on the suggestion of local officers, suggests local reforms in such matters as the extension of postal and telegraph facilities, the preservation of ancient monuments, and the like.

For the executive administration of the province, the Lieutenant-Governor is assisted by :—

(1) A Board of Revenue consisting of two members, who exercise jurisdiction over all branches of the public revenue. Certain power have been conferred upon the Board of Revenue by Acts and Regulations, principally in connection with revenue matters, to deal with questions in dispute not only between private individuals and Government (such as arise in the course of revenue settlements), but also between private persons themselves, as in the case of partitions and land registration and in dealing with rival claims to settlement. And powers have been conferred by the same Regulations and Acts on the Commissioners and Collectors who work under the Board to deal with similar subjects to a smaller extent. Executive powers have in the same way been delegated to these authorities from time to time by orders of Government embodied in the various Revenue Manuals. The members of the Board of Revenue hear appeals in revenue matters from the decisions of the Commissioners of divisions, they tour over the province to inspect the offices of Collectors and Commissioners, and settlement and excise work is specially entrusted to them. The work of the Board of Revenue is divided between the two members who are known as the "First" and "Second" member respectively, and is at present divided, as follows :—

First Member.—Land revenue, cess and local rate, partition, Court of Wards, agricultural loans, special measures of relief and the management of Government estates.

Second Member.—Excise, salt, stamps, customs, land acquisition, arboriculture and business of all classes not specified above.

(2) *Commissioners of Divisions.*—There are five of these divisions—

Dacca. — Dacca, Mymensingh, Faridpur and Bakarganj.

Chittagong.—Chittagong, Noakhali, Tippera and the Chittagong Hill Tracts.

Rajshahi. — Rajshahi, Pabna, Bogra, Rangpur, Jalpaiguri, Dinajpur and Malda.

Surma Valley and Hill Districts.—Sylhet, Cachar, Lushai Hills, Naga Hills, Khasi and Jaintia Hills.

Assam Valley Districts. — Goalpara, Kamrup, Darrang, Nowgong, Sibsagar and Lakhimpur.

The Garo Hills district is at present administered directly by the Lieutenant-Governor and has not been included in any of the Commissionerships, mainly for geographical reasons.

The Commissioners hear appeals in revenue matters from the decisions of Collectors. They deal with a good deal of Local Self-Government and Court of Wards work, exercising supervision over the operations of District Boards, municipalities and the local officers of the Court of Wards. They may be said generally to supervise all work which does not form part of any department which has been constituted separately under a head of its own. They inspect district as well as sub-divisional offices, and deal in the course of their inspections with magisterial and police work, as well as with revenue matters. It may be noted that under the Local Self-Government and Municipal Acts, the power of final decision has been given in some cases to Commissioners and to Collectors, and does not always rest with the Local Government.

The Commissioner of the Chittagong Division is also Chairman of the Commissioners for the port of Chittagong, and is the Chief Customs Officer of that port. He also exercises special functions in the Chittagong Hill Tracts, which are governed by special laws under a Superintendent.

The Commissioner of the Surma Valley and Hill districts has special duties in the Lushai, Naga and Khasi and Jaintia Hills under the laws applying to each of those tracts.

(3) *District Officers.*—The district forms the unit of the administration. The chief officer in it is denominated Deputy Commissioner in the Assam Valley and Surma Valley districts, and in the district of Jalpaiguri. In the other districts recently transferred from Bengal, they are entitled Collectors and Magistrates. The duties of a District Officer include revenue and magisterial work, the control of the local police, the local administration of the Excise and Jail Departments, Government estates, and estates which are under the Court of Wards. As Magistrate he is in charge of all magisterial work performed within his district, and he hears appeals from Magistrates of the 2nd and 3rd class serving under him. He is also District Registrar.

The districts are divided into sub-divisions, except the district of Bogra, Malda, the Garo Hills and Nowgong, which have no such sub-divisions.

The sub-division in which the headquarters station is located is called the *Sadar* sub-division, and is in the direct charge of the Collector. Outlying sub-divisions are placed in charge of special officers responsible to the District Officer, but exercising a considerable amount of semi-independent control within their charges. These officers are sometimes taken from the Imperial Civil Service but more frequently in this province from among the members of the Provincial Civil Service. In some of the larger sub-divisions the Sub-Divisional Officer is assisted by one or more Deputy Magistrates of Sub-Deputy Collectors for magisterial work, the charge of the treasury and other miscellaneous duties.

In the districts of Assam, a good deal of revenue work is delegated to Sub-Divisional Officers, but in Eastern Bengal districts almost the whole of the revenue administration is concentrated at the headquarters of the district.

At the headquarters of districts are posted Deputy Magistrates and Sub-Deputy Collectors to assist the

District Officer in his magisterial and revenue work. In some of the heavier districts he also has the assistance of a covenanted Joint-Magistrate belonging to the Imperial Civil Service, but owing to the inadequacy of the staff in this province, it is rarely possible to give the Collectors of most of the districts such assistance.

Owing to the concentration of revenue work at headquarters, in Eastern Bengal districts, there are frequently five or six Subordinate Magistrates employed there, and the various branches of the Collector's duties are divided among them, the necessary powers to enable them to deal with routine work and *quasi*-judicial work in connection with these branches being given them. These branches of the Collector's duties include the acquisition of land for public purposes, the administration of the Act for the recovery of public demands (known as the Certificate Act), the conduct of petty settlements in waste land, or the Government estates, the administration of the Act for the partition of estates, the management of Government estates, the Excise Department, and the working of the Income Tax and Land Registration Acts. They also deal with accounts, and hold charge of the treasury, and in the Assam Valley do the work of Sub-Registrars.

The District Officer is, however, in ultimate charge of all the above work and is responsible for the conduct of the officers he places in charge of these departments, as also for the work of his Sub-Divisional officers.

The District and Sessions Judges are in charge of the Civil judicial work of the districts, and deal with the more serious criminal cases as Sessions Judges. They also hear appeals from Magistrates of the 1st class and inspect the subordinate Civil Courts. The larger districts have each a separate Judge, but there is only one Judge for each of the following groups, the districts of Rajshahi and Malda, Dinajpur and Jalpaiguri, Pubna and Bogra, Sylhet and Cachar, and the six districts of the Assam Valley. There are also two additional Judges who deal with judicial work in Mymensingh and Dacca, and Sylhet and Bakarganj. In the six districts of the Assam Valley, and in hill districts, the Deputy Commissioner and some of his subordinates also have power to deal with civil judicial work, as it has been found unnecessary as yet to post officers of the Subordinate Judicial Service to these areas to deal with the comparatively small volume of this work.

In addition to the work within the jurisdiction of the Board of Revenue, Commissioners and District Officers, the following departments of Government are controlled by special officers either under Government, or under the Board of Revenue.

Under the Local Government.—The Public Works, Police, Education, Forests, Medical, Jails, Sanitary, Registration, Agriculture, and Legal Departments.

Under the Board of Revenue.—The Excise, Land Records, Survey, and Customs Departments.

7. *Public Works Department.*—The Secretary to Government in this department is the Chief Engineer and Head of the Public Works Department of the province. His jurisdiction is divided into two circles, each in charge of a Superintending Engineer, while Executive Engineers are posted to districts or special divisions comprising areas in which any large works are in progress.

Police Department.—The Police Force is administered by the Inspector-General of Police, with three Deputy Inspectors-General under him. Of the Deputy Inspectors-General two deal with general civil police work, dividing the province into halves; the remaining Deputy Inspector-General is in charge of the Criminal Investigation Department and the river and railway police.

Working directly under the Inspector-General there are also four battalions of Military Police under the command of Military Officers.

For civil police work there is in each district a Superintendent, with Assistant and Deputy Superintendents under them, and a force of inspectors, sub-inspectors, head-constables and constables. The smaller districts are, however, frequently placed in charge of an Assistant or Deputy Superintendent of Police, with no officers below them higher in rank than an inspector. The Superintendent of Police works in subordination to the Magistrate of the district, who controls his proceedings generally.

The Deputy Inspectors-General are mainly inspecting officers and deal more especially with the recruiting, discipline, training and general organisation of the force.

Education Department.—The Director of Public Instruction is the Head of this Department, and has under him an inspector of schools in each Commissioner's division. With these inspectors are associated, in a few instances, additional and assistant inspectors. Deputy inspectors of schools are posted to each district, and sub-inspectors of schools to each sub-division. There are also under the Director three principals of colleges, with a staff of professors in each college, and the head-masters and masters of the Government high schools.

It may be said generally that the colleges and schools are affiliated to the University of Calcutta, which exercises important control over them under its Regulations, and has appointed a special inspector for the colleges, who works under its direct orders. The colleges as well as the high schools include both Government and private institutions, the latter being in some cases aided by Government subventions, and in others unassisted. There is also a School of Engineering in Dacca, and there are a few other technical schools in different parts of the province.

Forest Department.—The administration of forests in the province is conducted by a Conservator, with nine Deputy Conservators, and three Assistant Conservators under him. The technical work of this department is controlled by the Inspector-General of Forests, who is at the head of the Imperial Forest Department, under the Government of India. A great deal of the work of the department is not, however, technical, and this is dealt with under the orders of the Local Government.

Medical Department.—The Head of this Department is the Inspector-General of Civil Hospitals, an officer of the Indian Medical Service, who controls the whole of the medical arrangements of the province, with the exception of such as have been placed under the Sanitary Board. In each district there is a Civil Surgeon, usually a member of the Indian Medical Service, but sometimes belonging to the Subordinate Service, and under them are officers of the Subordinate Medical Services in charge of hospitals and dispensaries. Civil Surgeons of districts are also placed in charge of such prisons, medical schools, or lunatic asylums as may be situated within their jurisdiction.

Jail Department.—This department is controlled by an Inspector-General, who has under him a special officer, a member of the Indian Medical Service, in charge of the Dacca central jail, and utilises the service of Civil Surgeons as Superintendents of district jails. Under these Superintendents is a subordinate staff of jailors and assistant jailors. It is the duty of District Officers and Sub-Divisional Officers to visit constantly the jails and sub-jails within their respective jurisdictions to see that rules are maintained, and to bring to notice all defects.

Sanitary Department.—The Sanitary Board of the province consist of the First Member of the Board of Revenue as President, the Chief Engineer and the Sanitary Commissioner, as member and secretary. The Board has power to add to its number for the consideration of local questions. The general work of sanitation, including the registration of births and deaths, and the preparation of vital statistics, is in charge of the Sanitary Commissioner, who is assisted by a Deputy Sanitary Commissioner, both of them members of the Indian Medical Service. These officers advise the Lieutenant-Governor in all sanitary matters, inspect local municipalities and deal with sanitation and drainage schemes.

Registration Department.—This department deals with the registration of documents of all kinds and is under the control of the Inspector-General of Registration. He has an inspector to assist him. In each district, the Collector or Deputy Commissioner is the District Registrar, but subordinate officers of the Registration Department, known as Special Sub-Registrars, do such work of the department as comes to him in that capacity. For the subordinate offices which are scattered all over the districts of Eastern Bengal, there is a service of Sub-Registrars working directly under the District Officer and the Inspector-General of Registration.

Agricultural Department.—This department has only recently been separated from that of the Director of Land Records, and is in process of development. It is under the Director of Agriculture, a member of the

Imperial Civil Service, who will eventually be assisted by various experts and inspectors, as well as by officers in charge of Government farms to be established in different parts of the province. The Civil Veterinary Department is in charge of an officer of the Imperial Civil Veterinary Department, who works under the Director of Agriculture.

Legal Department.—The Superintendent and Remembrancer of Legal Affairs, who is also Secretary to the Legislative Council, is a Judicial Officer and a member of the Imperial Civil Service. He superintends the legal work of Government in all its branches, controls the work of Government Advocates and Public Prosecutors, and instructs barristers or solicitors engaged in dealing with Government work in the High Court. He is also the Lieutenant-Governor's legal adviser in all matters.

The departments mentioned above are all directly under the control of the Lieutenant-Governor. The Heads of the Departments correspond with the Secretaries to the Local Government, and receive replies and instructions from the Local Government through his Secretary.

The following departments are under the Board of Revenue, corresponding with the Secretary to the Board and receiving replies and instructions from its members through the Board's Secretariat.

Excise Department.—This is under the Commissioner of Excise, who is assisted by two special Excise Officers in Eastern Bengal, and eight in Assam, and a large number of subordinate inspecting officers and others in charge of distilleries.

Land Records Department.—This department is in charge of a Director, a member of the Imperial Civil Service, who organises and controls all large settlement operations, including the preparation of records-of-rights in permanently-settled districts. Under him are Settlement Officers, usually members of the Imperial Civil Service, in charge of all the large settlement operations, and a large number of special assistants, including Deputy Collectors, Sub-Deputy Collectors and other officers.

Survey Department.—This department is now in the course of reorganization, the result of which will be to bring it more directly under the control of the Local Government. The Superintendent of Provincial Surveys who is at present at the head of it is an officer of the Imperial Survey Department, and carries out all traverse survey operations within the province, besides advising Government generally in survey matters, and inspecting the cadastral survey operations carried out by the Director of Land Records.

Customs Department.—This is only a very small department in the district of Chittagong, which is the only port of the province. The Customs Officer in that port is the Commissioner of the Chittagong Division, and he has two assistants under him.

APPENDIX II.

No. 411-T., dated Chittagong Camp, the 13th December 1907. From P. C. Lyon, Esq., I.C.S., Chief Secretary to the Government of Eastern Bengal and Assam. To the Secretary to the Royal Commission on Decentralization, India, Camp.

I AM desired to submit a general statement of the views of the Government of Eastern Bengal and Assam on the subject of Decentralization.

2. The Lieutenant-Governor has requested me to make it clear that the following paragraphs contain an expression of his personal views, as at present advised, on this important subject. He cannot determine the views, which he would wish to have laid before the Royal Commission as the final opinion of the Local Government without full consultation with his officers and non-official gentlemen in his province and a careful consideration of the various schemes which will be placed before the Commission by those officers and gentlemen in the course of their enquiry. And these views can only be generally expressed, as he is not yet prepared to place before the Commission all the details of the devolution of powers that he would propose for their acceptance. Statements embodying these details are now under preparation and will be laid before the Commission in due course.

3. Sir Lancelot Hare is disposed to consider that the form and organization of our Government in India is somewhat too elaborate for practical purposes, and that this is the cause, to some extent, of the charges that are levelled against it of being out of touch with the masses of the people of the country. While he is not prepared to assert that in general matters of administration the Government of India controls Local Governments with too great minuteness, he thinks that further financial independence should be granted to those Governments to enable them to carry out approved schemes with more freedom and with more consideration of the relative importance of each to the people of their provinces. He would accordingly be inclined to ask that a larger discretion should be allowed to the Local Government in dealing with all charges which fall upon provincial revenues, subject only to the general control of the Government of India and to limitation in special cases. He thinks that the refusal of such liberty implies a want of confidence which diminishes the sense of responsibility under which the Local Government acts, and he would take action to secure practical effect for these proposals by a modification of the present budget system, the Local Government being left free to arrange the details of its budget, subject only to a general limitation of its estimates by the Supreme Government.

4. While the control hitherto exercised by the Government of India over Local Governments does not appear to the Lieutenant-Governor to be more detailed than is required to secure a fair degree of uniformity and an adherence to general lines of policy throughout the country, he is disposed to think that the system under which the *personnel* of the Supreme Government is at present determined causes it frequently to lose touch with local officers and to render it too rigid and too subject to departmental views dictated by an experience more exclusively derived from single provinces than it should be. It seems to him to be essential that the Government of India should include within its circle of advisers representatives of every province, and that for the conduct of the executive Government, the local authorities should have constant access through its representatives in the Supreme Government to the highest authorities in the land. Where this advantage is not secured, there is always the danger that administrative reforms, which may be unsuited to the circumstances of a province, may be forced upon it because that policy has proved successful in conditions which are wholly distinct.

5. With regard to the organization of the Local Government, the Lieutenant-Governor is doubtful whether full efficiency is gained for it by the present system under which a Board of Revenue is constituted as a separate authority, with a separate Secretariat corresponding officially with the Commissioners on the one side and the Government on the other. He fully realizes the great value of a strong Board of Revenue, and would urge the importance of bringing the members of it into closer touch with the Government, thus obviating the waste of time and expenditure and the large increase in the total sum of work which are involved in the present system. His Honour favours a change to a system by which the Members of the Board would be brought directly into touch with him, and would send their opinions to him as notes on files rather than in the form of correspondence. He would constitute them as his direct advisers in all revenue matters, and would establish relations between their Secretariat and the Local Government Secretariat, similar to those at present governing the relations between the office of the District Superintendent of Police and that of the District Magistrate. He would also be prepared to delegate largely increased powers to the members of the Board, in executive as well as in *quasi*-judicial matters, and he would wish to utilise their services not only in dealing with the comparatively limited range of subjects now open to them, but as the general advisers of Government in all matters of importance pertaining to the administration. While doing this, however, he would not in any way interfere with their independence as an Appellate Court for the

review of the decisions of Commissioners of divisions. He appreciates the value of their work in this respect and the confidence which is reposed in them by the public at large, and he does not think that their being brought into closer contact with Government need in the least interfere with their independence as an Appellate Court.

