

51  
THE CORONATION DURBAR  
AND ITS CONSEQUENCES

A SECOND SUPPLEMENTARY CHAPTER

TO

THE GOVERNMENT OF INDIA

BY

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# GOVERNMENT OF INDIA

## SECOND SUPPLEMENTARY CHAPTER

### THE CORONATION DURBAR AND ITS CONSEQUENCES

ON December 12, 1911, at a Durbar held at Delhi, King George V was crowned Emperor of India. The event was unprecedented in the annals of British India. Never before had an English King received his imperial crown in India ; indeed, never before had a British sovereign set foot on Indian soil. There had been a general expectation that an exceptional occasion would be signalized by exceptional announcements. The expectation was not disappointed. At the great Durbar, the King-Emperor, accompanied by the Queen-Empress, was surrounded by a vast assemblage, which included the governors and great officials of his Indian empire, the great feudatory princes and chiefs of India, representatives of the Indian peoples, and representatives from the military forces of his Indian dominions. Three announcements were made. The first was made by the King-Emperor himself and expressed his personal feelings and those of the Queen-Empress. The second was made by the Governor-General on behalf of the King-Emperor, and declared the grants, concessions, reliefs and benefactions which His Imperial Majesty had been pleased to bestow upon this glorious and memorable occasion. The third was made by the King-Emperor in person and ran as follows :—

We are pleased to announce to Our People that on the advice of Our Ministers tendered after consultation with Our Governor-General in Council We have decided upon the transfer of the seat of the Government of India from Calcutta

to the ancient Capital Delhi, and, simultaneously and as a consequence of that transfer, the creation at as early a date as possible of a Governorship for the Presidency of Bengal; of a new Lieutenant-Governorship in Council administering the areas of Behar, Chota Nagpur, and Orissa, and of a Chief Commissionership of Assam, with such administrative changes and redistribution of boundaries as Our Governor-General in Council with the approval of Our Secretary of State for India in Council may in due course determine. It is Our earnest desire that these changes may conduce to the better administration of India and the greater prosperity and happiness of Our beloved People.

The decisions thus announced had been for many months the subject of discussions in the English Cabinet, at the India Office, and in the Governor-General's Council, and of correspondence between the Government of India and the Secretary of State in England. But the secret had been well kept, and the result of those deliberations was not disclosed, either in England or in India, before the King-Emperor's announcement was made.

The correspondence which led up to the Durbar announcements is embodied in a dispatch from the Government of India dated August 25, 1911, and in the Secretary of State's reply of November 1, 1911. The dispatch states very fully the nature of the proposals submitted to the Secretary of State, and the reasons for them. The reply conveys a general assent. As both dispatch and reply are printed in an Appendix (I) to this chapter, it seems unnecessary to recapitulate their contents here.

The policy foreshadowed by the correspondence and announced at the Durbar embodied two great administrative changes; a remodelling of the partition of Bengal, and a transfer of the capital of India from Calcutta to Delhi.

In October 1905 the huge province under the Lieutenant-Governor of Bengal was divided into two lieutenant-governorships. Of these the western retained the old name of Bengal and the old seat of government at Calcutta, whilst the eastern was augmented by the addition of Assam, previously under

a Chief Commissioner, was called Eastern Bengal and Assam, and had for its seat of government, Dacca.

The rearrangement now effected in pursuance of the Durbar announcements makes the following changes :—

1. It re-unites the five Bengali-speaking divisions of the old province of Bengal, and forms them into a presidency administered by a governor in council. The area of this presidency or province is approximately 70,000 square miles, and its population about 42,000,000. The capital is at Calcutta, but it is understood that Dacca is to be treated as a second capital, and that the governor will reside there, just as the lieutenant-governor of the United Provinces frequently resides at Lucknow.

2. It creates a lieutenant-governorship in council, consisting of Bihar, Chota Nagpur, and Orissa, with a legislative council, and a capital at Patna. The area of this province is approximately 113,000 square miles, and its population about 35,000,000.

3. It detaches Assam from Eastern Bengal and places it again under a chief commissioner. Assam has an area of about 56,000 square miles, and a population of about 5,000,000.

These administrative changes have been mainly effected under powers conferred by Acts relating to the government of India, but some supplementary legislation was required, both in India and in England.

The Secretary of State for India in Council made a formal declaration that the Governor-General of India should no longer be the governor of the presidency of Fort William in Bengal, but that a separate governor should be appointed for that presidency.<sup>1</sup>

By a royal warrant dated March 21, 1912, Lord Carmichael, previously governor of Madras, was appointed governor of the presidency of Fort William in Bengal.

By a proclamation notified on March 22, 1912, a new province was carved out of the previous lieutenant-governorship

<sup>1</sup> See notifications printed in Appendix III.

of Bengal, was called Bihar and Orissa, and was placed under a lieutenant-governor.<sup>1</sup>

By another proclamation of the same date the territories that were in future to constitute the Presidency of Fort William in Bengal were delimited.<sup>2</sup>

And by a third proclamation of the same date the territories which had before 1905 constituted the chief commissionership of Assam were taken under the immediate authority and management of the Governor-General in Council, and again formed into a chief commissionership, called the chief commissionership of Assam.<sup>3</sup>

The authorities for the powers thus exercised are to be found by diligent search in the tangled mass of enactments relating to the government of India, and require some explanation.

By s. 16 of the Government of India Act, 1853 (16 & 17 Viet. c. 95), the court of directors of the East India Company, acting under the direction and control of the board of control, were empowered to declare that the Governor-General in Council should not be governor of the presidency of Fort William in Bengal, but that a separate governor was to be from time to time appointed in like manner as the governors of Madras and Bombay. In the meantime, and until a governor was appointed, there was power under the same section to appoint a lieutenant-governor of such part of the presidency of Bengal as was not under the lieutenant-governorship of the North-West (now United) Provinces.<sup>4</sup> The power to appoint a lieutenant-governor was exercised, and during the continuance of its exercise, the power to appoint a governor remained in abeyance. But it still existed, was inherited by the Secretary of State from the court of directors and the board of control, and was exercised in March 1912 when a governorship was substituted for a lieutenant-governorship of Bengal.

<sup>1</sup> See notifications printed in Appendix III.

<sup>2</sup> See Appendix III. As to previous doubts about the extent of the Presidency, see above, p. 114 n., and *Imperial Gazetteer of India*, vii. 195.

<sup>3</sup> See above, pp. 191, 303.

Under s. 29 of the Government of India Act, 1858, the governors of Madras and Bombay are appointed by warrant under the Royal Sign Manual. The governor of Bengal is now appointed in like manner.<sup>1</sup>

The power to constitute the new province of Bihar and Orissa and to appoint a lieutenant-governor of it was given by s. 46 of the Indian Councils Act, 1861.<sup>2</sup>

The power to delimit the territories of the presidency or province of Bengal was given by s. 47 of the Indian Councils Act, 1861, and s. 4 of the Government of India Act, 1865.<sup>3</sup>

The power to take Assam under the immediate authority and management of the Governor-General in Council and to place it under a chief commissioner was given by s. 3 of the Government of India Act, 1854.<sup>4</sup>

The territorial redistributions made by the proclamations of March 22 took effect on the following April 1. Under s. 47 of the Indian Councils Act, 1861,<sup>5</sup> laws in force in territories severed from a province remain in force until superseded by further legislation. But it was found in 1912, as it had previously been found after the alteration of provinces made in 1905, that a few minor adaptations were immediately needed to make the old laws fit the new conditions. These adaptations were made by an Act of the Governor-General in Council, which was framed on the lines of the *Bengal and Assam Laws Act* of 1905 (Act VII of 1905), and was, as a measure of urgency, passed through all its stages on March 25, 1912.<sup>6</sup> The Act, among other things, constitutes a board of revenue for the province of Bihar and Orissa.

Further legislative provision, mostly of a technical character, was made by an Act of Parliament, the *Government of India Act, 1912*, which received the Royal Assent on June 25, 1912.<sup>7</sup>

<sup>1</sup> See above, p. 188.

<sup>2</sup> See above, pp. 194, 195, 216, 217.

<sup>3</sup> See above, p. 217.

<sup>4</sup> See above, p. 217.

<sup>5</sup> See above, p. 217.

<sup>6</sup> See above, p. 217.

<sup>7</sup> The Act is printed in Appendix V. For the debates in Parliament on the Coronation Durbar announcements and on the Government of India Act, 1912, see the *Parliamentary Debates in the House of Lords* on

<sup>1</sup> See above, pp. 216, 217.

<sup>2</sup> See above, p. 193.

<sup>3</sup> See Appendix IV.

The Act recites the proclamations of March 22, 1912; and then goes on, by s. 1, to declare and explain the powers and position of the new governor of Bengal and his council.

When the Government of India Act, 1833, became law, the intention was to divide the overgrown presidency of Bengal into two presidencies (Fort William and Agra) and to have four presidencies, Fort William (Bengal), Fort St. George (Madras), Bombay, and Agra; and each of these four presidencies was to have a governor and council of its own. But this intention was not carried out. The presidency of Agra was never constituted, the governor-general and his council continued to be, under what had been meant to be a temporary provision, the governor and council of Fort William, and lieutenant-governors were in course of time appointed for the North-West (now United) Provinces and for Bengal.<sup>1</sup> But the provisions of the Act of 1833 were still applicable to the governor in council of Bengal, if and when constituted. What was needed, when that event took place in 1912, was to apply to the governor and council of Bengal those provisions, mostly in Acts subsequent to 1833, which applied exclusively to the governors and councils of Madras and Bombay. Among the provisions so applied are those which relate to legislative councils, to the right of the governor to act as governor-general in the governor-general's absence,<sup>2</sup> to the salaries of the governors and their councils,<sup>3</sup> and to the number and qualifications, under s. 2 of the Act of 1909, of the members of the executive councils.<sup>4</sup>

The reason for proviso (a) to s. 1 was the possibility of its being found convenient that certain powers previously exercisable by the Governor-General with respect to the presidency of Fort William, such as the powers with respect to the appointment of temporary judges of the high court under s. 3

12 December, 1911, and 21 and 22 February, 26 March, 12, 17, 18, and 20 June, and 29 July, 1912, and in the House of Commons on 12 December, 1911, and 14 February, 22 and 24 April, and 7 and 10 June, 1912.

<sup>1</sup> See above, pp. 83, 191.

<sup>2</sup> See above, pp. 224, 272.

<sup>3</sup> See above, p. 230.

<sup>4</sup> See above, p. 427.

of the Indian High Courts Act, 1911 (1 & 2 Geo. V, c. 18), should be retained by the Governor-General. The words 'to the like extent as heretofore' show that these powers will continue to be exercised over the whole of the old presidency of Fort William.

The effect of proviso (b) is to make the appointment of the advocate-general to the legislative council of Bengal optional. In Madras and Bombay the appointment is obligatory,<sup>1</sup> but a doubt was felt whether the advocate-general would be available at Calcutta if he remained a member of the Governor-General's legislative council.

Subsection (2) of s. 1 transfers to the governor of Bengal the powers of the Governor-General in Council under s. 1 of the Indian Presidency Towns Act, 1815, to extend the limits of the town of Calcutta.<sup>2</sup> This power was evidently conferred on the Governor-General in his capacity of governor of Bengal.

S. 2 of the Act authorizes the creation of an executive council for the new province of Bihar and Orissa. S. 3 of the Indian Councils Act, 1909, had authorized the creation of an executive council to assist the lieutenant-governor of Bengal.<sup>3</sup> It also gave power to create by proclamation an executive council for any other province under a lieutenant-governor, but in any such case the power was not to be exercised until the proclamation had been laid before each house of Parliament, and either house might object. In order to facilitate the immediate establishment of an executive council for Bihar and Orissa, the Act of 1912 dispensed with further reference to Parliament. An executive council has now been established, consisting of the Maharaja of Darbhanga and two English members.

S. 3 authorizes the establishment of legislative councils for provinces under chief commissioners. Under the previous law legislative councils could only be established for provinces under lieutenant-governors.<sup>4</sup> The new power was required

<sup>1</sup> See above, p. 214.

<sup>2</sup> See above, p. 428.

<sup>3</sup> See above, p. 196.

<sup>4</sup> See above, pp. 216-18.

primarily to enable continuance of government with a legislative council for Assam, but is wide enough to cover other provinces, such as the Central Provinces. A legislative council was established for Assam on November 14, 1912, and a legislative council for the Central Provinces is about to be established. The reason for negating the proviso to s. 3 of the Act of 1854<sup>1</sup> is that the alteration of laws and regulations in a chief commissionership having a legislative council will be made in ordinary cases by that council and not by the Governor-General's legislative council.

S. 4 makes sundry minor amendments and repeals. The amendments set out in Part I of the schedule referred to in this section are consequential. The first amendment extends to the governor of the presidency of Fort William in Bengal the provisions of the Indian Councils Act, 1861, which provide for the senior governor of a presidency acting as viceroy during any interval when there is not a viceroy.<sup>2</sup> The second amendment fixes the maximum number of members of the legislative councils of the presidency of Bengal and of the province of Bihar and Orissa.<sup>3</sup>

Under s. 57 of the Act of 1793 and s. 71 of the Act of 1833 an appointment to fill a vacancy in an office reserved to civil servants had to be made from amongst the members of the civil service belonging to the presidency in which the vacancy occurred. In 1793 the presidency of Fort William in Bengal included the whole of British India outside the presidencies of Madras and Bombay. The presidential restriction had frequently given rise to practical difficulties,<sup>4</sup> and now that the limits of the presidency of Fort William in Bengal are confined to those of Bengal proper, the restriction, so far as that presidency is concerned, could not be justified. The repeal will, however, operate also within the presidencies of Madras and Bombay, and enable members of the present Madras and Bombay services to be appointed to any civil

<sup>1</sup> See above, p. 196.

<sup>2</sup> See above, p. 430.

<sup>3</sup> See above, p. 230.

<sup>4</sup> See above, p. 235.

appointment in India. S. 71 of the Act of 1833 referred to the presidency of Agra, which was contemplated but never created, and, therefore, has always been a dead letter.<sup>1</sup>

The other repeals mentioned in the Schedule are purely consequential on the provisions of the Act.

The object of the saving in subsection (2) of s. 4 was to remove any possible doubt as to whether the effect of the new Act might not be to prevent any adjustment or alteration of boundaries of the presidency of Fort William in Bengal and the new province of Bihar and Orissa. The declaration in the same subsection removes a doubt which had been entertained whether under s. 4 of the Government of India Act, 1865, territory could be transferred from a presidency or lieutenant-governorship to a chief commissionership.<sup>2</sup> It is now made clear that under this section territory can be transferred both to and from a chief commissionership.

In the past the transfer of territories for the purpose of forming a chief commissionership has been effected under the power given by s. 3 of the Government of India Act, 1854 (17 & 18 Viet. c. 77).<sup>3</sup> This power was exercised in 1901 to transfer territories from the lieutenant-governorship of the Punjab to the chief commissionership of the North-West Frontier Province. In September 1912 it was similarly exercised to transfer the city of Delhi and part of the Delhi district from the same lieutenant-governorship and take it under the immediate authority and management of the Governor-General in Council, and to form it into a chief commissionership to be known as the Province of Delhi. An Indian Act, the Delhi Laws Act, 1912 (XIII of 1912), has adapted the old laws to the new conditions. The intention is to make the site of the new capital and its surroundings an *enclave* occupying the same kind of position as Washington and the District of Columbia in the United States.

The new government buildings and the new government

<sup>1</sup> See above, p. 298.

<sup>2</sup> See above, pp. 194, 195.

<sup>3</sup> See above, pp. 93, 193.

house will be placed, not, as was originally intended, to the north of the present city of Delhi and on the site of the Coronation Durbar, but to the south-west of the city on the slope of the low range of hills which represents the southerly extension of the historic ridge to the Aravalli Hills. The new government house, when the site has been finally fixed, will probably be within two to three miles of the Ajmir gate of the old city, and about a mile and a half west of the tomb of Humayun.

The redistribution of territories made in pursuance of the Delhi Durbar proclamations involved important changes in the regulations of 1909 for the constitution of legislative councils in India, and a general revision of those regulations was made in 1912. The reasons for this revision, and the nature and effect of the changes made, are explained in a dispatch from the Government, dated January 23, 1913, and in an accompanying memorandum. The dispatch and memorandum will be found in a recent blue-book (1913, Cd. 6714), and are printed in Appendix VI to this chapter.

The state entry into Delhi for the inauguration of the new capital on December 23, 1912, was marred by the nefarious attempt on the life of the Viceroy, Lord Hardinge of Penshurst.<sup>1</sup>

A few words may be added here about some legislative and administrative changes which have been made since 1909, but which have no connexion with the Coronation Durbar.

An Act of 1911 (1 & 2 Geo. V, c. 18) :

- (1) raised the maximum number of judges of an Indian High Court from sixteen to twenty;<sup>2</sup>
- (2) gave power to establish new high courts from time to time as occasion may require, and to make consequential changes in the jurisdiction of the courts, and
- (3) gave power to appoint temporary additional judges of any high court for a term not exceeding two years.

<sup>1</sup> For the correspondence on this deplorable incident see the paper presented to Parliament in 1913 (Cd. 6642).

<sup>2</sup> See above, p. 237.

The construction placed on the power to establish a new high court given by s. 16 of the Indian High Court Act, 1861, had been that the power was not recurrent, and had been exhausted by the establishment of a high court at Allahabad.<sup>1</sup>

Another Act of 1911 (1 & 2 Geo. V, c. 25) amended the pension provisions of the Government of India Act, 1858,<sup>2</sup> by authorizing the grant of allowances to the personal representatives of deceased members of the India Office staff.

On May 18, 1912, the Government of India published a resolution<sup>3</sup> dealing with an important group of financial questions arising out of the report of the royal commission on decentralization,<sup>4</sup> and explaining the principles on which it is proposed to regulate the relations between imperial and provincial finance. This resolution has an important bearing on the system of provincial finance described shortly in Chapter II of this work.<sup>5</sup>

<sup>1</sup> See above, p. 316.

<sup>2</sup> *Gazette of India*, May 18, 1912.

<sup>3</sup> See above, p. 133.

<sup>2</sup> See above, p. 153.

<sup>4</sup> [1908, Cd. 4360.]

APPENDIX I  
CORRESPONDENCE PRECEDING THE  
CORONATION DURBAR

No. 4

GOVERNMENT OF INDIA  
HOME DEPARTMENT

TO THE RIGHT HONOURABLE THE MARQUESS OF CREWE, K.G.,  
His Majesty's Secretary of State for India.