6. As to the manner of delegation of powers to the Board, to Commissioners of divisions or to Collectors, Sir Lancelot Hare would prefer that powers of delegation should be granted by means of an enabling Act, which would reserve to the Lieutenant-Governor the right to delegate, to refuse to delegate, or to withdraw powers in specific cases, should he deem such a course advisable. Should it be proposed to hand over powers to subordinate officers finally and to take away the superior authority's discretion in the matter of delegation, His Honour would feel bound to limit all his proposals for delegation far more than he would otherwise have deemed necessary.

7. Turning next to the delegation of powers by the Local Government, or by the Board of Revenue, to the Commissioners of divisions, the Lieutenant-Governor desires me to point out that it is through these officers that the Local Government can best get into touch with the people of the province, and that he looks to his Commissioners and District Officers to keep him informed of the real needs and wants of the various communities with which he has to deal. It appears to him that by largely enhancing the powers and responsibilities of Commissioners and their status in their own divisions, he would be best able to secure for them a position in which people of all classes will readily refer to them in their difficulties and will communicate to them their wishes and their grievances. With the reservation that has been mentioned in paragraph 6 above, he would hand over a very considerable share of the responsibilities and powers now possessed by the Board of Revenue and the Local Government to the Commissioners of divisions. He acknowledges that in order to do this safely considerable circumspection will have to be observed in the selection of officers for these important posts, and he is prepared to accept strict rules to secure this. Details as to the devolution of powers that he would propose will be supplied to the Commission in due course, but as to the direction which delegation might take, he would instance the control of District Boards and municipalities, the postings and transfers of subordinate officers within the division, the management of Court of Wards' and Government estates, the development of educational and agricultural work and the expenditure of Public Works grants.

8. The same principles as those which he would adopt in dealing with the Commissioners appear to the Lieutenant-Governor to apply to the case of the Heads of the principal Departments of Government. In referring to these departments, I am desired to note that Sir Lancelot Hare appreciates fully the grounds on which various Imperial Officers have been appointed for the general inspection and control of technical departments under Local Governments. He believes that these officers do a great deal to keep such departments in his province in touch with reforms introduced into other provinces and experienced gained elsewhere, and while he would deprecate any action being taken by the Supreme Government on their reports without previous reference to the Local Government, he would always give his best consideration to the memoranda of their inspection of departments and institutions in his province. As regards these departments, while he would himself delegate considerable power to their Heads to deal finally with many matters of detail which at present are referred to the Local Government, and would give them greater freedom in the carrying out of schemes already approved and provided for in the local budgets, he would, at the same time, suggest that they be brought into closer touch with the Government by changes of procedure which would greatly reduce or abolish official correspondence between them and the Secretariat of the Local Government, and would utilise unofficial notes and memoranda and conferences in its place.

9. Sir Lancelot Hare would treat Collectors of districts in the same way as Commissioners of divisions. He would give them greater power and authority in their own districts, and would leave it to the Commissioner to exercise his control over them more by means of personal relations and the inspection of their work and by advice and conversations than by written instructions formulated on a perusal of reports and returns. This devolution of authority would not, however, relieve the Collectors of much of the burden of work that falls upon them, and indeed it would, in some instances, even increase that burden. The Lieutenant-Governor would, accordingly, carry the devolution of power still further down. He would have a considerable portion of the revenue work which is now done at the headquarters of Bengal Districts transferred to Sub-Divisional Officers, and he would give to these Sub-Divisional Officers, and to Deputy Collectors who are chosen to have subordinate charge of revenue departments at headquarters, larger powers to deal finally with questions relating to their own departments. He would also ordinarily relieve Collectors of the duty of hearing all appeals from Magistrates of the 2nd and 3rd classes, giving the power to make over to other selected Magistrates a large proportion of these cases; and he would constitute what is known as the *Sadar* sub-division of each district into a sub-division in reality by appointing to it a Sub-Divisional Officer, who would exercise the powers given to other Sub-Divisional Officers and would receive a special allowance equivalent to the grant of free quarters now enjoyed by Sub-Divisional Officers only.

10. As regards District Boards and municipalities, His Honour is not at present prepared to greatly extend their powers. He thinks that for a long time to come, their function must be principally advisory. Some methods are required to secure the permanent efficiency of the executive establishments, and he desires me to note that if greater powers are conferred upon such bodies and if they cease to receive direct guidance from the Magistrate as Chairman, he would then grant to the Magistrates of districts many of the powers of control at present granted to Divisional Commissioners.

11. The Lieutenant-Governor fears, however, that it is impossible to greatly relieve the local officers of their increasing pressure of work, or to bring them into more effective touch with the people generally without a considerable increase of establishment, which would not only provide more men to do the work but would directly prevent a large number of the transfers which at present prevent officials from acquiring the knowledge of their districts, and of the people in them, which is so essential to a proper performance of their duties. Owing to increased facilities for communication with Europe, and the extension of the leave rules which were found to be necessary to secure for our European Services that popularity which alone enables us to recruit for them among the best men in England, officers of Government obtain leave more frequently than was formerly the case, and the reserve of officers to fill their places is so small that vacancies cannot be filled in some cases without the transfer of officers from other districts. There should be, in the Lieutenant-Governor's opinion, a sufficient reserve both in the Imperial Civil Service and in the Subordinate Services in the province to enable the Lieutenant-Governor almost invariably to fill a post temporarily vacated from the staff of the district in which it occurs. It seems to him clear that the enormous increase in work which has naturally followed upon the spread of civilisation and the development of the country during the past 50 years has not been accompanied by an adequate increase in the establishments of Government, and he is convinced that any diminution that may actually have taken place in the intimacy of the relation between the district officials and the people they govern is due, not to any want of sympathy or to any failing on the part of the present race of officials, but to the fact that the pressure of their duties and the great refinement of the methods of Government leaves them less opportunity of cultivating the acquaintance and friendship of the Indians with whom they come into contact. He would urge, therefore, that no system of decentralization is likely to have much effect unless the staff at the disposal of Government for the conduct of the affairs of the country is considerably increased.

12. In making the proposals mentioned in the last paragraph for an increase in the staff of Government officials, the Lieutenant-Governor does not lose sight of the great advantages that would be obtained by the transfer of a good deal of petty work to properly constituted local, or village, councils. It is difficult, in the present state of Indian society, to secure, in this

province at least, that such councils should deal fairly with matters in which persons of considerable local position, such as zamindars, are concerned, and the working of such tribunals must, for some time at least, and until some healthy public opinion can be evoked, be subjected to a considerable share of control. But he believes that much may be done by means of such councils to bring the masses into touch with the authorities, and he would be glad to see them more generally used.

13. I am to explain finally that His Honour is in no way unimpressed by the argument as to the advisability of affording to the educated classes of the country larger opportunities for acquiring a knowledge of public affairs and a greater understanding of the methods and aims of Government. He accepts the maxim that responsibility is the best educator, and he would look forward to being able in time so to extend the powers of advisory councils or District Boards and municipalities as to afford in them, in addition to that which is given by employment in the Public Service, a sufficient outlet for the energy of educated Indian gentlemen who are willing and anxious to take part in the government of the country. But he holds that all such considerations must be subjected to the paramount duty of the Supreme Government in India to hold the scales evenly between the different races and religions, castes and interests that are to be found in the different parts of this province, and he is of opinion that the diminution in the efficiency of the Government that would inevitably follow any large devolution of powers to individuals or bodies who are not competent to receive them would eventually end in injustice and the oppression of the poorer and less influential communities and grave waste of very slender resources. Such injustice, oppression and waste must inevitably lead to discontent and to disorder, and could not be tolerated by any Government that has at heart the interests of the country as a whole.

APPENDIX III.

No. 1446 G., dated Shillong, the 16th November 1907. From Mr. W. Banks Gwyther, F.R.I.B.A., Offg Secy., to Govt. in the P. W. D., Eastern Bengal and Assam. To the Secy., Royal Commission, Decentralization Scheme.

WITH reference to letter Nos. 10990–11005, dated the 28th September 1907, from the Chief Secretary to this Government (copy enclosed for ready reference), I am directed to forward herewith three lists showing as regards matters that are dealt with in the Public Works Department of this province :—

(i) Questions that have to be referred to the Government of India by Local Government.
(ii) Powers delegated by Local Governments to Commissioners, Heads of Departments, Superintending Engineers, etc., and,
(iii) Matters that have to be referred to this Government by District and Local Boards.

2. In regard to the devolution of powers to Local Governments, etc., I am to say that the Lieutenant-Governor is of opinion that larger powers should be given to the Local Governments and subordinate officers in connection with the following items :—

TO LOCAL GOVERNMENTS.

List No. I.

Item No. 1.—Limit of provincial expenditure should be increased to Rs. 10,000 and that of imperial expenditure to Rs. 2,500.

Items No. 5, 12.—Existing rules laid down to be used for the guidance of the Local Governments, who should however have discretion to sanction outside the rules in individual cases. Failing this, scales of accommodation might be laid down without reference to money limits.

Item No. 25.—The limit of Rs. 15,000 in an expensive province is much too small and should be increased to about double the amount.

Item No 38 (b).—Addition to salary should be up to Rs. 5,000 a year.

Item No. 39.—Should be based on same rules as apply in Bengal.

Item No. 40.—Should be based on same rules as apply in Bengal.

Item No. 52.—Limit to be raised to Rs. 1,000.

Item No. 54.—Limit of period might be increased to one year.

TO SUPERINTENDING ENGINEERS.

List No. II.

Item No. 1.—Limit might be increased to Rs. 2,500.

Item No. 2.—Limit of professional sanction to estimates might be raised to Rs. 1,00,000.

Item No. 3.—Limit (*a*) to be increased to Rs. 5,000.
Limit (*b*) Ditto to ,, 200.

Item No. 5.—The appointment of all lower Subordinates should be vested in Superintending Engineers.

Item No. 10 (a).—Limit of local purchase of stores might be increased to Rs. 2,500.

TO COMMISSIONER.

List No. II.

Item No. 21.—Limit might be increased to Rs. 200.

Item No. 22.— Ditto ditto ,, 500.

List No. III.

Item No. 4.—Powers of confirmation of surveyors and sub-surveyors might be delegated to Commissioners.

3. It is not proposed to give increased powers in the case of other items of the lists not mentioned above.

4. The control of marine matters is regulated by the Chittagong Port Commissioners Act, 1877, and the Indian Ports Act, 1889, and the rules framed under those Acts. The amendment of the former Act is now under the consideration of this Government, and no separate proposals in regard to the control of marine matters are now made, but this Government will be glad to hear whether the submission of separate proposals is desired by the Committee.

ENCLOSURE TO P. W. D. No. 1446G., DATED THE 16TH NOVEMBER 1907.

LIST I.

Matters that have to be referred to the Government of India.

No.	Subject.	Authority.	Remarks.
	Buildings and Roads.		
1	Non-recurring expenditure, whether Provincial or Imperial, on objects customarily recognized as fit objects for expenditure of public money in excess of Rs. 1,000 when Provincial, and Rs. 500 when Imperial.	P. W. D. Code, para. 136.	
2	Erection of buildings other than Military on land situated in cantonments.	P. W. D. Code, para. 802 (IV).	
3	Sale of buildings constructed from Imperial Funds, the book value of which exceeds Rs. 1,000.	P. W. D. Code, para. 1057.	
4	Purchase and construction of residential buildings from Imperial Funds above Rs. 10,000.	P. W. D. Code, para. 1063 (IV).	
5	Proposals to construct or purchase residences for officials in all cases, which are not provided for in paragraph 1063 or in which Local Governments have doubts as to the operations of that paragraph.	P. W. D. Code, para. 1064.	
6	In purchasing or constructing residential buildings when the rental exceeds 8 per cent. of the pay of the officer for whom the building is intended, except when the capital cost does not exceed Rs. 5,000.	P. W. D. Code, para. 1066-II.	The question of raising the limit of Rs. 5,000 to Rs. 20,000 is under consideration, *vide* His Honour's orders 6R in file B— of 32 1907.
7	Additions and alterations to an existing residential building, if the cost exceeds the limit provided in 1066-I and when the amount involved is in excess of Rs 200.	P. W. D. Code, para. 1066-IV.	
8	Leasing of buildings when the rent payable by the occupant is less than the amount to be realized under the rules.	P. W. D. Code, para. 1065.	
9	Write-off of portion of the capital cost of a building when it is considered excessive in consideration of its real value.	P. W. D. Code, para. 1068-I (*g*).	
10	Report of write-off of portion of the capital cost of a building owing to renewals necessitated by the occurrence of fire, flood, etc., or where a portion of a building is required to be dismantled to make room for alterations or additions.	P. W. D. Code, para. 1068-I (*h*).	
11	Reduction of rent to prevailing local rates for those for whose benefit the building was constructed or purchased.	P. W. D. Code, para. 1068-II (*c*).	
12	Fixing of rents of buildings otherwise than under Rules I and II of paragraph 1068, occupied by Government servants drawing more than Rs. 100 a month.	P. W. D. Code, para. 1068 (IV).	
13	Amount of imprest exceeding Rs. 1,000	P. W. D. Code, para. 1143.	
14	Loss of cash and stock, exceeding Rs. 1,000 where Imperial Funds are concerned.	P. W. D. Code, para. 1666.	
15	All Military Major Works	P. W. D. Code, para. 1988.	
16	Re-appropriation of Imperial Funds to any other major head or *vice versa*.	P. W. D. Code, para. 2107 (*c*).	
17	Do. from English to the Indian grants	P. W. D. Code, para. 2107 (*c*) 2.	
18	Do. from the grants for works classed A in Budget or for which grants have been specially sanctioned for the year.	P. W. D. Code, para. 2107 (*c*) 3.	
19	Re-appropriation of Imperial Funds from any Departmental head to Establishment.	P. W. D. Code, para. 2107 (*c*) 4.	
20	Re-appropriation of Imperial Funds from the grant for any departmental head or from reductions in suspense balances to non-budget works when the estimated cost exceeds Rs. 20,000.	P. W. D. Code, para. 2107 (*c*) 5.	
21	Expenditure upon the construction of productive Public Works (Irrigation and Railways).	P. W. D. Code, para. 2130.	
22	Sanctioning estimates for Imperial Ordinary projects above Rs. 50,000 inclusive of departmental charges.	P. W. D. Code, para. 2167.	
23	Sanctioning estimate for Provisional projects above Rs. 10,00,000 or Rs. 12,50,000, inclusive of departmental charges.	P. W. D. Code, para. 2167.	
24	Supplementary and revised estimates for works, the original estimate for which was sanctioned by the Government of India or additional charge when it exceeds 10 per cent. of the original estimate.	P. W. D. Code, para. 2170.	
25	All proposals for expenditure on buildings occupied by the heads of Local Government and on buildings dependent upon or in connection therewith whenever the total outlay in any one year, excluding ordinary but including Special Repairs exceeds Rs. 15,000.	P. W. D. Code, para. 2174.	
26	Construction of circuit-houses exceeding Rs. 30,000	Government of India, P. W. D., letter No. 1330-C.W.-B., dated the 2nd October 1905.	
27	Proposals for the construction of churches, clerical residences and cemeteries in Civil Stations and Cantonments, except those for small additions or alterations costing not more than Rs. 1,500.	Part IV, Appendix 10, Rule XXIII, S. O. No. 61, Government of India, P. W. D., No. 324B., dated the 5th March 1907.	