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

2. That the Government of India should have its seat in the same city as one of the chief Provincial Governments, and moreover in a city geographically so well-adapted as Calcutta to be the capital of the Indian Empire, has long been recognised to be a serious anomaly. We need not stop to recall the circumstances in which Calcutta rose to its present position. The considerations which explain its original selection as the principal seat of Government have long since passed away with the consolidation of British rule throughout the Peninsula and the development of a great inland system of railway communication. But it is only in the light of recent developments, constitutional and political, that the drawbacks of the existing arrangement and the urgency of a change have been fully realised. On the one hand the almost incalculable importance of the part which can already safely be predicted for the Imperial Legislative Council in the shape it has assumed under the Indian Councils Act of 1909, renders the removal of the

capital to a more central and easily accessible position practically imperative. On the other hand, the peculiar political situation which has arisen in Bengal since the Partition makes it eminently desirable to withdraw the Government of India from its present Provincial environment, while its removal from Bengal is an essential feature of the scheme we have in view for allaying the ill-feeling aroused by the Partition amongst the Bengali population. Once the necessity of removing the seat of the Supreme Government from Bengal established, as we trust it may be by the considerations we propose to lay before Your Lordship, there can be, in our opinion, no manner of doubt as to the choice of the new capital or as to the occasion on which that choice should be announced. On geographical, historical, and political grounds, the capital of the Indian Empire should be at Delhi, and the announcement that the transfer of the seat of Government to Delhi has been sanctioned should be made by His Majesty the King-Emperor at the forthcoming Imperial Durbar in Delhi itself.

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

4. The administrative advantages of the transfer would be scarcely less valuable than the political. In the first place, the development of the Legislative Councils has made the withdrawal of the Supreme Council and the Government of India from the

influence of local opinion a matter of ever-increasing urgency. Secondly, events in Bengal are apt to react on the Viceroy and the Government of India, to whom the responsibility for them is often wrongly attributed. The connection is bad for the Government of India, bad for the Bengal Government, and unfair to the other Provinces, whose representatives view with great and increasing jealousy the predominance of Bengal. Further, public opinion in Calcutta is by no means always the same as that which obtains elsewhere in India, and it is undesirable that the Government of India should be subject exclusively to its influence.

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

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

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

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

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

9. Various circumstances have forced upon us the conviction that the bitterness of feeling engendered by the Partition of Bengal is very widespread and unyielding, and that we are by no means at an end of the troubles which have followed upon that measure. Eastern Bengal and Assam has, no doubt, benefited greatly by the Partition, and the Mahomedans of that Province, who form a large majority of the population, are loyal and contented; but the resentment amongst the Bengalis in both provinces of Bengal, who hold most of the land, fill the professions, and exercise a preponderating influence in public affairs, is as strong as ever, though somewhat less vocal.

10. The opposition to the Partition of Bengal was at first based mainly on sentimental grounds, but, as we shall show later in discussing the proposed modification of the Partition, since the

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

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

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

- I. To re-unite the five Bengali-speaking divisions, viz. the Presidency, Burdwan, Dacca, Rajshai and Chittagong divisions, forming them into a Presidency to be administered by a Governor-in-Council. The area of the province will be approximately 70,000 square miles, and the population about 42,000,000.
- II. To create a Lieutenant-Governorship-in-Council to consist of Behar, Chota Nagpur, and Orissa, with a Legislative Council and a capital at Patna. The area of the province would be approximately 113,000 square miles, and the population about 35,000,000.
- III. To restore the Chief Commissionership of Assam. The area of that province would be about 56,000 square miles, and the population about 5,000,000.

12. We elaborated at the outset our proposal to make Delhi the future capital of India, because we consider this the key-stone of the whole project, and hold that according as it is accepted

or not, our scheme must stand or fall. But we have still to discuss in greater detail the leading features of the other part of our scheme.

13. Chief amongst them is the proposal to constitute a Governorship-in-Council for Bengal. The history of the Partition dates from 1902. Various schemes of territorial redistribution were at that time under consideration, and that which was ultimately adopted had at any rate the merit of fulfilling two of the chief purposes which its authors had in view. It relieved the overburdened administration of Bengal, and it gave the Mahomedan population of Eastern Bengal advantages and opportunities of which they had perhaps hitherto not had their fair share. On the other hand, as we have already pointed out, it was deeply resented by the Bengalis. No doubt sentiment has played a considerable part in the opposition offered by the Bengalis, and, in saying this, we by no means wish to underrate the importance which should be attached to sentiment even if it be exaggerated. It is, however, no longer a matter of mere sentiment, but rather, since the enlargement of the Legislative Councils, one of undeniable reality. In pre-reform scheme days the non-official element in these Councils was small. The representation of the people has now been carried a long step forward, and in the Legislative Councils of both the Provinces of Bengal and Eastern Bengal the Bengalis find themselves in a minority, being outnumbered in the one by Beharis and Ooriyas, and in the other by the Mahomedans of Eastern Bengal and the inhabitants of Assam. As matters now stand, the Bengalis can never exercise in either province that influence to which they consider themselves entitled by reason of their numbers, wealth, and culture. This is a substantial grievance which will be all the more keenly felt in the course of time, as the representative character of the Legislative Councils increases and with it the influence which these assemblies exercise upon the conduct of public affairs. There is therefore only too much reason to fear that, instead of dying down, the bitterness of feeling will become more and more acute.

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

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

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

17. We regard the creation of a Governorship-in-Council of Bengal as a very important feature of our scheme. It is by no means a new one. The question of the creation of the Governorship was fully discussed in 1867 to 1868 by the Secretary of State and the Government of India, and a Committee was formed, on the initiative of Sir Stafford Northcote, to consider it and that of the transfer of the capital elsewhere. In the somewhat

voluminous correspondence of the past the most salient points that emerge are :

- (i.) That a Governorship of Bengal would not be compatible with the presence in Calcutta of the Viceroy and the Government of India ;
- (ii.) That, had it been decided to create a Governorship of Bengal, the question of the transfer of the capital from Calcutta would have been taken into consideration ;
- (iii.) That although a majority of the Governor-General's Council and the Lieutenant-Governor of Bengal (Sir William Grey) were in favour of the creation of the Governorship, Sir John Lawrence, the Governor-General, was opposed to the proposal, but for purposes of better administration contemplated the institution of a Lieutenant-Governorship of Behar and the separation of Assam from Bengal under a Chief Commissioner.

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

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

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

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

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

20. We now turn to the proposal to create a Lieutenant-Governorship-in-Council for Behar, Chota Nagpur, and Orissa. We are convinced that if the Governor of Bengal is to do justice to the territories which we propose to assign to him, and to safeguard the interests of the Mahommedans of his province, Behar and Chota Nagpur must be dissociated from Bengal. Quite apart, however, from that consideration, we are satisfied that it is in the highest degree desirable to give the Hindi-speaking people, now included within the Province of Bengal, a separate administration. These people have hitherto been unequally yoked with the Bengalis, and have never, therefore, had a fair opportunity for development. The cry of Behar for the Beharis has frequently been raised in connexion with the conferment of appointments, an excessive number of offices in Behar having been held by Bengalis. The Beharis are a sturdy, loyal people, and it is a matter of common knowledge that, although they have long desired separation from Bengal, they refrained at the time of the Partition from asking for it, because they did not wish to join the Bengalis in opposition to Government. There has, moreover, been a very marked awakening in Behar in recent years, and a strong belief has grown up among Beharis that Behar will never develop until it is dissociated from Bengal. That belief will, unless a remedy be found, give rise to agitation in the near future, and the present is an admirable opportunity to carry out on our own initiative a thoroughly sound and much desired change. The Ooriyas, like the Beharis, have little in common with the Bengalis, and we propose to leave Orissa (and the

Sambalpur district) with Behar and Chota Nagpur. We believe that this arrangement will well accord with popular sentiment in Orissa, and will be welcome to Behar as presenting a seaboard to that province. We need hardly add that we have considered various alternatives, such as the making over of Chota Nagpur or of Orissa to the Central Provinces, and the creation of a Chief Commissionership instead of a Lieutenant-Governorship for Behar, Chota Nagpur, and Orissa, but none of them seem to deserve more than passing consideration, and we have therefore refrained from troubling Your Lordship with the overwhelming arguments against them. We have also purposely refrained from discussing in this dispatch questions of subsidiary importance which must demand detailed consideration when the main features of the scheme are sanctioned, and we are in a position to consult the Local Governments concerned.

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

22. We will now give a rough indication of the cost of the scheme. No attempt at accuracy is possible, because we have purposely avoided making inquiries, as they would be likely to result in the premature disclosure of our proposals. The cost of the transfer to Delhi would be considerable. We cannot conceive, however, that a larger sum than four millions sterling would be necessary, and within that figure probably could be found the three years' interest on capital which would have to be paid till the necessary works and buildings were completed. We might find it necessary to issue a 'City of Delhi' Gold Loan at 3½ per cent. guaranteed by the Government of India, the interest, or the larger part of the interest, on this loan being eventually obtainable from rents and taxes. In connexion with a general enhancement of land values, which would ensue at Delhi as a result of the transfer, we should endeavour to secure some part of the increment value, which at Calcutta has gone into the pockets of the landlords. Other assets which would

form a set-off to the expenditure would be the great rise of Government land at Delhi and its neighbourhood, and a considerable amount which would be realized on the sale of Government land and buildings no longer required at Calcutta. The proximity of Delhi to Simla would also have the effect of reducing the current expenditure involved in the annual move to and from Simla. The actual railway journey from Calcutta to Simla takes 42 hours, while Delhi can be reached from Simla in 14 hours. Further, inasmuch as the Government of India would be able to stay longer in Delhi than in Calcutta, the cost on account of hill allowances would be reduced. We should also add that many of the works now in progress at Delhi in connexion with the construction of roads and railways and the provision of electricity and water for the Durbar, and upon which considerable expenditure has been incurred, will be of appreciable value to the Government of India as permanent works when the transfer is made.

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

24. Before concluding this dispatch we venture to say a few words as regards the need for a very early decision on the proposals we have put forward for Your Lordship's consideration. It is manifest that, if the transfer of the capital is to be given effect to, the question becomes more difficult the longer it remains unsolved. The experience of the last two sessions has shown that the present Council Chamber in Government House, Calcutta, fails totally to meet the needs of the enlarged Imperial Legislative Council, and the proposal to acquire a site and to construct a Council Chamber is already under discussion. Once a new Council Chamber is built, the position of Calcutta as the capital of India will be further strengthened and consolidated; and, though we are convinced that a transfer will in any case eventually have to be made, it will then be attended by much greater difficulty and still further expense. Similarly, if some modification of the Partition is, as we believe, desirable, the sooner it is effected the better, but we do not see how it can be safely effected with due regard for the dignity of Government as well as for the public

opinion of the rest of India and more especially for Mahomedan sentiment, except as part of the larger scheme we have outlined. In the event of these far-reaching proposals being sanctioned by His Majesty's Government, as we trust may be the case, we are of opinion that the presence of His Majesty the King-Emperor at Delhi would offer a unique opportunity for a pronouncement of one of the most weighty decisions ever taken since the establishment of British rule in India. The other two proposals embodied in our scheme are not of such great urgency but are consequentially essential and in themselves of great importance. Half measures will be of no avail, and whatever is to be done should be done so as to make a final settlement and to satisfy the claims of all concerned. The scheme which we have ventured to commend to Your Lordship's favourable consideration is not put forward with any spirit of opportunism, but in the belief that action on the lines proposed will be a bold stroke of statesmanship which would give unprecedented satisfaction and will for ever associate so unique an event as the visit of the reigning Sovereign to his Indian dominions with a new era in the history of India.

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

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

We have the honour to be,

My Lord Marquess,

Your Lordship's most obedient humble Servants,

HARDINGE OF PENSHURST.

O'M. CREAGH.

GUY FLEETWOOD WILSON.

J. L. JENKINS.

R. W. CARLYLE.

H. BUTLER.

SYED ALI IMAM.

W. H. CLARK.

## No. 5

To His Excellency the Right Honourable The Governor-General of India in Council.

(Secret.)

India Office, London,

My Lord,

1st November, 1911.

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

2. In the first place you propose to transfer from Calcutta to Delhi the seat of the Government of India, a momentous change which in your opinion can be advocated on its intrinsic merits, and apart from the considerations which are discussed in the later passages of your dispatch. You point out with truth that many of the circumstances which explain the selection of Fort William in the second half of the eighteenth century as the head-quarters of the East India Company cannot now be adduced as arguments for the permanent retention of Calcutta as the capital of British India; while certain new conditions and developments seem to point positively towards the removal of the Central Government to another position. Such a suggestion is not entirely novel, since it has often been asked whether the inconvenience and cost of an annual migration to the Hills could not be avoided by founding a new official capital at some place in which Europeans could reside healthfully and work efficiently throughout the whole year. You regard any such solution as impracticable, in my judgement rightly; and you proceed to describe in favourable terms the purely material claims of Delhi for approval as the new centre of Government. There would be undoubted advantage both in a longer sojourn at the capital than is at present advisable, and in the shorter journey to and from Simla when the yearly transfer has to be made; while weight may properly be attached to the central situation of Delhi and to its fortunate position as a great railway junction. As you point out, these facts of themselves ensure not a few administrative advantages, and I am not disposed to attach serious importance to the removal of the Department of Commerce and Industry from a busy centre like Calcutta; for any official disadvantage due to this cause should be counterbalanced by the gain of a wider outlook upon the commercial activities of India as a whole.

3. From the historical standpoint, to which you justly draw attention, impressive reasons in support of the transfer can not less easily be advanced. Not only do the ancient walls of Delhi enshrine an Imperial tradition comparable with that of Constantinople, or with that of Rome itself, but the near neighbourhood

of the existing City formed the theatre for some most notable scenes in the old-time drama of Hindu history, celebrated in the vast treasure-house of national epic verse. To the races of India, for whom the legends and records of the past are charged with so intense a meaning, this resumption by the Paramount Power of the seat of venerable Empire should at once enforce the continuity and promise the permanency of British sovereign rule over the length and breadth of the country. Historical reasons will thus prove to be political reasons of deep importance and of real value in favour of the proposed change. I share, too, your belief that the Ruling Chiefs as a body will favour the policy and give to it their hearty adhesion.

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

5. Your Excellency is not unaware that for some time past I have appreciated the special difficulties arising from the collocation of the Government of India and the Government of Bengal in the same head-quarters. The arrangement, as you frankly describe it, is a bad one for both Governments, and the Viceroy for the time being is inevitably faced by this dilemma, that either he must become Governor-in-chief of Bengal in a unique sense, or he must consent to be saddled by public opinion both in India and at home with direct liability for acts of administration or policy over which he only exercises in fact the general control of a Supreme Government. The Local Government, on the other hand, necessarily suffers from losing some part of the sense of responsibility rightly attaching to it as to other similar administrations. It involves no imputation either upon Your Excellency's Government, or upon the distinguished public servants who have carried on the Government of Bengal, to pronounce the system radically an unsound one.

6. It might, indeed, have been thought possible to correct this anomaly with less disturbance of present conditions, by retaining Calcutta as the central seat of Government, under the immediate control of the Viceroy, and transferring the Government of Bengal elsewhere. But two considerations appear to forbid the adoption of such a course. In the first place it is doubtful whether the arbitrary creation of an artificial boundary could in practice cause Calcutta, so long the capital of Western Bengal, to cease altogether to be a Bengali city in the fullest sense. Again, the experiment of turning the second city of the British Empire into an Imperial *enclave* would be certain to cast a new and altogether undue burden upon the shoulders of the Governor-General,

however freely the actual work of administration might be delegated to subordinate officials. It is true that Washington, during the century since it became the capital of the United States, has grown into a large and wealthy city, with industries on a considerable scale; but even now it possesses less than a third of the population of Calcutta; while Ottawa and the new Australian foundation of Yass-Canberra are likely to continue mainly as political capitals. Such a solution may therefore be dismissed, while no parallel difficulties need be dreaded if Delhi and its surroundings are placed directly under the Government of India.

7. I am glad to observe that you have not underrated the objections to the transfer which are likely to be entertained in some quarters. The compensation which will be offered to Bengali sentiment by other of your interdependent proposals is in my opinion fully adequate, and I do not think it necessary to dwell further on this aspect of the change. But it cannot be supposed that the European community of Calcutta, particularly the commercial section, can regard it without some feelings of chagrin and disappointment in their capacity as citizens. But you may rely, I am certain, upon their wider patriotism, and upon their willingness to subordinate local and personal considerations to those which concern the general good of India. Nor, on full reflection, need they fear any seriously untoward consequences. The city will remain the seat of a most prominent and influential Government. I see no reason why it should suffer in material prosperity, retaining as it will not merely an almost universal commerce, but the practical monopoly in more than one branch of trade. And from the standpoint of sentiment, nothing can ever deprive Calcutta of her association with a century and a half of British government, signalised by many great events, and adorned by the famous roll of those who have preceded Your Excellency in the office of Governor-General. Such a history is a perpetual possession, and it will guide the steps of all travellers to Calcutta not less certainly than has the presence of the Supreme Government in the past.

8. In view of this change it is your desire that a Governorship in Council should be constituted for Bengal. You remind me that the possibility of such a creation was fully discussed in the years 1867 and 1868, although divergent opinions were expressed by the different authorities of that day, and no steps were in fact taken. One of the principal objections felt then, as now, to the proposition taken by itself, hinged on the difficulty of planting such an administration in Calcutta side by side with that of the Government of India. The criticism is valid, but it would be silenced by the transfer of the capital to Delhi. I note with general agreement your observations upon the probable appointment in ordinary circumstances of a statesman or administrator from the United Kingdom to the Governorship of Bengal, while

concurring that the appointment, like other great Governorships, would be open to members of the Indian Civil Service whenever it might be desirable to seek for an occupant among their ranks. I also share your conviction that no lower grade of administration would be held in the altered conditions to satisfy the reasonable aspirations either of Hindus or of Mohammedans for the reputation and status of Bengal among the great divisions of India.

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

10. At the same time you lay deserved stress on the importance of giving no ground for apprehension to the Mohammedans of

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

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

historical claims for separate treatment in various respects. These three sub-provinces, with their combined population of some thirty-five millions, would form a charge well within the compass of a Lieutenant-Governorship; and it may be assumed that the controlling officer would be able to bestow continuous care and attention upon each of the divisions within his area.

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

13. I make no complaint of the fact that Your Excellency is unable at this stage to present for sanction a close estimate of the cost which is likely to be incurred in respect of the various proposals included in your Despatch, either by way of initial or of recurring expenditure. You have only found it possible to name the round sum of four millions sterling, which you regard as the outside figure of cost which could be incurred by the transfer to Delhi, and you indicate your opinion that this amount might be raised by a special Gold Loan. I agree that it was not possible for you, in the special circumstances of the case, to undertake the investigations which would have been necessary before you could submit even a general estimate of expenditure either at Delhi or in relation to the Governorship of Bengal, to the Lieutenant-Governorship of the new United Provinces, or to the Chief Commissionership of Assam. This being so, I refrain for the present from making any observations on this part of the subject, merely stating my general conviction that Your Excellency is fully alive to the magnitude of the proposed operations, and to the necessity for thoughtful preparation and continuous vigilance in order that the expenditure, which must necessarily be so large, may be conducted with no tinge of wastefulness; and as regards the particular case of Delhi, assuring you that my full sympathy will be extended to any efforts you may make to prevent holding-up against Government of land which you may find it necessary to secure for public purposes.

14. I find myself in general agreement with Your Excellency when you state that if this policy is to be approved, it is imperative to avoid delay in carrying it into effect. You give substantial

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

I have the honour to be,

My Lord,

Your Lordship's most obedient humble servant,  
CREWE.

## APPENDIX II

### ANNOUNCEMENTS MADE AT THE CORONATION DURBAR

#### No. 1

##### ANNOUNCEMENT OF HIS MAJESTY THE KING-EMPEROR

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

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

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

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

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

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

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

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

favour and consideration, and these I will later on to-day cause to be announced by my Governor-General to this assembly.

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

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

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

#### No. 2

##### ANNOUNCEMENTS BY THE GOVERNOR-GENERAL OF INDIA ON BEHALF OF HIS MAJESTY THE KING- EMPEROR

‘To all to whom these presents may come.

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

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

‘Graciously recognising the signal and faithful services of His forces by land and sea, the King-Emperor has charged me to announce the award of half a month’s pay of rank to all non-commissioned officers and men and reservists both of His British Army in India and His Indian Army, to the equivalent ranks of the Royal Indian Marine, and to all permanent employes of

departmental or non-combatant establishments paid from the military estimates whose pay may not exceed the sum of Rs. 50 monthly.

'Furthermore His Imperial Majesty has been graciously pleased to ordain that from henceforth the loyal Native officers, men, and reservists of His Indian Army shall be eligible for the grant of the Victoria Cross for valour; that membership of the Order of British India shall be increased during the decade following this His Imperial Majesty's Coronation Durbar by 52 appointments in the First Class, and by 100 appointments in the Second Class, and that in mark of these historic ceremonies 15 new appointments in the First Class and 10 new appointments in the Second Class shall forthwith be made; that from henceforth Indian officers of the Frontier Militia Corps and the Military Police shall be deemed eligible for admission to the aforesaid Order; that special grants of land or assignments or remissions of land revenue, as the case may be, shall now be conferred on certain Native officers of His Imperial Majesty's Indian Army who may be distinguished for long and honourable service; and that the special allowances now assigned for three years only to the widows of the deceased members of the Indian Order of Merit shall, with effect from the date of this Durbar, hereafter be continued to all such widows until death or re-marriage.

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

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

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

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

and remitted in whole or in part under the Orders of the Government of India.

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

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

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

'God Save the King!'

### No. 3

#### ANNOUNCEMENT OF HIS MAJESTY THE KING-EMPEROR

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

## APPENDIX III

NOTIFICATIONS OF MARCH 22, 1912

**The Gazette of India****EXTRAORDINARY**

PUBLISHED BY AUTHORITY

CALCUTTA: FRIDAY, MARCH 22, 1912

**HOME DEPARTMENT****NOTIFICATION.***Calcutta, the 22nd March, 1912.*

**No. 288.**—The following Declaration, made by the Secretary of State for India in Council, is hereby published :—

**DECLARATION.**

The Secretary of State in Council of India, under the power reserved to him by the East India Company Act, 1853 (16 & 17 Vict. c. 95), and the Government of India Act, 1858 (21 & 22 Vict. c. 106), is pleased to declare that the Governor-General of India shall no longer be Governor of the Presidency of Fort William in Bengal, and that a separate Governor shall be appointed for such Presidency.

**NOTIFICATION.***Calcutta, the 22nd March, 1912.*

**No. 289.**—The following Proclamation, to which the sanction of His Majesty the King, Emperor of India, has been signified by the Secretary of State for India in Council, is hereby published :—

**PROCLAMATION.**

The Governor-General is pleased to constitute the following territories, which are now subject to and included within the limits of the Presidency of Fort William in Bengal, namely :—

the districts of Bhagalpur, Monghyr, Purnea and the Sonthal Parganas, in the Bhagalpur Division,  
the Patna Division, comprising the districts of Gaya, Patna and Shahabad,

the Tirhut Division, comprising the districts of Champaran, Darbhanga, Muzaffarpur and Saran,

the Chota Nagpur Division, comprising the districts of Hazaribagh, Manbhum, Palamau, Ranchi and Singhbhum, and

the Orissa Division, comprising the districts of Angul, Balasore, Cuttack, Puri and Sambalpur,

to be, for the purposes of the Indian Councils Act, 1861 (24 & 25 Vict. c. 67), a Province to which the provisions of that Act touching the making of Laws and Regulations for the peace and good government of the Presidencies of Fort Saint George and Bombay shall be applicable.

2. The Governor-General is further pleased to direct that the said Province shall be called the Province of Bihar and Orissa, and to appoint the Honourable Sir Charles Stuart Bayley, K.C.S.I., to be the first Lieutenant-Governor of the Province, with all powers and authority incident to that office.

3. The Governor-General in Council is also pleased to specify the first day of April, 1912, as the time at which the application of the said provisions of the said Act to the Province of Bihar and Orissa shall take effect.

**NOTIFICATION.***Calcutta, the 22nd March, 1912.*

**No. 290.**—The following Proclamation, to which the sanction of His Majesty the King, Emperor of India, has been signified by the Secretary of State for India in Council, is hereby published :—

**PROCLAMATION.**

In exercise of the powers conferred by section 47 of the Indian Councils Act, 1861 (24 & 25 Vict. c. 67), and section 4 of the Government of India Act, 1865 (28 & 29 Vict. c. 17), and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to declare and appoint that, on and from the first day of April, 1912, the territories specified in the Schedule hereto annexed shall be and continue subject to the Presidency of Fort William in Bengal.

## SCHEDULE.

*Part I.—Territories which are now administered by the Lieutenant-Governor of Eastern Bengal and Assam.*

1. The Chittagong Division, comprising the districts of Chittagong, the Chittagong Hill-tracts, Noakhali and Tippera.
2. The Dacca Division, comprising the districts of Bakarganj, Dacca, Faridpur and Mymensingh.
3. The Rajshahi Division, comprising the districts of Bogra, Dinajpur, Jalpaiguri, Malda, Pabna, Rajshahi and Rangpur.

*Part II.—Territories which are now administered by the Lieutenant-Governor of Bengal in Council.*

4. The Burdwan Division, comprising the districts of Bankura, Birbhum, Burdwan, Hooghly, Howrah and Midnapur.
5. The Presidency Division, comprising the town of Calcutta and the districts of Jessore, Khulna, Murshidabad, Nadia and the 24-Parganas.
6. The District of Darjeeling.

## NOTIFICATION.

*Calcutta, the 22nd March, 1912.*

**No. 291.**—In exercise of the power conferred by section 3 of the Government of India Act, 1854 (17 & 18 Vict. c. 77), and with the sanction and approbation of the Secretary of State for India, the Governor-General in Council is pleased to issue the following Proclamation :—

## PROCLAMATION.

The following territories, which are now included within the Province of Eastern Bengal and Assam, namely :—

the Assam Valley Districts Division, comprising the districts of Darrang, Garo Hills, Goalpara, Kamrup, Lakhimpur, Nowgong and Sibsagar, and

the Surma Valley and Hill Districts Division, comprising the districts of Cachar, Khasi and Jaintia Hills, Lushai Hills, Naga Hills and Sylhet,

shall, on and from the first day of April, 1912, be taken under the immediate authority and management of the Governor-General of India in Council and formed into a Chief Commissionership, to be called the Chief Commissionership of Assam; and Sir Archdale Earle, K.C.I.E., is hereby appointed to be the Chief Commissioner of Assam, with effect from that date.

H. WHEELER,

*Offg. Secretary to the Government of India.*

## APPENDIX IV

## BENGAL, BIHAR AND ORISSA, AND ASSAM LAWS ACT, 1912

An Act to make certain provisions regarding the application of the law in force in the Presidency of Fort William in Bengal, the Province of Bihar and Orissa and the Province of Assam.

WHEREAS a Governor and an Executive Council have been appointed for the Presidency of Fort William in Bengal;

And whereas, by Proclamation published under Notification No. 290, dated the twenty-second day of March, 1912, the Governor-General in Council, with the sanction of His Majesty, has been pleased to declare and appoint that, on and from the first day of April, 1912, the territory mentioned in Schedule A shall be and continue subject to the said Presidency of Fort William in Bengal;

And whereas, by Proclamation published under Notification No. 289, dated the twenty-second day of March, 1912, the Governor-General, with the sanction of His Majesty, has been pleased to constitute the territory mentioned in Schedule B to be, for the purposes of the Indian Councils Act, 1861, a Province to which the provisions of that Act touching the making of Laws and Regulations for the peace and good government of the Presidencies of Fort St. George and Bombay shall be applicable, and to direct that the said Province shall be called the Province of Bihar and Orissa, and further to appoint a Lieutenant-Governor of that Province;

And whereas, by Proclamation published under Notification No. 291, dated the twenty-second day of March, 1912, the Governor-General in Council, with the sanction and approbation of the Secretary of State for India, has been pleased to take under his immediate authority and management the territory mentioned in Schedule C, which was formerly included within the Province of Eastern Bengal and Assam, and to form the same into a Chief Commissionership, to be called the Chief Commissionership of Assam, and further to appoint a Chief Commissioner therefor;

And whereas it is expedient to make certain provisions regarding the application of the law in force in the territories affected by the said Proclamations;

It is hereby enacted as follows :

**Short title and commencement.** 1. (1) This Act may be called the Bengal, Bihar and Orissa and Assam Laws Act, 1912; and

(2) It shall come into force on the first day of April, 1912.

**Saving of territorial application of enactments.** 2. The Proclamations referred to in the preamble shall not be deemed to have effected any change in the territorial application of any enactment, notwithstanding that such enactment may be expressed to apply or extend to the territories for the time being under a particular administration.

**Construction of certain references in enactments in force in territory mentioned in Schedules A, B and C.** 3. All enactments made by any authority in British India, and all notifications, orders, schemes, rules, forms and by-laws issued, made or prescribed under such enactments, which, immediately before the commencement of this Act, were in force in, or prescribed for, any of the territory mentioned in Schedule A, Schedule B or Schedule C, shall, in their application to that territory, be construed as if references therein to the authorities, territory or Gazettes mentioned in column 1 of Schedule D were references to the authorities, territory or Gazettes respectively mentioned or referred to opposite thereto in column 2 of that Schedule :

Provided that the Governor-General in Council may, by notification in the Gazette of India, direct that any function of the Chief Commissioner of Assam under any such enactment, notification, order, scheme, rule, form or by-law shall be discharged by the Governor-General in Council and not by the said Chief Commissioner.

**Constitution of Board of Revenue in Bihar and Orissa.** 4. There shall be a Board of Revenue for the Province of Bihar and Orissa, to which the provisions of the Bengal Board of Revenue Regulation, 1822, and the Bengal Board of Revenue Act, 1850, shall, so far as may be, apply.

5. For the purpose of facilitating the application to the territory, or any part thereof, mentioned in Schedule A, Schedule B or Schedule C of any enactment passed before the commencement of this Act, or of any notification, order, scheme, rule, form or by-law made under any such enactment, —

**Powers to Courts and Local Government for facilitating application of enactments.**

(a) any Court may, subject to the other provisions of this Act, construe the enactment, notification, order, scheme, rule, form or by-law with such alterations, not affecting the substance, as may be necessary or proper to adapt it to the matter before the Court; and

(b) the Local Government may, by notification in the local official Gazette, direct by what officer any authority or power shall be exerciseable; and any such notification shall have effect as if enacted in this Act.

6. Nothing in this Act shall affect any proceeding which, at the commencement thereof, is pending in or in respect of any of the territory mentioned in Schedule A, Schedule B or Schedule C; and every such proceeding shall be continued as if this Act had not been passed.

7. The enactments specified in Schedule E are hereby amended to the extent and in the manner specified in the fourth column thereof.

8. The Bengal and Assam Laws Act, 1905, is hereby repealed.

## SCHEDULE A.

(See sections 3, 5 and 6.)

### THE PRESIDENCY OF FORT WILLIAM IN BENGAL.

#### Part I.

The Chittagong Division, comprising the districts of Chittagong, the Chittagong Hill-tracts, Noakhali and Tippera;

the Dacca Division, comprising the districts of Bakarganj, Dacca, Faridpur and Mymensingh;

the Rajshahi Division, comprising the districts of Bogra, Dinajpur, Jalpaiguri, Malda, Pabna, Rajshahi and Rangpur.

#### Part II.

The Burdwan Division, comprising the districts of Bankura, Birbhum, Burdwan, Hooghly, Howrah and Midnapur;

the Presidency Division, comprising the town of Calcutta and the districts of Jessore, Khulna, Murshidabad, Nadia and the 24-Parganas; and

the District of Darjeeling.

## SCHEDULE B.

### THE PROVINCE OF BIHAR AND ORISSA.

The districts of Bhagalpur, Monghyr, Purnea and the Sonthal Parganas, in the Bhagalpur Division;

the Patna Division, comprising the districts of Gaya, Patna and Shahabad;

the Tirhut Division, comprising the districts of Champaran, Darbhanga, Muzaffarpur and Saran;

the Chota Nagpur Division, comprising the districts of Hazaribagh, Manbhum, Palamau, Ranchi and Singhbhum; and

the Orissa Division, comprising the districts of Angul, Balasore, Cuttack, Puri and Sambalpur.

[Cf. Act  
VII of  
1905,  
Sch. D.]

## SCHEDULE C.

## THE PROVINCE OF ASSAM.

The Assam Valley Districts Division, comprising the districts of Darrang, Garo Hills, Goalpara, Kamrup, Lakhimpur, Nowgong and Sibsagar; and

the Surma Valley and Hill Districts Division, comprising the districts of Cachar, Khasi and Jaintia Hills, Lushai Hills, Naga Hills and Sylhet.

## SCHEDULE D.

(See section 3.)

*Part I.—Construction of enactments, etc., in force in the territory mentioned in Schedule A (the Presidency of Fort William in Bengal).*

| 1<br>References.                                                                                                                                                                                                                                                                                                                    | 2<br>Constructions.                                                                                                                                                                                                                                                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. The Local Government of Bengal.                                                                                                                                                                                                                                                                                                  | The Governor in Council of Fort William in Bengal.                                                                                                                                                                                                                                                                                          |
| 2. The Local Government of Eastern Bengal and Assam.                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                             |
| 3. The Board of Revenue for Eastern Bengal and Assam.                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                             |
| 4. The Chief Controlling Revenue-Authority.                                                                                                                                                                                                                                                                                         | The Board of Revenue for Bengal.                                                                                                                                                                                                                                                                                                            |
| 5. The Chief Revenue-Authority.                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                             |
| 6. All officers and official bodies not mentioned in the foregoing clauses 2 to 5 (except the Treasurer of Charitable Endowments) whose authority extended, immediately before the commencement of this Act, over the Province of Eastern Bengal and Assam generally, inclusive of the territory mentioned in Part I of Schedule A. | (a) The respective officers and official bodies who immediately before the commencement of this Act exercised similar functions in the Province of Bengal; or<br>(b) such other officers or official bodies, respectively, as the Governor in Council of Fort William in Bengal may, by notification in the local official Gazette, direct. |
| 7. The local official Gazette (English or Vernacular, as the case may be) of the Government of Eastern Bengal and Assam.                                                                                                                                                                                                            | The local official Gazette (English or Vernacular, as the case may be) of the Government of Bengal.                                                                                                                                                                                                                                         |

*Part II.—Construction of enactments, etc., in force in the territory mentioned in Schedule B (the Province of Bihar and Orissa).*

| 1<br>References.                                                                                                                                                                                                                                                                                          | 2<br>Constructions.                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| 8. The Local Government of Bengal.                                                                                                                                                                                                                                                                        | The Local Government of Bihar and Orissa.                                                                                           |
| 9. The Local Government of the Central Provinces.                                                                                                                                                                                                                                                         |                                                                                                                                     |
| 10. The Board of Revenue for Bengal.                                                                                                                                                                                                                                                                      |                                                                                                                                     |
| 11. The Chief Controlling Revenue-Authority.                                                                                                                                                                                                                                                              | The Board of Revenue for Bihar and Orissa.                                                                                          |
| 12. The Chief Revenue-Authority.                                                                                                                                                                                                                                                                          |                                                                                                                                     |
| 13. The Court of Wards of the Central Provinces.                                                                                                                                                                                                                                                          |                                                                                                                                     |
| 14. The Superintendent of Government Wards in the Central Provinces.                                                                                                                                                                                                                                      |                                                                                                                                     |
| 15. The Judicial Commissioner of the Central Provinces.                                                                                                                                                                                                                                                   | The High Court of Judicature at Fort William in Bengal.                                                                             |
| 16. All officers and official bodies not mentioned in the foregoing clauses 8 to 15 (except the Treasurer of Charitable Endowments) whose authority extended, immediately before the commencement of this Act, over the Province of Bengal generally, inclusive of the territory mentioned in Schedule B. | Such officers or official bodies, respectively, as the Local Government may, by notification in the local official Gazette, direct. |
| 17. The local official Gazette (English or Vernacular, as the case may be) of the Government of Bengal or the Chief Commissionership of the Central Provinces.                                                                                                                                            | The local official Gazette (English or Vernacular, as the case may be) of the Government of Bihar and Orissa.                       |

## SCHEDULE E.

(See section 7.)

*Part III.—Construction of enactments, etc., in force in the territory mentioned in Schedule C (the Province of Assam).*

| 1<br>References.                                                                                                                                                                                                                                                                                                             | 2<br>Constructions.                                                                                                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| 18. The Local Government of Bengal.                                                                                                                                                                                                                                                                                          | The Chief Commissioner of Assam.                                                                                                               |
| 19. The Local Government of Eastern Bengal and Assam.                                                                                                                                                                                                                                                                        |                                                                                                                                                |
| 20. The Board of Revenue for Bengal.                                                                                                                                                                                                                                                                                         |                                                                                                                                                |
| 21. The Board of Revenue for Eastern Bengal and Assam.                                                                                                                                                                                                                                                                       |                                                                                                                                                |
| 22. The Chief Controlling Revenue-Authority.                                                                                                                                                                                                                                                                                 |                                                                                                                                                |
| 23. The Chief Revenue-Authority.                                                                                                                                                                                                                                                                                             | Such officers or official bodies, respectively, as the Chief Commissioner of Assam may, by notification in the local official Gazette, direct. |
| 24. All officers and official bodies not mentioned in the foregoing clauses 18 to 23 (except the Treasurer of Charitable Endowments) whose authority extended, immediately before the commencement of this Act, over the Province of Eastern Bengal and Assam generally, inclusive of the territory mentioned in Schedule C. |                                                                                                                                                |
| 25. The Chief Commissionership of Assam.                                                                                                                                                                                                                                                                                     | The territory mentioned in Schedule C.                                                                                                         |
| 26. The local official Gazette (English or Vernacular, as the case may be) of the Government of Bengal or the Government of Eastern Bengal and Assam.                                                                                                                                                                        | The local official Gazette (English or Vernacular, as the case may be) of the Chief Commissionership of Assam.                                 |

| 1<br>Year. | 2<br>No. | 3<br>Short Title.                            | 4<br>Amendments.                                                                                                                                           |
|------------|----------|----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1877       | I        | The Specific Relief Act, 1877.               | In section 45 (f), for the words 'the Lieutenant-Governor of Bengal' substitute the words 'the Governor in Council of Fort William in Bengal'.             |
| 1882       | XV       | The Presidency Small Cause Courts Act, 1882. | In section 93, for the words 'and Bombay' substitute the words 'Bombay and Fort William in Bengal' and omit the words 'the Lieutenant-Governor of Bengal'. |
| 1903       | X        | The Victoria Memorial Act, 1903.             | In section 2 (1) (b), for the words 'the Lieutenant-Governor of Bengal' substitute the words 'the Governor of Fort William in Bengal'.                     |
| 1910       | X        | The Indian Museum Act, 1910.                 | In section 2 (1) (c), for the words 'the Lieutenant-Governor of Bengal' substitute the words 'the Governor of Fort William in Bengal'.                     |

## APPENDIX V

## GOVERNMENT OF INDIA ACT, 1912

(2 and 3 Geo. V, c. 6)

A.D. 1912. An Act to make such amendments in the Law relating to the Government of India as are consequential on the appointment of a separate Governor of Fort William in Bengal, and other administrative changes in the local government of India. [25th June, 1912.]