LIST I—*concluded.*

No.	Subject.	Authority.	Remarks.
	Buildings and Roads—cont.		
28	Grants from Imperial Funds for churches and cemeteries	Part IV, Rule XVIII.	
29	Excess over scales of accommodation and expenditure on all churches laid down in Rules IX and X, Appendix 10, Public Works Department Code, Volume II.	Part IV, Rule XIX.	
	Railway matters.		
30	Creation of subordinate appointments carrying salaries in excess of Rs. 250 a month.	P. W. D. Code, IV-VIII-16 and 26 (*j*).	
31	Construction or extension of railways as Productive Public Works...	P. W. D. Code, IV-III-5 (II) (i).	
32	Construction of any railway or steam tramway outside of Municipal limits or extension of an existing line.	II-XV-2'60, Section 4 (1) of the Indian Tramways Act, Government of India, P. W. D, Circular No. 7Ry., dated the 9th October 1893, Government of India, P. W. D., Regulation No. 514R.C., dated the 17th April 1906, Government of India, P. W. D., letter No. 9R.P., dated the 8th January 1902, Railway Board's No. 313, dated the 23rd June 1905.	
33	Extending the Indian Railways Act (IX of 1890), or any portion thereof to any steam tramway constructed under the Tramways Act.	Section 146 of the Railways Act.	
34	Sanction to the adoption by the Agents and Managers of Railways of the General Rules for working open lines of Railway.	Section 47 (1), (3), and (4) of the Railways Act, and Railway Board's Circular No. R.T.-89A-5, dated the 8th September 1906.	
35	Working of any railway on any particular system mentioned in rule 91 (1) (*b–g*), Chapter IV, Part I of the General Rules of 1906 for working open lines of Railway.	Rule 91 (2), Chapter IV, Part I of the General Rules.	
36	Agreement with connected lines for the interchange of traffic ...	Section 50 (*d*) of the Railways Act.	
	Establishment matters.		
37	Abolition or reduction in pay of permanent appointments carrying salary above Rs. 250 a month.	Code I, paragraph 40 (ii).	
38	Creation of permanent appointment (*a*) on salaries higher than Rs. 250 a month or any addition (*b*), to salary in excess of Rs. 250 a month.	Paragraph 40 (i).	
39	Appointment and promotion of Engineer establishment and fixing their cadre.	Paragraphs 40, 60–62.	
40	Appointment of Upper Subordinates and fixing of cadre	Paragraphs 40 and 52.	
41	Appointments and promotions in Superior Accounts Branch and grant of leave other than leave on urgent medical certificate.	Paragraphs 57 and 409.	
42	Appointment of persons as Accountants who possess superior qualifications and who do not belong to the Accounts Branch, and exemption from the prescribed examination for promotion to 2nd grade of Accountants in case of persons not belonging to the Accounts Branch.	Paragraphs 58 and 248 of the Public Works Department Code, I.	
43	Appointments on Imperial establishment of which the salary exceeds Rs. 50 a month.	Paragraph 41 (2).	
44	Creation or abolition of class or grade of officers or raising or reduction of pay of such officers.	Ditto 40 (iii).	
45	Fixing permanent scales of Lower Subordinates, Petty and Office Establishment when paid from Imperial funds.	Ditto 40.	
46	Revision of establishment involving an expenditure exceeding Rs. 25,000 a year.	Code I, paragraph 381.	
47	Condonation of interruptions and deficiencies in service for pension in certain cases.	Article 422 and 423 of Civil Service Regulations.	
48	Grant of injury and family pension exceeding Rs. 10 a month ...	Article 740, Civil Service Regulations.	
49	Grant of injury gratuities equivalent to a sum not exceeding six months' pay or Rs. 1,000 whichever is greater.	Article 739, Civil Service Regulations.	
50	Grant of language leave to officers of Superior Accounts Branch ...	Code I, paragraph 241.	
51	Dispensing with professional examination for Assistant Engineers or reducing the period of probation.	Code I, paragraph 174.	
52	Sanction to fees over Rs. 500 paid to a Government servant by private firms, etc.	Article 74, Civil Service Regulations, and also 72, Civil Service Regulations.	
53	Write-off of irrecoverable personal advances exceeding Rs. 1,000 ...	Code I, paragraph 510.	
54	Creation of temporary appointments for a period beyond six months on remuneration exceeding Rs. 250 a month.	Code I, paragraph 114.	

LIST II.

Powers delegated to Commissioners, Heads of Departments, Superintending Engineers, etc.

No.	Subject.	Authority.	Remarks.
	Powers delegated to Superintending Engineers.		
1	Initiation of, and sanction to, projects up to the cost of Rs. 2,000 only under all service heads, except those in connection with residences of Government officials and those not involving acquisition of land.	Resolution No. 716A., dated the 30th March 1906.	
2	Sanction to estimates under all heads; up to a limit of Rs. 10,000 only. (Messrs. Sweet and White have been delegated with this power as regards Provincial buildings only.)	Code 311 (*a*) and (*d*)	
3	Sanction to estimate for the (*a*) purchase of tools and plant to the extent of Rs. 2,000. But purchase of office furniture can be sanctioned by (*b*) Superintending Engineers up to Rs. 50 for each transaction.	Resolution No. 11E., dated the 26th January 1906, and Code 311 (*v*).	
4	Professional approval to all Local Board works costing above Rs. 10,000.	Assam Local Board Manual, Rule 51 (*b*).	
5	Appointment on occurrence of vacancies of permanent third grade Sub-Overseers on probation, and termination of the services of such men in the event of their proving unsatisfactory.	Government order Nos. 2146-47E., dated the 12th September 1907.	
6	Grant of privilege leave to non-Military subordinates	Resolution No. 11E., dated the 26th January 1906.	
7	Grant of subsistence allowance within the limits specified in cases of suspension (Article 193, Civil Service Regulations).	Ditto.	
8	Sanction of State expense of the conveyance of horses (up to a limit of two at a time), camp equipage (up to 25 maunds in weight), bicycles, etc. (Articles 1000 and 1001, Civil Service Regulations).	Ditto.	
9	Countersignature as Controlling Officers of all Gazetted Officers and of subordinates who are Subdivisional Officers in their circles in regard to travelling allowances payable under the Civil Service Regulations, Article 1159.	Ditto.	
10	Grant of quinquennial increments to Sub-Overseers when they become due (paragraph 16, Code I).	Ditto.	
10(*a*)	Local purchase of stores of European manufacture up to Rs. 1,000....	Appendix 36, Volume II, P. W. D. Code, paragraph 3.	
	COMMISSIONERS.		
	(*Provincial.*)		
11	Can finally sanction projects (executive Buildings, Communications and Miscellaneous Public Improvements) up to Rs. 2,500.	Resolution No. 716A., dated the 30th March 1906.	
	(*District Boards.*)		
12	Plans and estimates for provision and improvement of drainage, and of water-supply (exceeding Rs. 1,200) and for new works and repairs, tools and plant, the amounts varying in cases of districts under Classes I, II and III.	Rules framed under section 138 of the Bengal Local Self-Government Act, III of 1885.	
13	Inspecting and progress	Section 122 of Bengal Local Self-Government Act, III of 1885.	
14	Suspension of the execution of any order or resolution of a local authority (relating to Public Works).	Section 124 of ditto.	
	(*Local Boards.*)		
15	Inclusion of works estimated to cost above Rs. 2,500 up to Rs. 10,000 in the budget of Local Board.	Paragraph 47 of Assam Local Board Manual.	
16	Excess over estimates for works and deviations from such estimates up to Rs. 2,500.	P. W. D. letter No. 772A., dated the 13th March 1907.	
17	Completion reports of works up to Rs. 2,500	Ditto.	
18	Local purchase of European stores up to Rs. 1,000	P. W. D. letter No. 772A., dated the 13th March 1907.	
19	Law charges up to Rs. 500 in each case	Ditto.	
20	Purchase of tools and plant up to Rs. 500	Ditto.	
21	Purchase of office furniture up to Rs. 50 for each transaction ...	Ditto.	
22	Re-appropriation of budget grants from one schedule to another over Rs. 100 with the approval of Chief Engineer.	Paragraph 43 of Assam Local Board Manual.	
23	Subscribing for books and newspapers, etc.	P. W. D. letter No. 772A., dated the 13th March 1907.	
24	Disposal of all unserviceable and surplus stores of Local Boards ...	Ditto.	
	Board of Revenue.		
25	Sanctioning projects finally for works connected with salt, customs, excise, settlement and their own office up to Rs. 5,000, except those in connection with residences of Government officials and involving acquisition of land.	P. W. D. Resolution No. 716A., dated the 30th March 1906.	

LIST II—*concluded.*

No.	Subject.	Authority.	Remarks.
	District and Sessions Judges.		
26	Sanctioning Civil and Sessions Court Buildings only up to Rs. 500, except those in connection with residences of Government officials and involving acquisition of land.	P. W. D., Resolution No. 716A., dated the 30th March 1906.	
	Inspector-General of Civil Hospitals.		
27	Projects connected with hospitals, asylums, and subordinates' quarters costing up to Rs. 2,500, except those in connection with residences of Government officials and involving acquisition of land.	Ditto.	
	Inspector-General of Police.		
28	Projects connected with Police buildings and quarters up to Rs. 2,500, except those in connection with residences and involving acquisition of land.	Ditto.	
	Inspector-General of Prisons.		
29	Projects connected with jails, lock-ups and subordinates' quarters costing up to Rs. 2,500 except those in connection with residences and involving acquisition of land.	Ditto.	
	Director of Public Instruction.		
30	Projects connected with colleges, schools and hostels costing up to Rs. 2,500, except those in connection with residences and involving acquisition of land.	Ditto.	
	Director of Agriculture.		
31	Projects connected with Farm and Veterinary buildings and up to Rs. 2,000, except those in connection with residences and involving acquisition of land.	Ditto.	
	Inspector-General of Registration.		
32	Projects connected with Sub-Registration offices and record rooms costing up to Rs. 2,000, except those in connection with residences and involving acquisition of land.	Ditto.	
	Private Secretary to His Honour.		
33	Projects connected with Government House and grounds costing up to Rs. 500, except those in connection with residences and involving acquisition of land.	Ditto.	

LIST III.

Matters requiring reference to this Government by District and Local Boards.

No.	Subject.	Authority.	Remarks.
	District Boards (Eastern Bengal).		
1	(*a*) All projects for new works the estimated cost of which amounts to Rs. 25,000 or more. (*b*) All projects for works which may affect or alter the course of any river which is navigable at any time of the year or on either bank of which there is any public embankment. (*c*) All projects for embanked roads passing through country subject to floods or irrigated from canals.	Rules framed under section 138 of the Bengal Local Self-Government Act III of 1885.	
	Local Boards (in Assam).		
2	Inclusion of works in the budget estimated to cost above Rs. 10,000.	Rule 47 of the Assam Local Board Manual.	
	Excesses over estimates for works and deviations from such estimates over Rs. 2,500. Completion reports of works over Rs. 2,500 ... ... Local purchase of Europeon stores over Rs. 1,000 ... ... Law charges over Rs. 500 in each case ... ... Purchase of tools and plant over Rs. 500 ... ... Purchase of office furniture over Rs. 50 for each transaction ...	P. W. D. letter No. 772A., dated the 13th March 1907.	
3	Fixing the scale of Surveyors and Sub-Surveyors of Local Boards in Assam.	Rule 53, Assam Local Board Manual.	
4	Confirmation of Surveyors and Sub-Surveyors nominated by the Local Boards.	Rule 62, Assam Local Board Manual.	

APPENDIX IV.

SCHEDULE OF THE PROPOSALS OF THE LOCAL GOVERNMENT OF EASTERN BENGAL AND ASSAM ON THE SUBJECT OF DECENTRALIZATION.

Subject I.—Assam Land Revenue.

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
	(a) Powers to be given to Local Government.				
1	To sanction finally settlement as against Government	Section 34 (*a*) of the Assam Land and Revenue Regulation, I of 1886.	Government of India.	Local Government.	
2	To sanction the leasing of waste lands for ordinary cultivation, for a period exceeding ten years in the Assam Valley districts and exceeding fifteen years in the Surma Valley districts.	Rules 35 and 69, pages 71 and 85, respectively, of the Assam Land Revenue Manual, 1905.	.....	.....	The Lieutenant-Governor recommends that the powers of the Local Government be considerably enhanced with respect to this item.
3	To sanction in special cases the leasing of waste lands for ordinary cultivation, for a period exceeding ten years in the Assam Valley districts and exceeding fifteen years in the Surma Valley districts, with a revenue-free term exceeding three years.	Rules 42 and 75, pages 73 and 87, respectively, of the Assam Land Revenue Manual, 1905.	.....	.....	Ditto ditto.
4	To sanction the sale of lands on favourable terms for a public purpose, when the full value exceeds Rs. 1,000.	Rule 187, page 208 of ditto	.....	.....	Ditto ditto.
5	To sanction the gift or grant of lands in cases ... ... (*a*) where the value of the grant exceeds Rs. 3,000, when given as a site for the construction of Government schools, hospitals, dispensaries or other public works, at the cost of recognised local funds ; (*b*) where it exceeds Rs. 500, when given for any other public purpose, or to a private individual for services to be performed to the State ; (*c*) where it exceeds Rs. 100, when the services are to be performed to the community ; and (*d*) in all cases of grants to individuals for their private benefits, irrespective of any services to be performed.	Rule 188, page 208 of the Assam Land Revenue Manual, 1905.	.....	.....	Ditto ditto.
6	To sanction gift of State land of a value exceeding Rs. 500, or an assignment of land revenue exceeding Rs. 15 a year for one life or for a term of twenty-five years, whichever period may be the longer, to a private person, inclusive of a village headman or watchman, in recognition of special service rendered to the Police or to the Criminal Administration.	Rule 188A page 208 of ditto	.....	.....	Ditto ditto.

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*				
7	To except any land from the operation of Chapter II of Assam Land and Revenue Regulation, I of 1886.	Assam Land and Revenue Regulation, I of 1886, section 4, page 4 of the Assam Land Revenue Manual, 1905.	Local Government	Board of Revenue.	
8	To cause the boundaries of excepted lands to be defined	Assam Land and Revenue Regulation, I of 1886, section 5 (i), page 5 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
9	To declare any collection of water, running or still, to be a fishery.	Assam Land and Revenue Regulation, I of 1886, section 16, page 8 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
10	To exclude any local area, etc., from the operation of any portion of Chapter III of Assam Land and Revenue Regulation, I of 1886.	Assam Land and Revenue Regulation, I of 1886, section 20, page 9 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
11	To direct the preparation and maintenance of registers	Assam Land and Revenue Regulation, I of 1886, sections 48 and 49, pages 16 and 17 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
12	To direct how processes should be employed for enforcing payment of arrear demand in respect of land other than permanently-settled land.	Assam Land and Revenue Regulation, I of 1886, section 68, page 25 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
13	To make rules prescribing the manner of registering names, to impose a fee and to fix a period for such registration.	Assam Land and Revenue Regulation, I of 1886, section 72 (6), page 28 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
14	To empower an officer to conduct the sale of defaulting estates. ...	Assam Land and Revenue Regulation, I of 1886, section 74 (1), page 29 of the Assam Land Revenue Manual, 1905.	Ditto ...	Commissioners.	
15	To make rules for recovery of arrears.	Assam Land and Revenue Regulation, I of 1886, section 95, page 35 of the Assam Land Revenue Manual, 1905.	Ditto ...	Board of Revenue.	
16	To make rules regulating the partition and union of estates. ...	Assam Land and Revenue Regulation, I of 1886, sections 114 and 121, pages 39 and 41 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
17	To make rules relating to procedure.	Assam Land and Revenue Regulation, I of 1886, section 152, page 50 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
18	To make rules relating to matters enumerated in section 155 of the Assam Land and Revenue Regulation, I of 1886.	Assam Land and Revenue Regulation, I of 1886, section 155, page 52 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
19	To sanction the leasing of waste lands of certain descriptions. ...	Rule 3, page 60 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
20	To sanction the leasing of an area exceeding 600 acres of land for special cultivation to any one applicant.	Rule 6, page 61 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
21	To alter forms prescribed in section 1 of the Settlement Rules at pages 59–70 of the Assam Land Revenue Manual, 1905.	Rule 31, page 70 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	

22	To grant periodic leases of waste lands for a period of 10 years in the Assam Valley districts and for fifteen years in the Surma Valley districts, with a revenue-free term not exceeding three years, in special cases.	Rules 42 and 75, pages 73 and 87, of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
23	To make rules for guidance of Sub-Deputy Collectors, tahsildars, mauzadars, etc., in measuring, classifying and assessing land.	Rules 56 and 87, pages 80 and 93 of the Assam Land Revenue Manual, 1905.	Ditto ...	Board of Revenue, or Director of Land Records.	
24	To prescribe restrictions in regard to the settlement of road-side lands.	Rules 63 and 69, pages 82 and 85 of the Assam Land Revenue Manual, 1905.	Ditto ...	Board of Revenue.	
25	To alter forms prescribed in Sections II and III of the Settlement Rules in the Assam Land Revenue Manual.	Rules 64 and 94, pages 84 and 95 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
26	To determine the rates of assessment and term of settlement of town lands.	Rules 65 and 95, pages 84 and 96 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
27	To direct the sale by auction of leases of town lands	Rule 102, page 97 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
28	To notify tracts in which the service of copy or copies of notice to a person who has succeeded to an estate or share, may be effected by dispatch by registered post.	Rule 124 (3), page 105 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
29	To alter forms prescribed in Registration Rules	Rule 132, page 108 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
30	To alter forms prescribed in rules for the recovery of arrear revenue.	Rule 172, page 124 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
31	To alter forms prescribed in partition rules	Rule 183, page 126 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
32	To sell lands, other than waste lands for full value, without reference to the Government of India, unless the full value exceeds Rs. 10,000.	Rule 186, page 208 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
33	To sell lands on favourable terms for a public purpose when the full value does not exceed Rs. 1,000.	Rule 187, page 208 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
34	To sanction alienation of land in exchange, when the value of each plot of land exchanged does not exceed Rs. 10,000.	Rule 190, page 209 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
35	To deal with the annual returns of authorized alienations of State lands and assignments of land revenue.	(*a*) Rule 191, page 209 of the Assam Land Revenue Manual, 1905. (*b*) This Government Circular No. 19C., dated the 19th April 1906.	Ditto ...	Ditto.	
36	To sanction attachment of defaulting estates for a longer period than five years.	Assam Land and Revenue Regulation I of 1886, section 69A (4), page 26 of the Assam Land Revenue Manual, 1905.	Board of Revenue	Commissioners.	
37	To direct what estate may be sold	Assam Land and Revenue Regulation, I of 1886, section 70 (1), page 26 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
38	To annul sale on the ground of hardship	Assam Land and Revenue Regulation, I of 1886, section 81, page 31 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
39	To fix rate of interest at which purchase money should be refunded when sale is set aside.	Assam Land and Revenue Regulation, I of 1886, section 84, page 32 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
40	To order new allotment of revenue on proof of fraud or error in first distribution at the time of partition.	Assam Land and Revenue Regulation, I of 1886, section 118, page 49 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
41	To withdraw and transfer revenue cases	Assam Land and Revenue Regulation, I of 1886, section 130, page 44 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto ...	From Subordinate Courts.
42	To sanction the employment of *thika amins* to survey waste land blocks applied for for special cultivation.	Rule 12, page 64 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
43	To sanction the attachment of a defaulting temporarily-settled estate.	Section 69A of the Assam Land and Reveuue Regulation, I of 1886, page 26 of the Assam Land Revenue Manual, 1905.	Commissioners ...	Deputy Commissioners.	
44	To deal with report as to the postponement of the sale of a permanently-settled estate.	Section 74 (3) *ibid*, page 29 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
45	To give any officer attached to the Deputy Commissioner's establishment special authority to survey lands generally or any land in particular, applied for for special cultivation.	Rule 12, page 64 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
46	To authorise a purchaser to take possession of land immediately after day of sale.	Rule 27, page 69, *ibid*	Ditto ...	Ditto.	
47	To confirm all settlements for ordinary cultivation approved by the Settlement Officer (including a Deputy Commissioner) in the Assam Valley districts.	Rules 53 and 54, pages 79–80 of the Assam Land Revenue Manual, 1905.	.....	.....	The Lieutenant-Governor would enhance the powers of the District Officers in regard to this item.
48	To alter the number and situation of posting boards and the lists of permanently-settled estates attached to them.	Rule 169 (3), page 123 of the Assam Land Revenue Manual, 1905.	Commissioners ...	Deputy Commissioners.	