WHEREAS His Majesty has been pleased to appoint a Governor of the Presidency of Fort William in Bengal as delimited by a proclamation made by the Governor-General in Council and dated the twenty-second day of March nineteen hundred and twelve :

And whereas the Governor-General in Council by two further proclamations of the same date has constituted a new province under a Lieutenant-Governor, styled the province of Bihar and Orissa, and has taken the province of Assam under the immediate authority and management of the Governor-General in Council :

And whereas it is expedient to declare what powers are exercisable by the Governor and Governor in council of the presidency of Fort William in Bengal and to make other provisions with respect to the administrative changes effected as aforesaid :

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Powers of Governor of Fort William in Bengal. A.D. 1912. 1.—(1) It is hereby declared that the Governor and Governor in council of the presidency of Fort William in Bengal shall, within that presidency as so delimited as aforesaid, have all the rights, duties, functions, and immunities which the Governors and Governors in council of the presidencies of Fort St. George and Bombay respectively possess, and all enactments relating to the Governors of those presidencies and the councils (whether for executive or legislative purposes) thereof and the members of those councils shall apply accordingly to the Governor of the presidency of Fort William in Bengal, and his council and the members of that council :

Provided that—

(a) if the Governor-General in council reserves to himself any powers now exercisable by him in relation to the presidency of Fort William in Bengal, those powers shall continue to be exercisable by the Governor-General in council in the like manner and to the like extent as heretofore ; and

(b) it shall not be obligatory to nominate the advocate-general of the presidency of Fort William in Bengal or any officer acting in that capacity to be a member of the legislative council of the Governor of that presidency.

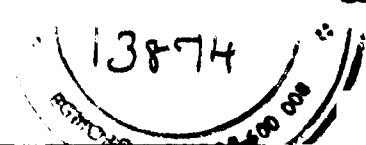
(2) The power of the Governor-General in council under section one of the Indian Presidency Towns Act, 1815, to extend the limits of the town of Calcutta shall be transferred to the Governor in council of the presidency of Fort William in Bengal. 55Geo.III, c. 84.

2. The provisions of subsection (1) of section three of the Indian Councils Act, 1909 (which relate to the constitution of provincial executive councils), shall apply to the province of Bihar and Orissa in like manner as they applied to the province of the Bengal division of the presidency of Fort William. Provisions as to the province of Bihar. 9Edw.VII, c. 4.

3. It shall be lawful for the Governor-General in council by proclamation to extend, subject to such modifications and adaptations as he may consider necessary, the provisions of the Indian Councils Acts, 1861 to 1909, touching the making of laws and regulations for the peace and good government of provinces under Lieutenant-Governors (including the provisions as to the constitution of legislative councils for such provinces and the business to be transacted therein) to any territories for the time being under a chief commissioner, and where such provisions have been applied to any such territories the proviso to section three of the Government of India Act, 1854 (which relates to the alteration of laws and regulations in such territories), shall not apply to those territories. A.D. 1912. 17 & 18 Vict. c. 77.

4.—(1) The enactments mentioned in Part I of the Schedule to this Act shall have effect subject to the amendments therein specified, and section fifty-seven of the East India Company Act, 1793, and section seventy-one of the Government of India Act, 1833 (which relate to the filling up of vacancies in the Indian Civil Service), and the other enactments mentioned in Part II of that Schedule are hereby repealed. Amend-ment and repeal of Acts and saving. 33Geo.III, c. 52. 3 & 4 Will. IV, c. 85.

(2) Nothing in this Act or in the said recited proclamations shall affect the power of the Governor-General in Council of making new distributions and arrangements of territories, into and among the various presidencies and lieutenant-governorships.



and it is hereby declared that the said power extends to territories under the immediate authority and management of the Governor-General in Council as well as to territories subject to the several presidencies and lieutenant-governorships.

Short title and commencement. 5. This Act may be cited as the Government of India Act, 1912, and shall come into operation on such day as the Governor-General in Council, with the approval of the Secretary of State in Council, may appoint.

A.D. 1912.

## SCHEDULE

Section 4.

## PART I.

## AMENDMENTS.

In section fifty of the Indian Councils Act, 1861 (24 & 25 Vict. c. 67), after the words 'then and in every such case,' there shall be inserted the words 'the Governor of the Presidency of Fort William in Bengal.'

In the First Schedule to the Indian Councils Act, 1909 (9 Edw. VII, c. 4), there shall be inserted

|                                                                               |     |
|-------------------------------------------------------------------------------|-----|
| 'Legislative Council of the Governor of Fort William in Bengal . . . . .      | 50  |
| 'Legislative Council of the Lieutenant-Governor of Bihar and Orissa . . . . . | 50' |

## PART II.

## REPEALS.

Sections fifty-three and fifty-seven of the East India Company Act, 1793 (33 Geo. III, c. 52).

In section sixty-two of the Government of India Act, 1833 (3 & 4 Will. IV, c. 85), the words 'and Governor of the Presidency of Fort William in Bengal,' and section seventy-one of the same Act.

In section fifty of the Indian Councils Act, 1861 (24 & 25 Vict. c. 67), the words 'and Governor of the Presidency of Fort William in Bengal.'

In the First Schedule to the Indian Councils Act, 1909 (9 Edw. VII, c. 4), the following words :—

|                                                                                                                    |     |
|--------------------------------------------------------------------------------------------------------------------|-----|
| 'Legislative Council of the Lieutenant-Governor of the Bengal Division of the Presidency of Fort William . . . . . | 50  |
| 'Legislative Council of the Lieutenant-Governor of the Province of Eastern Bengal and Assam . . . . .              | 50' |

## APPENDIX VI

## REVISED REGULATIONS FOR CONSTITUTION OF LEGISLATIVE COUNCILS

No. 3 OF 1913

GOVERNMENT OF INDIA

HOME DEPARTMENT

PUBLIC

TO THE MOST HONOURABLE THE MARQUIS OF CREWE, K.G.,  
His Majesty's Secretary of State for India.

Delhi,

The 23rd January, 1913.

My Lord Marquis,

In accordance with the provisions of Section 7 of the Indian Councils Act, 1909, we have the honour to submit for Your Lordship's information, and for presentation to Parliament, copies of the revised Regulations for the constitution of the Legislative Councils of the Governors of Madras and Bombay, and of the Lieutenant-Governors of the United Provinces, the Punjab and Burma, which have recently received the approval of the Secretary of State in Council under Section 6 of the same Act. In consequence of the redistribution of territories and of the appointment of a Governor-in-Council to the Presidency of Fort William in Bengal, which His Imperial Majesty was graciously pleased to announce at His Durbar held at Delhi in December 1911, Your Lordship has also approved the constitution of Legislative Councils for the Governor of Bengal, the Lieutenant-Governor of Bihar and Orissa and the Chief Commissioner of Assam. Of the Regulations relating to these three Councils, which have likewise received the approval of the Secretary of State in Council, we also append copies, together with copies of the Proclamations issued by us on the 14th November, 1912, with His Majesty's approval, extending to the territories administered by the Chief Commissioner of Assam the provisions of the Indian Councils Acts, 1861 to 1909. Finally we enclose copies of the revised Regulations for the constitution of the Legislative Council of the Governor-General, which have similarly been approved by the Secretary of State in Council.

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2. In addition to these papers, we annex copies of the rules in force in the Legislative Councils of all Provinces, relating to the discussion of the annual Financial Statement, and of matters of general public interest, and to the asking of questions. These rules have been framed, with the sanction of the Governor-General-in-Council, under Section 5 of the Indian Councils Act, 1909, and in accordance with the provisions of Section 7 thereof, require to be presented to both Houses of Parliament. The corresponding rules in force in the Council of the Governor-General framed in 1909 have already been presented to Parliament, and no change has since been made in them, although a copy of these rules also is enclosed.

3. The circumstances which gave rise to a revision of the Council Regulations sanctioned in 1909 were as follows. In the first place the administrative changes which have resulted from His Imperial Majesty's announcement at the Delhi Durbar have necessitated the re-arrangement of the electorates framed under the Regulations of 1909 for the return of representatives to the Governor-General's Council by the old provinces of Bengal and Eastern Bengal and Assam, and the provision of adequate representation on that Council for the Bengal Presidency as reconstituted, together with the provinces of Bihar and Orissa and Assam, while for similar reasons it has been requisite to frame entirely new Regulations constituting Councils for the Lieutenant-Governor of Bihar and Orissa and the Chief Commissioner of Assam. The consequential modification of the Regulations governing the Council of the Lieutenant-Governor of Bengal practically resulted in the formation of a new Council for the Governor of that province. In the second place, the experience which has been gained in the practical working of the Regulations of 1909 has been sufficient to disclose certain points in which they are susceptible of improvement. To this cause are to be attributed the modifications which have been sanctioned in the Regulations concerning those Provinces which were unaffected by His Majesty's announcement at Delhi, and, to some extent, the form which has been adopted in drafting the Regulations for the Governor-General's Council and the Councils of the three new provinces.

4. With the object of ascertaining the sufficiency or otherwise of the Regulations of 1909, we invited all local Governments to furnish us with a report on their practical working shortly after the first elections were held, together with any suggestions for improvement and amendment which they might have to offer, and the revision which has now been effected is the result of the recommendations which we thought fit to make to Your Lordship after full consideration of the materials thus placed at our disposal. In formulating our proposals we have kept in view, as a guiding principle, the fact that since the Councils have so far stood the test of only one general election, it would be premature

and impolitic, at this stage of their development, to embark upon any material changes in the broad principles upon which their constitution is based. The amendments made have been confined, therefore, so far as possible, to matters of detail, and consist to a large extent of an attempt to simplify and render more convenient the electoral procedure. At the same time in Madras, the United Provinces and the Punjab the opportunity has been taken to effect some changes in the distribution of seats, in the province first mentioned with a view to the more equitable representation of the landholders and local bodies, in the second mainly in consequence of a re-arrangement of divisional charges, and in the third with the object of increasing the number of members chosen by election, and on the analogy of the systems in force elsewhere, of giving representation to District Boards.

5. We apprehend that Your Lordship may find it convenient, in presenting the revised Regulations to Parliament, to be in possession of a self-contained summary of the changes effected by this revision, together with an explanation of their scope and purpose. With this object, we have caused to be prepared, and append to this despatch, a memorandum which explains the matter in detail.

We have the honour to be,

My Lord Marquis,

Your Lordship's most obedient, humble servants,

G. FLEETWOOD WILSON.

R. W. CARLYLE.

HARCOURT BUTLER.

S. A. IMAM.

W. H. CLARK.

R. H. CRADDOCK.

*List of enclosures.*

1. Memorandum in explanation of the revised Council Regulations.

2. Revised Regulations and Schedules for the nomination and election of additional members of the Legislative Council of the—

- (1) Governor of Madras.
- (2) Governor of Bombay.
- (3) Lieutenant-Governor of the United Provinces.
- (4) Lieutenant-Governor of the Punjab.
- (5) Lieutenant-Governor of Burma (Regulations only).
- (6) Governor of Bengal.
- (7) Lieutenant-Governor of Bihar and Orissa.
- (8) Chief Commissioner of Assam.
- (9) Governor-General of India.

3. Proclamations issued on the 14th November, 1912, extending the Indian Councils Acts to Assam.

4. Rules (i) for the discussion of the Annual Financial Statement,  
 (ii) for the discussion of matters of general public interest, and  
 (iii) for the asking of questions in the Legislative Council of the—
- (1) Governor of Madras.
  - (2) Governor of Bombay.
  - (3) Lieutenant-Governor of the United Provinces.
  - (4) Lieutenant-Governor of the Punjab.
  - (5) Lieutenant-Governor of Burma.
  - (6) Governor of Bengal.
  - (7) Lieutenant-Governor of Bihar and Orissa.
  - (8) Chief Commissioner of Assam.
  - (9) Governor-General of India.

Enclosure no. I.

#### MEMORANDUM.

*Showing the changes made in 1912 in the Regulations relating to the Legislative Councils in India, together with the reasons upon which they are based.*

The general reasons which have led to the revision of the Regulations framed in 1909 under the Indian Councils Act of that year are explained in the despatch which accompanies this memorandum. For the purpose of exhibiting in detail the changes made, the subject may conveniently be divided into three heads:

- I. Changes made in the constitution of the Councils themselves, such as alterations in the number of elected or nominated seats, or the redistribution of seats between electorates.
- II. Changes made in the qualifications of voters and candidates.
- III. Changes made in electoral procedure.
- IV. Other changes, which cannot be classified under any of the three foregoing categories.

I. *Changes made in the constitution of the Councils.*—This heading falls naturally into three sections:

- (a) The creation of new Councils in consequence of the administrative changes announced by His Imperial Majesty at the Delhi Durbar, and the constitution of the Councils thus necessitated.
- (b) The addition or alteration of the grouping of seats on existing Councils unaffected by the recent territorial redistribution.
- (c) The rearrangement of representation on the Imperial Legislative Council due to changes in the Provincial Councils.

(a) The formation of the Presidency of Bengal under a Governor-in-Council, of the Province of Bihar and Orissa under a Lieutenant-Governor-in-Council, and of the Province of Assam under a Chief Commissioner, out of the areas previously constituting the provinces of Bengal and Eastern Bengal and Assam, has resulted in the abolition of the Legislative Councils of the Lieutenant-Governors of Bengal and Eastern Bengal and Assam and the creation of new Councils for the three new Provinces. In framing the Regulations for these three new Councils, the object aimed at has been, on the one hand, to preserve intact, so far as possible, the character of the electorates which existed in Bengal and Eastern Bengal and Assam under the Regulations of 1909, and to avoid the disfranchisement of any interest or individuals represented on the old Councils, and, on the other hand, to afford recognition to the further claims to representation which the territorial redistribution has given to certain interests and communities.

*The Bengal Council.*—The interests which were represented on the Councils of the Lieutenant-Governors of Bengal and Eastern Bengal and Assam were the following:

|                                                                | No. of seats on the previous Council in— |                           |
|----------------------------------------------------------------|------------------------------------------|---------------------------|
|                                                                | Bengal.                                  | Eastern Bengal and Assam. |
| The Indian Commercial Community . . . . .                      | 1                                        | 1                         |
| The Corporation of Calcutta . . . . .                          | 1                                        | —                         |
| The University of Calcutta . . . . .                           | 1                                        | —                         |
| The Bengal Chamber of Commerce . . . . .                       | 2                                        | —                         |
| The Calcutta Trades Association . . . . .                      | 1                                        | —                         |
| The Tea Planting Community, Eastern Bengal and Assam . . . . . | —                                        | 2                         |
| The Planting Community, Bengal . . . . .                       | 1                                        | —                         |
| The Chittagong Port Trust . . . . .                            | —                                        | 1                         |
| The Jute interest . . . . .                                    | —                                        | 1                         |

These interests had 12 seats on the old Councils, as compared with 9 under the new Regulations. The Indian commercial community (as elsewhere) will have one nominated representative only, while the redistribution of territories having resulted in the separation from Bengal of the important planting areas in Assam and Bihar, the representation of that community in Bengal will be reduced to one member only, to be chosen by an electorate consisting of the managers of tea gardens. The seat representing the Jute interest which was previously filled by election by the Narayanganj Chamber of Commerce, will be replaced by a nominated seat to be allotted to the European commercial community outside Calcutta and Chittagong, this wider field of selection being considered more appropriate to the circumstances of the new province.

In addition to the foregoing, the following electorates existed in the two Provinces :

- (i.) The Municipalities of each Division.
- (ii.) The District Boards of each Division.
- (iii.) The Muhammadan Community of each Division.
- (iv.) The Landholders of each Division.

To each divisional electorate one member has been allotted, but, on account of the relatively greater importance of Municipal interests in the Presidency and Burdwan Divisions, it has been arranged that the Municipalities of these Divisions shall return an additional member alternately at every election, and that on account of the relatively small importance of the Municipal and Landholding interests in the Chittagong Division the Municipalities and Landholders of that Division shall each elect a member alternately and not concurrently. The total number of members thus returned at each election is twenty.

In addition to the 27 elected seats specified above another seat has been reserved for the town of Calcutta, in recognition of the fact that the special qualifications required of the members representing the Corporation and University respectively, may lead to the exclusion of suitable candidates, who by reason of the size and importance of the town are naturally to be found in larger numbers than in less advanced areas. In consonance with the general scheme upon which the regulations are framed the electors to this seat will be the non-official members of the Calcutta corporation other than those nominated by Government, but the qualification for candidates will be merely residence in Calcutta, thus affording a chance to any citizen of outstanding eminence to secure his return.

The total number of elected seats is thus 28, as compared with 26 on the old Council, with a consequential reduction in the number of nominated seats from 22 to 20. At the same time the maximum number of officials who may be nominated has been fixed at 16 instead of 17. As already mentioned, two of the nominated seats are earmarked for the European commercial community outside Calcutta and Chittagong and the Indian commercial community respectively, thus leaving two non-official nominated seats unappropriated, selection for which rests with the discretion of the Governor.

In addition to these 48 elected and nominated seats, provision has been made, as on the old Council, for the nomination of two expert members, whether officials or non-officials, to assist in the conduct of proposed or pending legislation.

*The Bihar and Orissa Council.*—The interests and communities situated in the area now embraced by this province which enjoyed representation on the old Bengal Council were the following :

- (i.) The Municipalities.
- (ii.) The District Boards.

- (iii.) The Landholders.
- (iv.) The Muhammadan Community.
- <sup>1</sup> (v.) The Planting Community.

The Regulations for the new Council provide one seat for each division to be filled by each of the three first named, or 15 seats in all. For the Muhammadan Community they provide 1 seat for each of the Patna, Tirhut and Bhagalpur Divisions, and a fourth seat to be filled by joint election by voters residing in the Orissa and Chota Nagpur Divisions, where the community is relatively less numerous and influential. In the new province the indigo interest will be of relatively more importance than in the old, and one seat has been assigned to it, while the mining interest has now attained a size which is held to entitle it also to similar representation. Both seats will be filled by election, thus bringing the total number of elected seats to 21.

The number of nominated members has been fixed at 19, of whom not more than 15 may be officials, and the selection for the 4 nominated seats open to non-officials has been left to the discretion of the Lieutenant-Governor with a view to the admission of the claims of other interests which may not secure representation through the channel of election. In addition the Lieutenant-Governor is given power to nominate one expert member, either an official or non-official, to assist the progress of particular legislative measures.

*The Assam Council.*—The interests situated in the area now included in this province, which enjoyed representation on the Council of the Lieutenant-Governor of Eastern Bengal and Assam, were the following :

- (i.) The Municipalities.
- (ii.) The Local Boards.
- (iii.) The Landholders.
- (iv.) The Muhammadan Community.
- (v.) The Tea Planting Community.

Each of the first four of these interests has been provided with two seats on the new Council—one for each Division, and three seats have been assigned to the tea-planting community—thus making a total of 11 elected seats.

Thirteen nominated seats have been allowed, of which not more than 9 are to be filled by officials, the selection for the 4 nominated seats for non-officials being made at the discretion of the Chief Commissioner, who is also empowered to nominate, in addition to the 13 officials and non-officials mentioned, one expert member, either official or non-official, to assist in the progress of legislative measures.

<sup>1</sup> This nominated seat on the old Bengal Council was intended to be filled from the Tea Planting Community in Darjeeling and the Indigo Planting Community in Bihar. It had been allotted on the occasion of the first election to the former, but the latter had a reversionary interest in it.

(b) The changes effected by the Regulations in the constitution of existing Provincial Councils are enumerated below :

*Madras.*—The number of elected seats has been increased from 19 to 21, a corresponding reduction, from 23 to 21, being made at the same time in the number of the nominated seats. The electoral groups into which the districts of the Presidency were divided by the Regulations of 1909 have also been redistributed.

Under Regulation II of the Regulations of 1909 for the constitution of the Madras Council, landholders other than zamindars elected two representatives, for which purpose the districts of the Presidency were divided into a Northern and Southern group. It was found, however, that the number of voters in the Southern group was more than double that in the Northern group, and that nearly half of them (155) lived in one district (Tanjore), while of the remaining 169, 110 were inhabitants of the two districts on the West Coast. As there are no zamindars, properly so called, on the West Coast, which contains a large number of landholders and *malikandars* possessed of electoral qualifications, and as the language, tenures and interests of the West Coast proprietors are so distinct that no East Coast proprietor can reasonably claim to represent their interests, it has been decided to constitute the two West Coast districts of Malabar and South Canara into a separate electorate to which an additional seat has been allotted.

The same considerations apply to the mixed electorate recruited from Municipal Councils and District and Taluk Boards, which under the Regulations of 1909 comprised 8 groups of districts. In this electorate also a special West Coast constituency has been created consisting of the two districts named, while the groups generally have been rearranged on a linguistic basis, in the manner shown in the Schedule appertaining to this electorate.

Territorial changes, consisting of the alterations of district boundaries within the Presidency effected subsequent to the promulgation of the Regulations of 1909 have also been responsible for some minor modifications.

*The United Provinces.*—Since 1909, a new Division, with headquarters at Jhansi, has been formed in the United Provinces. Under the Regulations of that year certain specified District and Municipal Boards in 8 existing Divisions (exclusive of the hill Division of Kumaon) returned a member to the Provincial Council, and since the District and Municipal Boards of the newly created Jhansi Division are considered to be of sufficient importance to entitle them to separate representation, the number of members returned by this electorate has been increased from 8 to 9, thus raising the total number of elected members from 20 to 21. As the full Council previously consisted of 46 members only, or 4 less than the permissible maximum, it has not been necessary to make any reduction in the number (26) of nominated seats. The total number of seats on this Council is therefore now 47 instead of 46.

The creation of this new division has also necessitated a regrouping of the electoral areas constituting the electorates for the return of four representatives of the Muhammadan Community. The reconstruction of the groups, as shown in Schedule V, is framed upon a basis of population.

*The Punjab.*—When the Regulations were framed in 1909 it was considered advisable to proceed on cautious lines in the matter of elective representation in this Province, owing to its comparative backwardness. Consequently the Punjab Council, excluding that of Burma, is the only one which has not hitherto contained a District Board electorate, and since it is now considered that such an electorate can now be constituted with advantage, three seats have been assigned to it, a corresponding reduction being made in the number of nominated seats.

For similar reasons the enfranchisement of municipalities and cantonment committees were confined to those—11 in number—as to whose competency to exercise the privilege there was at the time no doubt, but it has now been decided to enlarge the electorate in the light of the experience since gained, and 21 municipalities have therefore been added to the existing number on the roll. The municipality and district board of Delhi, which now fall within a separate province, will not participate in consequence in the elections to the Punjab Council.

(c) *Changes in the constitution of the Governor-General's Legislative Council.*

The constitution of the Council under the Regulations of 1909 was as follows :

|                                                                                                                                                                                                                 |    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| <i>Ex-officio</i> members (namely, His Excellency the President, the ordinary members of the Governor-General's Council, and the Lieutenant-Governor of the Province in which the Council is sitting) . . . . . | 9  |
| Official nominated members (of whom 8 represented the various provinces <sup>1</sup> ) . . . . .                                                                                                                | 28 |
| Non-official nominated members (of whom 3 must represent, respectively, the landholders of the Punjab, the Muhammadans of the Punjab, and Indian commerce) . . . . .                                            | 7  |
| Elected members (non-officials) . . . . .                                                                                                                                                                       | 25 |
| Total . . . . .                                                                                                                                                                                                 | 69 |

The Regulations further provided that at the second, fourth and succeeding alternate electing, 2 additional members should be

|                                    |   |
|------------------------------------|---|
| <sup>1</sup> Madras . . . . .      | 1 |
| Bombay . . . . .                   | 1 |
| Bengal . . . . .                   | 1 |
| United Provinces . . . . .         | 1 |
| Punjab . . . . .                   | 1 |
| Eastern Bengal and Assam . . . . . | 1 |
| Burma . . . . .                    | 1 |
| Central Provinces . . . . .        | 1 |

elected, one by the Muhammadan landholders of Eastern Bengal and Assam, and the other by the same class in the United Provinces. On these occasions the number of nominated members would have been 33 instead of 35.

The creation of 3 new provinces in place of two of those previously represented—Bengal and Eastern Bengal and Assam—and the constitution of a separate Legislative Council in each, has rendered it necessary to find room in the Imperial Council, which was already at the maximum strength allowed by statute, for one additional nominated official seat and for one elective seat to be filled by selection by the non-official members of the additional Provincial Legislative Council now created. The first of these two seats will be found from the existing number of nominated official seats without increasing their total, but the addition of an elected seat on the second account necessitates a corresponding reduction in the number of non-official nominated seats. In view, however, of the importance of the Muhammadan community in Bengal as now constituted and of the privilege which the landholders of this community in the United Provinces enjoyed under the old Regulations of returning a second member at alternate elections, it has been decided to make a further reduction of one in the number of nominated non-official seats, and to add to the elective seats one to be filled at alternate elections, by the Muhammadans of Bengal and the Muhammadan landholders of the United Provinces respectively. The number of elected seats is now therefore 27, and that of nominated non-official seats 5, three of which remain assigned to particular interests.

With these exceptions the constitution of the Council remains unchanged save that the two seats previously filled by the landholder and Muhammadan electorates respectively in Eastern Bengal and Assam are now transferred to similar electorates in Bihar and Orissa. These interests in Assam were not considered to be of sufficient importance to merit separate representation on the Imperial Council, nor would it have been possible to grant this privilege without either disfranchising existing electorates or dispensing with an official majority.

As the result of these changes the constitution of the Governor-General's Council is now as follows :—

|                                                                                                |    |
|------------------------------------------------------------------------------------------------|----|
| Ex-officio Members . . . . .                                                                   | 9  |
| Official nominated members (of whom 9 represent the various provinces <sup>1</sup> ) . . . . . | 28 |
| Nominated non-official members . . . . .                                                       | 5  |
| <sup>1</sup> Madras . . . . .                                                                  | 1  |
| Bombay . . . . .                                                                               | 1  |
| Bengal . . . . .                                                                               | 1  |
| United Provinces . . . . .                                                                     | 1  |
| Punjab . . . . .                                                                               | 1  |
| Burma . . . . .                                                                                | 1  |
| Bihar and Orissa . . . . .                                                                     | 1  |
| Central Provinces . . . . .                                                                    | 1  |
| Assam . . . . .                                                                                | 1  |

#### Elected Members :—

|                                                                                                                             |      |
|-----------------------------------------------------------------------------------------------------------------------------|------|
| (i.) By the Provincial Legislative Councils . . . . .                                                                       | 12   |
| (ii.) By the landholders of Madras, Bombay, Bengal, United Provinces, Bihar and Orissa and Central Provinces . . . . .      | 6    |
| (iii.) By the Muhammadans of Madras, Bombay, Bengal, United Provinces and Bihar and Orissa . . . . .                        | 5    |
| (iv.) By the Muhammadans of Bengal, and the Muhammadan landholders of the United Provinces at alternate elections . . . . . | 1    |
| (v.) By the Calcutta and Bombay Chambers of Commerce . . . . .                                                              | 2    |
| (vi.) By Municipalities and District Councils on the Central Provinces . . . . .                                            | 1    |
|                                                                                                                             | — 27 |
| Total . . . . .                                                                                                             | 69   |

#### II.—Changes made in the qualifications of voters and candidates.

(a) The following changes have been made applicable to all Councils :—

- (i.) Government officers have been expressly disqualified from standing for election. In certain of the schedules provision already existed to this effect, but it has been thought desirable to remove all possibility of doubt by a definite prohibition everywhere.
- (ii.) It has been found necessary to insert some clear definition of the term 'firm' which occurs amongst the definition of qualified voters in the Muhammadan electorates. The definition adopted is 'an association of two or more individuals trading jointly, and not being registered under the Indian Companies Act, 1882, or any other law for the time being in force'.
- (iii.) In certain electorates the payment of income tax constitutes a qualification. In order to prevent the technical qualification of a person, who is not properly so qualified, by a colourable payment of an income tax shortly before the election commences, the relevant schedules have been amended so as to provide that the payment of the prescribed amount must have been actually made during the financial year preceding that in which the election is to be held.
- (iv.) In the schedules framed in 1909 there was no provision to ensure that a nominated candidate had been nominated with his consent. This defect has now been remedied, and it has further been provided that a nominated candidate shall be at liberty to withdraw from his

candidature if he gives due notice to the proper authorities fourteen clear days before the recording of votes. A candidate who has thus once withdrawn will not, however, be at liberty to cancel his withdrawal and to stand again for the same election.

- (v.) In the general disqualification clauses which appear in Regulations IV and VI of all Councils provision has been made for the declaration of lunatics by Magistrates, which the Lunacy Act of 1911 allows, by omitting the word 'Civil' which occurs in the phrase 'competent Civil Court'.

- (b) In addition to the foregoing amendments, which are of universal application, the following changes under this head have been made in the schedules relating to the individual Councils mentioned below.

#### Madras.

- (i.) In the electorates consisting of the Municipal Councils and the District and Taluk Boards (Schedule III) the franchise and the right to stand for election were confined, under the Regulations of 1909, to persons who at the time of election were actually members of those bodies. The schedule has now been amended so as to extend the franchise and the candidature qualification in this electorate to all persons who have been members of the bodies in question for an aggregate period of not less than three years during the decade preceding a date to be fixed by the local Government in preparation for the election. The change is in accordance with the system which was in vogue under the Regulations of 1909 in the electorates of the Municipalities and District Boards in Bombay and Bengal, of the major Municipalities of the United Provinces and of the Municipalities in the Punjab and Eastern Bengal and Assam, but it necessitates, as a corollary, provision for the periodical revision of the electoral roll which has been effected by the amendment of rules 3 and 6 of the schedule in question. A similar procedure for the periodical revision of the roll has also been adopted, in the interests of uniformity, in the case of the electorates of (a) zamindars, landholders other than zamindars, and Muhammadans for the Madras Provincial Council, and (b) of landholders and Muhammadans for the Imperial Council.
- (ii.) The franchise and the right to stand for election in this same mixed electorate has further been extended so as to include, as qualified voters and candidates, persons holding titles conferred by Government above the rank of 'Rao Sahib', but who are not otherwise qualified to

vote in this or other electorates. The amendment is justified on the ground that it is *prima facie* expedient to enhance the respect in which honorific titles are held, while there are many retired public servants who would make desirable accessions to the Provincial Legislative Council, but who do not possess the qualifications to vote and are therefore ineligible to stand as candidates for any of the larger constituencies.

- (iii.) The income from land fixed as the property qualifications for electors in the electorate consisting of landholders other than zamindars has been reduced from Rs. 3,000 to Rs. 1,000 on the ground that the original limit was unduly high, and operated to restrict undesirably the number of electors.
- (iv.) The definition of 'estate' which occurred in certain of the schedules framed in 1909 for elections to the Madras Provincial Council and for the election of representatives of that Presidency to the Governor-General's Council, was found in practice to be defective, and not in accord with the facts of land revenue administration. The term has therefore been defined in such a way as to make it correspond with the provisions of the Madras Estates Land Act, 1908. For similar reasons the reference in the same schedules to 'tenants and kanomdars' under 'raiwtwari holders' as qualified voters has been omitted, because no public record is maintained of the income of such person from land. The changes under this head have been incorporated in the Imperial schedule also.
- (v.) Rule 7 (2) of schedule VI as framed in 1909 has been eliminated, because it was inconsistent with rule 16 of the same schedule and with the corresponding rules in schedule X relating to the Imperial Council.
- (vi.) No limit has hitherto been fixed on the amount of pension which should be regarded as the minimum pensionary qualification of Muhammadan voters, and the absence of any limitation resulted in rendering eligible to vote persons drawing petty pensions and engaged in menial occupations. This anomaly has been removed by fixing a pension of Rs. 15 a month as the minimum amount which qualifies. A similar change has been made in the schedule relative to the election to the Imperial Council of a representative of the Muhammadan community in Madras.
- (vii.) Under the schedules framed in 1909 joint landholders who are not zamindars enjoyed the privilege of nominating a representative to vote for them, while landholders who are zamindars did not. This anomaly has been removed by extending the concession to both classes.

*Bombay.*

- (i.) The property qualification for Muhammadan electors residing in the city of Bombay, under rule 3 (a) of schedule VII, as framed in 1909, was the possession of land assessed at, or of the assessable value of, Rs. 200. It was found that this provision resulted in the disqualification of certain large landholders, while small leaseholders were qualified, the reason being that the Government land assessment in Bombay city is generally a nominal quit rent and only certain areas are leased on rents fixed in proportion to their value. To obviate this difficulty the municipal assessment has been adopted as the criterion.
- (ii.) Rule 3 (b) of this schedule has been necessitated by the ambiguity of the original rule 3 (a) which was silent on the subject of sharers of an estate, the share of each of whom was of the value laid down as the minimum property qualification.
- (iii.) The provision made by the rules framed in 1909 as regards the practical connexion with the electoral area required of a candidate standing for election by District Board and Municipalities and Muhammadan electorates was found to be insufficient, and Schedules VI and VII have been so amended as to necessitate the possession by all candidates not merely of a place of residence in the Division, but also 'such practical connexion (with it) as qualifies him to represent it'.

*Bengal, Bihar and Orissa and Assam.*

By changes made in the qualifications of voters and candidates for election to these new Councils are meant departures from the qualifications laid down by the Regulations of 1909 for the Councils of Bengal or of Eastern Bengal and Assam, as the case may be. Save for the exceptions specified below the qualifications laid down for these two Councils have been maintained intact for the Council of the provinces which now cover the corresponding areas. The only exceptions are mentioned below.

*Bengal.*

- (i.) In the landholders electorate, the system of aggregating payments of land revenue or cesses in different divisions in order to qualify for a vote, has been extended to the Eastern Bengal districts, in which it did not previously prevail.
- (ii.) In the same electorate the property qualification which obtained under the old Bengal Regulations in the case of the Western Divisions of the new Presidency was the payment of land revenue amounting to Rs. 7,500 or

cesses amounting to Rs. 1,875. In order to minimize the discrepancy between these rates and those obtaining in the Eastern Districts under the Eastern Bengal and Assam Council regulations, the qualification has been reduced to Rs. 6,000 and Rs. 1,500 respectively.

- (iii.) The franchise in the District Board electorate has been extended so as to embrace the non-official members of the local Boards in each District. It is anticipated that this measure, besides broadening the basis of representation, will encourage the growth of interest in these smaller bodies.
- (iv.) In Eastern Bengal and Assam a candidate for election by a Municipal or District Board constituency was required to have, as a qualification, such practical connexion with the Division in question as qualified him to represent it. This condition had no place in the old Bengal regulations, but has now been applied throughout the Bengal Presidency.
- (v.) The scope of the Muhammadan franchise has been extended by including within it the following classes, in addition to those qualified under the Regulations of 1909. (a) Barristers, attorneys, vakils and pleaders, (b) medical men with certain qualifications, and (c) engineers with certain qualifications.
- (vi.) The qualification in the landholders electorate in favour of persons holding the title of Raja or Nawab or titles of higher rank, has been withdrawn, with a reservation of the rights of those already so qualified. A similar change has been made in the corresponding electorate to the Imperial Council.

*Bihar and Orissa.*

- (i.) In addition to the class of persons enfranchised under the old Bengal Regulations in the Muhammadan electorate, the following classes have been added : (a) Government servants drawing salaries of, or exceeding, Rs. 2,000 a year ; (b) persons in receipt of pensions as retired gazetted or commissioned officers of Government.
- (ii.) The qualification in the landholders electorate in favour of persons holding the title of Raja or Nawab or titles of higher rank, has been withdrawn, with a reservation of the rights of those already so qualified. A similar change has been made in the corresponding electorate to the Imperial Council.

*Assam.*

- (i.) The restriction which was imposed by the Eastern Bengal and Assam regulations, confining the franchise to Municipalities with a local income of Rs. 5,000 or more

has been withdrawn, and every municipality in the province now has at least one vote.

- (ii.) Under the Eastern Bengal and Assam regulations, the only Assam landholders who were qualified as such were landholders residing in the Surma Valley Division or in the district of Goalpara, who paid land revenue of not less than Rs. 500 or cesses amounting to not less than Rs. 125, or persons holding titles not lower in rank than Raja or Nawab. These qualifications have been retained, but the franchise has been extended to landholders residing in the other districts of the Assam Valley Division besides Goalpara.
- (iii.) Under the Eastern Bengal and Assam regulations, the property qualification in the Muhammadans electorate of Assam was, in the Assam Valley Division, payment of land revenue or cesses of not less than Rs. 50, and in the Surma Valley Division, payment of land revenue of not less than Rs. 100 or cesses of not less than Rs. 50. Further, Muhammadan *jotedars* in the district of Goalpara, who paid rent amounting to not less than Rs. 250, were also qualified. These qualifications have been maintained unaltered, except that the land revenue payment has been reduced in the Surma Valley Division to Rs. 50. It has further been provided, in modification of the rules in force in Eastern Bengal and Assam, that a Muhammadan *Mutawali* is not a landholder in his own right for the purpose of the land qualification.

#### *The Governor-General's Council.*

Four changes have been made in the qualifications of voters and candidates for this Council, which follow consequentially on corresponding changes made in the qualifications for the Madras, Bengal and Bihar and Orissa provincial electorates. These have been specified above, but in addition the following departures from the qualifications laid down in the schedule relating to the election of representatives of the provinces of Eastern Bengal and Assam and Bengal, as previously constituted, have been effected, with the object of assimilating so far as possible the conditions which are to obtain in the Eastern and Western portions of the newly constituted Bengal Presidency.