Subject II.—Survey and Settlement (Eastern Bengal).

	(*a*) *Powers to be given to Local Government.*				
1	To sanction— The creation of settlement appointments above certain limits ...	Rules 3 (1) and (2), page 13 of the Survey and Settlement Manual, 1900.	Government of India.	Local Government.	
2	To pass orders on the half-yearly returns of settlement appointments created and continuing.	Rule 4, page 13 of the Survey and Settlement Manual, 1900. Circular from the Government of India in the Department of Revenue and Agriculture, No. 1—155-19, dated the 13th April 1898, and connected correspondence, at page ci, Appendix I of the Survey and Settlement Manual, 1900.	Ditto ...	Ditto.	
3	To pass orders on survey and settlement programmes and estimates of survey and settlement.	Rule 8, page 14 of the Survey and Settlement Manual, 1900. Practice.	.....	.....	The Lieutenant-Governor recommends that the powers of the Local Government be considerably enhanced with respect to this item
4	To sanction settlement appointments in excess of the sanctioned scale of such appointments.	Ditto ditto ...	Government of India.	Local Government.	

	(b) Powers to be delegated to authorities subordinate to the Local Government.				
5	To compile periodical lists of average prices prevailing throughout each year and published in Gazette.	Section 39 (5) of the Bengal Tenancy Act, VIII of 1885. Rule 146 (2), page 31 of the Manual for preparing Agricultural Statistics, 2nd edition.	Local Government..	Board of Revenue.	
6	To prescribe form of receipt and accounts in connection with rent paid by raiyats to landlords.	(*a*) Section 56 (3) of the Bengal Tenancy Act, VIII of 1885. (*b*) Section 57 (2) of ditto.	Ditto ...	Ditto.	
7	To cause forms of receipt and accounts to be prepared in connection with rent paid by raiyats to landlords.	Section 59 (1) of ditto	Ditto ...	Ditto.	
8	To direct the payment by money order of rent deposited in court ...	Section 64 (2) of ditto	Ditto ...	Ditto.	
9	To prescribe form of application and make rules for the registration of landlords' improvements.	Section 80 (2) of ditto	Ditto ...	Ditto.	
10	To direct what amount should be deposited for payment of expenses on account of survey and settlement operations.	Section 101 (2) (iv) of ditto	Ditto ...	Ditto.	
11	To make rules for the survey to be made and the record-of-rights to be prepared.	Section 101 (4) of ditto	Ditto ...	Ditto.	Rules made by the Board under this section to be approved by Local Government.
12	To make rules for the guidance of Revenue Officers for ascertaining or recording particulars with respect to an estate or tenure or any part thereof.	Section 103 of ditto	Ditto ...	Ditto. ...	Ditto ditto.
13	To make rules for the disposal of objections	(*a*) Section 103A of the Bengal Tenancy Act, VIII of 1885. (*b*) Section 104E of ditto.	Ditto ...	Ditto ...	Ditto ditto.
14	To make rules for the guidance of Revenue Officers for the preparation of table of rates and settlement rent rolls.	Sections 104B (4) and 104D of ditto	Ditto ...	Ditto ...	Ditto ditto.
15	To order survey and record-of-rights of proprietors of private lands.	Section 117 of ditto	Ditto ...	Ditto.	
16	To authorise an officer to hold local enquiry under section 158 (2) of the Bengal Tenancy Act.	Section 158 of ditto	Ditto ...	Ditto.	
17	To direct how proclamation under section 163 (3) of the Bengal Tenancy Act should be published.	Section 163 (3) of ditto	Ditto ...	Ditto.	
18	To direct that occupancy-holdings be dealt with as tenures... ...	Section 168 of ditto	Ditto ...	Ditto.	
19	To appoint a Superintendent of Survey to exercise all or any of the powers of a Collector	Section 4 of the Bengal Survey Act, V (B.C.) of 1875.	Ditto ...	Ditto.	
	To appoint one or more Assistant Superintendents and Deputy Collectors to exercise all the powers of a Collector...				
20	To sanction deduction from *jama* of estates on account of diluvion	Section 5 of the Di ra Act, IX (B.C.) of 1847 ...	Board of Revenue	Commissioner of Division ...	Within limits.
21	To sanction addition to *jama* of estates on account of alluvion ...	Section 6 of ditto	Ditto ...	Ditto ...	Ditto.
22	To vest Settlement Officers with powers under Regulations VII of 1822, IX of 1825, and IX of 1833 and Act VIII (B.C.) of 1879.	Rules 4 and 8, pages 3 and 4 of the Survey and Settlement Manual, 1900.	Local Government	Board of Revenue.	
23	To sanction settlement allowance in anticipation of sanction to creation of post.	Rule 4A (1), page 13 of the Survey and Settlement Manual, 1900.	Ditto ...	Ditto.	
24	To sanction *malikana* when it exceeds 10 per cent. of the net amount realised by Government from the lands under settlement.	(*a*) Section 5 (2), proviso 1 of Regulation VII of 1822. (*b*) Rule 11 (II), page 111 of the Survey and Settlement Manual, 1900.	Ditto ...	Ditto.	
25	To confirm temporary settlements in which the Government revenue assessed exceeds Rs. 25,000, and also proposed permanent settlements to which the proprietors have no statutory right.	Rule 5 (IV), page 118 of the Survey and Settlement Manual, 1900.	Ditto ...	Ditto ...	Up to Rs. 50,000.

Subject III—Land Registration (Eastern Bengal).

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
	(b) Powers to be delegated to authorities subordinate to the Local Government.				
1	To fix latest date for application for registration of estates	Section 39 of the Land Registration Act, VII (B.C.) of 1876.	Local Government	Board of Revenue.	
2	To fix different dates for application for registration in respect of different estates.	Section 40 of ditto ...	Ditto ...	Ditto.	
3	To exempt proprietors and managers of estates paying less than Rs. 20 annual revenue or of revenue-free property of less than 50 acres, from compulsory registration.	Section 43 of ditto ...	Ditto ...	Ditto.	
4	To sanction entry of revenue-free property in Register B.	(*a*) Section 10 of the Land Registration Act, VII (B.C.) of 1876. (*b*) Section 35 of ditto. (*c*) Rule 10 (16), page 56 of the Land Registration Manual, 1904.	Board of Revenue	Commissioner of Division.	
5	To decide what lands should be included in revenue-free estates ...	Section 36 of the Land Registration Act, VII (B.C.) of 1876.	Ditto ...	Ditto.	
6	To order the removal of incorrect entries of revenue-free properties from the General Register.	(*a*) Section 36 of ditto ... (*b*) Rule 5, page 44 of the Land Registration Manual, 1904. (*c*) Rule 10 (9), page 54 of ditto.	Ditto ...	Ditto.	
7	To remit payment of fees payable on the registry of transfer under the Land Registration Act.	Section 64 of the Land Registration Act, VII (B.C.) of 1876, as amended by Act I (Eastern Bengal and Assam Council) of 1907.	Ditto ...	Ditto.	

Subject IV—Government Estates (Eastern Bengal).

	(a) Powers to be given to Local Government.				
1	To sanction gift or grant of State lands in cases— Where the value of the grant exceeds Rs. 500 when given for any other public purpose or to a private individual for services to be performed to the State.	Rule 1, Section V, pages 48-49 of the Government Estates Manual, 1902. [Paragraph 9 of the Resolution of the Government of India in the Department of Agriculture, Revenue and Commerce, No. 1—143, dated the 6th February 1872.]	.....	.....	The Lieutenant Governor recommends that the powers of the Local Government be considerably enhanced in respect to this item.
2	To sanction grants of State land or assignments of land revenue to private persons as rewards for special assistance to the Police or to the Criminal Administration, when the value of the land and the land revenue assigned exceeds Rs. 500 and Rs. 15 a year, respectively.	(*a*) Rule IA., Section V, page 49 of the Government Estates Manual, 1902. (*b*) Rule 1, Section VIII, page 10 of the Tauzi Manual, 1899.	.....	.....	Ditto ditto.

3	To pass orders on the annual statement showing the alienations of lands and assignments of land revenue.	(*a*) Rule 9, page 52 of the Government Estates Manual, 1902. (*b*) Rule 7, page 56 of ditto. (*c*) Rule 7, Section VIII, page 10 of the Tauzi Manual, 1899. (*d*) Rule 9, Section VIII, page 10 of ditto.	.....	.....	Ditto ditto.
4	To sanction the disposal of lands which, under a competent authority, have been constituted the property of a municipality or other local body.	Rule I, page 48 of the Government Estates Manual, 1902. [Paragraph 5 of India Government, Department of Agriculture, Revenue and Commerce, Resolution No. 1—143, dated the 6th February 1872.]	Local Government..	Board of Revenue.	
5	To sanction the alienation of State lands, other than waste lands, which are sold for full value and of which such value does not exceed Rs. 10,000.	Rule 1, page 48 of the Government Estates Manual, 1902. [Paragraph 7 of India Government, Department of Agriculture, Revenue and Commerce, Resolution No. 1—143, dated the 6th February 1872.]	Ditto ...	Ditto.	
6	To sanction the sale of State lands on favourable terms for a public purpose, when the full value of such lands does not exceed Rs. 1,000.	Rule 1, page 49 of the Government Estates Manual, 1902. [Paragraph 8 of India Government, Department of Agriculture, Revenue and Commerce, Resolution, No. 1—143, dated the 6th February 1872.]	Ditto ...	Ditto.	

Subject V.—Collection of Land Revenue (Eastern Bengal).

	(*a*) *Powers to be given to Local Government.*				
1	To sanction the reduction or remission of revenue on the State land which is alienated.	Rule 4, Section VIII, page 10 of the Tauzi Manual, 1899.	.....	.....	The Lieutenant-Governor recommends that the powers of the Local Government be considerably enhanced with respect to this item.

Subject VI.—Partition (Eastern Bengal).

	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*				
1	To direct that the salary of Deputy Collector and cost of special establishment be recovered as part of costs of partitions.	Section 41 of the Estates Partition Act, V (B.C.) of 1897.	Local Government	Board of Revenue.	
2	To order a new allotment of land revenue upon separate estates when it is found that the assets of the lands assigned to any separate estates are not in proportion to the amount of land revenue for which such estate has been made liable.	Section 102 of ditto ...	Ditto ...	Ditto.	
3	To require proprietors of under-assessed estates to make refund to proprietors of over-assessed estates.	Section 103 of ditto ...	Ditto ...	Ditto.	
4	To vest a Collector or a Deputy Collector with settlement powers when engaged on partition work.	Section 110 *Cf.* also section 19 of ditto ...	Ditto ...	Ditto.	

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*				
1	To publish notification authorising preliminary investigations under sections 4 and 5 of the Land Acquisition Act.	(*a*) Section 4 (1) of the Land Acquisition Act, I of 1894. (*b*) Board's Instructions 4 and 5, page 44 of the Land Acquisition Manual, 1902.	Local Government	Board of Revenue.	
2	To authorise an officer to make preliminary investigations under sections 4 and 5 of the Land Acquisition Act.	Section 4 (2) of the Land Acquisition Act, I of 1894. Board's Instructions 4 and 6, page 44 of the Land Acquisition Manual, 1902.	Ditto ...	Ditto.	
3	To publish under section 6 of the Land Acquisition Act a declaration announcing that a particular piece of land is required for a public purpose or a company.	(*a*) Section 6 of the Land Acquisition Act, I of 1894. (*b*) Board's Instruction 10, page 47 of the Land Acquisition Manual, 1902. (*c*) Board's Instruction 11, page 47 of the Land Acquisition Manual, 1902.	Ditto ...	Ditto.	
4	To authorise, in cases of urgency, immediate possession of arable or waste land required for a public purpose or for a company under section 17 of the Land Acquisition Act.	Section 17 of the Land Acquisition Act, I of 1894. Board's Instruction 43, page 59 of the Land Acquisition Manual, 1902.	Ditto ...	Ditto.	
5	To make arrangements with a person having a limited interest in the land to be acquired, either by the grant or other lands in exchange, the remission of land revenue on other lands held under the same title, or in such other way as may be equitable, instead of awarding a money compensation.	Section 31 (3) of the Land Acquisition Act, I of 1894.	Ditto ...	Ditto.	
6	To authorise temporary occupation of land	Sections 35 (1) and 36 (2) of the Land Acquisition Act, I of 1894.	Ditto ...	Ditto.	
7	To authorise an officer of any company to exercise the powers conferred by section 4 of the Land Acquisition Act.	Section 38 (1) of the Land Acquisition Act, I of 1894.	Ditto ...	Ditto.	
8	To direct enquiry as to utility of the work for which land is required by a company and to appoint an officer to conduct the enquiry.	Section 40 of the Land Acquisition Act, I of 1894.	Ditto ...	Ditto.	
9	To require a company to enter into an agreement in respect of any land to be acquired for such a company.	Section 41 of the Land Acquisition Act, I of 1894.	Ditto ...	Ditto.	
10	To publish in the provincial as well as in the *Gazette of India* the agreement executed by a company under section 41 of the Land Acquisition Act.	Section 42 of the Land Acquisition Act, I of 1894.	Ditto ...	Ditto.	
11	To withdraw from the acquisition of any land of which possession has not been taken.	(*a*) Section 48 of the Land Acquisition Act, I of 1894. (*b*) Board's Instruction 14 (v), page 49 of the Land Acquisition Manual, 1902.	Ditto ...	Ditto.	

12	To recover expenses, etc., for damage done or obstruction caused, to the surface land or to any other work thereon.	Section 7 (3) of the Land Acquisition (Mines) Act, XVIII of 1885.	Ditto ...	Ditto.
13	To pay compensation for injury done to mines	Section 9 of the Land Acquisition (Mines) Act, XVIII of 1885.	Ditto ...	Ditto.
14	To pay compensation for injury done to surface lands overlying mines, caused by the making of any air-way, or other work.	Section 10 of the Land Acquisition (Mines) Act, XVIII of 1885.	Ditto ...	Ditto.
15	To take measures for the safety of surface land over mines... ...	Section 13 of the Land Acquisition (Mines) Act, XVIII of 1885.	Ditto ...	Ditto.
16	To authorise a Special Land Acquisition Officer to make payments by cheques.	(*a*) Board's Instruction 49, page 61 of the Land Acquisition Manual, 1902. (*b*) Paragraph 10 of the Resolution of the Government of India in the Finance and Commerce Department, No. 2209A., dated the 10th May 1895, at page 94 of the Land Acquisition Manual, 1902.	Ditto ...	Ditto.
17	To direct the pre-payment of costs to be made and audited as if the land were being acquired for Government in any case in which land is acquired for a municipality or other body financially independent of Government.	(*a*) Board's Instructions 53 and 58, pages 62 and 64 of the Land Acquisition Manual, 1902. (*b*) Paragraph 21 of the Resolution of the Government of India in the Finance and Commerce Department, No. 2209A., dated the 10th May 1895, at pages 96-97 of the Land Acquisition Manual, 1902.	Ditto ...	Ditto.
18	To declare that land in the vicinity of works of defence, or any site intended to be used for that purpose, should be kept free from buildings and other obstructions, and to publish a declaration to that effect.	Section 3 of the Indian Works of Defence Act, VII of 1903. (Appendix G to the Land Acquisition Manual, 1902.)	Ditto ...	Ditto.

Subject VIII.—Waste Lands (Eastern Bengal).

	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*			
1	To direct a suit to be brought to try the claim of any claimant of waste land, or the objection of any objector, within twelve months after the objection or claim has been admitted by the Collector, in a Court constituted under the provisions of Act XXIII of 1863.	Section 6 of Act XXIII of 1863 (Waste Lands) ...	Local Government..	Board of Revenue.
2	To constitute a special Court to try claims to waste lands	Section 7 of ditto ...	Ditto ...	Ditto.
3	To appoint any officer, other than the Collector to appear on behalf of the Local Government as defendant or plaintiff in suits under sections 5 and 6 of Act XXII of 1863.	Section 10 of ditto ...	Ditto ...	Ditto.
4	To award compensation for land absolutely sold, though claim be not preferred in time.	Section 22 of ditto ...	Ditto ...	Ditto.
5	To award compensation for land sold subject to any condition or reservation, if claim is proved, though such claim be not preferred in time.	Section 23 of ditto ...	Ditto ...	Ditto.
6	To confirm, modify or reverse the order of a Collector rejecting the claim or objection to settlement of waste land.	Section 5 of ditto ...	Board of Revenue...	Commissioner of Division.

Subject IX.—Sales (Eastern Bengal).

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
	(b) Powers to be delegated to authorities subordinate to the Local Government.				
1	To annul sale under section 26 of Act XI (B.C.) of 1859, on ground of hardship or injustice.	Section 26 of Act XI (B.C.) of 1859 (Sales) ...	Local Government	Board of Revenue.	
2	To revise proceedings of Revenue authorities in registration of tenures.	Section 49 of ditto ...	Ditto ...	Ditto.	
3	To prescribe a place for holding sales other than the land revenue office at the sadr station of the district.	Section 19 of ditto ...	Board of Revenue	Commissioner of Division.	
4	To sanction amicable settlement with the auction-purchaser in case of sales which have become final by law.	Rule 8, Section VIII, Part III, page 105 of the Sale Law Manual, 1902.	Ditto ...	Ditto.	
	Subject X.—Practice and Procedure.				
	(b) Powers to be delegated to authorities subordinate to the Local Government.				
1	To appoint Examiners for the examination of Revenue Agents, and to make rules for the conduct of such examination.	Section 37 of the Legal Practitioners' Act, XVIII of 1879.	Local Government	Board of Revenue.	
2	To appoint a person (1) to sign a certificate to be issued to a Revenue Agent authorising the latter to practice, (2) to renew such certificate, and (3) to enrol the Revenue Agent.	Sections 18 and 19 of ditto ...	Board of Revenue	Commissioner of Division.	
	Subject XI.—Certificates.				
	(b) Powers to be delegated to authorities subordinate to the Local Government.				
1	To appoint an officer to perform the functions of a Certificate Officer under the Public Demands Recovery Act.	(*a*) Section 4 (2) (*b*) of the Public Demands Recovery Act, I (B.C.) of 1895. (*b*) Board's Instruction 2, page 19 of the Certificate Manual, 1904.	Commissioner ...	Collector.	

Subject XII.—Co-operative Credit Societies.

	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*				
1	To prescribe the liabilities of each member of a rural society for the debts of the society.	Section 7 (*a*) of the Co-operative Credit Societies Act, X of 1904.	Local Government	Board of Revenue.	
2	To prohibit or restrict the lending of money on mortgage of any immovable property by any society.	Section 10 (3) of ditto ...	Ditto ...	Ditto.	
3	To dispose of appeals from the orders of the Registrar, Co-operative Credit Societies, in regard to dissolution of societies.	Section 23 (2) of ditto ...	Ditto ...	Ditto.	
4	To confirm the orders of the Registrar, Co-operative Credit Societies, in regard to the dissolution of societies.	Section 23 (3) of ditto ...	Ditto ...	Ditto.	
5	To make rules to carry out the purposes of the Co-operative Credit Societies Act, 1904.	Section 27 of ditto ...	Ditto ...	Ditto.	
6	To permit any association to be registered as a rural or an urban society and to exempt such society from any of the provisions of the Co-operative Credit Societies Act.	Section 29 of ditto ...	Ditto ...	Ditto.	

Subject XIII.—Loans.

	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*				
1	To empower an officer to grant loans under the Land Improvement Loans Act.	Section 4 (1) of the Land Improvement Loans Act, XIX of 1883.	Local Government	Board of Revenue.	
2	To declare by notification what work should be regarded as improvements for the purposes of the Land Improvement Loans Act.	Section 4 (2) (*f*) of ditto ...	Ditto ...	Ditto.	
3	To make rules fixing the period up to which the increase in value derived from the improvement of waste or unirrigated land should not be taken into account.	Section 11 of ditto ...	Ditto ...	Ditto.	
4	To sanction loans under the Land Improvement Loans Act, exceeding Rs. 5,000 in the Assam Valley and exceeding Rs. 1,000 in the Surma Valley.	Rule 1 of the rules published with Assam Administration Notification No. 4082R., dated the 6th November 1891, in the *Assam Gazette* of the 7th idem.	Ditto ...	Ditto.	
5	To extend, in special cases, the time for repayment of loans under the Land Improvement Loans Act, to 20 years.	Rule 7 of ditto ...	Ditto ...	Ditto.	
6	To suspend instalments for repayment of Loans granted under the Land Improvement Loans Act.	Rule 14 of ditto ...	Board of Revenue	Commissioner of Division ...	Up to Rs. 1,000.
7	To remit Loans granted under the Land Improvement Loans Act, or irrecoverable balances of such loans.	Rule 15 of ditto ...	Ditto ...	Ditto.	
8	To authorise an officer to make loans under the Agriculturists' Loans Act.	Rule 2 of the rules published with Assam Administration Notification No. 776R., dated the 24th February 1898, in the *Assam Gazette* of the 26th idem.	Ditto ...	Ditto.	
9	To sanction Loans under the Agriculturists' Loans Act exceeding Rs. 300 in the Surma Valley and Hill Districts.	Rule 5 of ditto ...	Ditto ...	Ditto.	
10	To sanction Loans under the Land Improvement Loans Act exceeding Rs. 5,000.	Rule 2, page 158 of the Board's Rules 1902 ...	Ditto ...	Ditto.	

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
11	To extend, in special cases, the period of repayment of Loans under the Land Improvement Loans Act to 20 years.	Rule 8, page 159 of the Board's Rules 1902 ...	Board of Revenue	Commissioner of Division.	
12	To sanction Loans exceeding Rs. 5,000, under the Agriculturists' Loans Act.	Rule 1, page 167 of ditto ...	Ditto ...	Ditto.	
13	To sanction, in special cases, the term of repayment of loans under the Agriculturists' Loans Act to 10 years.	Rule 7, page 168 of ditto ...	Ditto ...	Ditto.	
	Subject XIV.—Famine				
	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*				
1	To pass orders on divisional programme of village works	Section 23 of the Bengal Famine Code, 1905 ...	Local Government	Commissioner of Division.	
2	To direct that every facility should be afforded to persons seeking in Government forest reserve such forest produce as can be utilized as human food.	Section 79 of ditto ...	Ditto ...	Ditto.	
3	To afford facilities to private trade	Section 80 (*b*) of ditto ...	Ditto ...	Ditto.	
4	To control the closure of relief works	Section 219 (*b*) of ditto ...	Ditto ...	Ditto.	
5	To regulate the disposal of orphans	Section 227 (*c*) of ditto ...	Ditto ...	Ditto.	
6	To fix wage scale of aboriginal tribes	Section 243 (*a*) of ditto ...	Ditto ...	Ditto.	
7	To fix gratuitous allowances of aboriginal tribes	Section 244 (*a*) of ditto ...	Ditto ...	Ditto.	
	Subject XV.—Mines and minerals.				
	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*				
1	To direct as to the officer, other than the Collector, to whom an application for a prospecting license shall be made.	Rule 218, page 214 of the Assam Land Revenue Manual, 1905. [See similar rules in Section VIII, page 43 of the Waste Lands Manual, 1898.	Local Government	Commissioner of Divisions.	
2	To deal with the report as to the grant of a prospecting license from the Collector.	Rule 222 (2) *ibid*	Ditto ...	Ditto.	
3	To require a deposit not exceeding Rs. 500 to be made by an applicant for a mining lease in any case or class of cases before the application is taken into consideration.	Rule 224 (1) *ibid*	Ditto ...	Ditto.	

Subject XVI.—Ancient Monuments.

	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*			
1	To declare by notification an ancient monument to be a protected monument.	Section 3 (1) of the Ancient Monuments Preservation Act, VII of 1904.	Local Government	Commissioner of Division.
2	To confirm or withdraw the notification under section 3 (1) of the Ancient Monuments Act after considering objections, if any.	Section 3 (3) of the Ancient Monuments Preservation Act, VII of 1904.	Ditto ...	Ditto.
3	To sanction acceptance by Collector of a gift or bequest of any protected monument.	Section 4 (2) of the Ancient Monuments Preservation Act, VII of 1904.	Ditto ...	Ditto.
4	To authorize Commissioner to accept guardianship of a monument	Section 4 (3) of the Ancient Monuments Preservation Act, VII of 1904.	Ditto ...	Ditto.
5	To authorise Collector to propose to the owner to enter into an agreement with the Secretary of State for India for the preservation of any protected monument in his district.	Section 5 (1) of the Ancient Monuments Preservation Act, VII of 1904.	Ditto ...	Ditto.
6	To authorize Collector to terminate agreement under section 5 of the Ancient Monuments Preservation Act.	Section 5 (5) of the Ancient Monuments Preservation Act, VII of 1904.	Ditto ...	Ditto.
7	To control the moving of sculptures, carvings or like objects ...	Section 18 of the Ancient Monuments Preservation Act, VII of 1904.	Ditto ...	Ditto.
8	To control excavation for the purpose of protecting or preserving any ancient monument.	Section 20 of Act VII of 1904	Ditto ...	Ditto.

Subject XVII.—Wards.

	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*			
1	To direct the discharge from guardianship of Collector appointed a guardian under Act VIII of 1890.	Section 40 of Act VIII of 1890	Local Government	Board of Revenue as Court of Wards.
2	To sanction delegation of the powers of the Court of Wards to Commissioners, Collectors or to other persons appointed by the Court of Wards for the purpose ... ... To sanction revocation of such delegation	Section 15 of Act IX (B.C.) of 1879	Ditto ...	Ditto.
3	To sanction adoption by a ward	Section 61 of ditto	Ditto ...	Ditto.
4	To levy general rate, not exceeding 5 per cent. on gross income of all private estates under Government management, to meet cost of Government Establishment and contingent expenditure incurred by Government for supervision and management of such estates ... ... To vary, reduce or remit such rates	Section 3 of Act X of 1892	Ditto ...	Ditto.
5	To direct a special charge to be made against an estate, if it is necessary to employ an officer of Government to give legal advice or audit accounts on behalf of the estate.	Section 4 of ditto	Ditto ...	Ditto.
6	To make rules and issue orders under Act X of 1892...	Section 7 of ditto	Ditto ...	Ditto.

Subject XVIII.—Education.

Serial No.	Nature of power.	Existing authority of rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
	(b) Powers to be delegated to authorities subordinate to the Local Government.				
1	To appoint, on the occurrence of every second vacancy in Class VII or upwards of the Provincial Educational Service, men of certain class.	Bengal Government order No. 904T.G., dated the 6th July 1900. See page 311 of the Rules and Orders of the Bengal Education Department, 1903. [Class VII of this province corresponds to Class VI of Bengal.]	Local Government..	Director of Public Instruction.	
2	To decide, in cases of doubt, who should be regarded as a European for the purposes of the Code regulating the education of Europeans in India.	Rule 2 of the revised draft Code of Regulations for European Schools in India and Burma, 1905, received with letter from the Government of India, Home Department, No. 544 (Edn.), dated the 14th August 1905.	Ditto ...	Ditto.	
3	To declare in special cases that the term "ordinary attendance" should mean the average daily attendance during the school year.	Rule 36 of ditto ...	Ditto ...	Ditto.	
4	To determine the conditions on which grants fixed in amount for a term of years should be given to schools.	Rule 39 of ditto ...	Ditto ...	Ditto.	
5	To approve of subjects for the teaching of which appliances and materials are to be purchased.	Rule 44 (*d*) of ditto ...	Ditto ...	Ditto.	
6	To make arrangements for holding Primary Scholarship Examinations.	Rule 90 of ditto ...	Ditto ...	Ditto.	
7	To sanction in special cases payment of boarding fees of students who have been educated in orphanages or free schools.	Rule 122 of ditto ...	Ditto ...	Ditto.	
8	To arrange for the conduct of the examination of officers of the Education Department in minor vernaculars (tribal language).	Rule 2 of the Rules for the examination of officers of the Education Department in Eastern Bengal and Assam published with this Government Notification No. 12558C., dated the 6th December 1906, in the *Eastern Bengal and Assam Gazette* of the 8th idem.	Ditto ...	Ditto.	
9	To appoint, transfer, promote, depute, suspend, dismiss, and grant leave and extension of service (*a*) to officers in classes I and II of the Bengal Subordinate Educational Service, and (*b*) to officers of the Assam Subordinate Service, appointed before 1st July 1906.	(1) Articles 76, 78, 139, 161, 167, 168, 189, 193, 220, 271, 279, 336, 337, 338, 339, 340, 462, of the Civil Service Regulations. (2) Rule 1, page 121 of the Rules and Orders of the Bengal Education Department, 1903. (3) This Government Order No. 8314C., dated the 18th August 1906. (4) Rule 2 of the Rules for the appointment of Deputy Inspectors and Assistant Inspectors of Schools in Eastern Bengal and Assam, published with Government Notification No. 10790, dated the 19th October 1906 in the *Eastern Bengal and Assam Gazette* of the 20th idem.	Ditto ...	Ditto.	

Subject XIX.—Financial Matters.

	(a) Powers proposed to be delegated to the Local Government.				
1	To create any new permanent appointment, other than an appointment which would ordinarily be held by a gazetted officer appointed in England, of which the salary or maximum salary exceeds Rs. 250, but does not exceed Rs. 500 a month.	Government of India, Finance Department, Resolution No. 6660 Ex., dated the 1st November 1907.	Government of India.	Local Government	So far as provincial charges or charges debitable to divided heads are concerned, the Lieutenant-Governor recommends that powers of the Local Government might be made equal to those of the Government of India. The Resolution of the Government of India of November 1907 shows that their powers have been considerably enlarged, but the extended powers have not been delegated to Local Governments.
2	To raise the salary of an officer or of a sanctioned appointment to an amount exceeding Rs. 250, but not exceeding Rs. 750 a month.	Ditto ditto ...	Ditto ...	Ditto ...	
3	To revise establishments involving an additional expenditure of more than Rs. 25,000, but not exceeding Rs. 50,000 a year.	Ditto ditto ...	Ditto ...	Ditto ...	
4	To remit the payment of interest on loans falling due in ordinary course.	Article 130A (1), Civil Account Code	Ditto ...	Ditto.	
5	To sanction expenditure which would cause any excess over the budget grant for a major head which is wholly imperial.	Article 295, Civil Account Code	Ditto ...	Ditto ...	As a matter of convenience, and to avoid correspondence, the Local Government might be authorised to incur expenditure up to a limit of Rs. 5,000 in any year under an Imperial head, subject (*a*) to the sanction not binding Government beyond a single payment where the expenditure exceeds Rs. 50 a month, and (*b*) to adjustment before the close of the year.
6	To sanction expenditure in excess of the budget grant under any provincial or local major or minor head, when the increase causes the aggregate grant for provincial or local expenditure, respectively, to be exceeded.	Article 295 (*a*), Civil Account Code ... ... Government of India, Finance Department, Resolution No. 5306A., dated the 27th September 1906.	Ditto ...	Ditto ...	The Lieutenant-Governor recommends that the Local Government might be permitted to incur expenditure which would have the effect of exceeding the aggregate provincial grant, if the Accountant-General certified that the Provincial revenues of the year would probably expand sufficiently to balance the excess. The exclusion of district and Local Boards' Funds render any delegation, so far as local expenditure is concerned, unnecessary.