The property qualification for the electorate consisting of landholders in Bengal has been reduced. Under the Regulations of 1909 it consisted in the possession of land on which either land revenue of not less than Rs. 20,000 or cesses of not less than Rs. 5,000 was paid. These amounts have been reduced to Rs. 10,000 and Rs. 2,500, respectively, and similar amounts have been fixed as the property qualification for the landholder electorate for the Imperial Council in Bihar and Orissa.

Provision has been made, in accordance with the system in force in the corresponding electorate in the United Provinces, for the registration on the landholders' electoral roll of the names of managers of Hindu joint families, of firms and of companies which possess the necessary property qualification.

#### III.—*Changes made in electoral procedure.*

- (a) Three changes have been made relating to electoral procedure in the rules of all Councils. These are as follows :
  - (i.) Returning Officers have been empowered to decide the validity under the rules of any nomination or vote, and their decision will be final, save as provided for by Regulations VIII and XVI.

The rules of 1909 in this respect were proved to be deficient, and practical anomalies occurred in consequence ; for instance, it was held that under the rules, as they stood, the Returning Officer had no power to reject a vote tendered by a person not entitled to vote, so long as the would-be voter had complied with the instructions on the voting papers.

- (ii.) A procedure has been prescribed, in accordance with the English practice, for assisting blind and illiterate voters to record their votes.
- (iii.) Provision has been made that, in the case of plurality of voting or nomination papers, only the first paper received by the Attesting Officer, or the Returning Officer, as the case may be, shall be valid, and that if it is impossible to determine which was received first, then both or all shall be invalid. The absence of any provision in the rules of 1909 to meet this contingency gave rise to practical inconvenience.
- (b) In addition to the above, the following changes have been made in the electoral procedure relating to the individual Councils named :

#### *Bombay.*

- (i.) Amendments have been made in the schedules relating to elections by Municipalities and District Boards with the object of enabling the Vice-Presidents, as well as the Presidents, of those bodies to perform certain electoral functions, namely (a) to perform the duties of Attesting Officer, and (b) to supply voting papers to delegates.
- (ii.) Rule 5 (2) of Schedule V has been amended so as to enable the Returning Officer to send nomination papers to electors through the *mukhtiarkhar* of the *taluka*, instead of by registered post.
- (iii.) Schedule VII, Rule 7 (4), has been amended so as to provide that the Collector of Bombay shall attest

nomination papers for the Muhammadan electorate of Bombay City, separate Attesting Officers being dispensed with.

- (iv.) Rule 4 of this schedule has been amended so as to permit the electoral roll being posted at the office of the Collector of Bombay instead of at the Chief Presidency Magistrate's office.
- (v.) An amendment of a similar nature has been made in Rule 3 of Schedule V so as to permit of the electoral roll of the Sind Jagirdars being posted at the *taluka* headquarters, as well as the district head-quarters.

These five amendments are based upon considerations of administrative convenience.

- (vi.) In accordance with the wishes of the Bombay Government the voting papers of all electorates in that Presidency will henceforth be printed in counterfoil.

*Bengal, Bihar and Orissa and Assam.*

- (i.) In accordance with the wishes of these Governments the procedure for electing candidates through the agency of delegates, which obtained in Bengal in the case of the local bodies' and the Muhammadans' electorates, and in Eastern Bengal and Assam in the case of the Muhammadans' electorate, has been abandoned, as practical experience proved it to be unsatisfactory. Selection will now be made by means of direct voting.
- (ii.) Under the rules of 1909 municipalities in Bengal and Eastern Bengal and Assam which had more than one vote were at liberty to distribute their votes as they pleased. They are now required to assign their votes to one candidate only, or to two candidates where two members are to be elected.

*Governor-General's Council.*

The only change made in the electoral procedure relating to the Imperial Council is a slight alteration of detail in the method to be followed by the non-official members of the Bengal and Bihar and Orissa Provincial Council in selecting their representatives for the Imperial Council. The change has been introduced at the instance of the two local Governments concerned, and is expected to work more conveniently than the old system.

*IV.—Other changes which cannot be classed under any of the three foregoing categories.*

- (i.) Regulation XIII in the case of all Councils has been amended since it was held to be doubtful whether in the

shape in which it was enacted in 1909 it was *intra vires* of the Indian Councils Act, 1909, since Section 1 (2) of that Act, in pursuance of which this Regulation was framed, only authorizes regulations prescribing the number of additional members necessary to form a quorum. Moreover, the Regulation, in the form in which it was enacted in 1909, appears to have overridden Section 15 of the Indian Councils Act of 1861, since it took no account of the provision made therein for the senior Ordinary Member of Council presiding in the absence of the President, and of the Vice-President appointed under Section 4 of the Indian Councils Act, 1909.

- (ii.) A clause has been inserted in Regulation I relating to all Provincial Councils, except those of Madras, Bombay and Bengal, to make it clear that the sanction of the Governor-General is required to the nomination of expert no less than of ordinary members of the Council.
- (iii.) Throughout the schedules (Imperial and Provincial) relating to the Madras Presidency, the words 'Fort St. George Gazette' (the official title of the Madras Government Gazette) have been substituted for the words 'Local official gazette' in order to avoid possible confusion with the district gazettes which are published in the Madras Presidency.
- (iv.) The form of Regulation X, which specifies the term of office of an elected or nominated member, was found to preclude the election of a candidate to a seat on the Councils before the seat was actually vacant. It would have been inconvenient to postpone the completion of all elections until the outgoing member has actually completed his term of office, and to avoid this necessity the Regulation has been recast.

## APPENDIX VII

ADDENDA AND CORRIGENDA<sup>1</sup>

in *The Government of India* (second edition)

- p. xi (Contents) sections 50 and 52 and heading over s. 50. *Before* Madras *insert* Bengal.
- p. xii. (Contents) sections 71, 72, and 86. *Before* Madras *insert* Bengal.
- p. xiii (Contents). *After* section 123 *insert* :—  
123A. Laying of certain proclamations, &c., before Parliament . . . . . *ib.*
- p. xxix. Viceroys and Governors-General. *After* Lord Minto *insert* 1910 Lord Hardinge.
- p. xxx. Secretaries of State. *After* John Morley *insert* 1910 Earl of Crewe ; 1911 (March) Viscount Morley ; 1911 (May) Marquess of Crewe.
- p. 90, line 8. *For* is still in force in the Presidency towns *read* has been repealed and re-enacted for the Presidency towns by Act III of 1909.
- p. 91, lines 1, 2. *After* operation *insert* until the year 1912, and *for* has been continued ever since *read* continued until 1912.
- p. 93, line 12. *For* of *read* or.
- p. 103, line 3. *For* Secretary of State *read* Governor.
- p. 103, line 4. *After* of *insert* Acts of.
- p. 105, line 10. *For* legislature *read* legislation.
- p. 105, line 22. *After* Lieutenant-Governor *insert* Lieutenant-Governor in Council.
- p. 108. *After* the addition to line 14 *insert* As to the Government of India Act, 1912, see the Second Supplementary Chapter.
- p. 112, line 1. *Before* Madras *insert* Bengal.
- p. 112, last two lines. *For* Military Supply *read* Education, and to secretaries *add* footnote, In the case of the Depart-

<sup>1</sup> Most of these additions and corrections are due to the changes consequent on the announcements made at the Delhi Coronation Durbar.

- ment of Education there is, in addition to the Secretary, a Joint Secretary who is a member of the Indian Educational Service.
- p. 113, lines 15, 16. *For* Directors-General of the Post Office and of the Telegraph Department *read* Director-General of Posts and Telegraphs.
- p. 113, line 19. *For* Inspectors *read* Inspector, and *leave out* and of Agriculture.
- p. 113, line 20. *For* Directors-General of Education and *read* Director-General.
- p. 114, line 10. *For* Calcutta *read* Delhi.
- p. 114, line 13. *For* thirteen *read* fifteen.
- p. 114, line 14. *Before* Madras *insert* Bengal (Fort William).
- p. 114, line 15. *For* five *read* four.
- p. 114, line 16. *Leave out* Bengal and *for* Eastern Bengal and Assam *read* Bihar and Orissa.
- p. 114, line 18. *For* six *read* eight, and *after* Central Provinces *insert* Assam, Delhi.
- p. 114, line 21. *Before* Madras *insert* Bengal.
- p. 114, line 2 from bottom. *Before* of the *insert* members.
- p. 114. *Omit* footnote 3 and *substitute* new footnote (referring to Bihar and Orissa) Constituted in 1912 out of territories previously forming part of the Presidency of Fort William in Bengal. See Act VII of 1912.
- p. 115, line 6. *Add* The Government of Bengal has now been placed in the same position as the Governments of Madras and Bombay.
- p. 115, line 7. *After* have *insert* as a rule, and *add* as a footnote The Lieutenant-Governor of Bihar and Orissa has an Executive Council, established in 1912.
- pp. 115-16. *In* the substituted paragraph as to the constitution of the Governor-General's Legislative Council, *after* under it *insert* which were further revised in 1912, and *for* chapter *read* chapters.
- p. 116, footnote 1. *In* the addition to note 1, *for* 1902 *read* 1909.
- p. 117, first footnote, line 1. *For* 81-86 *read* 84 and 86.
- p. 118, last line but one. *For* Eastern Bengal and Assam *read* Bihar and Orissa and the Chief Commissionership of Assam, and *add* The constitution of a Legislative Council for the Central Provinces is in contemplation.

- p. 118, last line. In the substituted paragraph, *after it insert* and by section 3 of the Government of India Act, 1912 (relating to Chief Commissionerships), *and for chapter read* chapters.
- p. 121, footnote 3, line 2. *After 1899 insert* and 1901.
- p. 121, footnote 4, line 5. *For Indian read* Bengal.
- p. 122, line 4. *For paragraph (4) substitute* (4) The Acts passed by local legislatures.
- p. 122, footnote 6, line 1. *For 1891 read* 1861.
- p. 122, footnote 6, lines 2, 3. *For under . . . 64) read* the rules and regulations made under sections 4 and 5 of the Indian Councils Act, 1909.
- p. 122. *For footnote 7 substitute* 7 Lists and a collection of such of these as are of general application have been published by the Indian Legislative Department. Lists and collections of rules, &c., of local application have been published by most Local Governments.
- p. 124, line 9. *For 1001. read* 1501.
- p. 126, line 23. *After 1866 insert* Other chartered high courts may now be established under 1 & 2 Geo. V, c. 18.
- p. 126, line 25. *For fifteen read* nineteen.
- p. 128, line 24. *Before Madras insert* Bengal, *and for council read* councils.
- p. 130, lines 16-18. *For is now read* was, *and for one of which however . . . commands substitute* In June 1907 the three commands ceased to exist, and the Army in India was divided into two portions, viz. a Northern Army and a Southern Army, each under the command of a General Officer. The Northern Army comprises the Peshawar, Rawal Pindi, Lahore, Meerut and Lucknow Divisions with the Kohat, Bannu and Derajat independent Frontier Brigades; while the Southern Army comprises the Quetta, Mhow, Poona, Secunderabad and Burma Divisions, together with the Aden garrison.
- p. 130, line 22. *For Articles of War read* Army Act.
- p. 130, footnote. *For V of . . . 1894 substitute* VIII of 1911.
- p. 131, line 8. *For and partly read* but mainly.
- p. 132, lines 2, 7, 15, 17. *Before Madras insert* Bengal.
- p. 134, line 11 from bottom. *Before Madras insert* Bengal.
- p. 134, line 9 from bottom. *After has, where it first occurs, insert* as a rule.

- p. 134, lines 8 and 7 from bottom. *Leave out* Bengal, Eastern Bengal and Assam and.
- p. 134, line 5 from bottom. *Before Each province insert* Bengal has at present a Board of Revenue reduced to a single member, and a similar arrangement has been made for Bihar and Orissa.
- p. 134, last line but one. *For Director-General of Education read* Director of Public Instruction.
- p. 134, footnote. *After Lieutenant-Governors insert* and such a Council has been established in Bihar and Orissa, *and for chapter read* chapters.
- p. 135, line 17. *Before districts for* 249 *read* 267.
- p. 136. *To footnote 1 add* Some of these Acts have since been repealed and re-enacted.
- p. 137, lines 2, 3. *For six read* eight, *and for four read* five.
- p. 137, lines 3, 4. *For The new province of Eastern Bengal and Assam remains read* The provinces of Bihar and Orissa and of Assam are.
- p. 137, line 23. *For 584 read* 100, *and after Procedure insert* (Act V of 1908).
- p. 137, last line. *For presiding read* presidency.
- p. 146, s. 3 (1). *For not more than ten and not less than fourteen read* not less than ten and not more than fourteen.
- p. 147, line 2. *After years insert* or, if he was appointed before the 28th August, 1907, ten years.
- p. 147, s. 3 (9). *For the last three words read* one thousand pounds, or, if he was appointed before the 28th August, 1907, twelve hundred pounds.
- p. 148. *Add to the note (a) to section 3:* The Act of 1907 also reduced the salary of Members of Council thereafter appointed from 1,200l. to 1,000l., the term of office from 10 to 7 years, and the period between a member's last service in India and his appointment to the Council from 10 to 5 years.
- p. 151, line 7 from bottom. *Before Madras insert* Bengal, of.
- p. 152, line 21. *Before Madras insert* Bengal, of.
- p. 152, line 26. *Before Madras insert* Bengal.
- p. 153, s. 19. *To the marginal reference add* 1 & 2 Geo. V, c. 25, s. 1.
- p. 153, line 3 from bottom. *After allowance insert* or to his legal personal representative such gratuity.

- p. 154, line 2. *After service insert* or to personal representatives of such persons.
- p. 154, line 5. *Add to footnote (a)* or, since the Superannuation Act of 1909, one-eightieth of annual salary and a lump sum in addition.
- p. 159, s. 22. *To the marginal reference add* 1 & 2 Geo. V, c. 18, s. 4.
- p. 159, s. 22 (2). *After clause (d) insert* and (e) the salaries of judges and temporary judges of the High Courts.
- p. 175. *For the last line substitute* by Order XXVII in the first schedule to the Code of Civil Procedure (Act V of 1908).
- p. 176, line 13 from bottom. *For Queen read* Sovereign.
- p. 179, lines 15 and 14 from bottom. *For most read* some, and *before chairman insert* a member and usually.
- p. 180, line 7. *Before Madras insert* Bengal.
- p. 180, line 13 from bottom. *For Calcutta read* Delhi.
- p. 188, s. 49, note (a), line 2. *After Council insert* Lieutenant-Governor in Council.
- p. 188, s. 50, marginal note. *Before Madras insert* Bengal.
- p. 188, s. 50. *To the marginal references add* 2 & 3 Geo. V, c. 6, s. 1 (1).
- p. 188, lines 10 and 9 from bottom. *Before Madras insert* Bengal, and *before Fort St. George insert* Fort William in Bengal.
- p. 188, lines 7, 5, and 4 from bottom. *Before Madras insert* Bengal.
- p. 189, line 1. *For either or both read* any or all.
- p. 189. *After line 4 insert* :—
- (4) Except as otherwise declared in this Digest, the Governor and Governor in Council of Bengal and the members of that Council have, within Bengal, all the rights, duties, functions and immunities which the Governors and Governors in Council of Madras and Bombay and the members of those Councils respectively possess.
  - (5) The Governor-General in Council may reserve to himself any powers which before the 25th June, 1912, were exercisable by him in relation to Bengal, and thereupon those powers continue to be exercisable by the Governor-General in Council in the like manner and to the like extent as before that date (e).
- p. 189, line 7. *Before Madras insert* Bengal.

- p. 189. *After line 16 insert* (e) The Governor-General in Council has reserved to himself all powers exercisable by him in relation to the High Court at Calcutta—see Gazette of India, Extraordinary, 1st August, 1912.
- p. 189, line 18. *Before Madras insert* Bengal.
- p. 189, line 13 from bottom. *Before Madras insert* Calcutta.
- p. 190, s. 52, marginal note. *Before Madras insert* Bengal.
- p. 190, line 5. *Before Madras insert* Bengal.
- p. 190, s. 53. *To the marginal references add* 9 Edw. VII, c. 4, s. 2 (2).
- p. 190, line 19. *Before Madras insert* Bengal or.
- p. 190, s. 53. In the added note, *after s. 4) insert* as applied by the Government of India Act, 1912 (2 & 3 Geo. V, c. 6), s. 1 (1), and *before Madras insert* Bengal.
- p. 190, line 26. *After proceedings insert* of the Governor of Bengal in Council.
- p. 190, line 7 from bottom. *Before Madras insert* Bengal.
- p. 191, lines 1 and 3. *Omit* Bengal and *for* Eastern Bengal and Assam *substitute* Bihar and Orissa.
- p. 191, s. 55 (1). *In the added note, for* An Executive Council . . . chapter *read* S. 3 (1) of the Act of 1909 is superseded as to Bengal by s. 1 of the Government of India Act, 1912 (2 & 3 Geo. V, c. 6), and is applied by s. 2 of the latter Act to Bihar and Orissa. An Executive Council has been appointed for Bihar and Orissa—see the Second Supplementary Chapter.
- p. 191. *To note (a) add* In 1912 Bihar, Chota Nagpur, and Orissa were constituted into a separate Lieutenant-Governorship, under the name 'Bihar and Orissa', Assam was constituted a Chief Commissionership, and the rest of Bengal was constituted a Governorship—see the Second Supplementary Chapter.
- p. 193, line 6. *After Assam insert* and in 1912 Bihar and Orissa.
- p. 193, line 6 from bottom. *After Assam omit* (now united with Eastern Bengal).
- p. 194, note (1). *After Council insert* or a Lieutenant-Governor in Council.
- p. 194. *Before line 8 from bottom insert* Power to transfer from a Chief Commissionership to a Presidency or Lieutenant-Governorship has now been declared to exist by s. 4 (2) of the Government of India Act, 1912.