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
7	To grant an horarium over Rs. 500, but not exceeding Rs. 1,000, to an officer for doing any special work. When the charge falls on imperial, Government of India's sanction is required when the amount exceeds Rs. 200.	Article 72 (*b*), Civil Service Regulations	Government of India.	Local Government	Where the charge falls upon provincial revenues or on a divided head, the powers enjoyed by the Local Government might be made equal to those of the Government of India.
8	To permit any officer to accept a fee exceeding Rs. 500, from a private person or private or public body, for work done for it.	Article 74 (*c*), ditto ...	Ditto ...	Ditto ...	
9	To create temporary appointments and deputations (*a*) for periods exceeding six months when the salary or salary and deputation allowance exceed Rs. 250, but do not exceed Rs. 500 ; (*b*) for not more than two years when the salary or salary and deputation allowance exceed Rs. 500 a month.	Articles 78 and 79, ditto ... and Finance Department Resolution, No. 6660 Ex., dated the 1st November 1907.	Ditto ...	Ditto ...	See against 1—3. The principle is the same, and the Lieutenant-Governor recommends that the powers of the Local Government in respect of charges falling on provincial or divided heads should be equal to those of the Government of India.
10	To grant to officers, who, through no fault of their own, overstay the period of their furlough on medical certificate or leave on medical certificate out of India, extensions of such leave not exceeding a week.	Note to Article 229 of the Civil Service Regulations.	Ditto ...	Ditto.	
11	To grant a pension to an officer whose pay exceeds Rs. 10, but who bears an inferior designation, when his regular duties have been such as are ordinarily performed by a superior servant.	Article 402 (*a*), Civil Service Regulation	Ditto ...	Ditto ...	Where the pension is a provincial charge, the Lieutenant-Governor recommends that the Local Government should exercise the same powers as the Government of India.
12	To condone interruptions in service exceeding three months, but not exceeding twelve months in all, if the proposed pension exceeds Rs. 50 a month.	Article 422 (*i*)	Ditto ...	Ditto ...	
13	To condone interruptions in service exceeding twelve months in all, if the proposed pension is an Imperial charge not exceeding Rs. 50 a month.	Article 422 (*ii*)...	Ditto ...	Ditto ...	
14	To condone deficiencies in qualifying service exceeding one month (but not exceeding three months in all), if the pension is an imperial charge.	Article 423 (1)	Ditto ...	Ditto ...	
15	To discharge an officer in consequence of a change in the nature of the duties of his office.	Article 434	Ditto ...	Ditto.	
16	If of two appointments held by one officer, one is abolished and the other retained, the case should be specially submitted to the Government of India.	Article 435	Ditto ...	Ditto.	
17	To grant a wound or extraordinary gratuity exceeding Rs. 600, but not exceeding six months' pay or Rs. 1,000, whichever is greater.	Article 739	Ditto ...	Ditto ...	Ditto.
18	To grant a wound or extraordinary pension exceeding Rs. 10, but not exceeding Rs. 25 a month.	Article 740	Ditto ...	Dtito ...	Ditto

19	Where no pension or gratuity is admissible under the rules, to grant— (*a*) a gratuity not exceeding Rs. 1,000; (*b*) when injury or death is due to devotion to duty, a pension not exceeding Rs. 25 a month or a gratuity of an equivalent amount.	Article 743	Ditto ...	Ditto ...	Ditto.
20	To authorise the grant of a pension up to a limit of Rs. 10 a month, or of a gratuity not exceeding the equivalent value of that amount, in any case where no pension or gratuity is admissible under the rules.	Article 924 (*b*)	Ditto ...	Ditto ...	Ditto.
21	To add to the list of officers (Appendix 22, Civil Service Regulations), drawing permanent monthly travelling allowances.	Article 1048	Ditto ...	Ditto ...	When the charges are provincial or debitable to a divided head, the Lieutenant-Governor recommends that these powers should be delegated to Local Governments.
22	To add to the list of officers (Appendix 26, Civil Service Regulations), entitled to a permanent conveyance or horse allowance.	Article 1075	Ditto ...	Ditto ...	
23	To increase the ordinary rate of daily allowance or mileage or both for all persons travelling in any specified district or locality, in which travelling is specially expensive.	Article 1139, Civil Service Regulations	Ditto ...	Ditto ...	
	(*b*) *Powers proposed to be delegated to authorities subordinate to the Local Government.*				
24	To investigate claims of officers to arrears of pay or allowances, which have been allowed to remain in abeyance for over two years.	Article 5 (*c*), Civil Account Code	Local Government	Commissioners of Divisions and Heads of Departments.	
25	To change the date of birth of an officer, as entered in the detailed list of establishment.	Article 55 (1) (*b*), ditto ...	Ditto ...	Ditto.	
26	To sanction hot-weather establishments...	Article 98 (*b*), ditto ...	Ditto ...	The Board of Revenue, Commissioners and Heads of Departments.	
27	To purchase articles of European manufacture in the local market when the value exceeds Rs. 50.	Article 98 (*k*), ditto ...	Ditto ...	The Board of Revenue, Commissioners, Heads of Departments, District Officers and District Judges.	The limit of Rs. 50 may be raised to Rs. 100.
28	To incur fixed recurring contingent charges	Article 98 (*m*), ditto ...	Ditto ...	The Board of Revenue, Heads of Departments and Commissioners of Divisions.	Up to a limit of Rs. 250 per annum in each case.
29	To write off irrecoverable balances of loans or advances, and to delegate the powers to write off.	Article 134 (*a*), ditto ...	Ditto ...	Commissioners of Divisions.	
30	To write off finally the irrecoverable value of stores or public money lost by fraud or negligence or other cause, provided the amount does not exceed Rs. 1,000, and does not fall on Imperial, or does not indicate any defect of system requiring amendment.	Article 279, ditto ...	Ditto ...	The Board of Revenue, Commissioners and Heads of Departments.	In respect of the Board of Revenue up to a limit of Rs. 1,000, and of the other authorities up to a limit of Rs. 200 in each case.
31	To transfer budget grants from one major head (wholly Provincial or divided) to another.	Article 295, ditto ...	Ditto ...	Legal Remembrancer ...	In respect of budget grants under his control between 19A—Law and Justice and 18—General Administration.

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
32	To authorise any officer to proceed on duty beyond his jurisdiction to any part of British India or to any Foreign State or Settlement adjoining the Local Government's jurisdiction.	Article 57, Civil Service Regulations	Local Government	The Board of Revenue, Commissioners of Divisions and Heads of Departments.	The Lieutenant-Governor recommends that this power should be delegated to Commissioners of Divisions and Heads of Departments in respect of their subordinates, but not for themselves, and to the Board of Revenue in respect of Commissioners of Divisions.
33	To permit an officer who has been reduced for misconduct or inefficiency to count for increments previous service in the grade or appointment from which he was reduced.	Article 154, ditto	Ditto ...	Commissioners of Divisions and Heads of Departments.	If the Commissioner or Head of Department has dealt finally with the original case.
34	To permit an officer, on transfer as a penalty from a higher to a lower appointment on a progressive pay, to draw any salary not exceeding the maximum of such appointment.	Article 157B, ditto	Ditto ...	Ditto ...	If the Commissioner or Head of Department has ordered the transfer.
35	To extend joining time ordinarily admissible within the maximum of thirty days.	Article 180 (*a*), ditto	Ditto ...	Ditto.	
36	To allow an officer without a substantive appointment, but officiating in an office, to draw transit pay.	Article 188, ditto	Ditto ...	Ditto ...	In respect of ministerial officers and other officers on less than Rs. 100 a month.
37	To sanction payment of salary to suspended officers subordinate to the Board of Revenue, when the extra cost involved exceeds Rs. 250.	(*a*) Rule 21, page 71 of the Board's Rules, 1902 ... (*b*) Rule 3, page 222 of the Board's Rules, 1902. (*c*) Article 193 (*b*) of the Civil Service Regulations.	Ditto ...	Commissioners of Divisions.	
38	To allow an officer leave of absence to enable him to attend at a compulsory departmental examination.	Article 285, Civil Service Regulations	Ditto ...	Commissioners of Divisions and Heads of Departments.	
39	To make any reduction in the amount of pension admissible under the rules, in cases in which service has not been thoroughly satisfactory.	Article 470 (*b*), ditto	Ditto ...	Ditto ...	*Vide* note against No. 44.
40	To allow gratuities or pensions to be calculated on the basis of average emoluments instead of emoluments, if the emoluments of an officer have been reduced during the last three years of his service otherwise than as a penalty.	Articles 474 (*a*) and 482, ditto	Ditto ...	Ditto ...	Ditto.
41	To permit an officer who has retired on a compensation pension to exercise more than three months after his re-employment, his option of retaining his pension and forfeiting his previous service or to cease to draw his pension and count his previous service.	Article 516, ditto	Ditto ...	Ditto ...	Ditto.
42	To allow a pensioner to be re-employed without loss of pension, temporarily, for a period not exceeding a year.	Article 524, ditto	Ditto ...	Commissioners of Divisions, Heads of Departments, and the Board of Revenue.	In the case of pensioners not drawing more than Rs. 20 per mensem.
43	To accept a medical certificate bearing a date later than that of an officer's application for retirement on invalid pension, where the applicant is less than sixty years old.	Article 911 (*c*), ditto	Ditto ...	Commissioners of Divisions and Heads of Departments.	*Vide* note against No. 44.

44	To grant pension to officers other than police officers on pay not exceeding Rs. 20.	Articles 918 and 921, ditto	Ditto ...	Ditto ...	The Lieutenant-Governor recommends that powers should be delegated in respect of officers drawing Rs. 50 or less subject to the Accountant-General's certificate of admissibility.
45	To specially exempt a pensioner from personal appearance to receive his pension.	Article 945, ditto	Ditto ...	District Officers	Subject to suitable precautions as to life certificates.
46	To permit travelling allowance by other than the shortest or cheapest route to be drawn.	Article 997, ditto	Ditto ...	Commissioners of Divisions and Heads of Departments.	
47	To exempt an officer from the operation of the rule under which a daily allowance may not be drawn for more than ten days of a halt at one place.	Article 1056, ditto	Ditto ...	Ditto ...	Subject to a maximum of twenty days.
48	To permit any officer or class of officers to draw, during a halt at headquarters, the actual expense of keeping up camp equipage during a halt.	Article 1059 (*a*), ditto	Ditto ...	Ditto.	
49	To grant passage money for the families of officers of the second and third classes drawing less than Rs. 200, when their families cannot, for sufficient reasons, travel with them, but follow them within six months or precede them by not more than one month.	Article 1097 (*b*), ditto	Ditto ...	Ditto.	
50	To permit an officer transferred for misconduct to draw travelling allowance.	Article 1100, ditto	Ditto ...	Ditto.	
51	To grant travelling allowance for journeys on transfer to an inferior servant.	Article 1107, ditto	Ditto ...	Ditto.	
52	To grant deputation allowances to licensed vaccinators	.....	Ditto ...	Sanitary Commissioner.	
53	To grant hill allowance to the vaccine inspecting staff for proficiency in local languages.	.....	Ditto ...	Ditto.	
54	To grant special fees or rewards to Government Pleaders in civil suits.	.....	Ditto ...	Legal Remembrancer ...	Up to a limit of Rs. 500 in any one case.
55	To dispose of unserviceable and spare padlocks and keys of treasuries.	Article 305A., Civil Account Code	Board of Revenue...	District Officers.	
56	To make an exception to the general rule that all money should be paid direct into the treasury by the person from whom it is due.	Rule 1, page 195 of the Board's Rules, 1902 ...	Ditto ...	Commissioners of Divisions.	

Subject XX.—Income Tax.

	(*a*) *Powers proposed to be delegated to the Local Government.*				
1	To declare the principal place of residence of a person having several places of residence in territories subject to different Local Governments.	Section 47 (3) of the Income-tax Act, II of 1886...	Government of India.	Board of Revenue	In doubtful cases a reference might be made to the Government of India through the Local Government.
	(*b*) *Powers proposed to be delegated to authorities subordinate to the Local Government.*				
2	To prescribe the manner in which the list of assessees under Part IV whose annual income does not amount to Rs. 2,000 should be published.	Section 16 (5), ditto ...	Local Government..	Ditto.	
3	To make rules authorising the Collector to modify the ordinary procedure of assessment under Part IV in special cases.	Ditto 18, ditto ...	Ditto ...	Ditto.	

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
4	To direct by what authority any powers or duties incident to the enforcement of any process for the recovery of a municipal tax or local rate shall be exercised or performed when that process is employed for the recovery of income-tax.	Section 30 (2) of the Income-tax Act, II of 1886...	Local Government	Board of Revenue.	
5	To direct with respect to any specified area, that income-tax should be recovered with and as an addition to any municipal tax or local rate in the same way as the latter.	„ 30 (4), ditto ...	Ditto ...	Ditto.	
6	To prosecute a person for breach of rules for preventing the disclosure of particulars contained in documents delivered or produced with respect to assessments.	„ 38 (3), ditto ...	Ditto ...	Ditto.	
7	To delegate the powers and duties of Collectors and Commissioners under the Act to any other officer or person.	„ 40, ditto ...	Ditto ...	Ditto.	
8	To declare the principal place of business of a company or firm having several places of business in territories subject to different Local Governments.	„ 47 (1), ditto ... [Paragraph 4 of the note under section 47 of the Act, page 46 of the Bengal Income-tax Manual.]	Ditto ...	Ditto ...	In doubtful cases a reference might be made to the Government of India through the Local Government.
9	To revise the assessment of income-tax made by the Collector on the petition of any person deeming himself aggrieved.	Section 27 of the Income-Tax Act, II of 1886 ...	Commissioners of Divisions.	District Officers	When the assessment does not exceed Rs. 250.
10	To remit any fine imposed on any person who fails to make payments or deliver returns or statements.	„ 34 (2), ditto ...	Ditto ...	Ditto.	
		Subject XXI.—Stamps.			
	(*a*) *Powers proposed to be delegated to the Local Government.*				
	Nil.				
	(*b*) *Powers proposed to be delegated to authorities subordinate to the Local Government.*				
1	To frame rules for the guidance of Collectors in the exercise of the powers conferred by section 19-H (3) as to inspection, etc., of records of cases and amendment of valuation of property.	Section 19-H (8), Act VII of 1870	Local Government	Board of Revenue.	
2	To frame rules regarding the supply, number, renewal and keeping of accounts of stamps.	„ 27, ditto ...	Ditto ...	Ditto.	
3	To frame rules for regulating the sale of stamps to be used under the Act, the persons by whom alone such sale is to be conducted, and the duties and remuneration of such persons.	„ 34 (1), ditto ...	Ditto ...	Ditto.	
4	To determine who shall be deemed to be persons in charge of public offices authorised to examine and impound instruments not duly stamped.	„ 33 (3) (*b*), Act II of 1899	Ditto ...	Ditto.	
5	To authorise officers to institute prosecutions under the Stamp Act	„ 70 (1), ditto ...	Ditto ...	Ditto.	

6	To establish local depôts where there are no treasuries	Rule 8 of the Government of India's rules under the Indian Stamp Act, 1899. Government of India, Finance Department Resolution No. 3715Exc., dated the 30th June 1905.	Ditto ...	Ditto.	
7	To empower any principal assistant of the "proper officer" to discharge the functions of the latter.	Rule 10 (3) of the Government of India's rules under the Indian Stamp Act, 1899. (Page 142, Bengal Stamp Manual.)	Ditto ...	Ditto.	
8	To fix limit within which Collector may grant rewards to persons assisting in the conviction of any offender.	Rule 19 of the Government of India's rules under the Indian Stamp Act, 1899. (Page 144, Bengal Stamp Manual.)	Ditto ...	Ditto.	
9	To supply stamps on credit to a lincensed vendor	Rule 8 of the rules issued by the Bengal Government under the Indian Stamp Act, 1899. (Page 147, Bengal Stamp Manual.)	Ditto ...	Ditto.	
10	To grant authority to officers to inspect stamp accounts of vendors	Rule 15 of the rules issued by the Bengal Government under the Indian Stamp Act, 1899. (Page 148, Bengal Stamp Manual.)	Ditto ...	Ditto.	
11	To grant authority to officers to recall stamps from vendors ...	Rule 16 of the rules issued by the Bengal Government under the Indian Stamp Act, 1899. (Page 149, Bengal Stamp Manual.)	Ditto ...	Ditto.	
12	To prescribe what supply of stamps shall be maintained in local depôts.	Rule 9 of the Government of India, Finance Department, Resolution No. 3715Exc., dated the 30th June 1905.	Ditto ...	Ditto.	
13	To receive reports as to deficiency or failure of stock in local depôts, or to designate authority to whom such reports shall be made.	Rule 11 ditto ...	Ditto ...	Ditto ...	The report may be made to the Board or to such other authority as may be designated by the Board.
14	To issue orders as to detailed counting of stamps	„ 13 ditto ...	Ditto ...	Ditto.	
15	To appoint an officer, other than the treasurer, to be *ex-officio* vendor of stamps in a local depôt.	„ 16 ditto ...	Ditto ...	Ditto.	
16	To reduce the period within which stock must be replenished ...	„ 17 ditto ...	Ditto ...	Ditto.	
17	To prescribe the language in which stamp registers shall be kept by *ex-officio* vendors.	„ 18 ditto ...	Ditto ...	Ditto.	
18	To prescribe rules regarding rates of discount and granting of licenses.	„ 20 ditto ...	Ditto ...	Ditto.	
19	To prescribe limits as to denominations of stamps to be sold by *ex-officio* vendors.	„ 21 ditto ...	Ditto ...	Ditto.	
20	To direct closing of branch depôts	„ 29 ditto ...	Ditto ...	Ditto.	
21	To nominate an officer other than the sub-treasurer to be *ex-officio* vendor of stamps at a branch depôt.	„ 30 ditto ...	Ditto ...	Ditto.	
22	To empower the Board of Revenue or other superior revenue authority to sanction the despatch of stamps direct from the central depôt to a branch depôt.	„ 31 ditto ...	Ditto ...	Ditto.	
23	To fix what supply of stamps is to be kept in branch depôts ...	Rules 32 and 33 of ditto ...	Ditto ...	Ditto.	
24	To fix what amount of stamps is to be kept under single lock by the *ex-officio* vendor.	Rule 34 ditto ...	Ditto ...	Ditto.	
25	To grant relief where too high a court-fee has been paid on probates of wills or letters of administration.	Section 19-A, Act VII, 1870 ...	Board of Revenue...	Commissioners of Divisions.	
26	To grant relief where debts due from a deceased person have been paid out of his estate.	„ 19-B, ditto ...	Ditto ...	Ditto.	
27	To cause due stamping of probate or letters of administration in cases where too low a court-fee has been paid.	„ 19-E. and G, ditto ...	Ditto ...	Ditto.	
28	To sanction remission of penalties due on account of too low a court-fee being paid.	„ 19-E, ditto ...	Ditto ...	Ditto.	
29	To remit penalties, etc.	19-J (2) ditto ...	Ditto ...	Ditto.	