- p. 195, s. 57. *To the marginal references add 2 & 3 Geo. V, c. 6, s. 4 (2).*
- p. 196, line 4. *After 1865 add Power to transfer from a presidency or lieutenant-governorship to a chief commissionership, or the converse, has now been declared to exist by s. 4 (2) of the Government of India Act, 1912.*
- p. 196, s. 58. *To the first note add That proviso does not apply to Chief Commissionerships which have Legislative Councils (2 & 3 Geo. V, c. 6, s. 3).*
- p. 196, line 11 from bottom. *For Governor-General read Governor of Bengal.*
- p. 196, s. 59. *Add to marginal references 2 & 3 Geo. V., c. 6, s. 1 (2).*
- p. 197, s. 60, marginal references. *For 55 & 56 Vict. c. 14, s. 1 read 9 Edw. VII, c. 4, ss. 1, 6.*
- p. 197, s. 60 (1), line 2. *After nominates insert and various bodies elect.*
- p. 197, s. 60 (2). *Before number insert maximum, and for such . . . sixteen read sixty.*
- p. 197, s. 60 (3). *Leave out At least . . . of the Crown in India and.*
- p. 197, s. 60 (4). *Add as a footnote The term is now ordinarily three years—see Regulation X of 1912, made under the Indian Councils Act, 1909.*
- p. 197, s. 60 (7). *For may with read must with ; before nominations insert and manner in which ; after nominations insert and elections ; and for prescribe read as to the qualifications for being, and for being nominated or elected, an additional member of the Governor-General's Council, and also as to.*
- p. 197, s. 60. *Leave out the added footnote.*
- p. 198, line 2. *After regulations insert but it is referred to in the Indian Councils Act, 1909, and is usually described, as the Legislative Council of the Governor-General.*
- p. 198, line 5. *After 14) insert and again by the Act of 1909 and the regulations made under it.*
- p. 198, line 7. *After 1892 insert and continued by the Act of 1909.*
- p. 198, line 9. *After 1892 insert and again by the Act of 1909.*
- p. 198, line 10. *For above . . . 116 read the supplementary chapter.*

- p. 198, line 17. *For Calcutta read Delhi.*
- p. 198, s. 62. *In the marginal reference, for s. 15 read ss. 7, 15 ; 9 Edw. VII, c. 4, s. 4.*
- p. 198, s. 62 (2). *For the last two lines read vice-president, or, if the vice-president is absent, the senior ordinary member of the Governor-General's Council present at the meeting presides.*
- p. 198, footnote to s. 62, sub-section (1). *For November 15, 1909 read November 14, 1912, and after Act, 1909 insert at fifteen Additional Members.*
- p. 199, lines 21, 22, 23. *Leave out the words eighty-one, eighty-two, eighty-three, and eighty-five.*
- p. 202. *To line 25 add Ss. 81 to 83 and 85 of the Act of 1833 were repealed by the Statute Law Revision Act, 1890 (53 & 54 Vict. c. 33).*
- p. 205, lines 11, 12. *For V . . . 1894 read VIII of 1911.*
- p. 208, s. 64. *In the marginal references, for 55 & 56 Vict. c. 14, s. 2, read 9 Edw. VII, c. 4, s. 5.*
- p. 208, line 4 from bottom. *For may read must.*
- p. 208, last line. *For a read the.*
- p. 209, line 1. *After Council insert and of any matter of general public interest.*
- p. 209, lines 2, 3. *Leave out as to subject or otherwise.*
- p. 209, lines 4 to 9. *Leave out and declared . . . the rules made under this sub-section.*
- p. 209, note (d), line 1. *For 1892 read 1909.*
- p. 209, note (d), lines 4 to 6. *For offer observations read move resolutions, for explanatory read financial, for finance member read member in charge, before the president insert the member in charge or, and at the end add At a later stage the budget is brought forward for discussion, but no resolutions may then be moved.*
- p. 211, line 13 from bottom. *For 1833 read 1835.*
- p. 213, s. 70. *Before The Governor of Madras insert The Governor of Bengal in Council.*
- p. 213, line 18. *Leave out Bengal.*
- p. 213, line 19. *Leave out Eastern Bengal and Assam, and insert Bihar and Orissa and the Chief Commissioner in Council of Assam.*

- p. 213, line 25. *Before local insert the constitution of, and leave out constituted.*
- p. 213, s. 71, marginal note. *Before Madras insert Bengal.*
- p. 213, s. 71, marginal references. *For 55 & 56 Vict. c. 14, ss. 1, 4 read 9 Edw. VII, c. 4, ss. 1, 6.*
- p. 213, s. 71. *Leave out the added footnote.*
- p. 213, line 27. *Before the Governor of Madras insert the Governor in Council.*
- p. 213, line 32. *Before Madras insert Bengal, and after nominate insert and various bodies elect.*
- p. 213, line 34. *Before number insert maximum.*
- p. 214, s. 71 (3), lines 1 to 4. *For such . . . twenty read fifty*
- p. 214, s. 71 (4). *Add as a footnote The Advocate-General, Bengal, is nominated as an Additional Member of the Governor-General's Legislative Council, and not of the Bengal Legislative Council. See 2 & 3 Geo. V, c. 6, s. 1 (1) (b).*
- p. 214, s. 71 (5). *Leave out Of . . . of the Crown in India and.*
- p. 214, s. 71 (6), line 1. *For either read any.*
- p. 214, s. 71 (6). *Add as a footnote The term is now ordinarily three years—see Regulation X of 1909 (as amended in 1912), made under the Indian Councils Act, 1909.*
- p. 214, s. 71 (7), line 1. *For either read any.*
- p. 214, s. 71 (8). *For may read must; before nominations insert and manner in which; after nominations insert and elections; and for prescribe read as to the qualifications for being, and for being nominated or elected, an additional member of any of the said Councils, and also as to.*
- p. 214, note (a). *For 1892 read 1909.*
- p. 214. *Leave out note (c).*
- p. 214, note (d). *For existing law read Act of 1861.*
- p. 214, note (e). *For above . . . 120 read in the supplementary chapter.*
- p. 214, s. 72, marginal note. *Before Madras insert Bengal.*
- p. 214, line 3 from bottom. *Before the Governor of Madras insert the Governor of Bengal.*
- p. 214, s. 72 (1). *Add as a footnote By the Regulations of 15th November, 1909, as amended in 1912, ten Additional Members are required to be present to form a quorum.*
- p. 215, s. 72. *To the marginal references add 9 Edw. VII, c. 4, s. 4.*

- p. 215, s. 72 (2). *For the words after absence read the vice-president, or, in the absence of the vice-president, the senior ordinary member (a) of the Governor's Council, presides.*
- p. 215, s. 73, marginal references. *For 55 . . . s. 1 read 9 Edw. VII, c. 4, ss. 1, 6.*
- p. 215, s. 73. *Leave out the added footnote.*
- p. 215, line 16. *Before The members insert The additional members of the Council of the Lieutenant-Governor of Bihar and Orissa and.*
- p. 215, line 17. *Leave out of Bengal (a).*
- p. 215, s. 73 (1), lines 3, 4. *Leave out of Eastern Bengal and Assam.*
- p. 215, lines 22 to 25. *For subject . . . India read and persons elected by various bodies.*
- p. 215, s. 73 (2). *For number of the read maximum number of additional members of the Council of the Lieutenant-Governor of Bihar and Orissa, and of; for councils read council; for Lieutenant-Governors of Bengal read Lieutenant-Governor of; before of the Punjab insert is fifty, and the maximum number of members of the Councils of the Lieutenant-Governors; and for such . . . Oudh (c) read thirty.*
- p. 215, s. 73 (3). *Before number insert maximum, and for must . . . constituted read is thirty.*
- p. 216, line 1. *For of a member of a Lieutenant-Governor in read of an additional member of the Council of the Lieutenant-Governor of Bihar and Orissa and of a member of any other Lieutenant-Governor's.*
- p. 216, s. 73 (4). *Add as a footnote The term is now ordinarily three years—see the Regulations of 1909, as amended in 1912.*
- p. 216, s. 73 (5). *For may read must; before nominations insert and manner in which; after nominations insert and elections; and for prescribe read as to the qualifications for being, and for being nominated or elected, a member of the Legislative Council of a Lieutenant-Governor, and also as to.*
- p. 216. *Leave out note (a).*
- p. 216, note (b), lines 10, 11. *For Eastern . . . of 1905 read Bihar and Orissa by proclamation of March, 1912. See Act VII of 1912.*
- p. 216, note (b), lines 11 to 13. *Leave out The number . . . Assam.*

- p. 216. *Leave out* note (c).
- p. 216, note (d). *For* 1892 *read* 1909, *and for* above . . . 120 *read* the supplementary chapter.
- p. 217, lines 6, 7. *Leave out* and fix the number of the Lieutenant-Governor in Council.
- p. 218, line 23. *For* Eastern . . . of 1905 *read* Bihar and Orissa (1912)—*see* Act VII of 1912.
- p. 218. *After* line 26 *insert* :—  
The maximum number of members of any council of a Lieutenant-Governor hereafter constituted is thirty—*see* the Indian Councils Act, 1909, Sch. I.  
S. 3 of the Government of India Act, 1912 (2 & 3 Geo. V, c. 6), empowers the Governor-General in Council to establish a Legislative Council for any Chief Commissioner-ship, by proclamation adapting the provisions of the Indian Councils Acts relating to Lieutenant-Governorships. A Legislative Council was established for Assam on the 14th November, 1912, and a Legislative Council is about to be established for the Central Provinces.
- p. 218, s. 75. *To the marginal reference add* 9 Edw. VII, c. 4, s. 4.
- p. 218, s. 75 (1). *For the words after* absence *read* the vice-president, or, in the absence of the vice-president, the member of the council highest in official rank among those holding office under the Crown, presides.
- p. 218, s. 75, sub-sec. (2). *Add as footnote* Under the Regulations of 1909 as amended in 1912 there are required to be present, in order to form a quorum, ten Additional members in the case of the Council of Bihar and Orissa and ten members in the case of the United Provinces, eight in the case of the Punjab and Assam, and six in the case of Burma.
- p. 221, s. 77. *In the marginal references, for* 55 & 56 Vict. c. 14, s. 2, *read* 9 Edw. VII, c. 4, s. 5.
- p. 221, s. 77 (1), line 1. *Before of insert* of the Governor of Bengal in Council or.
- p. 221, s. 77 (1), line 3. *Before and insert* or of the Lieutenant-Governor of Bihar and Orissa in Council, *and for of a read* of any other.
- p. 221, s. 77 (3), line 1. *Before* Madras *insert* Bengal.
- p. 221, s. 77 (3), lines 2, 3. *For* of any province having a local legislature may *read* or Lieutenant-Governor in Council of every province must.

- p. 221, s. 77 (3), line 7. *After* Governments *insert* and of any matter of general public interest.
- p. 221, s. 77 (3), lines 8, 9. *Leave out* as to subject or otherwise.
- p. 221, s. 77 (3), lines 10 to 15. *Leave out* or declared . . . sub-section (b).
- p. 222, line 1. *After* meetings *insert* of the Governor of Bengal in Council.
- p. 222, line 9. *For and read* or of any matter of general public interest or.
- p. 222, lines 13, 14. *Leave out* note (b).
- p. 222, s. 78. *In the added marginal note, for* s. 48 *read* ss. 39, 40, 41, 48.
- p. 223, line 13. *Leave out* it is believed *and* as much as possible.
- p. 223, line 9 from bottom. *For* (c) *read* (d).
- p. 225, Tabular Statement. Column 1: *after* Governors of *and after* Member of Council *insert* Bengal. Column 2: *for* 76,800 *read* 80,000, *for* 61,440 *read* 64,000, *for* 45,000 (*in three places*) *read* 48,000, *for* 45,977 *read* 45,980, *and before* Rs. 3,200 *insert* plus. Column 3: *for* 3,500 *read* 5,000.
- p. 225, footnote. *Add* Smaller allowances are payable if the officer is then resident elsewhere.
- p. 226, line 2. *Before* Madras *insert* Bengal.
- p. 226, line 12. *After* Governor-General *insert* the Governor of Bengal.
- p. 226, line 17. *Before* Madras *insert* Bengal.
- p. 229, line 20. *Before* Governor of Madras *insert* Governor of Bengal.
- p. 229, line 22. *Leave out* to.
- p. 230, s. 84 (4). *Add as a footnote* Under the Indian Councils Act, 1909, the Governor-General must appoint a Vice-President.
- p. 230, s. 85. *Add to the marginal references* 9 Edw. VII, c. 4, s. 4; 2 & 3 Geo. V, c. 6, s. 4.
- p. 230, line 25. *Before* the Governor of Madras *insert* the Governor of Bengal.
- p. 231, line 14. *After* vacancy *insert* the Vice-President, or, in his absence.
- p. 231, s. 86, marginal note. *Before* Madras *insert* Bengal.
- p. 231, s. 86. *To the marginal reference add* 9 Edw. VII, c. 4, s. 4.

- p. 231, line 9 from bottom. *Before Madras insert* Bengal.
- p. 231, line 8 from bottom. *After* vacancy *insert* the Vice-President, or, in his absence.
- p. 232, s. 87, marginal references. *Leave out* 3 & 4 Will. IV, c. 85, s. 64.
- p. 232, line 6. *Before Madras insert* Bengal.
- p. 233, s. 88, marginal references. *For* s. 4 *read* s. 4 (1).
- pp. 233, 234, s. 88. *Leave out* sub-section (3) and its original footnote.
- p. 234, s. 88. *In the added footnote, after* November 15, 1909, *insert* (as amended in 1912).
- p. 235, line 20. *After* Kingdom *insert* or with the father while in the service of the Crown out of the United Kingdom.
- p. 235, s. 93, marginal references. *Leave out* 33 Geo. III, c. 52, s. 57.
- p. 235, s. 93. *Leave out* belonging to the presidency wherein the vacancy occurs *and the appended note*.
- p. 237, s. 96. *To the marginal references add* 1 & 2 Geo. V, c. 18, s. 1.
- p. 237, line 12 from bottom. *For* fifteen *read* nineteen.
- p. 238, line 8. *At end of note (a) add* By s. 2 of the Indian High Courts Act, 1911 (1 & 2 Geo. V, c. 18) power is now given to establish additional chartered high courts.
- p. 238, line 9. *At end of note (b) add* The Indian High Courts Act, 1911 (1 & 2 Geo. V, c. 18) has raised the maximum, including the chief justice, to 20 (s. 1), and given power to appoint additional temporary judges (s. 3).
- p. 238, s. 97. *In the marginal references, for* 204 *read* 104.
- p. 239, note (a), line 3. *For* 97 *read* 96 (3).
- p. 247, line 26. *Add* By s. 2 of the Indian High Courts Act, 1911 (1 & 2 Geo. V, c. 18) power is now given in certain cases to alter by letters patent the local jurisdiction of a high court.
- p. 247, line 8 from bottom. *Before Madras insert* Bengal.
- p. 252, note (a), line 4. *After* Lucknow *insert* Nagpur, *and after* Travancore *add* and an Assistant Bishop has been appointed in Madras.
- p. 260, line 11 from bottom. *Before Madras insert* Bengal.
- p. 262, s. 121, line 5. *For* Government of India Act, 1858, *read* Indian Councils Act, 1861.

p. 263. *After* s. 123 *insert* :—

*Laying of documents before Parliament.*

- 123A. All proclamations, regulations and rules made under the Indian Councils Act, 1909, other than rules made by a Lieutenant-Governor for the more convenient transaction of business in his Council, must be laid before both Houses of Parliament as soon as may be after they are made.
- Laying of certain proclamations, &c., before Parliament. [9 Edw. VII, c. 4, s. 7.]

- p. 263, line 10 from bottom. *For* governor *read* lieutenant-governor in council.
- p. 263, line 7 from bottom. *After* Council *insert* lieutenant-governor in council.
- p. 265, line 4 from bottom. *For* thirteen *read* fifteen.
- p. 265, line 3 from bottom. *After* namely *insert* the Governor of Bengal in Council.
- p. 265, line 2 from bottom. *Leave out* Lieutenant-Governor of Bengal *and insert* Lieutenant-Governor of Bihar and Orissa in Council.
- p. 266, lines 1 and 2. *Leave out* the Lieutenant-Governor of Eastern Bengal and Assam *and insert* the Chief Commissioner of Assam; the Chief Commissioner of Delhi.
- p. 266, note (d), line 2. *After* Allahabad *insert* and any chartered High Courts which may be established under the Indian High Courts Act, 1911.
- p. 272, line 14 from bottom. *Add as a footnote* See s. 93 of Digest.
- p. 273, line 2 from bottom. *Before* Madras *insert* Bengal, *and for* Bengal *read* Bihar and Orissa.
- p. 281. *In the remarks on* s. 20, *after* 106 *insert* s. 27.
- p. 281. *In the remark on the third portion of* s. 24, *after* 57 *insert* and 9 Edw. VII, c. 4, s. 2 (1).
- p. 282. *In the first remark on* s. 25, *for* 24 & 25 *read* 21 & 22.
- p. 282. *In the second remark on* s. 25, *after* 97 *insert* s. 8.
- p. 282. *To the last remark on* s. 25 *add* Provision as to residence modified by 9 Edw. VII, c. 4, s. 2 (1).
- p. 282. *To the remark on* s. 28 *add* Repealed as to British India by Act XII of 1873.
- p. 283. *In the first remark on* s. 37, *for* 76 *read* 79.

- p. 284. *In the remark on s. 38, for s. 8 read ss. 8, 28.*
- p. 284. *In the remarks on s. 39, for 179 read 79.*
- p. 285. *In the remark on ss. 47-49, leave out (5).*
- p. 285. *For the remark on 33 Geo. III, c. 52, s. 53, substitute*  
Repealed by 2 & 3 Geo. V, c. 6, s. 4.
- p. 285. *For the remarks on 33 Geo. III, c. 52, s. 57, substitute*  
Repealed by 2 & 3 Geo. V, c. 6, s. 4.
- p. 295. *In the remark on 7 Geo. IV, c. 56, s. 3, for (3) read (4).*
- p. 295. *In the remark on s. 38 leave out has never been brought*  
into operation. It is *and insert* remained in suspension  
until used in 1912 for the establishment of a Governor  
in Council of Bengal. It had previously been treated as.
- p. 297, remarks on s. 56. *For Superseded . . . s. 16 read The*  
power to appoint a Governor in Council for Bengal was  
exercised in 1912.
- p. 297. *For the second remark on s. 59 read Not reproduced.*  
A Governor in Council for Bengal was appointed in 1912.
- p. 297. *In the last remark on s. 59, for Reproduced by read Not*  
reproduced. See.
- p. 298, remarks on s. 62. *For but in line 2 read by, and add*  
S. 62 is modified by 9 Edw. VII, c. 4, s. 4, and repealed  
in part by 2 & 3 Geo. V, c. 6, s. 4.
- p. 298, *To the remark on s. 63 add Modified by 9 Edw. VII,*  
c. 4, s. 4.
- p. 298. *For the remark on s. 71 substitute Repealed by 2 & 3 Geo. V,*  
c. 6, s. 4.
- p. 299, remark on s. 78. *Leave out (1).*
- p. 300, last remark on s. 79. *For (3) read (4).*
- p. 302. 5 & 6 Will. IV, c. 52. In column 1 of the second entry,  
*for s. 5 read s. 2.*
- p. 303. *To the remarks on s. 16 add The above remarks on s. 16*  
now require modification. See the second supplementary  
chapter. The provision as to cesser of power to appoint a  
deputy governor was repealed by 55 & 56 Vict. c. 19  
(S. L. R.).
- p. 304, remark on s. 32. *For Repealed read Reproduced.*
- p. 304. *To the second remark on s. 3 add Application to certain*  
Chief Commissionerships barred, 2 & 3 Geo. V, c. 6, s. 3.
- p. 305, column 1, line 5. *For 108 read 106.*