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
30	To sanction refund of penalties or excess duty in certain cases, upon application made within one year and within three months, respectively.	Section 45 (1) and (2), Act II of 1899 ...	Board of Revenue...	Commissioners of Divisions.	
31	To make allowance for stamped papers used for printed forms when no longer required by corporations.	Ditto 51, ditto ...	Ditto ...	Ditto	
32	To authorise officers to stay prosecutions or to compound offences under the Stamp Act.	Ditto 70 (2), ditto ...	Ditto ...	Ditto.	
33	To exercise control over powers exercisable by a Collector, under Chapters IV and V of Act II of 1899.	Ditto 56 (1), ditto ...	Ditto ...	Ditto.	
		Subject XXII.—Excise.			
	(*a*) *Powers proposed to be delegated to the Local Government.*				
	Nil.				
	(*b*) *Powers proposed to be delegated to authorities subordinate to the Local Government.*				
1	To declare any place to be a warehouse for opium legally imported and to cancel any such declaration.	Section 7 (*c*) of the Opium Act, I of 1878 ...	Local Government..	Board of Revenue.	
2	To authorise officers other than the Collector of a district or Deputy Commissioner to order confiscation in cases of offences under the Opium Act, where the offender is not known or cannot be found or when opium not in the possession of any person cannot be satisfactorily accounted for.	Ditto 12 ditto ...	Ditto ...	Ditto.	
3	To authorise officers of the Excise, Police, Customs, Salt, Opium or Revenue Departments superior in rank to a peon or constable, to enter, arrest, search or seize on information that opium is unlawfully kept in any enclosed place.	Ditto 14 ditto ...	Ditto ...	Ditto.	
4	To authorise any officer other than the Collector of the district or Deputy Commissioner to issue a warrant for the arrest of any person suspected of having committed an offence under the Act or for the search of any place where opium liable to confiscation is believed to be concealed.	Ditto 19 ditto ...	Ditto ...	Ditto.	
5	To authorise any officer superior in rank to a peon or constable to attach the crop in case of alleged illegal cultivation of the poppy, and to require the cultivator to give bail.	Ditto 22 ditto ...	Ditto ...	Ditto.	
6	To authorise an officer other than the Collector of a district or Deputy Commissioner to recover on behalf of the farmer any amount due to a farmer of opium revenue from his licensee.	Ditto 24 ditto ...	Ditto ...	Ditto.	
7	To appoint warehouses for receiving spirit removed from a distillery without prepayment of duty for exportation.	Section 144 (*b*) of Act VIII of 1878 as amended by Acts IX of 1885 and II of 1887, page 36 of Bengal Excise Manual.	Ditto ...	Ditto.	

8	To prescribe the rates of ullage and wastage for spirit for exportation, under bond.	Section 147 of Act VIII of 1878 as amended by Acts IX of 1885 and II of 1887, page 36 of Bengal Excise Manual.	Ditto ...	Ditto.	
9	To authorise the import of spirit without prepayment of duty when the spirit is to be delivered into a bonded warehouse.	Section 148 of ditto ...	Ditto ...	Ditto.	
10	To cancel any lease or to impose any restriction on the farmer within the period of the lease.	Section 24 of the Bengal Excise Act, VII of 1878..	Board of Revenue...	Commissioner of Excise.	
11	To grant compensation for any loss a farmer may sustain by the cancellation of his lease for any other cause than a breach on his part of the conditions of the lease, or by any fresh reservation or restriction imposed.	Ditto 24 ditto ...	Ditto ...	Ditto.	
12	To direct the transfer of a lease by the licensee or its continuance for a longer term than one year.	Ditto 27 ditto ...	Ditto ...	Ditto.	
13	To permit the employment of any woman in public rooms of licensed premises.	Ditto 27A ditto ...	Ditto ...	Ditto.	
14	To grant rewards not exceeding Rs. 200 before or after the adjudication of a case to any person or persons instrumental in the detection of an offence or the capture of an offender.	Ditto 78 ditto ...	Ditto ...	Ditto.	
15	To appropriate any portion not exceeding one-half of fines levied under the Act, the disposal of which is not specially provided for, for rewarding informers or compensating individuals subjected to annoyance or injury by any proceedings.	Ditto 79 ditto ...	Ditto ...	Ditto.	
16	To revise the proceedings of Collectors	Section 31, Act VII (B.C.) of 1878, read with section 33.	Commissioner of Excise.	.....	The Lieutenant-Governor considers that it would be desirable to adopt for Excise cases Rule 20 (3) of the Opium Rules, Eastern Bengal and Assam Financial Notification No. 4729F., dated the 19th April 1907, and permit the Board of Revenue to receive, in their discretion, appeals direct.
17	To hear appeals from Collector's orders	Ditto 83, ditto ...	Ditto ...	.....	

The Lieutenant-Governor proposes that in the case of the Board of Revenue the limit be raised to Rs. 500, and he would authorise the Board of Revenue to incur expenditure up to Rs. 500 in each case for the employment of informers or any other purpose in connection with the prevention of an offence or detection of offenders under the Excise Act. He would also empower the Excise Commissioner to grant rewards up to Rs. 250 and to incur similar expenditure up to the same limit. He would further recommend that Collectors be authorised to grant rewards and incur expenditure up to Rs. 100.

Subject XXIII.—Salt.

	(*a*) *Powers proposed to be delegated to the Local Government.*				
	Nil.				
	(*b*) *Powers proposed to be delegated to authorities subordinate to the Local Government.*				
1	To empower Salt Revenue Officers to enter and search places ...	Section 15, Act XII of 1882	Local Government	Board of Revenue.	
2	To invest persons with the powers of an Assistant Commissioner under the Act, or with all or any of the powers conferred by it on Salt Revenue Officers.	Ditto 30, ditto	Ditto ...	Ditto.	

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
3	To frame rules regulating the manufacture, deposit, and transport of salt, and for securing the payment of duty thereon.	Section 11, Act VII (B.C.) of 1864	Local Government...	Board of Revenue	
4	To fix penalties for the infringement of such rules				
5	To define limits in connection with the possession and transport of salt.	Ditto 12, ditto	Ditto ...	Ditto.	
6	To appoint a public or to license a private warehouse at any place which is not a warehousing port, and to cancel such appointment or license.	Ditto 4 (1), Act VIII of 1896	Ditto ...	Ditto.	
7	To grant (and refuse) licenses to manufacture salt	Section 7, Act VII (B.C.) of 1864 (Rules 1 and 2, page 54, Bengal Salt Manual).	Board of Revenue...	Commissioners of Divisions.	
8	To decide as to the suitability of warehouse provided by a licensed manufacturer.	Section 10, Act VII (B.C.) of 1864 (Rule 13, page 57, Bengal Salt Manual).	Ditto ...	Ditto.	
9	To grant *rawanas*	Section 13, ditto ...	Ditto ...	Ditto.	
10	To mitigate penalties	Section 39, Act VII (B.C.) of 1864	Ditto ...	Ditto.	
11	To appoint a preventive guard with a view to prevent smuggling and to protect the revenue.	Rule 4, page 54, Bengal Salt Manual	Ditto ...	Ditto.	
12	To fix security to be furnished by Pass Officer of Excise establishment.	Ditto ditto	Ditto ...	Ditto.	
13	To appoint Collector of district or other officer to exercise a general control and supervision over all warehouses provided by manufacturers of salt.	Ditto 11, page 56, ditto	Ditto ...	Ditto.	
14	To fix security to be furnished by daroga of warehouse establishment	Ditto 11, page 56, ditto	Ditto ...	Ditto.	
15	To receive reports as to salt tampered with in transit, and direct its confiscation and cancel manufacturer's license.	Ditto 21, page 59, ditto	Ditto ...	Ditto.	
16	To make renewal of bonds for payment of duty and other charges on warehoused salt.	Ditto 25, ditto	Ditto ...	Ditto.	
17	To confiscate articles in respect of which an offence has been committed, which exceeds five seers in weight, or to impose a penalty in lieu of confiscation.	Section 12, Act XII of 1882	Commissioners of Divisions.	Collectors.	
18	To appoint excise establishment for the purpose of supervising the weighment of salt prior to removal to the warehouse.	Rule 4, page 54, Bengal Salt Manual	Ditto ...	Ditto.	
19	To require manufacturer to repair warehouse, or otherwise render it fit for storage of salt.	Ditto 13, page 57, ditto	Ditto ...	Ditto.	
20	To cancel license in default	Ditto 13, ditto	Ditto ...	Ditto.	
21	To adjudge duty on account of any excess or penalty duty in consequence of any deficiency (beyond the usual allowance) of salt found in the warehouse at the time of clearance.	Ditto 24, page 59, ditto	Ditto ...	Ditto.	

The Lieutenant-Governor also recommends large devolutions to the Commissioner of Excise

Subject XXIV.—Customs.

	(a) Powers proposed to be delegated to the Local Government.						
	Nil.						
	(b) Powers proposed to be delegated to authorities subordinate to the Local Government.						
1	To make rules *re* powers of Customs Officers and generally for carrying out the provisions of the Act.	Section	9 of the Sea Customs Act, VIII of 1878...		Local Government		Board of Revenue.
2	(*a*) To declare places to be ports for the shipment and landing of goods.	Ditto	11	ditto ...	Ditto ...		Ditto.
	(*b*) To declare limits of such ports	Ditto		ditto ...	Ditto ...		Ditto.
	(*c*) To appoint proper places therein to be wharves for the landing and shipping of goods or of any particular classes of goods.	Ditto		ditto ...	Ditto ...		Ditto.
	(*d*) To declare the limits of such wharves	Ditto		ditto ...	Ditto ...		Ditto.
	(*e*) To alter the name of any such port or wharf	Ditto		ditto ...	Ditto ...		Ditto.
	(*f*) To declare what stall for the purposes of the Act be deemed to be a Customs house and the limits thereof.	Ditto		ditto ...	Ditto ...		Ditto.
3	To declare places to be ports for the carrying on of coasting trade with Customs ports or with any specified Customs port and for no other purpose.	Ditto	12	ditto ...	Ditto ...		Ditto.
4	To appoint officers to supervise detention and confiscation of prohibited goods.	Ditto	19A	ditto ...	Ditto ...		Ditto.
5	To fix places beyond which inward bound vessels are not to proceed until manifest is delivered.	Ditto	53	ditto ...	Ditto ...		Ditto.
6	To prescribe landing fees for passengers' baggage or parcels ...	Ditto	75	ditto ...	Ditto ...		Ditto.
7	To suspend the operation of section 76 of the Act regarding the use of boat notes.	Ditto	76	ditto ...	Ditto ...		Ditto.
8	To prohibit the plying of unlicensed cargo boats	Ditto	79	ditto ...	Ditto ...		Ditto.
9	To prescribe rules and fees for the issue of licenses and registration of cargo boats.	Ditto	79	ditto ...	Ditto ...		Ditto.
10	To prescribe period within which to land cargo after entry of vessel.	Ditto	83	ditto ...	Ditto ...		Ditto.
11	To authorise import of spirit exported under a bond from one Indian port to another without payment of excise duty in certain cases.	Ditto	148	ditto ...	Ditto ...		Ditto.
12	To empower subordinate officers of Customs to adjudicate in respect of confiscations and penalties and to limit the powers of the Customs Collector in certain cases.	Ditto	182	ditto ...	Ditto ...		Ditto.
13	To appoint public warehouses at warehousing ports	Ditto	15	ditto ...	Board of Revenue		Chief Customs Officer.
14	To appoint stations for Customs Officers to board and land	Ditto	17	ditto ...	Ditto ...		Ditto.
15	To order exemption from payment of excise duty on importation of certain country goods.	Ditto	26	ditto ...	Ditto ...		Ditto.
16	To fix rates of rents and warehouse dues	Ditto	101	ditto ...	Ditto ...		Ditto.
17	To permit a general bond to be entered into for removal of warehoused goods.	Ditto	107	ditto ...	Ditto ...		Ditto.
18	To make special allowance for a rate of ullage or wastage exceeding that contemplated in section 116.	Ditto	117	ditto ...	Ditto ...		Ditto.
19	To remit duties on warehoused goods lost or destroyed	Ditto	122	ditto ...	Ditto ...		Ditto.
20	To decide where goods may be deposited in public warehouses and on what terms.	Ditto	125	ditto ...	Ditto ...		Ditto.
21	To control discharge of cargo from coasting vessels	Ditto	162	ditto ...	Ditto ...		Ditto.

Serial No.	Nature of power	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
22	To authorise grant and revocation of general passes for lading and clearance and for entry and unlading of coasting steam vessels.	Section 164 of the Sea Customs Act, VIII of 1878	Board of Revenue	Chief Customs Officer.	
23	To appoint a place for the deposit of things seized as liable to confiscation.	Ditto 179 ditto ...	Ditto ...	Ditto.	
24	To fix wharfage fees	Ditto 199 ditto ...	Ditto ...	Ditto.	
25	To sanction compensation to owners for damage by Customs Officers to warehoused goods.	Ditto 206 ditto ...	Ditto ...	Ditto.	
26	To grant licenses for warehouses for storage of salt under time-bond and to appoint officers for inspecting such warehouses.	Rules 1 and 2, page 90 of the Sea Customs Rules, 1906. Notification No. 1440S.R., dated the 1st March 1897.	Ditto ...	Ditto.	
27	To cancel bond in case salt has been tampered with	Ditto 9, ditto ...	Ditto ...	Ditto.	
28	To withdraw a license for a warehouse in certain circumstances ...	Ditto 12 and 13, ditto ...	Ditto ...	Ditto.	
29	To require alteration or improvement in a warehouse building ..	Ditto 14, ditto ...	Ditto ...	Ditto.	
		Subject XXV.—Cesses and Local rates.			
	(a) Powers proposed to be delegated to the Local Government.				
	Nil.				
	(b) Powers proposed to be delegated to authorities subordinate to the Local Government.				
1	To direct special publication of proclamation to make return of lands, when valuation or revaluation has been ordered.	Section 14 of Act IX (B.C.) of 1880	Local Government	Board of Revenue.	
2	To permit the maintenance by Collector of separate account of cesses payable by registered holders of revenue-free estates	Ditto 46 of ditto ...	Ditto ...	Ditto.	
3	To prescribe date of payment of instalment of cesses by holders of rent-free lands.	Ditto 57 of ditto ...	Ditto ...	Ditto.	
4	To sanction reduction in valuation of any estate or tenure	Ditto 37 of ditto ...	Board of Revenue	Commissioners of Divisions.	
5	To value and assess any estate or tenure omitted from the valuation and assessment for the time being in force or which was not in existence when such valuation or assessment was made.	Ditto ditto ...	Ditto ...	Ditto.	
6	To order the closing of separate accounts of cesses of revenue-free estates.	Ditto 46 ditto ...	Ditto ...	Ditto.	
7	To control direct assessment of rent-free lands	Rule 16 (iii), Section IIIB—Procedure, pages 69-70 of Cess Manual.	Ditto ...	Ditto.	
8	To sanction closing of separate accounts in special cases	Rule 11, Section V—C, page 84 of Cess Manual ...	Ditto ...	Ditto.	
9	To sanction remission and abatement of cesses in certain cases ...	Rule 3, Section VII, page 87, ditto ...	Ditto ...	Ditto.	
10	To sanction delegation by Collector of his powers and functions to subordinate officers.	Section 101, Act IX (B.C.) of 1880	Commissioners of Divisions.	Collectors.	
11	To direct special distribution of cesses among parts of a valued estate for which separate accounts have been opened.	Rule 2, Section V—B, page 83 of Cess Manual ...	Ditto ...	Ditto.	
12	To sanction remissions and abatements of cesses	Ditto 1, Section VII, page 86, ditto ...	Ditto ...	Ditto.	

Subject XXVI.—Chittagong Port.

	(a) Powers proposed to be delegated to the Local Government.				
	Nil.				
	(b) Powers proposed to be delegated to authorities subordinate to the Local Government.				
1	To provide bathing or landing places	Section 20 of Bengal Act IV of 1887	Local Government	Chittagong Port Commissioners.	
2	To compel vessels to use wharves, etc., made by the Commissioners and to grant exemption therefrom.	Sections 22, 23, 24, and 26 of ditto ...	Ditto ...	Ditto.	
3	To sanction contracts involving payments of upwards of ten thousand rupees.	Ditto 65 of ditto ...	Ditto ...	Ditto.	
4	To sanction estimates for works costing over Rs. 5,000	Ditto 66 of ditto ...	Ditto ...	Ditto	The Lieutenant Governor recommends that the limit of sanction in the case of the Port Commissioners and of the Local Government should be increased.

The Lieutenant-Governor recommends the above delegation, or at least that the powers of the Commissioners of the Port of Chittagong be increased.

Subject XXVII.—Sanitation.