- p. 306. *To the second remark on s. 18 add Amended by 1 & 2*  
Geo. V, c. 25, s. 1.
- p. 311. *To the remark on s. 7 add Amended by 9 Edw. VII, c. 4,*  
s. 4.
- p. 313. *In the remark opposite s. 29, for 72 read 71.*
- p. 314. *To the first remark on s. 34 add Amended by 9 Edw. VII,*  
c. 4, s. 4.
- p. 314. *In the remark on s. 37, for (4) read (5).*
- p. 315. *To the remarks on s. 45 add Amended by 9 Edw. VII,*  
c. 4, s. 4.
- p. 315. *To the remark on ss. 50, 51, add The words "the*  
Governor of the Presidency of Fort William in Bengal"  
inserted in s. 50 and the words "and Governor of the  
Presidency of Fort William in Bengal" in s. 50 repealed  
by 2 & 3 Geo. V, c. 6, s. 4.
- p. 316. *To the remarks on s. 2 add Amended by 1 & 2 Geo. V,*  
c. 18, s. 1.
- p. 316. *To the remarks on s. 16 add Since revived by 1 & 2*  
Geo. V, c. 18, s. 2.
- p. 322. *Add the following table :—*

|                       |                                                                                            |                                  |
|-----------------------|--------------------------------------------------------------------------------------------|----------------------------------|
| 7 Edw. VII,<br>c. 35. | THE COUNCIL OF INDIA ACT,<br>1907.                                                         |                                  |
| s. 1 -                | Number of members -                                                                        | Reproduced by s. 3<br>(1).       |
| s. 2 -                | Newly appointed members<br>to have last left India<br>within five years.                   | Reproduced by s. 3<br>(3).       |
| s. 3 -                | Salary of members -                                                                        | Reproduced by s. 3<br>(9).       |
| s. 4 -                | Term of office of members -                                                                | Reproduced by s. 3<br>(4).       |
| s. 5 -                | Repeals -                                                                                  | Spent.                           |
| 9 Edw. VII,<br>c. 4.  | THE INDIAN COUNCILS ACT,<br>1909.                                                          |                                  |
| s. 1 -                | Election of members;<br>number of members;<br>quorum; term of office;<br>casual vacancies. | Reproduced by ss. 60,<br>71, 73. |
| s. 2 (1)              | Number and qualification<br>of members of Madras<br>and Bombay Councils.                   | Reproduced by s. 51<br>(2), (3). |

|                      |                                                                                 |                                                                                                                      |
|----------------------|---------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|
| 9 Edw. VII.<br>c. 4. | THE INDIAN COUNCILS ACT,<br>1909—cont.                                          |                                                                                                                      |
| s. 2 (2)             | Casting vote of President of Madras or Bombay Council.                          | Covered by s. 53.                                                                                                    |
| s. 3 (1)             | Bengal Executive Council -                                                      | Spent as to Bengal.<br>Applied to Bihar and Orissa by 2 & 3 Geo. V, c. 6, s. 2.<br>Referred to in note to s. 55 (1). |
| s. 3 (2)             | Executive Councils for Lieutenant-Governors.                                    | Referred to in note to s. 55 (1).                                                                                    |
| s. 3 (3)             | Rules and orders for transaction of business in Lieutenant-Governors' Councils. |                                                                                                                      |
| s. 3 (4)             | Appointment and functions of members of Lieutenant - Governors' Councils.       |                                                                                                                      |
| s. 4                 | Appointment and functions of Vice-Presidents.                                   | Referred to in notes to ss. 45, 72, 75, and reproduced by ss. 62 (1), (2), 72 (2), 75 (1), 85 (4), 86 (1).           |
| s. 5                 | Conduct of non-legislative business in Legislative Councils.                    | Reproduced by ss. 64, 77.                                                                                            |
| s. 6                 | Regulations as to nomination and election of members, &c.                       | Reproduced by ss. 60, 71, 73.                                                                                        |
| s. 7                 | Proclamations, &c., to be laid before Parliament.                               | Reproduced by s. 123A.                                                                                               |
| s. 8                 | Short titles, commencement, repeals.                                            | Spent.                                                                                                               |
| Sch. I.              | Maximum numbers of members of Legislative Councils.                             | Repealed in part and amended by 2 & 3 Geo. V, c. 6, s. 4 (1).<br>Reproduced by Appendix II.                          |
| Sch. II              | Repeals                                                                         | Spent.                                                                                                               |

|                               |                                                           |                                                          |
|-------------------------------|-----------------------------------------------------------|----------------------------------------------------------|
| 1 & 2 Geo.<br>V, c. 18.       | THE INDIAN HIGH COURTS<br>ACT, 1911.                      |                                                          |
| s. 1                          | Maximum number of Judges.                                 | Reproduced by s. 96 (1).                                 |
| s. 2                          | Additional High Courts                                    | Referred to in note (a) to s. 96 and note (b) to s. 104. |
| s. 3                          | Temporary Judges                                          | Referred to in note (b) to s. 96.                        |
| s. 4                          | Salaries of Judges                                        | Reproduced by s. 22 (2).                                 |
| 1 & 2 Geo.<br>V, c. 25.       | THE GOVERNMENT OF INDIA<br>ACT AMENDMENT ACT,<br>1911.    |                                                          |
| s. 1                          | Gratuities to personal representatives.                   | Reproduced by s. 19.                                     |
| s. 2                          | Confirmation of past grants of gratuities.                | Spent.                                                   |
| 2 & 3 Geo.<br>V, c. 6.        | THE GOVERNMENT OF INDIA<br>ACT, 1912.                     |                                                          |
| s. 1 (1)<br>and prov.<br>(a). | Powers of Governor and Council of Fort William in Bengal. | Reproduced by s. 50 (4), (5).                            |
| s. 1 (1),<br>prov.(b).        | Advocate-General of Bengal.                               | Referred to in foot-note to s. 71 (4).                   |
| s. 1 (2)                      | Power to extend limits of Calcutta.                       | Reproduced by s. 59.                                     |
| s. 2                          | Bihar and Orissa Executive Council.                       | Referred to in note to s. 55 (1).                        |
| s. 3                          | Legislative Councils for Chief Commissioners.             | Referred to in notes to ss. 58, 74.                      |
| s. 4 (1)                      | Amendments                                                | Reproduced by ss. 71 (2), 73 (2), 85 (1).                |
| s. 4 (2)                      | Repeals                                                   | Spent.                                                   |
| Schedule,<br>Part I.          | Power to transfer territories.                            | Reproduced in note to s. 57.                             |
| Schedule,<br>Part II.         | Amendments                                                | Reproduced by s. 85 and Appendix II.                     |
|                               | Repeals                                                   | Spent.                                                   |

- p. 323, line 21 from bottom. *Leave out as.*  
 p. 332, line 12. *For xv of 1877 substitute ix of 1908.*  
 p. 332, footnote. *For xiv of 1882 substitute v of 1908.*  
 p. 333, line 13. *For 1889 read 1869.*  
 p. 334, line 20. *For iv read ix.*  
 p. 336, line 10. *For Acts read Act.*

*First Supplementary Chapter.*

- p. 411, line 18. *Leave out is to be placed on the new executive council, and after Bengal insert and for Bihar and Orissa.*  
 p. 411, line 5 from bottom. *To Bengal append as a footnote Now Bihar and Orissa—see 2 & 3 Geo. V, c. 6, s. 2.*  
 p. 411, footnote. *For is being read has been, and for Bengal read Bihar and Orissa.*  
 p. 414, line 5. *After Lieutenant-Governor insert or Chief Commissioner.*  
 p. 414, line 9. *After Bengal insert and Bihar and Orissa, for council read councils, and for will be read are.*  
 p. 414, line 10. *For council read councils.*  
 p. 414, Tabular Statement. *For Regulations of 1909 read Regulations of 1912, and in column 2, item United Provinces, for 48 read 49. For Eastern Bengal and Assam, 42-50 read Bihar and Orissa, 44-53. Add after Burma, Assam, 25-30.*  
 p. 414, lines 12 and 11 from bottom. *For General's read General, leave out council, and for councils read Governors.*  
 p. 414, line 9 from bottom. *For must read had to.*  
 p. 414, line 3 from bottom. *After 1909 insert and 1912.*  
 p. 414, footnote. *After Lieutenant-Governor insert or Chief Commissioner.*  
 p. 415, line 1. *After regulations insert of 1912.*  
 p. 415, Tabular Statement. *In item Bengal, for 20 (column 2) read 19; for 31 (column 3) read 32; for 11 (column 4) read 13. In item United Provinces, for 26 (column 3) read 27, and for 6 (column 4) read 7. For Eastern Bengal and Assam, 17-23-6 read Bihar and Orissa, 18-25-7. Add after Burma, Assam, 9-15-6.*  
 p. 415, line 20 from bottom. *After Lieutenant-Governor insert or Chief Commissioner.*

- p. 415, line 19 from bottom. *After members insert (or, in the case of Bihar and Orissa and of Assam, one expert member).*  
 p. 416, line 16. *After 1909 insert as amended in 1912.*  
 p. 417, line 5. *Insert a new heading (b) is an official; or, and re-letter the subsequent headings.*  
 p. 417, line 11 from bottom. *For (f) . . . (i) read (g), (h), (i) and (k).*  
 p. 417, lines 6 and 5 from bottom. *For Governor in Council or Lieutenant-Governor read Local Government.*  
 p. 418, line 15 from bottom. *For the Appendix read Appendix II.*  
 p. 419, lines 4, 5. *Leave out or (3) . . . Council.*  
 p. 419, line 10 from bottom. *Before in insert Muhammadans, and leave out Eastern and and Assam.*  
 p. 419, line 8 from bottom. *For and jute industries read industry, leave out Eastern, and after Assam insert mining in Bihar and Orissa.*  
 p. 419, line 7 from bottom. *For Bengal read Bihar and Orissa.*  
 p. 420, line 16 from bottom. *To Bengal add as a footnote In Bengal delegates have been abolished by the Regulations of 1912, and all voting is direct.*  
 p. 423, line 14. *Before Act insert Councils.*  
 p. 424, line 4. *After moved insert consistently with the public interests.*  
 p. 425, lines 7 and 6 from bottom. *For November 15, 1909 read 1912.*  
 p. 425, last 6 lines. *For Regulation XIII . . . councils read The Regulations for the several councils, in prescribing a quorum, omit reference to the presence of the President or Vice-President (which is secured by Statute) and merely state that, in order to form a quorum, a certain number of members must be present, viz. 15 additional members in the Governor-General's Council and 10 in the Councils of Bengal, Madras, Bombay, and Bihar and Orissa, and 10 members in the United Provinces, 8 in the Punjab and Assam, and 6 in Burma.*  
 p. 430, Sch., lines 4, 5. *Leave out Lieutenant and of the Bengal Division of the Presidency, and after William insert in Bengal.*  
 p. 430, Sch., lines 8, 9. *For the Province of Eastern Bengal and Assam read Bihar and Orissa.*  
 pp. 432 to 435. *For Appendix II substitute the following :—*

**APPENDIX II**  
**CONSTITUTION OF THE LEGISLATIVE COUNCILS UNDER THE REGULATIONS OF NOVEMBER 1909 AS REVISED IN 1912**

**INDIA**

*Ex Officio.*

|                                                                                                                                                                                           |   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| The six Ordinary Members of the Governor-General's Council, the Commander-in-Chief, and the Lieutenant-Governor or Chief Commissioner of the province in which the Council sits . . . . . | 8 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|

*Additional.*

|                                                                                                                                                                                                                                                                     |    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| Nominated members, of whom not more than 28 must be officials, <sup>1</sup> and of whom three, being non-officials, shall be selected respectively from the landholders of the Punjab, the Muhammadans of the Punjab, and the Indian Commercial Community . . . . . | 33 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|

Elected Members, elected by

|                                                                                                                            |    |
|----------------------------------------------------------------------------------------------------------------------------|----|
| (a) The Provincial Legislative Councils <sup>2</sup> . . . . .                                                             | 13 |
| (b) The landholders of Madras, Bombay, Bengal, the United Provinces, Bihar and Orissa, and the Central Provinces . . . . . | 6  |
| (c) The Muhammadans of Madras, Bombay, Bengal, the United Provinces, and Bihar and Orissa . . . . .                        | 5  |
| (d) The Muhammadan landholders in the United Provinces or the Muhammadans of Bengal (at alternate elections) . . . . .     | 1  |
| (e) The Chambers of Commerce, Calcutta and Bombay . . . . .                                                                | 2  |
| Total . . . . .                                                                                                            | 27 |

|                                              |    |
|----------------------------------------------|----|
| or, including the Governor-General . . . . . | 68 |
|                                              | 69 |

**MADRAS**

*Ex Officio.*

|                                            |   |
|--------------------------------------------|---|
| Members of the Executive Council . . . . . | 3 |
| Advocate-General . . . . .                 | 1 |

<sup>1</sup> Nine of these are to be officials representing provinces.  
<sup>2</sup> These elections are made by the non-official members of the councils. There is no legislative council in the Central Provinces at present, but one is about to be constituted. Meanwhile the representative on the Governor-General's Council is elected by the District Councils and Municipal Committees.

*Additional.*

|                                                                                                                                 |    |
|---------------------------------------------------------------------------------------------------------------------------------|----|
| Nominated members, of whom not more than 16 are to be officials, and one is to be a representative of Indian Commerce . . . . . | 21 |
| Nominated experts, who may be either officials or non-officials . . . . .                                                       | 2  |

Elected members, elected by

|                                                  |    |
|--------------------------------------------------|----|
| (a) The Corporation of Madras . . . . .          | 1  |
| (b) Municipalities and District Boards . . . . . | 9  |
| (c) The University . . . . .                     | 1  |
| (d) The Landholders . . . . .                    | 5  |
| (e) The Planting Community . . . . .             | 1  |
| (f) Muhammadans . . . . .                        | 2  |
| (g) The Madras Chamber of Commerce . . . . .     | 1  |
| (h) The Madras Trades Association . . . . .      | 1  |
| Total . . . . .                                  | 21 |

|                                      |    |
|--------------------------------------|----|
| or, including the Governor . . . . . | 48 |
|                                      | 49 |

**BOMBAY**

*Ex Officio.*

|                                            |   |
|--------------------------------------------|---|
| Members of the Executive Council . . . . . | 3 |
| Advocate-General . . . . .                 | 1 |

*Additional.*

|                                                                           |    |
|---------------------------------------------------------------------------|----|
| Nominated members, of whom not more than 14 are to be officials . . . . . | 21 |
| Nominated experts, who may be either officials or non-officials . . . . . | 2  |

Elected members, elected by

|                                                                    |    |
|--------------------------------------------------------------------|----|
| (a) The Corporation of Bombay . . . . .                            | 1  |
| (b) Municipalities . . . . .                                       | 4  |
| (c) District Boards . . . . .                                      | 4  |
| (d) The University . . . . .                                       | 1  |
| (e) The Landholders . . . . .                                      | 3  |
| (f) Muhammadans . . . . .                                          | 4  |
| (g) The Bombay Chamber of Commerce . . . . .                       | 1  |
| (h) The Karachi Chamber of Commerce . . . . .                      | 1  |
| (i) The Millowners' Associations of Bombay and Ahmedabad . . . . . | 1  |
| (j) The Indian Commercial Community . . . . .                      | 1  |
| Total . . . . .                                                    | 21 |

|                                      |    |
|--------------------------------------|----|
| or, including the Governor . . . . . | 48 |
|                                      | 49 |

## BENGAL

*Ex Officio.*

Members of the Executive Council . . . . . 3

*Additional.*

Nominated members, not more than 16 to be officials  
and one to be a representative of the European  
Commercial Community outside Calcutta and  
Chittagong, and one of Indian Commerce . . . . . 20

Nominated experts, who may be either officials or  
non-officials . . . . . 2

## Elected members, elected by

(a) The Corporation of Calcutta . . . . . 1  
(b) Municipalities . . . . . 5  
(c) District and Local Boards . . . . . 5  
(d) The University . . . . . 1  
(e) The Landholders of the Presidency, Burd-  
wan, Rajshahi and Dacca Divisions . . . . . 4  
(f) Muhammadans . . . . . 5  
(g) The Bengal Chamber of Commerce . . . . . 2  
(h) The Calcutta Trades Association . . . . . 1  
(i) The Chittagong Port Commissioners . . . . . 1  
(k) Commissioners of the Corporation of Cal-  
cutta (excluding nominees of Government) . . . . . 1  
(l) The Tea-planting Community . . . . . 1  
(m) Municipalities of the Chittagong Division  
or (at alternate elections) Landholders of the  
same Division . . . . . 1

— 28

Total . . . . . 53  
or, including the Governor . . . . . 54

## BIHAR AND ORISSA

*Ex Officio.*

Members of Executive Council . . . . . 3

*Additional.*

Nominated members, not more than 15 to be officials . . . . . 19  
Nominated expert, who may be either an official or  
a non-official . . . . . 1

## Elected members, elected by

(a) Municipalities . . . . . 5  
(b) District Boards . . . . . 5  
(c) The Landholders . . . . . 4  
(d) Muhammadans . . . . . 1  
(e) The Planting Community . . . . . 1  
(f) The Mining Community . . . . . — 21

Total . . . . . 44  
or, including the Lieutenant-Governor . . . . . 45

## UNITED PROVINCES

Nominated members, not more than 20 to be officials,  
and one to be a representative of Indian commerce . . . . . 26  
Nominated experts, who may be officials or non-  
officials . . . . . 2

## Elected members, elected by

(a) Large Municipalities in rotation . . . . . 4  
(b) District Boards and Smaller Municipalities . . . . . 9  
(c) Allahabad University . . . . . 1  
(d) The Landholders . . . . . 2  
(e) Muhammadans . . . . . 4  
(f) The Upper India Chamber of Commerce . . . . . 1

— 23

Total . . . . . 49  
or, including the Lieutenant-Governor . . . . . 50

## PUNJAB

Nominated members, not more than 10 to be officials . . . . . 16  
Nominated experts, who may be either officials or  
non-officials . . . . . 2

## Elected members, elected by

(a) The Punjab Chamber of Commerce . . . . . 1  
(b) The Punjab University . . . . . 1  
(c) Municipal and Cantonment Committees . . . . . 3  
(d) District Boards . . . . . 3

— 8

Total . . . . . 26  
or, including the Lieutenant-Governor . . . . . 27

## BURMA

|                                                                           |    |
|---------------------------------------------------------------------------|----|
| Nominated officials . . . . .                                             | 6  |
| Nominated non-officials                                                   |    |
| (a) To represent the Burmese population . . . . .                         | 4  |
| (b) To represent the Indian and Chinese Communities . . . . .             | 2  |
| (c) To represent other interests . . . . .                                | 2  |
|                                                                           | —  |
| Nominated experts, who may be either officials or non-officials . . . . . | 2  |
| Elected by the Burma Chamber of Commerce . . . . .                        | 1  |
|                                                                           | —  |
| Total . . . . .                                                           | 17 |
| or, including the Lieutenant-Governor . . . . .                           | 18 |

## ASSAM

|                                                                        |    |
|------------------------------------------------------------------------|----|
| Nominated members, not more than 9 to be officials . . . . .           | 13 |
| Nominated expert, who may be either official or non-official . . . . . | 1  |
| Elected members, elected by                                            |    |
| (a) Municipalities . . . . .                                           | 2  |
| (b) Local Boards . . . . .                                             | 2  |
| (c) The Landholders . . . . .                                          | 2  |
| (d) Muhammadans . . . . .                                              | 2  |
| (e) The Tea-planting Community . . . . .                               | 3  |
|                                                                        | —  |
| Total . . . . .                                                        | 25 |
| or, including the Chief Commissioner . . . . .                         | 26 |

*First Addenda and Corrigenda.*

p. 450, last correction for p. 109. For 20 read 21.