	(a) Powers proposed to be delegated to the Local Government.				
	Nil.				
	(b) Powers proposed to be delegated to authorities subordinate to the Local Government.				
1	To grant licenses to private vaccinators to perform vaccination or to suspend or cancel such licenses.	Act XIII of 1880, section 8	Local Government	Commissioners of Divisions.	
2	To direct how fees for vaccinations performed elsewhere than at a public vaccine station shall be appropriated.	Act V (B.C.) of 1880, section 9	Ditto ...	Ditto.	

Subject XXVIII.—District and Local Boards.

	(a) Powers proposed to be delegated to the Local Government.				
	Nil.				
	(b) Powers proposed to be delegated to authorities subordinate to the Local Government.				
1	To appoint remaining members of a Local Board if the full proportion to be elected is not elected.	Section 10 of Act III (B.C.) of 1885	Local Government	Commissioners of Divisions.	
2	To appoint Local Board members	Sections 11, 15 and 19 of ditto ...	Ditto ...	Ditto.	

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	
3	To accept resignations of District Board members	Section 17 of Act III (B.C.) of 1885	Local Government	Commissioners of Divisions.	
4	To remove District and Local Board members	Ditto 18 of ditto ...	Ditto ...	Ditto.	
5	To fill by appointment casual vacancies in District and Local Boards.	Ditto 19 of ditto ...	Ditto ...	Ditto.	
6	To appoint the Chairman of a District Board	Sections 22 and 29 of ditto ...	Ditto ...	Ditto.	
7	To appoint or to direct the election of the Chairman of a Local Board in certain cases.	Ditto 25 and 29 of ditto ...	Ditto ...	Ditto.	
8	To accept the resignation of the Chairman of a District or Local Board.	Section 27 of ditto ...	Ditto ...	Ditto.	
9	To remove the chairman of a District or Local Board	Ditto 28 of ditto ...	Ditto ...	Ditto.	
10	To make contribution to District Boards	Ditto 52 of ditto ...	Ditto ...	Ditto ...	Allotments should be made by divisions and distributed by Commissioners. This is the present practice, but the Act contemplates direct distribution to Boards by the Local Government.
11	To transfer matter under the control and administration of a District Board to a Local Board.	Ditto 101 of ditto ...	Ditto ...	Ditto.	
12	To exercise control over ferries managed by District Boards ...	Sections 17, 19, 21, and 22 of Act I (B.C.) of 1885	Commissioners of Divisions.	District Magistrates ...	The Lieutenant-Governor recommends that under section 17 of Act I (B.C.) of 1885, powers to grant compensation up to Rs. 500 should be delegated to the District Magistrate.

N.B.—The Lieutenant-Governor considers that in addition to the specific delegations enumerated the Act should be amended so as to give the Local Government authority to delegate its powers largely to Commissioners, subject to control.

Subject XXIX.—Municipalities.

	(*a*) *Powers proposed to be delegated to the Local Government.*				
	Nil.				
	(*b*) *Powers proposed to be delegated to authorities subordinate to the Local Government.*				
	(i) *Municipalities under Act III (B.C.) of* 1884.				
1	To appoint Commissioners...	Section 14 of Act III (B.C.) of 1884	Local Government	Commissioners of Divisions	
2	To fix the date of first election	Ditto 16 of ditto ...	Ditto ...	Ditto.	
3	To appoint Commissioners on failure of an election	Ditto 16 of ditto ...	Ditto ...	Ditto.	

4	To appoint Commissioners of municipalities excluded from the elective system.	Ditto 17 of ditto ...	Ditto ...	Ditto.	
5	To remove Commissioners in certain circumstances	Ditto 19 of ditto ...	Ditto ...	Ditto.	
6	To appoint a Chairman	Ditto 23 of ditto ...	Ditto ...	Ditto.	
7	To accept the resignation of a Chairman	Ditto 27A of ditto ...	Ditto ...	Ditto.	
8	To transfer sums to municipalities	Ditto 67 of ditto ...	Ditto ...	Ditto ...	The distribution of lump grants might be made by Divisional Commissioners, if necessary.
9	To exempt charitable holdings from assessment of the rate on the value of holdings.	Ditto 98 of ditto ...	Ditto ...	Ditto.	
10	To appoint assessors of municipal taxes in certain circumstances ...	Ditto 111A of ditto ...	Ditto ...	Ditto.	
11	To apportion fees on carts among municipalities in certain cases ...	Ditto 147A of ditto ...	Ditto ...	Ditto.	
12	To transfer certain public ferries for management by municipalities	Ditto 148 of ditto ...	Ditto ...	Ditto.	
13	To declare ferries other than public to be municipal ferries... ...	Ditto 149 of ditto ...	Ditto ...	Ditto ...	In respect of ferries entirely within municipal limits.
14	To extend Parts VI, VII, VIII, IX and X	Sections 220 and 221 of ditto ...	Ditto ...	Ditto.	
15	To cancel or modify an order of extension of Parts VI—X	Section 223 of ditto ...	Ditto ...	Ditto.	
16	To direct that uncertificated persons shall not dispense drugs in certain municipalities.	Sections 252 and 276	Ditto ...	Ditto.	
17	To exercise control over pounds established by municipalities ...	Sections 4 and 12 of Act I of 1871	Ditto ...	Ditto.	
18	To exercise control in the matter of the survey of lands within municipal limits.	Section 223A of Act III (B.C.) of 1884, and sections 3, 11, 20 and 21 of Act I (B.C.) of 1887, the Calcutta Survey Act (*a*).	Ditto ...	Ditto.	
19	To exercise control over vaccination in municipal areas	Sections 1, 9, 14, 16, 17, 24, 25, 30, 32 and 33 of Act V (B.C.) of 1880 (*a*).	Ditto ...	Ditto.	
20	To exercise control relative to hackney carriages in municipalities	Sections 32, 45 and 49 read with section 61 (2) of the Calcutta Hackney Carriage Act, II of 1891 (*a*).	Ditto ...	Ditto ...	(*a*) Applicable to Eastern Bengal Municipalities.
21	To exercise control over certain appointments of subordinate officers.	Section 61 of Act III (B.C.) of 1884	Commissioners of Divisions.	Magistrates	The Lieutenant-Governor recommends that appointments and dismissals should be subject to sanction according to the following scale :— Of the Local Government—when the salary of the office exceeds Rs. 400. Of the Divisional Commissioner—when the salary of the office exceeds Rs. 200, but does not exceed Rs. 400. Of the District Magistrate—when the salary of the office exceeds Rs. 100, but does not exceed Rs. 200.
	(ii) *Municipalities and municipal institutions under Act V (B.C.) of* 1876.				
22	To appoint Commissioners	Section 15 of Act V (B.C.) of 1876	Local Government	Commissioners of Divisions.	
23	To appoint *ex-officio* Commissioners	Ditto 17 of ditto	Ditto ...	Ditto.	
24	To accept the resignition of Commissioners	Ditto 20 of ditto	Ditto ...	Ditto.	
25	To remove Commissioners	Ditto 21 of ditto	Ditto ...	Ditto.	

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks
			From whom.	To whom.	
1	2	3	4	5	6
26	To transfer sums to municipalities and municipal institutions ...	Section 57 of Act V (B.C.) of 1876	Local Government	Commissioners of Divisions.	*Vide* remark against No. 8, *supra*.
27	To exercise control over works costing more than Rs. 3,000 ...	Ditto 70 of ditto	Ditto ...	Ditto ...	The limit may be raised to Rs. 5,000.
28	To transfer certain public ferries for management by municipalities	Ditto 139 of ditto	Ditto ...	Ditto.	
29	To declare ferries other than public to be municipal ferries ...	Ditto 140 of ditto	Ditto ...	Ditto ...	In respect of ferries entirely within municipal limits.
30	To sanction rate of tolls on municipal ferries	Ditto 142 of ditto	Ditto ...	Ditto.	
31	To sanction rate of tolls leviable by a municipality on a bridge or metalled road.	Ditto 151 of ditto	Ditto ...	Ditto.	
32	To extend Parts VII and IX	Sections 233, 234 and 299 of ditto	Ditto ...	Ditto.	
33	To exercise control over new or disused burning or burial places ...	Ditto 279 and 283 of ditto	Ditto ...	Ditto.	
34	To establish municipal markets and to levy rents, etc., therein ...	Ditto 300 and 302 of ditto	Ditto ...	Ditto.	
35	To appoint Commissioners of Stations	Section 356 of ditto	Ditto ...	Ditto.	
36	To exercise control over certain appointments of subordinate officers	Ditto 48 of ditto	Commissioners of Divisions.	Magistrates	*Vide* remarks against No. 21, *supra*.
		Subject XXX.—The Court Fees Act, VII of 1870.			
	(*a*) *Powers to be given to Local Government.*				
1	Power to reduce or remit fees mentioned in the 1st and 2nd schedules to the Court Fees Act, VII of 1870, in respect of districts outside the jurisdiction of the High Court.	Section 35 of the Court Fees Act, VII of 1870 ...	Government of India	Local Government.	
	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*				
	Nil.				
		Subject XXXI.—The obstructions in Fairways Act, XVI of 1881.			
	(*a*) *Powers to be given to Local Government.*				
1	Power to make rules to regulate and prohibit the placing of obstruction in fairways.	Section 8 of obstructions in Fairways Act, XVI of 1881.	Government of India.	Local Government.	
	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*				
	Nil.				

Subject XXXII.—Act V of 1861 *(Police).*

	(a) Powers to be given to Local Government. Nil.			
	(b) Powers to be delegated to authorities subordinate to the Local Government.			
1	Power to depute additional force in the neighbourhood of railway or other works.	Section 14 of the Act	Local Government..	Inspector-General of Police.

Subject XXXIII.—The Cattle Trespass Act, I of 1871.

	(a) Powers to be given to Local Government. Nil.			
	(b) Powers to be delegated to authorities subordinate to the Local Government.			
1	Power to direct the levy of increased rate of fine by pound-keeper in any local area.	Section 12 of the Act	Local Government..	District Magistrates.
2	Power to direct the extension of provision as to pigs to other kinds of cattle.	Section 26 (1) of the Act	Ditto ...	Ditto.

Subject XXXIV.—The Arms Act, XI of 1878.

	(a) Powers to be given to Local Government. Nil.			
	(b) Powers to be delegated to authorities subordinate to Local Government.			
1	Power to grant licenses in Assam for the possession of breech-loading and balled rifle ammunition for the purposes of sport, of protection and display for journey, and for the destruction of wild animals.	Government of India, Home Department, Notification No. 518, dated the 6th March 1879, paragraph VI, clauses 13, 14, and 16 (page 470 of General Statutory, Rules and Orders, Volume I).	Local Government..	Divisional Commissioners.

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
	Subject XXXV.—The Kazis Act, XII of 1880.				
	(*a*) *Powers to be given to Local Government.*				
	Nil.				
	(*b*) *Power to be delegated to authorities subordinate to the Local Government.*				
	Powers to appoint Kazis for any local area	Section 2 of the Kazis Act, XII of 1880	Local Government..	Inspector-General of Registration.	
	Subject XXXVI.—The Criminal Procedure Code—Act V of 1898.				
	(*a*) *Powers to be given to Local Government.*				
	Nil.				
	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*				
1	Power of appointing Honorary Magistrates	Section 15 of the Code	Local Government	Commissioners of Divisions.	
2	Power to sanction temporarily the remission or suspension of sentence of a prisoner in jails selected to be an approver in a criminal case.	Section 401 ditto	Ditto ...	Inspector-General of Police.	
	Subject XXXVII.—The Petroleum Act, VIII of 1899.				
	(*a*) *Powers to be given to Local Government.*				
	Nil.				
	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*				
1	Power to grant license to possess petroleum in bulk	Rule 24 of Bengal and Rule 23 of Assam Petroleum Rules issued under Notifications Nos. 111-Marine, and 3425-M., dated the 1st September 1903 and 22nd July 1903, respectively.	Local Government..	District Magistrates... ...	The Local Government has power to make rules, but a uniform set of rules for all India is under the consideration of the Supreme Government.
2	Power to grant license to possess or transport dangerous petroleum in quantities exceeding 40 gallons.	Section 5, Act VIII of 1889	Ditto ...	Ditto.	

Subject XXXVIII.—The Bengal Chaukidari Act, VI of 1870, *as amended by Acts, I of* 1871, 1886 *and* 1892.

	(a) Powers to be given to Local Government.			
	Nil.			
	(b) Powers to be delegated to authorities subordinate to the Local Government.			
1	Power to sanction the delegation of powers by District Magistrate either wholly or in part to any Magistrate of the first class subordinate to him or to any Magistrate in charge of a subdivision or to the Superintendent of Police and the power to withdraw such delegated power.	Section 3A of the Bengal Chaukidari Act, VI of 1870 (page 138 of Bengal Code, Volume IV).	Commissioners of Divisions.	District Magistrates.
2	Power to prescribe the rates at and the manner in which an extra tahsildar appointed under section 46A of the Act for realization of arrear Chaukidari Tax should be paid.	Section 46B of the Bengal Chaukidari Act, VI of 1870 (page 149 of Bengal Code, Volume IV).	Ditto ...	Ditto.
3	Power to sanction an extra chaukidar	Section 11 of the Bengal Chaukidari Act, VI of 1870 (page 140 of Bengal Code, Volume IV).	Ditto ...	Ditto.

Subject XXXIX.—The Bengal Muhammadan Marriages and Divorces Registration Act, I of 1876.

	(a) Powers to be given to Local Government.			
	Nil.			
	(b) Powers to be delegated to authorities subordinate to the Local Government.			
1	Power to order the opening of Muhammadan Marriage Registration offices, to fix jurisdiction of those offices, and to appoint Marriage Registrars.	Section 3 of the Act	Local Government	Inspector-General of Registration.

Subject XL.—Miscellaneous.—(A) Chief Secretary's Department.

	(a) Powers to be given to Local Government.			
1	To permit in special cases acceptance by Government servants of presents from Native Chiefs and others.	(*a*) Rule 10 (*f*), pages 34-35 of the Board's Rules, 1902. (*b*) Rule 2, page 1 of the Government Servants' Conduct Rules, 1904.	Government of India.	Local Government.
2	To permit in special cases acceptance by Government officers of complimentary addresses, testimonials, etc.	(*a*) Rule 11 (8), page 35 of the Board's Rules, 1902. (*b*) Rule 3, page 2 of the Government Servants' Conduct Rules, 1904.	Ditto ...	Ditto.

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	1	3	4	5	6
	(a) Powers to be given to Local Government. Nil.				
	(b) Powers to be delegated to authorities subordinate to the Local Government.				
1	Power to refer direct to the Advocate General cases requiring legal advice.	Government of India, Home Department, letter No. 1558, dated the 11th October 1907.	Local Government	District Magistrates.	
2	Power to sanction the supply of furniture or articles of service to churches.	Part IV, Rule XXIV (2) of the Ecclesiastical Rules published with the Government of India, Home Department, Notification No. 178, dated the 21st May 1897.	Ditto ...	Commissioners of Divisions.	
3	Power to sanction the entertainment of cemetery establishment and wages to be given to each servant.	Paragraph 2 of the Government of India, Home Department, Resolution No. 6370–382, dated the 9th November 1876.	Ditto ...	Ditto.	
4	Power to sanction the use of circuit-houses by officers who are stationed at places where there are such bungalows.	Paragraph 5 of the Government of India, Public Works Department, letter No. 555C.W.B., dated the 27th April 1903.	Ditto ...	Ditto.	
5	Power to sanction withdrawal from deposit in Police Officer's Provident Fund any time before quitting service or death.	Rule 12 of the Rules issued with the Government of India, Finance and Commerce, Department Resolution No. 3824P., dated the 18th August 1899.	Ditto ...	Inspector-General of Police.	
6	Power to sanction construction departmentally of police buildings the cost of which exceeds Rs. 2,500.	Government of India, Home Department, memorandum No. 122, dated the 2nd February 1905.	Ditto ...	Ditto ...	To incur expenditure within budget limit.
7	Power to sanction grant of free quarters to Police Officers above the rank of Sub-Inspectors.	Government of India, Home Department, Resolution No. 322–34, dated the 27th March 1907.	Ditto ...	Ditto ...	Ditto.
8	Power to permit Assistant Surgeons to appear in a Septennial Examination before the full period of seven years' service in a grade.	Government of India, Home Department, Resolution No. 2182–91, dated the 29th December 1899.	Ditto ...	Inspector-General of Civil Hospitals.	
9	Power to approve recommendation of Local Administrative Medical Officer regarding the deputation of medical subordinates for a course of training in the Xray Institute, Dehra Dun.	Government of India, Home Department, Resolution No. 209–228, dated the 9th March 1906.	Ditto ...	Ditto.	
10	Power to grant compensation for wear and tear of uniform and boots to members of the Assam Military Police performing approved service on expedition or other occasions beyond the frontier.	Rule 18A, Chapter XIX, page 436 of Assam Police Manual, based on Government of India, Home Department, No. 676, dated the 30th September 1889.	Ditto ...	Inspector-General of Police.	
11	Power of receiving indent for law books and official publications from Inspector-General of Registration.	Government of India Legislative Department, letter No. 762, dated the 6th July 1882. (Home, A, April 1897, Nos. 27–28.)	Ditto ...	Inspector-General of Registration.	

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